

Community Trends®



www.cainj.org

June 2025



LEGISLATIVE UPDATE

MATTHEW Z. EARLE, ESQ.
KATES, NUSSMAN, ELLIS, FARHI & EARLE, LLP
LEGISLATIVE ACTION COMMITTEE CHAIR

As you may be aware from our articles and presentations, there are multiple legislative efforts underway to weaken, water-down, and grant exemptions from the structural integrity and reserve funding legislation that was passed in January 2024. For the most part, the New Jersey Legislative Action Committee (NJLAC) and Senator Singleton have successfully resisted these efforts, yet they persist.

The recent evacuation of a high-rise condominium in Clearwater Florida highlights the critical need for structural inspections and reserve funding. After significant cracks were found in a structural support pillar over sixty residents were evacuated by the authorities on an emergency basis and had to leave their belongings behind. They will not be permitted to return until engineers declare the building safe.

We believe that the need for structural inspections for multi-family residential structures that are subject to catastrophic collapse (i.e. depending on the type of construction, not the height or number of units) is self-evident and has been amply demonstrated in the real world on multiple occasions. Any attempt by the legislature to weaken these life-safety protections will be resisted by the LAC.

In addition, the need for reserve funding is also self-evident. Everyone knows that a contributing factor to the deterioration of these structures is a lack of funds to perform critical maintenance and repairs. In addition, the only fair and equitable way to allocate expenses for long-term

replacements is to save money over time from past, present, and future owners so that they all pay their fair share for the common elements, instead of those who, by happenstance, are owners at the time the music stops and the bills become due.

While properly funding reserves may require an increase in dues and assessments, it is clearly much easier for owners to absorb these costs when implemented incrementally

“...the only fair and equitable way to allocate expenses for long-term replacements is to save money over time from past, present, and future owners so that they all pay their fair share for the common elements...”

overtime, as opposed to being specially assessed all at once to deal with a crisis.

We expect that as the legislature resolves its budget and moves on to other matters, some of these opposition bills will start to move. We cannot do this without your support, and the LAC asks that if you receive a call to action to communicate with your legislators, that you do so! We cannot be successful without your help! ■

Stay up-to-date on legislative issues at www.cainj.org.

