



**State of New Jersey**  
DEPARTMENT OF COMMUNITY AFFAIRS  
101 SOUTH BROAD STREET  
PO Box 805  
TRENTON, NJ 08625-0805

**CHRIS CHRISTIE**  
*Governor*

**KIM GUADAGNO**  
*Lt. Governor*

**LORI GRIFA**  
*Commissioner*

Dear Homeowner:

You recently requested assistance regarding your association. The Association Regulation Unit in the Department of Community Affairs enforces provisions of the New Jersey Condominium Act and the Planned Real Estate Development Full Disclosure Act pertaining to the obligations of an association comprised of residential owners in the following three areas: that associations adopt and properly administer alternate dispute resolution procedures (ADR); comply with open public meeting requirements; and provide owners access to financial records at reasonable times. In order to more fully inform you regarding these areas, included are information sheets for each subject matter.

Please note that the Department of Community Affairs does not have the statutory authority to take actions such as investigating alleged wrongdoings of board members or employees, removing board members from office, ordering board members or employees to comply with governing documents or to take or rescind specific actions. Similarly, we cannot order revisions to financial practices or operating procedures, conduct audits or review elections. Owners are empowered to correct such matters through ADR or litigation as well as by petitioning the board or electing new board members.

If you wish to make a formal complaint that your association is not in compliance with its obligations as described in this material, please complete the enclosed Common Interest Community Association Complaint form and return it, along with the appropriate supporting documentation, to the address on the complaint form.

We trust the information supplied will guide you accordingly.

Association Regulation Unit  
Planned Real Estate Development

Enclosures



**Common Interest Community Association Complaint Form**  
Part One

Be sure to read the accompanying handouts regarding the agency's jurisdiction prior to completing this form.

This form has two parts, both parts must be submitted in accordance with the instructions or the complaint will not be processed.

**Complainant Information**

My name is \_\_\_\_\_

I am filing a complaint on behalf of \_\_\_\_\_  
(unit owner name as it appears on association records)

Who owns unit \_\_\_\_\_ within the \_\_\_\_\_  
(unit designation) (name of development, condominium or cooperative)

My relationship to the complainant is \_\_\_\_\_

My mailing address is \_\_\_\_\_  
\_\_\_\_\_  
(city) (state) (zip)

Contact me during the day at this telephone number \_\_\_\_\_ or by email at \_\_\_\_\_

Signed by \_\_\_\_\_ on this date \_\_\_\_/\_\_\_\_/\_\_\_\_  
(signature of unit owner)

**Association Information**

The association is (check one) \_\_\_a condominium \_\_\_ a cooperative \_\_\_ a homeowners association

The name of the association is \_\_\_\_\_. There are \_\_\_\_\_ # of residential units within the development. This association is part of a master association called \_\_\_\_\_ (if there is no master enter N/A)

The development is located in \_\_\_\_\_ Town/City of \_\_\_\_\_ County

The mailing address of the association is \_\_\_\_\_  
\_\_\_\_\_  
(street address and/or PO Box)  
\_\_\_\_\_  
(city) (state) (zip)

The current president of the association is \_\_\_\_\_

Unit owners elect \_\_\_\_\_ (#) of the members of the board of directors which has a total of \_\_\_\_\_ (#) board members.

The association has employed \_\_\_\_\_ as the manager of the property.  
(name of person and company name if applicable)

The property manager can be contacted at this telephone number \_\_\_\_\_

Common Interest Community Association Complaint Form  
Part Two

Nature of Complaint

Please check those that apply without modification

\_\_\_ **The Association does not have an Alternative Dispute Resolution (ADR) procedure**

Prior to filing a complaint, did you request a copy of the ADR procedure in writing? Were you informed the procedures did not exist? Was your request ignored? If the answer to the first question is yes, and you were either advised that there is no procedure or your request was ignored, include a copy of your written request for a copy of the ADR procedure and any written response.

\_\_\_ **Denied access to ADR**

Prior to filing a complaint, did you request ADR in writing in accordance with the procedure adopted by your association or in the absence of a procedure did you request ADR by writing directly to the board? Was your request ignored or denied? If yes, include a copy of your written request for ADR and any written response.

\_\_\_ **Denied access to accounting/financial records**

Prior to filing a complaint, did you request to review the records in writing? Was your request denied or ignored? Was your request specific as to records requested? If yes, include a copy of your written request to review the financial records and any written response.

\_\_\_ **Minutes not provided from open meeting**

Prior to filing a complaint, did you request the minutes in writing? Was your request denied or ignored? If yes, include a copy of your written request for a copy of the minutes and any written response.

\_\_\_ **Appropriate notice for open meeting not given**

Prior to filing a complaint, did you check with the association office to verify it had a copy of the notice? Did you make a written request to the board for a copy of the notice of the meeting you believe was not appropriately advertised? If yes, describe the circumstances which make you believe notice was not provided. Include a copy of your request for a copy of the notice of the open meeting and any written response.

\_\_\_ **Binding vote taken without the benefit of an open meeting.**

Prior to filing a complaint, did you request a copy of the meeting minutes at which the binding vote should have been taken? If yes, describe the nature of the binding vote. Include a copy of your request for a copy of the minutes at which you believe the binding vote should have been taken and any written response.

Instructions

Include a brief explanation of each item checked along with a description of each document attached on a separate sheet of paper. The explanation should be no more than three or four paragraphs. Upon the initial filing of a complaint do not include more documentation than is necessary to establish jurisdiction. Do include copies of your letters to the board/association regarding ADR, financial records access, requests for minutes of open meetings, or a copy of the notice of the open meeting. Do not include copies of budgets, master deeds, by-laws, court decisions, newspaper articles, work orders, site plans, estimates, pictures, annual reports, and so on. Agency staff can not sift through voluminous documents to determine if there is a cause of action and may return the complaint package if the complaint is not filed in accordance with these instructions.

Mail your completed complaint form to

Association Regulation Unit  
New Jersey Department of Community Affairs  
PO Box 805  
Trenton, New Jersey 08625-0805

For additional information or to download complaint forms and copies of the handouts concerning ADR, open meetings and access to financial records, in unit owner controlled associations, visit the website at <http://www.nj.gov/dca/divisions/codes/offices/ari.html>