

# ADVISING ON THE FORMATION AND MANAGEMENT OF CONDOMINIUMS AND PLANNED COMMUNITIES IN PENNSYLVANIA



**Philadelphia, Pennsylvania  
July 18, 2006**

Provide informed guidance  
through these crucial issues.

Presented by Robert M. Mulhern Jr.,  
D. Barry Pritchard Jr. and Carl N. Weiner

Continuing Education:

- PA CLE 6.0
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See inside for details!



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# Create a Firm Footing for Condominium Establishment and Administration

## Why You Need to Attend

Planned communities and condominiums are one of the most popular home ownership options today. Due to the high demand for these properties, many have decided to develop and administer them as an investment. When properly established and efficiently run, they can be a solid venture – but if issues aren't resolved at the outset, they can become a nightmare for both owners and residents. Your advice needs to be dead-on when your clients need help with these communities – or you run the risk of conflict, dissatisfaction and financial peril.

After this comprehensive seminar, you'll be able to anchor your advice in a solid understanding of the regulations governing the different types of communities. Enable a seamless transition from developer control to owner control. Craft comprehensive governing documents that minimize the potential for problems down the line. Establish operating guidelines that will address maintenance, rulemaking and rule enforcement to ensure a peaceful, attractive community once it's up and running. Don't miss this chance to position your clients for a successful venture.

- Resolve disagreements by distinguishing between common element problems and individual owner complaints during the development stage.
- Proactively decide the board's authority over budgets, assessments, rulemaking, meeting requirements and other issues.
- Deal properly with ambiguities in association governing documents.
- Advise knowledgeable on the condominium statute and personal liability of owners.

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## Important Details

July 18 - PHILADELPHIA - Holiday Inn-Midtown

1305-11 Walnut Street, Philadelphia PA 19107 215-735-9300

**Time:** Registration is from 8:30—9:00 a.m. The program will begin at 9:00 a.m. and end at 4:30 p.m. Complimentary snacks and refreshments are provided. Lunch is on your own. Pre-Registration is encouraged.

**Mail:** Registration form on back of this brochure

**Phone:** (800) 930-6182

**Fax:** (715)835-1405

**Online:** [www.nbi-sems.com](http://www.nbi-sems.com)

If you need to register at the door, you may wish to call us first to confirm availability and to receive information regarding schedule or location changes.

**Tuition:** \$329 for the first registrant, \$319 for each additional registrant — a savings of \$10, \$309 for new professionals — a savings of \$20!\*

\*A new professional is anyone with three or less years of professional work experience.

**Accommodations:** To obtain directions and parking information please contact the hotel listed above.

**FREE Reference Manual:** *Advising on the Formation and Management of Condominiums and Planned Communities in Pennsylvania* – Your learning doesn't end with the conclusion of the seminar presentation. With our comprehensive course manual, written specifically to accompany each program, you'll have all the information you need right at your fingertips. This manual, included with your tuition, allows you to take the seminar back to the office with you!

**Audio Recordings:** This seminar will be recorded in its entirety. If you can't attend, you can still obtain the benefits of the information provided by purchasing the manual and CD. See the registration form to order. If you wish to receive the cassette tape instead of the CD, please contact us at (800) 930-6182.

**Cancellation:** Register today at no risk! If your plans change later and you can't attend the program just call and let us know.

**Your Satisfaction is 100% Guaranteed.** We're so confident that this seminar will provide you with practical, valuable information that we back it up with an unconditional guarantee. If you're not completely satisfied, let us know and you'll receive a full refund.

# What You Will Learn

## I. TYPES OF COMMUNITIES

*Carl N. Weiner, 9:00 - 9:30*

- A. Condominiums: Substantial Regulatory Structure and Guidelines
- B. Subdivisions: Limited Case Law and Guidelines
- C. Attached Housing and Other Hybrids

## II. ISSUES WHEN TRANSITIONING FROM DEVELOPER CONTROL TO OWNER CONTROL

*Carl N. Weiner, 9:30 - 10:15*

- A. Last Chance for Easy Change of Indenture/Declaration/Bylaws
- B. Completion of Developer's Work on Common Elements
- C. Involving Regulatory Authorities and Construction Escrow
- D. Sorting Out Common Element Problems from Individual Owner Complaints
- E. Status of Budget and Accounting at Turnover: Developer Duties
- F. Watch for Developer "Reserved Powers"
- G. To Sue or Not to Sue, That is the Question

## III. GOVERNING DOCUMENT ISSUES

*D. Barry Pritchard Jr., 10:30 - 11:30*

- A. Strong Board vs. Town Hall Democracy: Scope of Owner Participation
  - 1. Budget Decisions
  - 2. Assessments
  - 3. Rulemaking
  - 4. Open Meeting Requirements for the Board
  - 5. Residential Councils, Building Reps and Sub-Committees
  - 6. Any Callback Power or Check on the Board?
- B. Board Fiduciary Duty
- C. Quorum Requirements for Valid Action
- D. Dealing with Unworkable or Archaic Document Provisions: The Amendment Process

### Who'll be there...

This **basic-to-intermediate level seminar** is designed for attorneys, property managers, real estate developers, homeowners' associations, contractors and real estate and construction professionals who want a comprehensive look at development and effective management of condominiums and homeowners' associations.

