

AssociationHelpNow™

RESOURCES FOR COMMUNITY ASSOCIATIONS & PROFESSIONALS WHO SERVE THEM

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New York boards, managers and industry leaders....**1000** per issue

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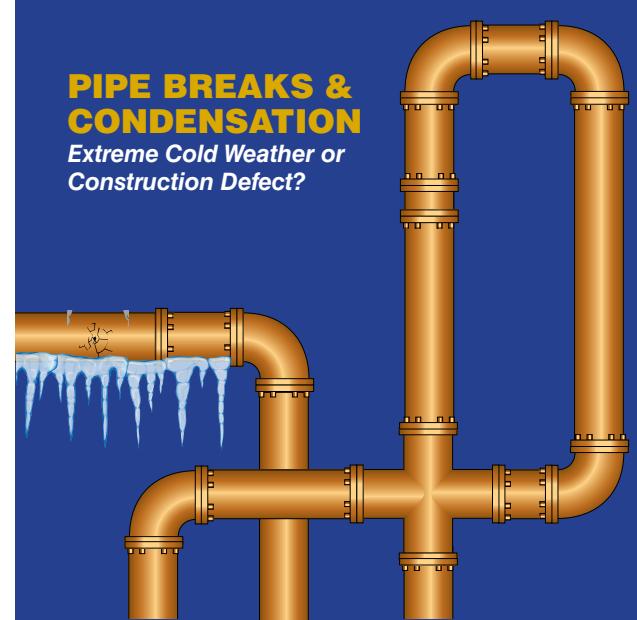
AssociationHelpNow™

Read by Homeowner Association Board Members and Property Managers.

New Jersey Edition
Issue 6, 2020

PIPE BREAKS & CONDENSATION

Extreme Cold Weather or Construction Defect?



Horned, Ret DigitalVision Vectors/Getty Images and Serhi Melnyk/Getty Images

Also Inside:

Do Managers Have the Same Fiduciary Duty to the Association as the Board?

Can Community Association Members **RECORD BOARD MEETINGS?**

National Condo/HOA **Q&A**

...and More!

HOA QUALIFIED MANAGEMENT COMPANIES



Special back cover section for Management Companies

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The Business Judgement Rule Explained

By Nicole Willis



When making decisions, association boards are at risk of upsetting their residents; but, what happens if the court becomes involved? In this case, the business judgment rule may be your best tool as an association. So, what is the business judgment rule and how can it be used?

Jennifer Alexander, Esq., a shareholder at Griffin Alexander, P.C. in Randolph, New Jersey, explains how the business judgment rule can be utilized. The rule may be enacted when "the association, their board of directors or trustees, makes a board decision which cannot be changed or overruled by the court based upon what we would call the business judgment rule." She said. She further explains that the decision is upheld by the court so long as the decision is not "fraudulent, self-dealing or unconscionable."

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