



**KEOUGH
MOODY**

**January 2026
Newsletter**



Happy New Year! As we begin the new year, we are grateful for the opportunity to continue serving our clients. Thank you for your continued trust and confidence in our firm. We look forward to the year ahead.



**Keough & Moody Webinar
Wednesday, February 11, 2026 at 12:00 p.m.
A Good Election Starts with Good Rules**

Elections are one of the most important events in every community association. Deciding who will manage the community is a very important decision. Who is elected can greatly impact the community. Further, how an election proceeds can set the tone for the upcoming year. An election that is conducted without any issues makes everyone feel comfortable and confident with their community. Whereas an election that is full of errors and chaos leaves the community asking, “What is going on?” Even though most people recognize the importance of an election, most people still act surprised when it comes time to plan for the annual meeting. Most still “recycle” the documents used for the last election. Most still ignore the advice that planning for the next year’s election should begin immediately after this year’s election. And most still only look at the rules related to elections every 5 years (or even longer)! Dawn and Gabby say, “Not anymore!”

Start 2026 by looking at elections differently and join Dawn and Gabby as they work to change your mindset on tackling your association’s election, with the first step of changing your association’s rules and regulations related to elections. In this webinar, Dawn and Gabby will discuss what should be in every community association’s rules and regulations related to the election of board members. They will also discuss what may be included. In addition, they will provide examples of “good” and “bad” rules, while explaining why these rules work and why they fail a community. Be ready, though, as Dawn and Gabby’s goal with this webinar is to have every attendee walking away with a need to review their association’s rules related to elections from a different and fresh perspective!

Join Dawn and Gabby in this 2-hour webinar by registering to attend.

[REGISTER HERE](#)

2026 Legal Updates

Illinois Safe Homes Act. As of January 1, 2026, Illinois landlords are required to attach a Summary of Rights as the first page of all new and renewed residential leases. Provided by the Illinois Department of Human Rights, the Summary outlines tenant rights in cases of domestic or sexual violence. While the outlined rights were originally enacted in 2007, this new requirement ensures landlords formally inform tenants of their rights. Associations acting as landlords for units they own or have possession of should ensure the Summary of Rights is attached to all leases and signed by the tenant. The Summary of Rights form and additional information can be found on the Illinois Department of Human Rights [website](#).

Squatters. On January 1, 2026, Senate Bill 1563, commonly known as the “Squatter Bill,” became effective. The Squatter Bill amends the Eviction Act to close a loophole that required owners to go through the lengthy eviction process to remove unauthorized individuals (“squatters”) from their units. Specifically, the legislation clarifies that squatters are criminal trespassers, allowing law enforcement to file charges for criminal trespass and remove them and their possessions from the property. Accordingly, if owners find an unauthorized individual within their unit, the individual should be advised that they are not permitted to remain within the unit and must vacate. If the individual fails to do so, the owner should then contact the police to file charges and assist with removal.

United States Mail. Effective December 24, 2025, the U.S. Postal Service updated its rules regarding postmarks to clarify that a postmark generally reflects the date an item is first processed by USPS, rather than the date it is deposited in the mail. For example, mail sent on January 1st may not be postmarked until the following day, or even later, depending on when it is processed. Depending on the terms of the community association’s documents, this update may impact notice and mailing practices. Boards, along with management and their legal counsel, are encouraged to review their community’s instruments so as to determine whether current notice practices need to

be adjusted. As a reminder to managers and management companies, the “one size fits all” rule on notice practices may not work when sending out notice to the members. This change supports why your association should consider adopting electronic notice provisions and make another push to encourage more owners to elect to receive notices electronically so as to reduce reliance on mailed notices.



2026 Do's and Don'ts!

And with that, 2025 has come to an end.

With the start of 2026, we have an opportunity to reset the table and set the tone for us and for our communities in the year ahead. Regardless of whether you are a volunteer board member, community association manager, or other association professional, your time and energy are one of your most valuable resources. In 2026, it is time for us to intentionally devote our time and energy to the matters that truly require our attention, rather than those that simply demand it the loudest. How better to explain what we should and should not be devoting our time to than with these 2026 Do's and Don'ts!