## IV. DETERMINING THE LINE BETWEEN COMMUNITY AND INDIVIDUAL OWNER RESPONSIBILITY FOR MAINTENANCE

*D. Barry Pritchard Jr., 11:30 - 12:00*

- A. Dealing with Unclear Documents
- B. Maintaining Boundary Lines and Setting Liability Coverage
- C. Importance of Rulemaking

## V. RULEMAKING POWER OF THE BOARD

*D. Barry Pritchard Jr., 1:00 - 1:45*

- A. How Are Rules Created?
  - 1. Political and Legal Concerns
  - 2. Notice to Owners
- B. Correcting Ambiguities in the Governing Documents
- C. Owner Control or Check on Board Power
- D. Annual Meeting Considerations and Voting Power
- E. What Control Do Boards Have Over Pets, Parking and Other Issues?

## VI. INCORPORATION OF AN OWNERS' ASSOCIATION

*Robert M. Mulhern Jr., 1:45 - 2:15*

- A. Line of Defense for Community
- B. The Condominium Statute and Personal Liability of Owners

## VII. ADHERING TO ETHICAL STANDARDS

*Robert M. Mulhern Jr., 2:30 - 3:30*

- A. Understanding Who the Client Is
- B. Avoiding Conflicts of Interest
- C. Conflicts Between the Law, the Documents and Common Sense
- D. Guidelines for Attorney Fee Arrangements in a Community Context

## VIII. ENFORCEMENT AND COLLECTION ISSUES IN COMMUNITY ASSOCIATIONS

*Carl N. Weiner, 3:30 - 4:30*

- A. Fines and Show Cause Orders
  - 1. Due Process Requirements
  - 2. Conducting a Board Hearing
- B. Collection of Sums Owed the Community
- C. Other Means of Enforcement

\* If needed, the above agenda may be changed to best accommodate all our attendees.

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## Who Will Teach You

**ROBERT M. MULHERN JR.** is an attorney at the Berwyn law firm of Steven L. Sugarman & Associates. He practices in the areas of condominium law, community association law and real estate. Mr. Mulhern is admitted to practice in Pennsylvania and before the U.S. District Court, Eastern District of Pennsylvania. He has been a co-speaker at seminars relating to the formation of planned community and associations. Mr. Mulhern earned his B.A. degree from Villanova University and his J.D. degree from Delaware Law School of Widener University. He is a member of the Chester County and Pennsylvania Bar Associations.

**D. BARRY PRITCHARD JR.** is an attorney in the law firm of High, Swartz, Roberts & Seidel LLP in Norristown, Pennsylvania. He practices in the areas of real estate and municipal law, and real estate litigation. Mr. Pritchard is admitted to practice in Montgomery County, PA, and in the state of Pennsylvania and before the United States District Court for the Eastern District of Pennsylvania. He has represented condominium associations in litigation matters for 25 years, including claims involving declarants and disputes with unit owners over responsibilities and obligations. Mr. Pritchard earned his B.A. degree from the University of Pennsylvania and his J.D. degree from The Dickinson School of Law. He has been a member of the Montgomery County Legal Aid Committee since the 1980's and from 1995 - 1998 he was co-chair of the committee.

**CARL N. WEINER** is a partner at Hamburg, Rubin, Mullin, Maxwell & Lupin where his practice is focused on all aspects of real estate including zoning, land development and real estate transactions. He also has created over 100 condominium and community associations and represents several associations on an ongoing basis. Mr. Weiner is immediate past president of the Pennsylvania/Greater Delaware Valley Chapter of the Community Associations Institute. He also served as chairman of the Montgomery Bar Association Real Estate and Land Use Committee. Mr. Weiner has participated on panels for numerous seminars for the Montgomery Bar Association, the Pennsylvania Bar Institute and the Community Association Institute. He is a graduate of Brown University and Boston University School of Law.

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## Credit Information

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# July 18 - Philadelphia

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"Legal Aspects of Condominium Development and Homeowners' Associations" will give you a clear understanding of the formation of common interest communities. Get up-to-date information on condominium and homeowners legislation. Receive step-by-step information about the document preparation process. Learn how the homeowner's association develops and enforces its rules and regulations. Find out how to effectively resolve conflict between various parties. This practical manual will give you the pertinent information you need to successfully handle your next common interest property proceeding!

By: Nancy S. Cleveland, Ronald B. Glazer, Steven L. Sugarman and F. Michael Wysocki.

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By: Peter L. Kogan, Patricia L. McGrail and Matthew D. Whitworth.

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**July 18 - PHILADELPHIA**

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\$329 first registrant

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\$309 for new professionals\* (details inside brochure)

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