

# Community Trends®



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## LEGISLATIVE UPDATE

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As the Chair of the Legislative Action Committee, I have been writing this monthly column in *Community Trends*® for the past three (3) years. That's thirty-six articles, less a handful I enlisted LAC members to write. This is my final column.

There were successes of the LAC about which I was excited to write. On other occasions, I was motivated by the theme of an upcoming *Community Trends*® issue, where there were a number of LAC initiatives that fell under the umbrella of that theme. And then there were times when I was absolutely panicked and bereft of anything to write about! Thankfully those times were few and far between. In the end, I hope the panic wasn't apparent and that you drew from my writings as much as I appreciated having the opportunity to share the travails and triumphs of the LAC.

Looking back, I am reminded of the initiatives we took on and proudly recall that the LAC always put 100% effort into whatever it became invested. Some of our legislative efforts did not yield the result for which we had hoped, and took the wind out of our sails temporarily. We are still pursuing others, even though we began years ago. The LAC embodies proof that making new laws takes a tremendous amount of time, effort and patience, and sometimes the willingness to admit defeat. In some instances, we had to examine why what we were doing wasn't working, and revamp our efforts and redirect our focus. The need to redirect was no greater apparent than when it came to advancing the Uniform Common Interest Ownership Act (UCIOA), which was

later restructured as the Community Association Reform Act (CARA).

At the beginning of my term, the LAC made the commitment to showcase its work to the members of CAI-NJ and

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to involve directly CAI members in what we do. We did this by consistently organizing and presenting informative programs. Formulating these sessions, I was reminded of the saying "If a tree falls in the forest and no one hears it, does it make a sound?" The saying symbolizes the ineffectiveness of unheard ideas, opinions and thought – ineffective to the point of not mattering. In order for LAC to matter, CAI's members had to hear what we were doing from the LAC's members, and not necessarily just the success stories.

Beginning in the Spring of 2015, we began conducting "Legislative Update Programs". Three times a year, four members of the LAC (along with Tim Martin of CAI's lobbying firm MBI\* GluckShaw) would travel to at least three venues and make presentations to CAI members. The

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programs were presented from Atlantic County to Hudson and Morris Counties. Many CAI communities graciously offered their clubhouses for our presentations and we remain appreciative. In addition to the Legislative Update Programs, we gave presentations at the CAI's offices in Freehold and at the Annual Conference & Expo. You responded by forming capacity crowds.

The LAC reached beyond the CAI membership and community association industry. We secured and staffed booths at the Annual Conference of the New Jersey League of Municipalities in November and the Spring Conference of the New Jersey Conference of Mayors in April. It is vital for community associations to work as a partnership with the municipalities of which they form a part.

Most of the legislative activity of the LAC wasn't nearly as attention-getting as our Legislative Update Programs and other public sessions for the CAI members. As a matter of routine, LAC members visited legislators in Trenton or their home offices. In tandem with CA-PAC, the Community Association-Political Action Committee, LAC members made time in their schedules to attend events sponsored by legislators. When it came to initiatives, such as the Manager Licensing bill where we sought the cooperation of governmental officials, LAC worked tirelessly with representatives of the New Jersey Department of Community Affairs to attempt to achieve consensus on the passage of a bill into law only to face Governor Christie's pocket veto of the bill.

Much of LAC's work can be credited to LAC members and others in the community association industry in New Jersey who took on challenges either individually or in tasked groups. Amicus curiae briefs were filed in the *Dublirer v. 2000 Linwood Avenue Owners Association* and *The Palisades at Fort Lee Condominium Association, Inc. v. 100 Old Palisade, LLC*. LAC formed subcommittees on Mortgage Foreclosure Reform, as well as on Common Interest Community Reform, the Municipal Services Act and, as mentioned previously, Manager Licensing, so it could mobilize quickly and remain agile. And, in July of this past year, the "Radburn Bill" was signed into law adopting changes in board

elections and voting. I had hoped to name and credit the individuals who worked so hard and for so long in every instance but then resigned myself to the fact that I would do an unforgiveable disservice to those I had failed to mention by name inadvertently.

It was rewarding to find the focus and use of the LAC's resources fed into the concerns of CAI's members through the years as a matter of course. Whenever *Community Trends*® themes such as the Senior Summit and Emergency Preparedness revolved into place through the year, there was much to report to you. We were there for you and had you covered. And when I was able to report to you on important Federal Legislative Action Committee efforts, which you were unlikely to otherwise hear about, I felt we had served well the purpose of our committee.

We drew on the vast breadth of experience of Tim Martin and Paul Matarera of MBI\*GluckShaw. They gave us direction, at times energized us and, sometimes, tempered our enthusiasm. They literally and figuratively opened doors to legislators who came to support the causes of CAI-NJ and advanced the interests of community associations. LAC members met with legislators in Trenton and throughout the State. I learned a lot of lessons from both of them and came to realize that there is nothing "textbook" about how the process works. I am grateful for the support which Tim and Paul gave to me and to the LAC through the years.

I also thank Laura O'Connor and Larry Thomas, who attended our meetings and provided valuable insight into how best to serve CAI's members, as well as providing continuity from month-to-month and year-to-year. And special thanks to Jackie Oskierko buoyed each month.

In January, 2018, George C. Greatrex, Jr., Esq., of Shivers, Gosnay & Greatrex, LLC, will take the helm of the LAC as its Chair. I wish George all the best and look forward to working with him as I continue as a member of the LAC. To the members of LAC who served alongside and supported me through the years, you have my deepest gratitude.

I wish everyone a calm and bright holiday season, and a happy and healthy 2018! ■