

MARCUS, ERRICO,
EMMER & BROOKS,
P.C.

Resolution Program

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INTRODUCTION

Marcus, Errico, Emmer & Brooks, P.C. maintains a substantial practice in the area of community association law. At present, the firm, consisting of 27 lawyers, licensed to practice in nine states, including Massachusetts, Rhode Island and New Hampshire, represents over 2,400 such associations, constituting the largest practice in this field in New England, and the second largest in the nation. The principals (partners) of the firm have concentrated in this area of law for more than 25 years and are among the leaders in the industry, both in New England and on the national level. Three of our attorneys, Stephen M. Marcus, V. Douglas Errico and Seth Emmer, have been admitted to the Community Association Institute's national "College of Community Association Lawyers".

Due to the nature and depth of our practice, and with the assistance, input and urging of countless community association leaders, professionals, homeowners, and property management professionals, we have developed our Condominium Resolution Program to assist (and protect) the community associations we represent with evolving issues, concerns, threats and laws affecting them. If you are interested in learning more about our Resolution Program, feel free to contact any of our attorneys at 781-843-5000 or contact either Richard Brooks at rbrooks@meeb.com or Ed Allcock at eallcock@meeb.com.

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*Costs do not include recordings or registry of deeds fees or charges or other out of pocket disbursements. Charges for excessive modifications or consultation relative to particularized association issues with particular resolutions will be billed on an hourly basis or as otherwise agreed.

DISCLAIMER

The information contained herein is designed to provide useful and helpful information. It does not mean that we represent you or that an attorney-client relationship exists, nor does it expand existing attorney client relationships. You should not make legal decisions based upon this information without the assistance or consultation of counsel. The contents of the condominium documents do vary and may impact the enforceability of the Resolutions. Because of changing laws, cases and lawsuits, we do not and cannot guaranty the enforceability of the above resolutions, if adopted.

This document may constitute advertising under the rules of the Supreme Judicial Court of Massachusetts.

<p>Maintenance Resolution</p> <p>\$395.00</p>	<p>The concept of this resolution is to educate unit owners and clarify the responsibilities of the unit owners with regard to moisture, humidity and temperature in their units (for example forbidding unit owners from turning off heat in their units during winter vacations). This resolution attempts to shift the responsibility for mold damage or occurrences in a unit, if the unit owner fails to properly regulate his or her unit to prevent mold occurrence. Many of our clients have adopted mold resolutions because of the explosion of mold related litigation, the cost and expense associated therewith and the fact that most insurance companies are now excluding mold damages and occurrences from association insurance policies.</p>
<p>Flag Resolution</p> <p>\$295.00</p>	<p>This resolution was developed in response to the Freedom to Display the American Flag Act of 2005, which President Bush signed into law on July 24, 2006. This new Federal Law prohibits a condominium association from restricting unit owners from flying or displaying the United States flag on exclusive use common areas. However, the law does permit condominium associations to adopt reasonable restrictions and rules on the time, place and manner of displaying the United States flag, which is the focus of our Flag Resolution.</p>
<p>Insurance Resolution</p> <p>\$475.00</p>	<p>The purpose of this resolution is to provide a condominium association with a standard operating procedure for insurance claims so as to allow it to reduce claims and keep association insurance premiums affordable. In addition to providing the association with a form of Release for settled insurance claims, the resolution addresses the "age old" question of "who is responsible for the association's deductible".</p>
<p>Anti-Litigation Resolution</p> <p>\$475.00</p>	<p>This resolution applies recent amendments to the Massachusetts Business Corporations Act, dealing with frivolous and costly litigation, to condominiums. The resolution affects certain kinds of lawsuits brought by unit owners against the association and establishes procedures (also applicable to corporations) for resolving and/or dispensing with them with minimal cost and maximum benefit to the association. Travelers Bond© has reviewed our Anti-Litigation Resolution and determined it to be such an effective risk management tool that they have agreed to provide any association adopting our Anti-Litigation Resolution that it insures (including existing accounts) with a 10% discount off their next directors and officers policy premium.</p>
<p>Satellite Resolution</p> <p>\$495.00</p>	<p>This resolution was developed in response to the Federal Telecommunications Act of 1996, which allows unit owners to install satellite dishes and antennas on exclusive use common areas. This resolution allows associations to regulate the installation. If an association does not have a satellite resolution which has been distributed to its unit owners, FCC regulations provide that Association prohibitions and restrictions will <u>not</u> apply to installation. This package includes a letter to all owners, an instruction letter to the Board and a notification form to be used in connection with an installation.</p>

Representing Over 2,400 Condominium Associations
One Association at a Time