

## Leonard Siegel - Founding Partner



Mr. Siegel has been a practicing attorney since 1975. He has an “AV” rating (the highest rating) as reflected in the nationally recognized Martindale-Hubbell Law Directory. For over 28 years, Mr. Siegel has represented corporate entities as well as their officers and directors. Mr. Siegel specializes in the representation of homeowners associations, including condominiums, stock cooperatives, planned unit developments and other community association (including retirement communities) and their respective officers and directors in a wide variety of litigation and non-litigation matters. The firm has served as counsel for over several hundred associations directly and is also frequently retained as counsel through insurance carriers issuing general liability and directors’ and officers’ insurance. Mr. Siegel has represented several hundred associations ranging in size from as little as two units to over several thousand.

Mr. Siegel also represents corporate and business interests and is frequently retained through insurance carriers issuing comprehensive general liability insurance and directors’ and officers’ insurance in a wide variety of commercial liability

matters, including property and bodily injury claims, defamation, housing and related discrimination claims, unfair competition, employment and non-profit errors and omissions matters. Mr. Siegel has also engaged in litigation involving professional liability, land use and employment matters through insurance carriers.

Mr. Siegel has been a member of the Community Associations Institute (“CAI”) for over 23 years. CAI is a national organization which provides educational and related information to associations throughout the country. Mr. Siegel was on the Board of the Los Angeles Chapter of CAI for eight years and served as president for two years. He is also a member of the CAI California State Legislative Action Committee (“CLAC”), which formulates and monitors legislation in California. He has testified on community association issues before the state legislature on matters pertaining to the Davis Stirling Common Interest Development Act. He previously served as member of the California State Bar Committee on Condominium and Stock Cooperatives.

Mr. Siegel received his Bachelor of Arts Degree in Economics from UCLA and studied economics and business for one year at the Netherlands School of Business. He received his law degree from Loyola University in 1975 and served as staff editor of the Loyola Law Review and received various academic awards. He was also admitted to the St. Thomas More Law Honor Society.

Among the highlights of Mr. Siegel’s work in representing community associations was his representation



of the association in the landmark California Supreme Court case of *Narhstedt vs. Lakeside Village Condominium Association*, 8 Cal 4th 361 (1994), now cited with considerable frequency by courts in California and other jurisdictions, establishing a standard for enforcement of CC&R's.

Mr. Siegel has represented associations in hundreds of matters at the trial court level and in numerous other appellate cases, some of which have set important legal precedent. Some of these cases include: *14589 Moorpark Homeowners Association vs. VRT Corporation*, 63 Cal. App. 4th 1396 (1998) (established scope of right of "partition" of common interest development after the Northridge earthquake); *Miller vs. Lakeside Village Condominium Association*, 1 Cal. App. 4th 1611 (1991) (established application of statute of limitations in toxic mold exposure claims in a condominium development); *Coleman vs. Nosrati* (constitutionality of assessment collection and lien rights procedures); *Eisenberg vs. Wilshire Marquis Homeowners Association* (election dispute and entitlement to attorneys fees); *Cambridge Townhomes Homeowners Association vs. Truck Insurance Exchange* (upholding the enforceability of "exculpatory" clauses, i.e. no liability provisions in CC&R's); *Park Access Restoration Committee vs. City of Laguna Niguel, El Niguel Heights Association*, ("privatizing" streets in a gated community).

The firm is currently handling appeals which address, among other things: (1) the right of directors to recover attorney's fees where they are prevailing parties in an action brought against them by a member of the Association, and (2) application of provisions in the Davis-Stirling Common Interest Development Act dealing with right of members to amend the governing documents; (3) Association liability for failure of developer to comply with conditions for approval imposed on development; and (4) application of the California "Anti-SLAPP" statute as applied to an HOA's enforcement procedures.

Mr. Siegel and the firm have represented associations and/or directors and officers in wide variety of litigation and non-litigation matters in addition to those above, including, for example, vendor and construction contract negotiations and disputes, construction defect cases, mechanic's lien matters, developer disputes and related Department of Real Estate matters, CC&R enforcement, land use matters, class actions, time share issues, architectural controls and other use restrictions, disputes involving breaches of fiduciary duty, assessment collection and foreclosure matters, lender disputes, fair housing and discrimination claims, etc.

Mr. Siegel has written many articles concerning condominium and homeowner association matters and has lectured extensively in the field. He has served as an expert witness in litigation matters and served as a judge pro tem of the Los Angeles Superior Court. He is also a former board member of a homeowners association and has testified before the State Senate Committee on Housing regarding the California Davis Stirling Act.

Prior to joining Kulik Gottesman & Siegel LLP, Mr. Siegel was a partner at the firm of Wilner, Klein & Siegel.

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