

# Creating Condominiums

## *Drafting the master deed and operational provisions*

Condominiums are “creatures of statute”. They are created pursuant to Massachusetts General Laws Chapter 183A and are governed by and operate according to their constituent documents. Massachusetts courts have deemed a condominium’s constituent documents to be something more than a contract and, instead, akin to covenants running with the land. Since the constituent documents define and create the condominium, provide the operational policies and procedures thereof, and survive as provisions tantamount to covenants running with the land, the importance of drafting quality condominium documents cannot be overstated.

This new program provides guidance on drafting well-crafted master deeds and operational provisions for condominiums, including declarations of trusts and/or bylaws. The panel also identifies common pitfalls and traps in condominium document language, the problems caused by such language, and suggestions for remedying these provisions. Finally, attendees learn some of the most common issues that arise in the enforcement of condominium documents and the document language that can assist by providing procedures and resolutions.

### Agenda

- Drafting Well-Crafted Condominium Documents
- Avoiding Pitfalls and Traps of Problematic Provisions
- Common Enforcement Issues and the Document Language That Leads to Successful Results for Associations
- “Ask the Experts” Q&A Session

### Faculty

Gary M. Daddario, Esq., *Marcus, Errico, Emmer & Brooks, PC, Merrimack, NH*, Chair

Pamela M. Jonah, Esq., *Marcus, Errico, Emmer & Brooks, PC, Braintree*

Cameron S. Merrill, Esq., *Merrill & McGear, Boston*

### Dates & Location

Register at [www.mcle.org](http://www.mcle.org)

#### LIVE WEBCAST

Tuesday, June 6, 2023

2:00 pm–5:00 pm

Program Number: 2230134WBC

#### REBROADCAST

Wednesday, June 21, 2023

9:00 am–12:00 noon

Program Number: 2230134RBC

#### REBROADCAST

Thursday, June 29, 2023

1:00 pm–4:00 pm

Program Number: 2230134RB1

#### ON DEMAND WEBCAST

View after Thursday, June 29, 2023

Program Number: 2230134WBA

### Tuition *(includes written materials)*

- \$245
- \$220.50 MCLE Sponsor Members
- \$122.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
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### Materials

The materials for this program include MCLE’s *Massachusetts Condominium Law*, which, along with any other materials, can be downloaded via the link emailed to you upon registration.

Also, there is no need to take extensive notes. Two weeks after the live webcast, all registrants receive a link to a verbatim transcript and audio and videorecordings of this program.

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