



NEWSLETTER

We're the Independent Voice for New Jersey's
Planned Community Homeowners!

FALL 2022

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HOW to CONTACT the

CIHC Call Ellen Vastola (*Current President*) at 732-873-3446, 9:30am until 9pm.

Editor: Ellen Vastola

CIHC Website:
www.c-ihc.org

See our **FACEBOOK** page!

*** CIHC UPDATE! ***

The CIHC is receiving your donations via PAYPAL. Thank you for trust and support. Be assured, the CIHC is grateful for your donations and uses it to support Owner Rights.

Please note: *We, the volunteer board of the CIHC, operate on a shoestring to assist & represent you and your interests in our planned communities. A small, medium or large donation can make a difference in sustaining our operations. Thank you*

Remember . . . Go to: www.facebook.com/CIHCNJ. There you can get the latest homeowner news, ask questions and exchange views.

AND . . . have you noticed the NEW format of the newsletter? (since summer 2022). THANK YOU Michael R., CIHC Vice President & webmaster for our new look!

2022: Message from the CIHC President, Ellen Vastola:

Hello Autumn (Fall) 2022! We are coming out of COVID finally, BUT we need to be cautious and follow CDC guidelines. Let's go outside and connect with neighbors and friends and "talk about your community". Go outside and have a glass of wine and some cheese; or coffee and cake, and enjoy the weather and each other. Then discuss what you like about your community . . . and then what improvements YOU could suggest or make happen. Come together as a group and united voice, like "Radburn United" to make the changes that are needed. TOGETHER we can CHANGE our Community, with changes of personnel on the Board!

ALERT: this is MY last newsletter. WOW, it has been over 9 years. Thank you for your readership and contributions. I hope the CIHC Board will continue the newsletter going forward. We have a new look and now new writing and editing. <passing the baton>

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Quotes Corner!

Nothing strengthens authority so much as silence.

Leonardo da Vinci

Silence is the ultimate weapon of power. Charles de Gaulle

Power is always dangerous. Power attracts the worst and corrupts the best. Edward Abbey

CIHC "HOA HUMOR"



Hmmmm . . . I read this 2 ways. One is for a working democracy where people are heard. The other is for a corrupt autocracy where people are silent! <what do you see?>

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What is going on in New Jersey for [CIC/CIRA owners](#) 2022:

Legislative UPDATE/ Bills to track in the current Leg. session 2022-23!

NJ Assembly:

A607 - Prohibits conflict of interests by governing board members or management employees of homeowners' associations. **YES!!!** Last Session Bill Number: A350

A1102 - Revises time period at which unit owners assume control of homeowners' associations.

Last Session Bill Number: A1213 **Yes.**

A1126 - Requires personnel at gated communities and multi-unit complexes to allow service of process. Last Session Bill Number: A106

A2129 - Requires certain common interest community associations to publish certain information; requires that homeowners' association contracts for management and maintenance include 24-hour emergency services. **Yes.** Last Session Bill Number: A2528

A2398 - Requires owners of multiple dwellings with at least nine units to provide maintenance services 24 hours a day. Identical Bill Number: S999. Last Session Bill Number: A1910

A2778 Prohibits enforcement, for a period of 12 months, of homeowners' association bylaws prohibiting domesticated animals if owner is FEMA designated displaced individual following emergency declaration by President or Governor. Last Session Bill Number: A1695

NJ Senate:

S999 - Requires owners of multiple dwellings with at least nine units to provide certain maintenance services; permits municipalities to require owners of multiple dwellings with six to eight units to provide these services. Identical Bill Number: A2398 Last Session Bill Number: S683

S1096 - Provides that cooperative sober living residences are inherently beneficial uses. Last Session Bill Number: S1117

S1387 - The "Owners' Rights and Obligations in Shared Ownership Communities Act." Last Session Bill Number: S1751 **YES!**

S1545 - Prohibits condominium associations from assessing insurance deductibles to individual unit owners or groups of unit owners. Last Session Bill Number: A2445/ S3769

S1851 - Defines "mobile home park" as "multiple dwelling" for inspection purposes. Last Session Bill Number: A3876/ S2106

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Rebel is concerned about the following issue . . .

