

3rd Sub. S.B. 191

CONDOMINIUM AND COMMUNITY ASSOCIATION AMENDMENTS

HOUSE COMMITTEE AMENDMENTS

AMENDMENT 1

FEBRUARY 24, 2023 6:15 PM

Representative **James A. Dunnigan** proposes the following amendments:

1. *Page 27, Lines 818 through 831:*

818 (9) (a) A unit owner who owns a rental unit shall give an association of unit owners the
819 documents described in Subsection (8)(b) if the unit owner is required to provide the
820 documents by court order or as part of discovery under the Utah Rules of Civil Procedure.

821 (b) If an association of unit owners' declaration lawfully prohibits or restricts
822 occupancy of the units by a certain class of individuals, the association of unit owners may
823 require a unit owner who owns a rental unit to give the association of unit owners the
824 information described in Subsection (8)(b), if:

825 (i) the information helps the association of unit owners determine whether the renter's
826 occupancy of the unit complies with the association of unit owners' declaration; and

827 (ii) the association of unit owners uses the information to determine whether the
828 renter's occupancy of the unit complies with the association of unit owners' declaration.

829 (c) An association that permits at least 35% of the units in the association to be rental
830 units may charge a unit owner who owns a rental unit an annual fee of up to ~~{-\$250}~~ \$200 to defray
831 the
association's additional administrative expenses directly related to a unit that is a rental unit {-.} , as
detailed in an accounting provided to the unit owner.

2. *Page 37, Lines 1117 through 1131:*

1117 (9) (a) A lot owner who owns a rental lot shall give an association the documents
1118 described in Subsection (8)(b) if the lot owner is required to provide the documents by court
1119 order or as part of discovery under the Utah Rules of Civil Procedure.

1120 (b) If an association's declaration of covenants, conditions, and restrictions lawfully
1121 prohibits or restricts occupancy of the lots by a certain class of individuals, the association may
1122 require a lot owner who owns a rental lot to give the association the information described in
1123 Subsection (8)(b), if:

1124 (i) the information helps the association determine whether the renter's occupancy of
1125 the lot complies with the association's declaration of covenants, conditions, and restrictions;
1126 and

1127 (ii) the association uses the information to determine whether the renter's occupancy of
1128 the lot complies with the association's declaration of covenants, conditions, and restrictions.

1129 (c) An association that permits at least 35% of the lots in the association to be rental

1130 lots may charge a lot owner who owns a rental lot an annual fee of up to ~~{-\$250}~~ \$200 to defray the
1131 association's additional administrative expenses directly related to a lot that is a rental lot ~~{-.}~~ .as
detailed in an accounting provided to the unit owner.