



LEGISLATIVE UPDATE

MATTHEW Z. EARLE, ESQ.

KATES, NUSSMAN, ELLIS, FARHI & EARLE, LLP
LEGISLATIVE ACTION COMMITTEE CHAIR

I am honored to have been elected as Chairperson of the NJ Legislative Action Committee for the next two years and will do my best to keep the 2019 LAC of the Year on our current track of effective advocacy. Also, congratulations are in order for Ed San George, PCAM of Integra Management Corporation, AAMC for his election as Vice Chair of the LAC and for his excellent work leading the Structural Integrity Sub-Committee. The LAC would also like to welcome our newest members, Andrew Podolski, Esq. from Stark & Stark Attorneys at Law, Mitch Frumkin, RS from Kipcon, Inc., John Reichart, CMCA from FirstService Residential, AAMC, Lisa Rayca, CMCA, AMS from Corner Property Management, LLC, AAMC, Jackie Thermidor, CMCA, AMS, PCAM from Associa Community Management Corporation, AAMC, and Jennifer Alexander, Esq. from Griffin Alexander, P.C. We look forward to their service.

I would like to thank outgoing LAC members Chris Florio, Esq., Mike Pesce, PCAM, Jim Magid, PCAM, Tom Martin, Esq., Sue Howe, AMS, PCAM, Chris Li, Esq., and Glen Masullo, PCAM, who have reached their term limits. These individuals all made tremendous contributions during their many years of service. Finally, I would like to thank George Greatrex, Esq. for his term as Chairperson during which he provided outstanding leadership as demonstrated by the many legislative accomplishments that were achieved. We truly have a lot of "big shoes" to fill going forward.

Our current priorities for the coming year include:

1. Extension of COVID-19 immunity for common interest communities (CICs). The current immunity for CICs expires on January 1, 2022. We are currently making a tremendous push to get the immunity extended for another year against some resistance from legislative leadership. Hopefully, by the time you read

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this the extension will have been signed into law during the "lame duck" session prior to the January 1 expiration. However, if this has not occurred, we will endeavor to have immunity reinstated so that CICs can keep their amenities open without fear of uninsured claims.

2. Determining the best court of action with regard to UCIOA. The LAC has successfully had the UCIOA foundation bill passed by both houses on two occasions. On the first occasion it was "pocket vetoed"

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by the Governor without explanation. Recently, the Governor vetoed UCIOA again. In his veto statement, he indicated that while supported the idea of unifying New Jersey CIC law, he suggested that he would like to see the full UCIOA bill presented. We are working with the legislation's sponsor, Senator Troy Singleton, to better understand the Governor's intentions and formulate the best course of action.

3. Structural Integrity. Outgoing Senate President Sweeney introduced a structural integrity bill with the intention of preventing future tragedies such as the one which occurred in Florida. We have proposed a much more comprehensive bill and have been in touch with key legislators regarding same.

4. Statute of Limitations. We have proposed legislation which provides that the statute of limitations on construction defect claims cannot begin running until transition to owner control. The primary sponsors of the bill are Gordon Johnson in the Assembly and Loretta Weinberg in the Senate. While the bill has encountered

some resistance from construction and insurance industry groups, we are hopeful that it will be passed in the lame duck session. If not, we will continue to press on.

5. Remote Meetings. An emergency COVID related law provided that CICs could conduct their annual meetings remotely during a state of emergency. We are supporting a bill that would make this change permanent and permit remote meetings even when there is no state of emergency.

6. Radburn Regulations. We have previously indicated that our litigation team was required to petition the Department of Community Affairs (DCA) for relief. That petition was submitted but the DCA exercised its right to a 90-day extension of time to respond which expires around January 31, 2022. We will, of course, provide you with further updates when available.

In addition to all of the foregoing, we will continue to monitor pending legislation such as manager licensing and board member training.

Hopefully we will have good news to report next month! ■