I am hearing that many CIC Boards are coming out of having only video conference **Board meetings** to again meeting “face to face”.

Executive Order 107: <https://nj.gov/infobank/eo/056murphy/pdf/EO-107.pdf>

Page 10, #10. All businesses or **non-profits in the State**, whether closed or open to the public, must accommodate their workforce, wherever practicable, for telework or work-from-home arrangements. For purposes of this order, “telework” means the practice of working from home or alternative locations closer to home through the use of technology that equips the individual to access necessary materials.

My interpretation of the Ex. Order is that the CIC Boards in NJ must now combine “face to face” open Board meetings with video-conferencing.

Personally, in my CIC, I have seen MORE owners attend the monthly open meetings using the video option. YES, let’s continue using this “hybrid” so MORE owners are seen and heard! Owner Participation – YES!

CAUTION: I have heard from several callers, that their Prop. Mgrs change the ZOOM link for every meeting . . . for “security”. The link is not available until 1-2 hours before the meeting. **Owners find this disrespectful and annoying.**

Is THIS happening in YOUR Community? Is this meant to “limit owner participation?” (suppression?)

Tell your Board that they should have (1) ZOOM (or other) line for the meetings and use the same line month after month. Then you will have the link AND the phone # too. There is NO security problem that I am aware of. The “host” controls who is in the meeting. But you can research this. Read this:
<https://explore.zoom.us/docs/doc/Securing%20Your%20Zoom%20Meetings.pdf>

Your meetings can be “secure” using the same ZOOM link every month!

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Hello NJ Legislators: We are still having many issues in our CICs.

The **OVERRIDING** concern is the lack of knowledge of the board members and sometimes their lack of ethics, such as:

- NOT familiar with the governing docs of the community;
- NOT familiar with the *2017 amendment to PREDFDA/ election law*;
- NOT familiar with *1969 NJ Condo Act*;
- NOT familiar with the *NJ Open Public Meetings Act*;
- NOT familiar with the *NJ Open Public Records Act*;
- NOT familiar with the definition of “conflict of interest” as it pertains to board members and **their** personal interests;
- And the list goes on

When will this HUGE problem be addressed?

YEAH! the NJ Legislature has a Bill regarding “Board Training”! A1698!

<https://www.njleg.state.nj.us/bill-search/2022/A1698>

<https://www.billtrack50.com/billdetail/1421236>

Thank you, Assemblywoman ANNETTE QUIJANO! This Bill is for the 2022 session.

STATEMENT: (Editor: summary of the Bill; the numbers are the “lines” of text of the Bill.)

38 39 This bill would require board members of planned real estate
40 development associations to engage in a course of training.
41 Specifically, the bill would require the Commissioner of
42 Community Affairs to establish a program for the training of
43 association members, who are elected to serve on the executive
44 boards of planned real estate development associations. A planned
45 real estate development is a term defined in the “The Planned Real
46 Estate Development Full Disclosure Act,” P.L.1977, c.419

47 (C.45:22A-21 et seq.) to encompass communities governed by

A1698 QUIJANO page 3

1 homeowners’ associations, condominiums, and cooperative

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2 communities.

3 The bill would require at least three hours of training on the part
4 of a board member, which would have to be completed no later than
5 180 days following the beginning of the member's term of office.

6 The program would provide information and guidance on all of the
7 matters relevant and necessary to most effectively enable a board
8 member to perform the member's duties, and would include good
9 business practices, model record keeping procedures, legal
10 requirements for boards, the making of a budget and maintaining
11 reserve accounts, information on various State entities available to
12 assist the board. The commissioner would have the authority to
13 remove a board member who does not complete the training
14 required. These requirements would apply to the first term of office
15 of an executive board member that commences following the
16 effective date of the bill.

17 The bill directs the commissioner to adopt the regulations
18 necessary to effectuate the requirements of the bill on or before the 19 first day of the fifth month
next following enactment. The bill
20 would take effect on the first day of the fifth month next following
21 enactment.

