

Practices

Community Association

The firm's Community Association Practice Group has provided cutting edge advice and effective solutions to a multitude of condominiums, cooperatives and homeowners associations throughout New Jersey for over four decades. We have proudly established a statewide reputation as a pioneer and present day leader in this complex and highly specialized area of the law.

The members of our Community Association group work closely, efficiently and responsively with board members and property managers to provide general corporate counsel on a broad range of legal issues facing condominiums, cooperatives, and other common interest communities throughout New Jersey. The Group's expansive and multi-disciplinary experience enables us to represent our clients' interests across all facets of real estate, corporate, governmental and environmental law and related litigation.

Serving as general counsel for numerous associations throughout New Jersey, legal services in this practice area include:

- Transition counseling, negotiations and litigation
- Collection of delinquent unit owner accounts
- Construction defect litigation
- Interpretation of association documents including Master Deed, Declaration, Bylaws, Rules and Regulations
- Drafting of policy and administrative resolutions and amendments to governing documents
- Advising on the fiduciary responsibilities and obligations of board members
- Negotiation and drafting of purchase and/or service contracts with outside vendors
- Defense of discrimination claims, including those brought under the Fair Housing Act (FHA), Americans with Disabilities Act (ADA), and New Jersey's Law Against Discrimination (LAD)
- Alternative dispute resolution laws and requirements

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Practices (Cont.)

- Capital improvement projects and related financing
- Insurance coverage and risk management issues
- Land use and zoning issues, including representation before municipal or county planning or zoning boards
- Bankruptcy options for distressed communities
- Compliance with federal, state, and municipal laws and administrative rulings and regulations
- Governmental relations, including issues related to New Jersey's Municipal Services Act (MSA)
- Attendance at association meetings as general counsel

Our dedicated community association collections department effectively spearheads the collection of delinquent assessments and is highly qualified in civil litigation, foreclosure and bankruptcy procedures.

The firm provide comprehensive guidance and resolution drafting services related to a diversity of policy and administrative issues, including parking and towing regulations; the implementation of a system of fines; due process and alternative dispute resolution; collection of delinquent accounts procedures; placement of satellite dishes; household pet, service and companion animal rules; hot water heater replacement; dryer vent and chimney cleaning; insurance deductibles; and the ethical conduct and confidentiality obligations of board members.

Our work encompasses the amendment of governing documents, including those related to reducing or enlarging quorum, altering common or limited areas, amending the maintenance responsibilities of the association and its members, and establishing or revising membership or capital contribution fees.

We have extensive experience in all facets of community association law and construction defect litigation in New Jersey, and have achieved several settlements for association clients in excess of \$10 million. We have served as court appointed receiver and as special master for troubled associations. Our work has included the resolution of many complex association disputes including recall proceedings, contested elections, discrimination issues, and criminal investigations and matters including embezzlement.

The attorneys in this practice area play an integral role in New Jersey's community association legal domain. The firm has historically been at the forefront of developments that affect community associations in the state, and remains on that inside track. We keep our clients promptly informed of legislative initiatives and new developments that impact common interest communities and their governance. The firm is a founding member of, and maintains a high level of involvement with, the Community Associations Institute's New Jersey Chapter (CAI-NJ). Three members in this practice group are the co-authors of the leading resource publication for practitioners in this field in New Jersey.