DO *focus on the needs of the association as a whole.* The purpose of an association is to maintain the common areas and to enforce certain standards that all parties agreed to adhere to when purchasing a unit within the community. The board determines how those responsibilities are carried out, and it should do so with the entire community in mind, not just Janie Doe, who emails the board and management daily with her list of grievances. Before making a repair, adopting a rule, or taking other action, it is worth pausing to ask, is this being done because the community truly needs it (and is our responsibility under the community instruments), or is it being done primarily to appease one or a small number of particularly vocal owners? If the answer is the latter, it is time to step back and reassess whether that is the best use of the association's time, attention, and resources, and whether that action truly serves the community as a whole.

DON'T *fail to plan.* A lot of things need to happen each year in a community association, such as routine maintenance, capital repairs, and meetings. Utilize the available tools, including members of your team, and tools such as reserve studies, to help plan and schedule the year. Don't be caught scrambling in 2026 because of a failure to plan.

DO *course correct as needed.* For many associations, in the years prior, they have loosely followed the terms of the community instruments and applicable law. While this may have historically worked for the community as a whole, in recent years, we are seeing a trend where owners are starting to challenge how the board “has always done things.” If your association is one that has not strictly adhered to the specific terms of the community instruments or applicable law, it is time to course correct and ensure that things are being done “by the book.” For those associations

with property restrictions that neither the community (except for that one owner) nor the board has the appetite to enforce, it is time to amend the community instruments to remove or update those restrictions. Ensure that you are conducting the association's business correctly and consistent with 2026 laws.

DON'T be penny-wise but pound-foolish. As we routinely say, it is more cost-effective to prevent a problem than it is to fix a problem once it rears its ugly head. As we move into 2026, boards should carefully consider how association funds are being spent. While it may be cheaper in the short term to patch a leaking roof (or multiple leaking roofs), doing so may simply increase overall costs by delaying a necessary roof replacement. Similarly, while no one is eager to incur legal fees to review a six-figure contract, the cost of that review is often far less than the expense of correcting problems caused by a poorly drafted or one-sided agreement. Remember, you are running a business! Boards should carefully consider what is the best use of the business' funds in pursuit of the overall obligations and goals of the association. Sometimes, the best use of those funds is the more expensive option in the short term because it will protect the association from further expenses in the long run.

DO communicate appropriately. Communication is and remains a very important part of association governance. While in a perfect world, all members would attend board meetings and be up to date on the business of the association, that is not reality. Rather than have ongoing bilateral conversations with a limited number of owners (yes, this includes emails!), who essentially want their own meeting or updates, send out periodic updates or newsletters to your members to inform them of what is happening within the association. Too often, members want to complain (primarily on social media) about what does not appear to be happening within the association. Get out in front of that by proactively, rather than reactively, communicating with members! Control and share the information, so that misinformation (and discontent) does not spread.

DON'T exhaust yourself trying to prove you are right. In this day and age, it seems that everyone wants to argue. It is important to recognize those situations when they arise and to stop spinning your wheels trying to convince the other party that you are right and they are wrong. Sometimes, we need to remind ourselves that it is ok to agree to disagree. If you have provided an answer and a party wants to continue to argue the validity of that answer, you do not need to continue to justify your position. Just because someone does not like the answer given does not mean that no answer was given or that more time and energy need to be spent arguing it. Conserve your energy and stop trying to make everyone (including your fellow board member) see things your way.

DO continue to educate. One would assume that purchasers understand what they are getting into when buying a unit within a community association. Regrettably, this is not always the case. Many owners do not fully understand what their assessments pay for, why certain rules must be followed, or even who the association is (with some believing the association is the community association management firm). Recognizing this reality, boards must continue to make education a priority and help owners better understand what community living entails. Providing clear explanations of the "why" (particularly when increasing a budget or adopting a special assessment) can go a long way toward fostering understanding and cooperation.

As we head into 2026, remember that we can control how we devote our time and energy. Rather than allowing others to dictate how that time and energy is spent, take control and move forward with the association as a whole in mind. There will always be naysayers within any community, and we have to understand that it is ok (as you will likely never make those people happy). It is time to focus on the bigger picture and move forward in 2026, taking action with the association as a whole in mind.

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