This is a good start. . . .

Comments: Please amend the Bill to include input from entities that "support" CIC owners (CIHC, CAI-NJ, NJ Realtors, etc.) for the training course(s) curriculum, which will be approved by the NJ-DCA. And, that the courses will be offered at a "nominal" fee for Board members. I hope when the Regulations are written, that IMPACTFUL and IMMEDIATE ENFORCEMENT is included and that the violators/BOARD MEMBER(s) /others will feel the enforcement. The owners are not breaking the Law. AND, the D&O insurance will NOT protect them. So follow the training and do a good job!

WHO will give the training?? The DCA? CAI-NJ? CIHC? Xxxx?

**CIC board members MUST be TRAINED so they are prepared to
serve their communities!**



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Maverick is calling! “The NJ DCA needs to know what is going on in my/your CICs”.

NOTE: the phone # for NJ DCA Bureau of Homeowner Protection, Association Protection Unit has changed! It is now 609-984-7905.

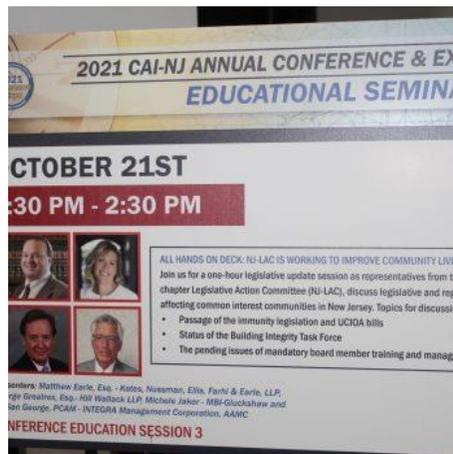
ANNOUNCING . . . The CAI-NJ Condo Expo!

<https://cainj.org/conference-expo/>

Thursday, October 20, 2022 | 8:30 am - 3:00 pm

The Event Center @iPA, 110 Schanck Road, Freehold, NJ 07728

NOTE: Unfortunately, the **CIHC will NOT have a booth** this year as the booths sold out by the end of May 2022! (What? We did not anticipate that AND the CAI did not contact us.) I plan on going as an attendee. Maybe we can meet up?



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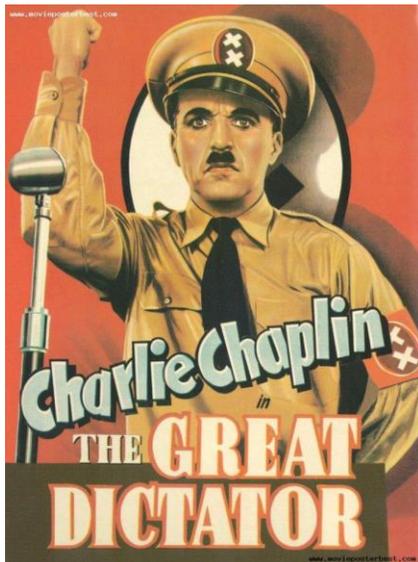
Community Compliance to Protect the People

By Julie B.; a CIHC caller

“Good people can do bad things, make bad decisions. It doesn’t make them bad people.” – Sonia Sotomayor

A well-thought-out system can operate perfectly, but only if all parts are working as intended and expected. Systems are implemented for multitude of reasons – for example, to optimize a project workflow, provide employee training, manage a townhouse association, etc. If all rules, regulations, statues, bylaws, and corresponding documentations are provided to everyone, regardless of the scenario, what happens if you witness non-compliance?

Unfortunately, there are too many people in which, given an opportunity, will abuse their power, act unethically, and/or thrive via non-transparency. Some of these scenarios will have drastic, devastating effects on entire communities, groups of people, companies, etc. There are a lot of respectful, law-abiding citizens in this world, but there’s likely an equal amount (if not more) corrupt. Every system, no matter how perfect you may think it is, is at risk of malfunctioning and employing a bad seed that grows into an uncontrollable bed of weeds.



