

Leonard Siegel

Partner



Kulik Gottesman Siegel & Ware LLP
15303 Ventura Blvd., Suite 1400
Sherman Oaks, CA 91403
Tel: (310) 557-9200
Fax: (310) 557-0224
lsiegel@kgswwlaw.com

Education

Loyola Law School, J.D. 1975
- Staff Editor, Loyola Law Review
- St. Thomas More Law Honor Society
University of California Los Angeles,
B.A., 1972

Bar Admissions

- California
- U.S. Court of Appeals, Ninth Circuit

Practice Areas

- Homeowners Associations
- Complex Civil Litigation
- Real Estate
- Employment Law

Mr. Siegel has been a practicing attorney since 1975. He has an "AV" rating ("highest level of professional excellence") as reflected in the nationally recognized Martindale-Hubbell Law Directory. Mr. Siegel was also recognized as a "Super Lawyer" in January 2009, 2010 and 2011 in Law & Politics, published by, and as a supplement to, Los Angeles Magazine. Most recently, on October 12 2011, Mr. Siegel received the San Fernando Business Journal "Valleys Trusted Advisor Award" for an attorney.

For over 28 years, Mr. Siegel has specialized in the representation of non-profit corporations and officers and directors, including condominiums, stock cooperatives, planned unit developments, charitable related non-profit entities and their respective officers and directors in a wide variety of litigation and non-litigation matters. The firm has represented over 600 homeowners associations.

Mr. Siegel is frequently retained through insurance carriers issuing comprehensive general liability insurance and directors' and officers' insurance in a wide variety of homeowner association matters, commercial liability matters, including, property and bodily injury claims, directors' and officers' 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. In addition to representing

hundreds of homeowner associations (as both general counsel and through general liability and directors' and officers' insurance carriers) over the years in countless litigation matters and in non-litigation matters, he has also had extensive appellate court experience.

Among the highlights of Mr. Siegel 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 deed restrictions as well as providing a framework for involving the "judicial rule of deference" and the "business judgment rule" in California.

Mr. Siegel has represented associations in numerous other appellate cases, some of which have set important legal precedent. In addition to the Narhstedt v. Lakeside Village matter, other appellate matters 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); Martin v. Bridgeport Community Association, 173 Cal.App. 4th 1024 (2009) (prohibition on claims by assignees of owners against homeowners associations); Carolyn v. Orange Park Community Assn., 177 Cal.App. 4th 1090 (2009) (holding that private trails within a homeowners association are not "public accommodations" subject to the Americans with Disability Act, the California Disabled Persons Act or the Unruh Act); Farwell v. Sunset Mesa Property Owners Association, 163 Cal.App. 4th 1545 (2008) (dismissal of defendant class action in action to invalidate CC&Rs); Coleman vs. Nosrati (constitutionality of assessment collection and lien rights procedures); Eisenberg vs. Wilshire Marquis Homeowners Association (election dispute and entitlement to attorney's fees); Cambridge Townhomes Homeowners Association vs. Truck Insurance Exchange (upholding the enforceability of "exculpatory" clauses, i.e. no liability provisions in CC&Rs); Doyle v. Forster Ranch Homeowners Association, ("anti-SLAPP" judgment and recovery of attorney's fees); Rosner v. Uplifters Ranch Homeowners Association, (enforcement of CC&R amendments); Tezak v. Greenbrook Homeowners Association, ("anti-SLAPP" judgment affirmed); Ekstrom v. Marquesa at Monarch Beach Homeowners Association, 168 Cal.App.4th 1111 (2008) (application of business judgment rule and enforcement of CC&Rs and attorney fee award); Loomis v. Bert Purdy & Associates, Inc., (appeal for dismissal of fraud claim); County of Los Angeles v. La Vina Homeowners Association, (application for writ of mandate); Aguilera v. Heiman, 174 Cal.App.4th 590 (2009).

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 non-profit association matters and has lectured extensively in the field. He has served as an expert witness in a variety of litigation matters involving homeowners associations, 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.

AWARDS

Southern California Super Lawyer, *Los Angeles Magazine* (2007-2013). Martindale Hubbell "AV" rating. San Fernando Business Journal, "Valleys Trusted Advisor Award" for an attorney (2011).