

Legislative Update



Christine F. Li, Esq.
Partner, Greenbaum, Rowe, Smith & Davis LLP
Legislative Action Committee, Chair

As I write for the first time as the chair of the Legislative Action Committee, I start with the purpose of LAC and its efforts to achieve its goals. The success of LAC depends upon the cohesive effort of many dedicated community association professionals and volunteers. The broad spectrum of their disciplines represents likely every aspect of the community association industry in New Jersey, as well as nationally.

I take over the position of chair from Jim Magid of FirstService Residential. Jim worked tirelessly in guiding LAC over the past two years. The entire committee and I are fortunate that Jim will continue to serve on the committee in 2015.

MBI*GluckShaw, Trenton's largest contract lobbying firm, works lockstep with LAC in pursuing initiatives on behalf of community associations. At the forefront of the MBI*GluckShaw team supporting CAI-NJ and LAC are Paul Maticera, Vice President of MBI*GluckShaw, and Tim Martin. Either Paul or Tim, or often both, attend our monthly LAC meetings. Their experience and depth of knowledge of the legislative process are essential to achieving the goals of LAC. They bring to the meetings details of exchanges and meetings with legislators, their aides and representatives of the administration in state government. They discuss potential legislative challenges to community associations. The synergism created by LAC and MBI*GluckShaw is unique and evidences the commitment that

LAC and its lobbyists have to the members of CAI.

Finally, there are LAC members, themselves. Take a minute to peruse the list of LAC members at the front of this edition of *Community Trends*®. Individual members of LAC critique bills for discussion by the entire committee, draft proposed bills and meet with legislators to garner support for CAI's initiatives. It is a diverse, dedicated group that includes volunteer leaders, property managers, attorneys, accountants and service providers—all of whom come to the table with a wealth of experience.

A key component of LAC's activities is the amicus curiae efforts of CAI. The CAI Amicus Program affords LAC and other CAI members, with the permission of the court, the opportunity to file legal briefs in support of the interests of community associations. Most recently, CAI intervened as amicus curiae in *Dublirer v. 2000 Linwood Avenue Owners Association*. Michael Karpoff, Esq. of Hill Wallack LLP led CAI's amicus effort. If you are involved in the litigation of significant legal issues with the potential of impacting law applicable to community associations on a state or national level, I encourage you to contact LAC.

In the coming year, LAC will commence or continue its advocacy of legislation pertaining to the licensing of property managers, mortgage foreclosure and rent receiverships, as well as the amendment of the Municipal Services Act. LAC is committed to building a positive relationship with state agencies

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with powers and responsibilities that impact community living.

For many years, several community association practitioners, led by J. David Ramsey, Esq., of Becker & Poliakoff, LLP labored over the restructuring and redrafting of statutes and regulations governing the formation of common interest communities, their governance and the rights of homeowners. The fruits of their labor were initially embodied in the proposed Uniform Common Interest Ownership Act (UCIOA) and then the Community Association Reform Act (CARA). Unfortunately, the proposed bills were never passed into law. This year, LAC will attempt to renew efforts and gain support from legislators for many of the concerns addressed by CARA, as well as other provisions protective of homeowners' interests.

LAC has begun to plan programs in multiple locations in the state for homeowners, property managers and others vital to community living. LAC members who participate in these programs will undoubtedly gain as much from those in attendance as those present will from the speakers. Upcoming columns in *Community Trends*® will keep CAI-NJ members current on pending bills and their respective potential pitfalls, as well as the efforts of LAC.

I welcome your input on matters for LAC's attention. My e-mail address is cli@greenbaumlaw.com.

May this coming year be successful and prosperous for you in every way. ■