

Community Trends®



LEGISLATIVE UPDATE

GEORGE GREATREX, ESQ.
PARTNER, HILL WALLACK LLP
LEGISLATIVE ACTION COMMITTEE CHAIR

Thanks to our Homeowners Leaders & Congratulations to our New Jersey Legislative Action Committee

It seems these days that we don't use the phrase "thank you" nearly enough. I'm going to take this opportunity to say it to two groups of people in our industry who truly deserve it and don't hear it enough: our volunteer homeowner leaders, and our Legislative Action Committee (LAC) members.

Most executive board members give unselfishly of their time and talents to promote and protect the health, safety and welfare of the members and residents of their common interest communities. Contrary to what many believe, this is no easy task, especially in today's world. While many board decisions address run-of-the-mill issues such as what landscaping vendor to hire, we forget that some decisions can have life and death consequences. I refer of course to this year's decision to open association's recreational amenities or keep them closed in light of the COVID19 pandemic. As we have all learned, gatherings of people in close proximity to each other in public places increases the risk of transmission of the virus from person to person. Those types of public places in common interest communities include pools, clubhouses, basketball courts, playgrounds and tennis courts. What board member would want to be responsible for increasing this risk to their friends and neighbors in this way?

To make the decision even harder is the knowledge that if one or more people sue their association and board

members claiming they contracted the virus while using the association's amenities, it is likely there will be no insurance coverage for either the legal fees incurred to defend the suit, or to pay a settlement or judgment entered against them. This could have potentially devastating financial consequences for the association, its members and its trustees.

"I am also aware of some trustees who resigned after their board voted to open their pool for fear of being sued personally..."

What board member would want to take such a risk with the association's finances?

Yet we have heard many accounts of board members who voted to keep their amenities closed for those very reasons being ridiculed and harassed for making that decision. I am personally aware of several board members who resigned from their board positions under the strain of this backlash from some of their members. I am also aware of some trustees who resigned after their board voted to open their pool for fear of being sued personally if one or more of their members sued the board for having contracted the virus after having used the pool.

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For most board members who approach their position and duty in good faith and with the best of intentions, "I didn't sign up for this" is a phrase that has likely crossed their minds at least once. I wouldn't blame them. So, while we may not always agree with the decisions our executive boards make, let's remember that they are volunteers and are worthy of our gratitude for stepping up and taking on a job not many people want.

And speaking of gratitude, I would like to express my congratulations to my colleagues and friends on the CAI Legislative Action Committee-NJ for having been named the

"Legislative Action Committee of the Year" by CAI National. Yes... the best in the whole country! I am so proud to be a part of such a special group of dedicated folks. Each one unselfishly gives of their time, talents, experience and training to advance the goal of improving the common interest community housing model in our state and around the country. On behalf of all who live and work in CICs in New Jersey... THANK YOU for all you do!

Next month's issue of *Trends* is our annual LAC issue and will contain several informative articles from members of our award-winning LAC...don't miss it! Stay safe. ■