

## Community Association

- General counsel to condominiums, cooperatives, and homeowners associations (HOAs) statewide, advising on governance, compliance, real estate, and litigation matters
- Governance, policy development, delinquent collections, risk management, and compliance with federal and state housing and discrimination laws
- Complex disputes and litigation, including construction defect claims, contested elections, and discrimination matters

Attorneys in Greenbaum's community association practice have provided cutting edge legal advice and effective solutions to a multitude of condominiums, cooperatives and homeowners associations (HOAs) throughout New Jersey for over four decades. The firm is proud to enjoy a statewide reputation as a pioneer and present-day leader in this complex and highly specialized area of the law.

Our team strives to empower associations by working closely, efficiently and responsively with board members and property managers to provide general corporate counsel on a broad range of legal issues facing common interest communities. Our expansive and multi-disciplinary experience addresses our clients' interests across all facets of real estate, corporate, governmental and environmental law and related litigation.

Serving as general counsel for numerous community associations throughout New Jersey, the firm's legal services in this practice area are comprehensive and include:

- Transition counseling, negotiations and litigation
- Collection of delinquent unit owner accounts
- Construction defect litigation
- Interpretation of association documents including Master Deed, Declaration, Bylaws, Rules and Regulations
- Drafting of policy and administrative resolutions and amendments to governing documents
- Advising on the fiduciary responsibilities and obligations of board members

- Negotiation and drafting of purchase and/or service contracts with outside vendors
- Defense of discrimination claims, including those brought under the Fair Housing Act (FHA), Americans with Disabilities Act (ADA), and New Jersey's Law Against Discrimination (LAD)
- Alternative dispute resolution laws and requirements
- Capital improvement projects and related financing
- Insurance coverage and risk management issues
- Land use and zoning issues, including representation before municipal or county planning or zoning boards
- Bankruptcy options for distressed communities
- Compliance with federal, state, and municipal laws and administrative rulings and regulations
- Governmental relations, including issues related to New Jersey's Municipal Services Act (MSA)
- Attendance at association meetings as general counsel

Our dedicated community association collections professionals effectively spearhead the collection of delinquent assessments and are highly qualified in civil litigation, foreclosure and bankruptcy procedures. We provide comprehensive guidance and resolution drafting services related to a diversity of policy and administrative issues, including parking and towing regulations; the implementation of a system of fines; due process and alternative dispute resolution; collection of delinquent accounts procedures; placement of satellite dishes; household pet, service and companion animal rules; hot water heater replacement; dryer vent and chimney cleaning; insurance deductibles; and the ethical conduct and confidentiality obligations of board members.

Our work encompasses the amendment of governing documents, including those related to reducing or enlarging quorum, altering common or limited areas, amending the maintenance responsibilities of the association and its members, and establishing or revising membership or capital contribution fees.

We have extensive experience in all facets of community association law and construction defect litigation in New Jersey and have achieved several settlements for association clients in excess of \$10 million. We have served as court appointed receivers and as special masters for troubled associations. Our work has included the resolution of many complex association disputes including recall proceedings, contested elections, discrimination issues, and criminal investigations and matters including embezzlement.

The attorneys in this practice area play an integral role in New Jersey's community association legal domain. The firm has historically been at the forefront of developments that affect community associations in the state and remains on that inside track. We keep our clients promptly informed of legislative initiatives and new developments that impact common interest communities and their governance.


The firm is a founding member of, and maintains a high level of involvement with, the Community Associations Institute's New Jersey Chapter (CAI-NJ). Members of our community association practice team are the co-authors of the leading resource publication for New Jersey practitioners in this field.

