

Community Trends®



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LEGISLATIVE UPDATE

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LEGISLATIVE ACTION COMMITTEE CHAIR

A Changing of the Guard...

This month marks the conclusion of my four years serving as Chair of your CAI Legislative Action Committee – NJ. I now turn over the reins to my colleague Matt Earle, a partner in the law firm of Kates, Nussman, Ellis, Farhi & Earle LLP in Hackensack. The LAC will be in very capable hands with Matt at the helm.

My time serving on the LAC without a doubt has been the most gratifying, educational, and yes even entertaining of my entire legal career. I have served with a stellar group of volunteers these past several years – homeowner leaders, community managers, lawyers, accountants, insurance professionals and business partners – all of whom gave unselfishly of their time, experience, and expertise in service of all of us who live and work in common interest communities in New Jersey. I've learned so much from them...and hope they know how appreciative I am for their friendship and their commitment to the LAC's mission.

That mission, as you've read in this column many times, is to initiate and promote laws and regulations that improve the common interest community housing model in our state, and to oppose laws and regulations that would harm those of us who live and work in those communities. We have indeed been successful in our pursuit of that mission... even to the point of being named "**Legislative Action Committee of the Year**" in 2019 by our national organization. In the last four years alone we successfully lobbied for amendments to the package of foreclosure reform bills that expanded the amount and enforceability

of our communities' assessment liens, successfully lobbied for amendments to the **electric vehicle charging stations** bill that will protect the interests of all community associations when such installations are made, and successfully lobbied for an amendment to a bill just signed into law that will make it easier for our executive boards to **remove discriminatory covenants** in their associations' governing documents.

We helped our members navigate a myriad of Executive Orders and Department guidelines imposed to combat the COVID-19 pandemic, then provided guidance as those orders and guidelines changed (which seem daily) and were then eventually withdrawn. We are currently promoting legislation that would authorize **virtual membership meetings** even beyond a declared State of Emergency. Your LAC challenged the Department of Community Affairs (DCA) introduction of proposed regulations to implement and interpret the Radburn election law amendments to the PRED Act, and when the DCA dismissed the vast majority of our suggested revisions, we assisted in the prompt filing of a court challenge to those regulations. We continue to pursue that challenge of these **Radburn regulations** and will not cease our efforts until appropriate revisions to those regulations are made.

Last but certainly not least, we initiated and lobbied for **immunity protection from COVID-19 claims** for all planned real estate developments in New Jersey. Against all odds this bill unanimously passed the legisla-

CONTINUES ON PAGE 2

LEGISLATIVE UPDATE...

from page 1.

ture and was signed into law by the Governor on July 1. However, the law expires on December 31 of this year, and as of this writing a bill to extend this immunity law for another year has been introduced and is being debated.

With your help, it is our hope that this law extending immunity for our common interest communities will be posted for a vote, passed by the legislature, and signed into law by the Governor before the end of this year.

My thanks to Paul Matarera (from our lobbying firm) and Chris Li (my predecessor Chair of the LAC) for having faith in me that I could do the job of Chair...they had more faith in me than I had in myself. To the terrific staffs of the New

Jersey and Keystone Chapters of CAI and their Executive Boards for their support and encouragement of our efforts. To Michele Jaker from our lobbying firm MBI for her wisdom, insight and genuine caring for our members and their daily challenges. And finally, thanks to all of you...the residents, volunteer leaders, managers and business partners who live and work in our common interest communities...for being our eyes and ears on the ground and for your support of our efforts to improve your daily lives. You can count on your LAC to continue to be there for you.

Queue the scene where I ride off into the sunset...but I won't go far! Stay safe everyone. ■