

Are Homeowners Associations the Bad Guy or 'Ill-Equipped' Volunteers? Daily Business Review, ft. A. Jeanne Grove

A. Jeanne Grove, managing partner of KD's Sonoma office and co-chair of the KD Real Estate practice group, was quoted in an article written by Melea VanOstrand published by Law.com June 30, 2021.

"In a perfect world, we'd be able to look at building or series of buildings in a community and do what the engineers require and recommend, but the reality is, it's a cost-driven process in the way that the industry is really structured right now," one Florida construction law attorney said.

After a disaster like Thursday's partial collapse of the Champlain Towers South building in Surfside, fingers are typically quick to point at condominium associations, often viewed as the bad guy for allegedly neglecting repairs or overlooking red flags. But is it as simple as that?

As litigation takes shape in the wake of this tragedy, some attorneys caution: Don't be so quick to blame the condominium association without more evidence.

A. Jeanne Grove, partner and co-chair of the real estate practice group at Kaufman Dolowich & Voluck in California shares that sentiment, noting board members are often residents, too.

"We need to remember that the board members who manage the association are typically owner-occupants themselves, such as is the case in the Surfside association. They would be just as interested in maintaining the safety and security of the building where they all live," Grove said. "But what is certain right now is that the homeowners' class action lawsuit is calling more attention to HOAs and how they are managed. HOAs should be ready for the additional scrutiny and use this as a wake-up call to reevaluate their practices and ensure they are on top of their maintenance/repair schedules and properly funding for them."