

# COMMUNITY ASSOCIATIONS

Our experienced attorneys represent developers and community association boards in structuring and creating a variety of planned community developments, from standard residential condominiums to sophisticated public-private partnerships such as new urban infill developments.

Our attorneys offer innovative solutions and ensure compliance in assisting our developer clients with their residential, office, retail, mixed-use and multi-family developments, including drafting complex documentation and incorporating advanced land condominiums and air rights parcels as well as structuring associations and cost sharing arrangements for large planned communities and commercial developments. They also counsel planned community associations when defending against claims or enforcing provisions related to their governance, operation and maintenance and represent them in arbitration, mediation, and litigation matters before numerous governing boards and administrative agencies.

Additionally, our firm can leverage the full resources and knowledge of its colleagues in related practice areas, such as finance, land use and zoning, construction litigation, bankruptcy, government and administrative law, environmental law, and other areas.

A number of our attorneys hold the highest ratings from Martindale-Hubbell, are Board Certified in Real Estate Law and Condominium and Planned Development Law and have also been recognized by *Chambers USA*, *Best Lawyers in America*® and *Florida Super Lawyers*. Our attorneys are also active in professional organizations and legal committees that shape and influence the industry. One of our team members has been a member of The Florida Bar Committee on Condominium and Planned Development for more than 30 years, serves on the Board of the American College of Real Estate Lawyers, and is past chair of the Real Property, Probate & Trust Law Section of The Florida Bar. Another one of our team members has led the Florida Bar's Condominium and Planned Development Certification Review Course for the last three years and has recently been appointed as Co-Vice Chair to The Florida Bar Condominium and Planned Development Committee. Lastly, our attorneys frequently speak and write on community association issues, including acquisition and sales, mixed-use developments, workouts, and other real estate topics.

## Experience

### Real Estate Development

Our attorneys represent local, national and international developers with local and national large-scale projects in developing the association structure that minimizes exposure to liability and maximizes value while ensuring flexibility. Our attorneys offer legal counsel on establishing, operating, and managing the following:

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- Commercial associations;
- Community associations;
- Condominium associations;
- Homeowners associations;
- Master associations;
- Mixed-use associations;
- Multi-family associations;
- Non-traditional associations (e.g., land, marina, multi-tiered, and non-profit);
- Property owners associations; and,
- Owners' ad hoc committees.

We also offer our insight and experience in developing common interest association structures, preparing and registering public offering statements for condominiums, and compiling disclosure statements for residential community associations.

### **Community Associations**

Our attorneys are experienced in representing our community association clients in their governance, assessment collection, operations, management and maintenance matters. This includes handling litigation, arbitration, and mediation in court or before administrative bodies, assuring compliance with local and federal laws and regulations, and providing legal advice on distressed and fractured planned communities.

We have handled the following on behalf of our community association clients:

- Lien foreclosures for non-payment of assessments;
- Enforcement and/or violation of covenants, rules, regulations, restrictions, architectural standards, and state and local laws; and,
- Compliance with local and federal laws and regulations, such as the Fair Housing Act, HUD, Fannie Mae and Freddie Mac.

### **Our Commitment**

Our approach involves minimizing the potential for future claims against our developer, builder and community association clients by anticipating pitfalls, drafting governing documents meticulously, and helping shape the public policy that affects our client's ability to develop and finance cost-effective projects.

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### Professionals

Jesse C. Dyer

Melodie Khosrovani

Sandra E. Krumbein

Matthew J. Meyer

Margaret "Peggy" A. Rolando