OR



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As explained in an article from the *Homeowners Protection Bureau*, “the fundamental purpose of a homeowners’ association is to benefit the community and its members. Usually, that means preserving the aesthetic beauty of the neighborhood by maintaining common areas and ensuring homeowners keep up their properties. Or, it might mean using pooled resources to make life easier for the entire community—through road and sidewalk repairs or snow removal, for instance. Most of the time, the overall goal is to increase property values and raise the living standard in the community.”

<https://ipropertymanagement.com/research/hoa-statistics>

See the graph in the above link which demonstrates the accelerated growth of these types of communities. Currently, over 70 million Americans live in homeowner associations, and over 3.9 million people in New Jersey alone. Therefore, we urgently need to call on local legislatures and lobbyists to help protect the PEOPLE of these communities—there is already many emerging issues, and as the industry continues to grow, issues will continue to arise and potentially worsen.

If you are experiencing problems in your New Jersey common-interest community, visit <https://www.c-ihc.org/resources> for state resources that can help you gain a better understanding of your rights as a NJ homeowner. **NOTE:** If you are experiencing an issue in a state outside of NJ, visit <https://www.hopb.co/hoa-state-laws> and look for your state.

Editor Note: below, historic CICs in NJ, whose owners united to make a DIFFERENCE for all of us! Thank you!



Radburn



Twin Rivers

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“A NOT SO UNCOMMON PRACTICE WITH COMMON ELEMENTS “

Part 1 of 2.

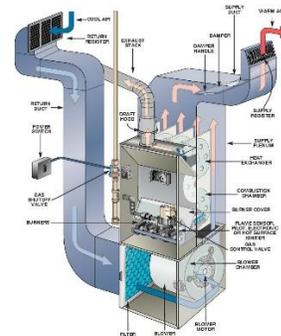
By G.E.; a CIHC caller & newsletter reader

I thought I found my perfect townhome. It had a lot of what I had been looking for; gated community, pool, tennis courts, and a clubhouse with on-site management to name a few. I managed to get a good price too since it was on the market awhile and the seller's were motivated.

One item I wanted for my unit was to convert to gas heat. When the development was constructed many years earlier, it was all electric. A few years prior to my moving in, the gas utility had run gas lines into the development and final conversion was up to the individual owners. When speaking with my realtor and the on-site manager, it was explained how I could submit an 'alteration request' to the the Board for approval for the conversion.



electric



gas

This is where the problems started. I submitted the form, and plans and cited how my neighbor, who had the same layout as me, had done their conversion which entailed partly running the gas line partly along the outside wall. A day or so after I submitted the application, the property manager contacted me saying the application was approved to convert to gas; however, I could not run the gas line along the outside wall and what my neighbor had done was against the Master Deed and By-Laws. I then hosted several members of the Board at my home a few days later, along with my contractor explaining why the gas line needed to be installed the way proposed.

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As I would later find out, the Board had already begun working with legal counsel for the Association, before they came to my house, and began sending letters to my neighbor informing them they needed to remove their gas line or they would face legal action. I was horrified and embarrassed as I spoke to my neighbor. Luckily, my neighbor was extremely understanding (considering the circumstances) and explained how they had responded to the letters showing they bought their unit almost 9 years earlier with the gas line already installed, along with copies of all the permits issued and approved by the city inspectors. The problem - the Board and management were taking the position they had no record of approving it.

After trying to resolve things for a few weeks on my own I decided to consult an attorney, especially when I learned my neighbor's continued to receive letters from the Association attorney. My attorney sent several letters on my behalf, some after visiting my home and seeing the unique challenges of my layout for running a gas line, versus the other 300 or so units in the development.

My neighbor contacted me after a few months saying the Board wanted him to sign a "Restrictive Deed Covenant" that would have to be filed with the County Clerk and would be part of his deed. The basic premise of the document said that my neighbor and his successors would be responsible for any maintenance or replacement of the outside wall that could be attributable to his existing gas line. As it would turn out, my neighbor refused to sign, in part citing N.J.S.A 2A-14.1, saying the Board had a 6 year statute of limitations. The Board and management took the position they were not 1 aware of the installation even though it had been there for almost nine years, and my neighbors building had undergone several inspections over the years according to Association records.

