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COMMUNITY LIVING

# Council wants to hear your ideas

By Pamela Dittmer McKuen | Special to the Tribune  
March 20, 2008

If you've got a beef about condominium associations or a way to make them better, the Illinois Condominium Advisory Council wants to hear it.

This newly created task force was appointed to identify the biggest challenges to condo life in Illinois and make recommendations for legislative change. The council will host public hearings around the state this summer, and hopes to present its final report to lawmakers by year's end.

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"We will not be drafting legislation, only addressing global problems," said attorney and council chairman Jordan Shifrin of Kovitz Shifrin Nesbit in Buffalo Grove and Chicago. "After we have gotten all the feedback, we will then vote on recommendations."

Many association residents and leaders are ready to offer their suggestions. Here's a handful:

**License property managers.** At least, put teeth into recent legislation that defines standards for managers, said Beth Lloyd, president of the Association of Condominium, Townhome and Homeowners Associations and former association board member.

The law says "they must be professional, experienced and have no convictions, but how do

you make that happen?" she said.

**Make developers more accountable.** One possibility is mandatory escrows until the association is satisfied there are no construction defects and the developer has paid his share of assessments, said consultants Shirley Feldman and Angela Falzone of Association Advocates Inc. in Chicago and Park Ridge.

"Once the developer has dissolved the limited liability corporation created for that property, even if found at fault, there are no assets and no entity for the association to chase," said Feldman. "The owners have to pay to resolve what the developer did not do correctly."

Brian White, executive director of Chicago-based Lakeside Community Development Corp., wants to see greater formality in developer turnover.

"It should be handled like a certificate of occupancy or a closing—if the money and documents are not there, you don't get to close," he said. "Too many associations are being short-handed by their developers. They have to sue to get their funds back, which is not realistic if you have a small association and no funds to begin with."

**Strengthen reserve requirements.** Current law specifies "reasonable" reserves, which is vague and subject to misinterpretation, said certified public accountant

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Christine Nyborg of Nyborg & Co. in [Batavia](#).

**Once and for all—who pays for the leak?** When a resident's sink overflows into the unit below, condo law seems to decree remedies that insurance policies don't provide. Property manager Kara Gould, president of Rowell Inc. in Palatine, hopes for a uniform solution. "Not everyone's dealing with this issue in the same way," she said. "Some say it's the upstairs unit owner's responsibility. Some say it's not. Some say the upstairs should pay the deductible for the downstairs owner's policy."

In addition to Shifrin, the members are: State Reps. [Harry Osterman](#) (D-Chicago,14th) and Skip Saviano (R-[Elmwood Park](#),77th); State Sens. Mattie Hunter (D-Chicago,3rd) and Pam Althoff (R-[Crystal Lake](#),32nd); George Panagakis, board member, Association of Condominium, Townhome and Homeowners Associations; and Sheli Lulkin, president, Association of Sheridan Road Condos/Co-Op Owners.

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