

# Community Trends®



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## LEGISLATIVE UPDATE

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I write this article in anticipation that it will appear in the Expo issue of *Community Trends*®. I know I will not have the opportunity to see each of you at the Expo but, as is the case every month, I appreciate the opportunity to reach out to you through this column.

The concept of an "expo," short for "exposition," is the theme of this column. By definition, an expo is a public exhibition or a collection of things for public display. An exposition also sometimes referred to an "explanation." So, in context, this article introduces you to the public exhibition that the LAC will deliver to you at Expo.

My first goal is to acquaint you with the names and faces of the LAC that the Expo will bring to life at the Expo. Throughout the year and throughout the State, different groups of LAC members assembled, traveled the State, and presented legislative update programs which consistently received accolades. At the Expo, George Greatrex, Esq., Mike Pesce, PCAM, Tim Martin of MBI GluckShaw and I will be presenting a legislative update session discussing many of the issues which the LAC has dealt with over the past year. Key will be the Municipal Services Act, mortgage foreclosure reform, manager licensing/certification, and election reform. The repeated use of the word "reform" in developing these topics, and the agenda for action by the LAC in the coming year, stresses the need for new legislation to resolve ongoing problems in association operations. The LAC will continue to muster its resources and energy to achieve these objectives.

Expo also means to lay things out and explain. In this vein, the LAC has much to restate as its accomplishments this past year on behalf of CAI. At the same time, we acknowledge that much remains to be done. Our meetings sometimes feel like that Bill Murray comedy "Groundhog Day", where we find ourselves in a time loop, repeating the

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same discussion and setting the same priorities month after month, again and again. But that's not true.

When I began to mentally list some of the achievements (and achievements-in-progress) of the LAC, the list was lengthy. The LAC advocated that municipalities adopt ordinances compelling lenders to maintain the exterior of abandoned residential properties; drafted bills to allow common interest communities to petition the court to expedite the foreclosure of abandoned properties; with David Ramsey, Esq. leading the charge, engaged with the New Jersey Law Revision Commission to advance CAI's interests and to prevent CAI's interests from being overridden by other interest groups; critiqued and clarified multiple bills that were introduced purporting to bring transparency

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and fair dealing to association operations and elections; pursued (and will continue to pursue) manager certification as an alternative; concentrated on the specific aspects of the Municipal Services Act that are problematic; committed to amicus efforts, by the efforts of Gene Markin, Esq. and John Randy Sawyer, Esq. in *The Palisades at Fort Lee Condominium Association, Inc., v. 100 Old Palisade, LLC*, and Timothy P. Duggan, Esq. in *In re: Ronex*; on a federal level, advocated against the challenges to the super-lien priority mounted by the Federal Housing Finance Agency, and federal legislation proposed to prohibit community associations from imposing a blanket prohibition on the installation of ham radio installations; disseminated to CAI's membership information arising out of case law granting immunity under the Landowners' Liability Act, and in the standardization of condominium project questionnaires by Fannie Mae and Freddie Mac; opposed proposed legislation which would have obligated managers to notify the next-of-kin upon a resident's death; brought to the attention of CAI readers ordinances proposed in Jersey City intending to regulate service employees, well aware that similar ordinances might be introduced in other municipalities;

reconciled and commented on bills intended to provide greater protections to community associations than currently granted under the Planned Real Estate Development Full Disclosure Act; and populated last month's LAC edition of *Community Trends*, thanks to the writings of seven of our members, making it a huge success.

As I end the above paragraph above, I have convinced myself that any similarities between Groundhog Day and membership on the LAC this past year are completely unfounded. I encourage you to review issues of *Community Trends*® from this past year for my discussion of some of the topics the LAC tackled this past year, or to seek out members of the LAC if you have personal concerns. Copies of my monthly Legislative Update are posted on CAI-NJ's website at [www.cainj.org](http://www.cainj.org). The LAC is also proud that it has brought current its bill chart, which is now posted on CAI-NJ's website under the "Legislative" tab. Tremendous thanks to Audrey Wisotsky, Esq. for successfully (and patiently) leading the LAC through this major undertaking.

I close by saying that the LAC has accomplished much and I hope you agree. I also hope you join us in moving forward. ■