My neighbor moved out a short time later, but not before he was elected to the Board himself. He never signed any kind of covenant. My neighbor being elected to the Board was part of a greater turnover in the Board composition. The new Board had come back to my attorney and saying they would approve the application and allow the gas line installed, like my neighbor, if I would agree to sign a Restrictive Deed Covenant with similar language as proposed to my neighbor. After consulting with my attorney, I too refused to sign and withdrew my application. To be continued . . .

END of Part 1.

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The CIHC spotlights Haim Bar-Akiva

IN MEMORIAM: Haim Bar-Akiva: a CIHC founder & former Board member.

Editor: I am saddened that Haim passed away. BUT, I am glad that I met him and worked with him for a brief time in the CIHC. He was an honorable man and I will remember him.

Below is Haim's obituary: (what a life . . . of Purpose!)

Haim Bar-Akiva, devoted husband and father of three, passed away on September 4th, 2022, at the age of 92.

Haim Bar-Akiva was born in Haifa in what was then British Mandate Palestine in 1930. His biological mother, Mina, passed away when he was six years old. He would be raised by his father, Ben-Zion, and his stepmother Dvorah. In 1947, Haim joined the Palmach, and fought in the Israeli War of Independence one year later. He would begin his education in Switzerland and later earned his B.S. in Mechanical Engineering from Indiana Tech in 1955. He received his U.S. citizenship while working on the Apollo 11 project and returned to Israel in 1970.

On January 5, 1973, he married Margaret Boghossian and over the course of their nearly 50-year marriage, they raised three children: Doron, Michael, and Kareen. The Bar-Akivas moved back to the United States in 1981. After an industrious career as an aerospace engineer he remained very active in retirement with woodworking and construction projects.

*Haim was a man of few words, but extraordinary actions. His family always came first, and he tirelessly chauffeured his children from classes to practices to rehearsals, and in their adult life, ensured that they would have whatever they needed. His children and grandchildren inherited his love for soccer and music. His passion for Jewish causes and **homeowner rights** defined much of his personal and political identity. He was selfless to the umpteenth degree, and derived true pleasure from helping others. Margaret affectionately gave him the nickname אין בעיות ("No problem") because that was how he would invariably respond to any request.*

He is survived by his wife Margaret; his children Doron, Michael, and Kareen; his grandchildren Ayden, Austyn, Ben, and his three siblings and many nieces and nephews.

DISCLAIMER: The CIHC newsletter is written by and for NON-attorneys. We do NOT and cannot practice law or give legal advice. We do provide information to aid NJ CIC owners when they have issues in their communities. We can and do support New Jersey's CIC owners and Boards for a democratic experience and enhanced quality of life, for all, in said communities.

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We welcome contributions from NJ residents who share in the goals/mission of the C-IHC. We need funds for: maintenance of our website, postal mailings, flyer production & distribution, expenses for contacting legislators and others, travel, periodic meetings, speakers, etc. IF you share our Mission and Goals, please contribute. **We are a registered NJ 501(c)3 - not for profit organization.**

Please print out this form & send your helpful Contribution to become a **CIHC Friend**:
Common-Interest Homeowners Coalition,
Go to our website or Facebook page to [donate via PAYPAL!](#) New in 2022!

Contributing Categories: (check off the appropriate blank)

- **Premium Contributor:** \$100 or more _____
- **Sustaining Contributor :** \$30 or more _____
- **Regular Contributor:** \$20 _____
- **Interested person/friend:** \$ _____

THANK YOU!

Please include the following information in your PayPal donation:

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H-phone and/or C-phone

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Home Address

Town & Zip Code

Name of Assoc.

THANK YOU for your *(continued)* **SUPPORT!**

Your contact information will be held as **CONFIDENTIAL/ CIHC use ONLY.**

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