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## A RECOGNIZED LEADER IN UTAH HOMEOWNER ASSOCIATION LAW

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Jenkins Bagley Sperry, PLLC, specializes in homeowner association law (*e.g.*: condominium projects, planned unit developments, and other community associations) and is also known for its outstanding services in a series of practice areas which include, real estate law, estate planning and probate, mediation, dispute resolution, fair housing, and complex litigation. Our firm has offices throughout the State, including Salt Lake, St. George, and Richfield. We also draw upon skills and legal experience from our affiliation with AARP.

Our attorneys have over 100 years of combined legal experience in Utah homeowner association law. The services we offer our clients include, but are not limited to: (i) drafting and amending covenants, conditions, and restrictions ("CC&Rs"), bylaws, rules, and other governing documents of the association; (ii) reviewing and drafting contracts and legal opinion letters; (iii) litigation, Fair Housing compliance and defense; (v) administrative proceedings; (vi) alternative dispute resolution; (vii) assessment collection; (viii) Board training; and (ix) acting as general counsel for the association. Our attorneys are skilled, dedicated, respected, and experienced with the resources, technology, and capability, to meet our clients' varied needs. Our firm is regularly engaged by insurance companies to defend homeowner associations.

We are recognized as a leader in the field of homeowner association law in Utah. Our attorneys have served in various leadership capacities with the Community Association Law Section of the Utah Bar, the Utah Chapter of Community Associations Institute (UCCAI – an organization focused on educating owners of properties in homeowners associations), and UCCAI's Legislative Action Committee (an organization which works with coordinates with members of the Utah legislature on legislative actions impacting community associations in Utah). Several of our attorneys have been recognized as members of Utah's "Legal Elite" by *Utah Business Magazine* and as "Super Lawyers" by *Super Lawyers Magazine*. Bruce C. Jenkins is one of only four attorneys in Utah who have been inducted as a fellow in the College of Community Association Lawyers (CCAL).

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*St George Office*

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*Salt Lake Office*

5383 S. 900 E., Suite 205  
Salt Lake City, UT 84117  
Tel: 801.613.2025

*Richfield Office, By appointment*

While we provide legal services to hundreds of homeowner's associations, developers, and individuals throughout Utah. Even though we are best known for our legal services for homeowners' association, our firm's legal practice includes services for various types of other real estate issues, including land use and zoning matters, foreclosure, construction defects, boundary disputes, quiet title action, and real estate litigation. We also help individuals and entities with estate planning, probate administration, criminal defense, contract disputes, general litigation, and collections. We apply a collaborative firm approach in helping our clients achieve their legal goals, while also making sure they maintain a vision for the future. Whether you have a complex homeowners association issue or need a simple will prepared, we have the experience and knowledge to assist you.

## **OUR TEAM**

**Bruce C. Jenkins** is one of Jenkins Bagley Sperry's PLLC founding members and serves as the firm's Managing Partner. Bruce has represented community associations since 1991 and regularly assists clients in preparing and reviewing CC&Rs, contracts, and other legal documents; litigating cases; and generally advising community association boards on legal issues. He is an AV rated attorney, which is the highest peer rating an attorney may receive from Martindale-Hubbell. In 2012, Bruce was inducted as a fellow into the College of Community Association Lawyers (CCAL), which is a distinction granted to only a limited number of attorneys nationwide – approximately 170 - and only four in Utah. He has been recognized multiple times by *Utah Business Magazine* and *Super Lawyers Magazine*. He is a member of Community Associations Institute (CAI), past- president of the Southern Utah Subchapter of UCCAI, past- chair of Utah's Legislative Action Committee and past-president of the Community Association Law Section of the Utah Bar. Bruce has been a principal drafter of laws affecting common interest communities in Utah, served as an expert witness in multiple cases, and presented both nationally and locally on various community association issues. For two years Bruce served as in-house counsel for a St. George developer. He regularly trains property managers and association board members and has published several articles on homeowner association matters. Bruce also serves as a Board member of Friends of Switchpoint, an organization assisting individuals facing homelessness. In his spare time, Bruce enjoys the outdoors and his family.

