

Top 10 ways a board can use the Community Association's attorney proactively

1. Involve your attorney upon the first discovery of potential construction issues, or the symptoms of those issues, to both avoid statute of limitation problems and to manage interactions with a declarant, developer, or contractor appropriately and in a manner that preserves the Association's remedies.
2. Have your attorney review your governing documents to ensure they are current, consistent with statutory requirements, and fit the needs of the Association.
3. Consult with your attorney for guidance on setting up a collection system that is effective, efficient, and lawful.
4. Upon election of new directors, have your attorney attend a board meeting and give a presentation on the responsibilities of officers and directors, in an attempt to promote comfort, understanding, and effectiveness for their positions.
5. Review with your attorney potential insurance policies to ensure they meet requirements of statute and of governing documents, as well as the Association's needs.

6. If considering retaining a management company, consult with your attorney regarding which characteristics of a management company the Association should be seeking. Have your attorney review the proposed management agreement to ensure the Association's rights are not unnecessarily limited.

7. Review disclosure requirements for resale of units with your attorney to ensure that the Association is meeting statutory obligations without creating liability for itself.

8. When considering substantial changes to prohibitions or restrictions in your Association, such as bans on rentals or smoking, consult with your attorney regarding the manner in which to enact that prohibition or restriction so that it will be effective and lawful.

9. Prior to entering into contracts with vendors, particularly those that are long-term or big-ticket, have your attorney review the contract to protect the Association's interests.

10. When presenting a contentious issue or a difficult decision that the board needed to make, have your attorney attend the meeting of the members where that issue or decision is explained to provide legal explanation and support for the board.