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## Practice Leaders



**Steven G. Mlenak**  
Partner  
732.476.2526  
smlenak@greenbaumlaw.com



**Caroline Record**  
Partner  
973.577.1884  
crecord@greenbaumlaw.com

## Practice Team




**Darren C. Barreiro**  
Partner  
732.476.2424  
dbarreiro@greenbaumlaw.com



**Dennis A. Estis**  
Partner  
732.476.2510  
destis@greenbaumlaw.com



**Luke J. Kealy**  
Partner  
732.476.3240  
lkealy@greenbaumlaw.com



**Christine F. Li**  
Partner  
732.476.2680  
cli@greenbaumlaw.com




**Steven G. Mlenak**  
Partner  
732.476.2526  
smlenak@greenbaumlaw.com



**John D. North**  
Partner  
732.476.2630  
jnorth@greenbaumlaw.com



**Steven Nudelman**  
Partner  
732.476.2428  
snudelman@greenbaumlaw.com



**Caroline Record**  
Partner  
973.577.1884  
crecord@greenbaumlaw.com



### Justine A. DelVecchio

Associate

973.577.1830

jdelvecchio@greenbaumlaw.com



### Cristian Gomez

Associate

732.476.3348

cgomez@greenbaumlaw.com

## Experience

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### Representative Matters

- Obtained a monetary judgment on behalf of a condominium association against a developer for nearly \$200,000 in damages related to unsold commercial units held by the developer in the association. After selling all of the residential units in a Cape May condominium, the developer of the condominium refused to contribute towards the expenses of the building while continuing to own three large commercial units within the condominium. This left the maintenance and repair of the building solely to the individuals that purchased their homes from the developer to pick up the developer's short fall for years. Steve filed suit and, in a lengthy written opinion from the judge, successfully obtained a judgment of nearly \$200,000, including attorney fees and interest, against the developer for the association.
- Represented a condominium association in litigation against a developer for alleged construction and design defects and financial misrepresentations, securing an eight-figure settlement during trial.
- Represented Carlyle Towers Condominium Association, a 280-unit luxury condominium association, in easement litigation concerning critical vehicular and pedestrian access rights, securing summary judgment upholding a 1973 Master Deed easement and preserving essential access to the property.

### Published Cases

- In *Palisadium Management Corp. v. Carlyle Towers Condominium, Inc.* (2014), secured summary judgment for a major condominium association in Cliffside Park in a precedent-setting contract dispute, resulting in dismissal of \$2.5 million in claimed damages and invalidation of a long-term agreement as unconscionable and void under New Jersey condominium law.
- Representing a condominium association in \$15 million construction and governance litigation against multiple defendants, involving veil-piercing claims and allocation of responsibility for significant structural and common-area defects, while also advising on risk mitigation through renovation and construction contracts.

## Insights & More

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### Announcements

CAI-NJ 2026 Mediator Training Program to be Presented by Greenbaum Partner Caroline Record

12.04.25

Greenbaum Attorney Justine DeVecchio to Serve as Vice Chair of CAI-NJ 2026 Editorial Committee

10.29.25

2026 Edition of Best Lawyers Recognizes 54 Attorneys in 41 Practice Areas: Eight Greenbaum Lawyers Recognized on "Ones to Watch" List

8.21.25

Caroline Record Honored with Hall of Fame Award from New Jersey Chapter of Community Associations Institute

2.20.25

Greenbaum Attorneys Co-Author 2025 Edition of "New Jersey Condominium and Community Association Law" Treatise

10.22.24

2025 Edition of Best Lawyers Recognizes 56 Attorneys in 39 Practice Areas: Ten Greenbaum Lawyers Recognized on "Ones to Watch" List; Three Selected for "Lawyer of the Year" Recognition

8.14.24

Caroline Record Joins Greenbaum, Rowe, Smith & Davis as Real Estate Partner and Co-Chair of Community Association Practice Group

6.02.24

Steven G. Mlenak to Receive 2024 President's Award from New Jersey Chapter of Community Associations Institute

2.13.24

Steven G. Mlenak Elected President-Elect of CAI-NJ

1.15.24

## **Client Alerts**

New Jersey's New E-Bike Law: What Community Associations Need to Know - and Do

2.24.26

NJ Appellate Division Reverses Certain Radburn Regulations Impacting Community Associations

2.29.24

New Jersey Common Interest Communities Subject to Workplace Protection Requirements of Executive Order 192

11.03.20

## **Published Articles**

When Conflict Arises: How Alternative Dispute Resolution (ADR) Keeps Communities Moving Forward

6.03.26

## Succession Planning for Community Associations

January 2026

## President's Corner

7.05.25

## Seminars & Events

### 2026 Learn with LAC

5.18.26

### Mastering Community Associations 2026

4.23.26

### Community Association Conference 2025

11.12.25

### New HMFA Rules: What They Mean for New Jersey's Community Associations

9.03.25

### Mastering Community Associations

4.08.25

### Community Associations

3.25.25

### 2025 Lunch with LAC - Legislative Update

2.03.25