

TITLE 2: NATURAL RESOURCES
DIVISION 6: UNIFORM CONDOMINIUM ACT

**§ 6602. Acquisition of Interests in Units by Persons and Certain Entities
Not of Northern Marianas Descent.**

(a) Any individual, resident, or alien, or any corporation, trust, or partnership, whether organized under the laws of the Commonwealth or any other government, may, except when prohibited by the laws of the United States, acquire, hold, occupy, lease, mortgage, hypothecate, sell, or otherwise encumber or dispose of short-term interests in one or more condominium units in the Commonwealth.

(b) Any individual, resident, or alien, or any corporation, trust, or partnership, whether organized under the laws of the Commonwealth or any other government, may, except when prohibited by the laws of the United States, acquire, hold, occupy, lease, mortgage, hypothecate, sell, or otherwise encumber or dispose of permanent or long-term interests in one or more condominium units in the Commonwealth, so long as each and every such unit lies above the first floor of the condominium building and each and every such unit is sited on privately-owned land.

(c) The acquisition of permanent or long-term interests in one or more condominium units in the Commonwealth that are on the first floor, or that are not sited on privately-owned land by persons not of Northern Marianas descent shall be *void ab initio*, as provided in N.M.I. Const. art. XII.

(d) Nothing in this section shall be construed as limiting the rights of persons of Northern Marianas descent, as defined by N.M.I. Const. art. XII, § 4, or corporations considered to be persons of Northern Marianas descent, as defined by N.M.I. Const. art. XII, § 5, to acquire, hold, occupy, lease, mortgage, hypothecate, sell, or otherwise encumber or dispose of permanent or long-term interests in one or more condominium units in the Commonwealth on any floor of a condominium building and/or on either privately- or publicly-owned land.

Source: PL 3-86, § 6-102; repealed and reenacted by PL 15-20, § 4.

Commission Comment: PL 15-20 was enacted on June 27, 2006 and contained the following findings and purpose provision in addition to amendments to 2 CMC §§ 6501 and 6502 and severability and savings clauses:

Section 1. Findings and Purpose. The Legislature finds that there is great potential for the Commonwealth to become a premiere retirement destination for people from Asia and the United States. However, this market is currently underdeveloped because CNMI law currently prevents persons not of Northern Marianas descent from obtaining permanent and/or long-term interests in condominiums, the preferred housing of retirees. The Legislature finds that Article XII of our Commonwealth Constitution allows persons not of Northern Marianas descent to own condominiums in certain circumstances. The Legislature finds that changing our law to allow persons not of Northern Marianas descent to own condominiums in certain circumstances would encourage economic development in the Commonwealth without unduly affecting the important interests protected by Article XII. The legislature finds and declares that this Act is a necessary and proper use of the legislative authority granted by Article II of the Commonwealth Constitution.