

Community Trends®



LEGISLATIVE UPDATE

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As I've written in this column each of the past few years, the September issue of *Community Trends*® is my favorite of the year...there's always so much good stuff in it! It's commonly known as the "LAC Issue" because all the articles are about legislative, regulatory, and legal issues affecting common interest communities in New Jersey, written by members of the CAI Legislative Action Committee – NJ. By the time you read this column I will have returned from a trip to Las Vegas to attend CAI's Annual Conference where I accepted an award on behalf of your LAC-NJ naming us the best CAI Legislative Action Committee in the country! I'm so proud of this group...and privileged to have served on it these past ten years.

Like last year, 2021 has been challenging in so many ways. While we have been focused on COVID-19 issues, we have been pursuing other important legislative and regulatory priorities too. These are some of the topics you'll read about in this issue:

- **COVID-19 Immunity for Common Interest Communities in NJ:** Against all odds we were successful in initiating legislation protecting our associations from COVID-19 claims so that our executive boards could safely open our amenities again. That bill was signed into law on July 1, 2021. **Ed San George, MPA, PCAM**, a community manager member of the LAC and a tireless advocate for this legislation, reviews the details of this new law and explains how it came to be.
- **Legislation Authorizing Participation in Meetings Via Remote Means:** **Thomas Martin**, a lawyer and for-

mer chair of the LAC, reviews pending bills that would authorize virtual meetings even after the official State of Emergency declared by the Governor is lifted.

- **Mandatory Board Member Training and Manager Licensing:** While we all can agree that ongoing training and education of board members and managers is a good thing, mandating such training and education by law remains controversial. **Matthew Earle**, a lawyer, and the incoming LAC Chair beginning in 2022, discusses two new bills that do just that...and describes

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our efforts to craft legislative amendments that strike the necessary balance between the benefits and costs of such legislation.

- **CA-PAC – The Power of Your Voices and Dollars:** **Paul Raetsch**, a homeowner leader member of the LAC and former executive on his HOA board, describes how our members' grassroots communications and contributions to our Political Action Committee made the difference in the passage of our immunity bill...and other bills pending before the legislature.
- **Ensuring the Structural Integrity of our Buildings:** In light of the recent catastrophic condominium building

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collapse in Florida, many of you are wondering what we can do here in New Jersey to prevent such a tragedy. The **LAC-NJ Infrastructure Task Force** reviews how that discussion is playing out in New Jersey, Washington DC, and around the country. This will surely be a long but important process as we “look in the mirror” at ourselves and how our industry moves forward in response to this call to action.

- **Elimination of Discriminatory Restrictive Covenants in our Governing Documents: Jonathan Katz**, a lawyer and current President of the CAI-Keystone chapter, discusses a bill that passed both houses of the legislature and is awaiting the Governor’s signature into law, which makes it easier for common interest communities to remove these unwanted provisions from our governing

documents. Your LAC supported this bill, and we hope the Governor signs it into law soon.

This is the issue of *Community Trends*® you should keep on the top of the legal resource pile on your desk at all times. Many thanks to the authors of the articles in this issue, and all members of our award-winning LAC, for their unselfish and tireless efforts on behalf all of us who live and work in common interest communities in New Jersey. I encourage you to share the information in these pages with your board members, homeowners, property managers, and legal and accounting professionals. This edition and the information it provides is just another example of the many great benefits of membership in CAI.

Stay safe out there! See you here next month... ■