

Attachment 2

NH State Law

356-B:45 Liabilities for Common Expenses. –

I. Except to the extent that the condominium instruments provide otherwise, any common expenses associated with the maintenance, repair, renovation, restoration, or replacement of any limited common area shall be specially assessed against the condominium unit to which that limited common area was assigned at the time such expenses were made or incurred. This provision shall also apply to the expansion or creation of limited common areas pursuant to RSA 356-B:19, III. If the limited common area involved was assigned at that time to more than one condominium unit, however, such expenses shall be specially assessed against each such condominium unit equally so that the total of such special assessments equals the total of such expenses, except to the extent that the condominium instruments provide otherwise.

II. To the extent that the condominium instruments expressly so provide, any other common expenses benefiting less than all of the condominium units, or caused by the conduct of less than all those entitled to occupy the same or by their licensees or invitees, shall be specially assessed against the condominium unit or units involved, in accordance with such reasonable provisions as the condominium instruments may make for such cases.