

ACTHA's May newsletter focuses on legal issues that could effect your association



## 1618 Sheridan Rd. Condominium Association vs. Marshall Spiegall

*By: Diane Silverberg*

In a collection of orders entered at the end of March 2019, Cook County Circuit Court Judge Margaret Ann Brennan ruled on several motions for sanctions, ultimately awarding over \$1 million in sanctions against a single unit owner and his attorney. In so doing, Judge Brennan shone a spotlight on an all-too familiar phenomenon in the condominium-association setting: serial litigants.

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## Vendor of the Month

## An Overview of Special Assessments

*By: Joseph Scharnak*

As you're probably well aware, Association residents pay regular assessments to cover collective maintenance expenses, based on the annually-budgeted needs of the community. Are you familiar with Special Assessments?

Let's review the basics:

### **What are Special Assessments?**

Special assessments are monies, in addition to the regular monthly assessment, collected by a condominium, townhome, or homeowner's association from its members so that the Association can pay for expenditures not included in the Association's annual budget.

An Association's use of funds collected through a special assessment is generally restricted to the specific project for which the Special Assessment was approved as well as any ancillary costs (for example, engineering fees, building permits, construction bonds).

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## **Are Your Proxies Valid Under Illinois Law**

*By: Condo Law Watch Tressler LLP*

In the context of homeowners and condominium associations, a proxy is a document authorizing a person to act or vote on behalf of an owner who is unable to attend a meeting. Proxies are most commonly used at board elections and owners wishing to run for a seat on the board of directors will often times go door-to-door collecting proxies ahead of elections. Although proxies are a powerful tool for board elections, both the Illinois Condominium Property Act (the Condo Act) and the Common Interest Community Association Act (CICAA) contain strict requirements for proxies. While proxies do not need to be on any specific form, if a proxy does not meet these minimum requirements set forth in the Condo Act, CICAA or the association's governing documents, then the proxy must be deemed invalid and the vote associated with the proxy should not be counted.

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## **Upcoming Events**

### **[Not Quite Everything An Association Needs to Know About Management Agreements](#)**

*June 13, 2019 6:30 PM*

*Patty Turner Center 375 Elm Street, Deerfield, Illinois 60015 Meeting Members Room B*

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