Education: J.D., *cum laude*, J. Reuben Clark Law School Brigham Young University  
B.S., *cum laude*, Brigham Young University

**Carson B. Bagley** is a partner and one of the founding members of Jenkins Bagley Sperry, PLLC. His legal practice focuses on homeowner association law, planned communities, condominiums, real estate, civil litigation, construction defects, mechanic's liens, and business law. Carson's representation within the community association field includes advising clients regarding compliance and enforcement of the governing documents, amending governing documents, and addressing disputes between owners and associations. Carson is licensed to practice law in Utah and Nevada and is actively involved with the UCCAI and currently serves as president- elect of that organization. He currently serves as a subcommittee member of UCCAI's Legislative Action Committee where he provides input on proposed legislation which could impact



people living and working in community associations. He has been recognized multiple times by *Utah Business Magazine* and *Super Lawyers Magazine*. Carson enjoys the outdoors, scuba diving, farming, and jeeping with his daughter, family, and friends.

Education: J.D., University of Utah, S.J. Quinney College of Law  
B.S., *summa cum laude*, Southern Utah University

**Quinn A. Sperry** is a partner of Jenkins Bagley Sperry, PLLC. Quinn's legal practice focuses on representing homeowners' associations, developers, and individual owners within community associations. He is experienced in drafting and reviewing governing documents and contracts for associations, litigating cases, and advising clients on the various legal issues they face. As a member of his local city council and past member of other community boards, Quinn understands what it is like for members of associations' governing boards to make decisions which affect their neighbors, and he is cognizant of such issues when advising clients on such governance issues. Earlier in his career, Quinn represented trustees in Chapter 7 bankruptcy cases, so he is uniquely qualified to assist homeowners' associations where a homeowner or other party owing money to the association is in bankruptcy. He has been recognized multiple times by *Utah Business Magazine* and *Super Lawyers Magazine*. Quinn currently serves as the Vice-Chair of the Utah CAI's Legislative Action Committee where he reviews proposed legislation impacting Utah's homeowners' association and often meets with legislators to discuss such proposals. He currently serves as a board member for Shelter the Homeless. He is a past Chair of the Community Association Law Section of the Utah Bar, past president of UCCAI, and past member and Chair of a local improvement district. Quinn's interests include coaching youth soccer, golfing, fly fishing, kayaking, and being with his family.

Education: J.D., *with honors*, University of Utah, S.J. Quinney College of Law  
B.S., *summa cum laude*, University of Utah

**Kimball A. Forbes** is a partner of Jenkins Bagley Sperry, PLLC. He is licensed to practice law in Utah and Nevada. Kimball regularly advises homeowners associations regarding governance issues and assists in review and drafting contracts and governing documents. Kimball further assists clients with estate planning and probate proceedings. He currently serves as the treasurer of the Community Association Law Section of the Utah Bar. Kimball handles much of the appellate practice for the firm and is an excellent legal draftsman. He loves Southern Utah and enjoys movies (including classic black and white films), eating barbeque, fishing, snowboarding, and simply being outdoors.

Education: J.D., *with honors*, University of Utah, S.J. Quinney College of Law  
B.A., *summa cum laude*, Southern Utah University

**Christopher J. Robison** is an associate attorney who joined our firm earlier this year. Chris has been practicing law for over 30 years, most of that time in administrative law. Chris' focus for the last six years has been fair housing law, working with the Utah Antidiscrimination and Labor Division (UALD), at the Utah Labor Commission, as a manager and investigator. Chris has handled numerous claims for reasonable accommodations based on disability, the majority of which were cases involving assistance animals. Chris also has extensive experience with all types of discrimination claims under the Utah and Federal Fair Housing Acts, including



wheelchair accessibility, reasonable modifications, and design and construction claims. Chris has worked with community associations, property owners, and large and small property management companies in both adjudicating claims and providing training throughout Utah. Chris also has years of experience working with the U.S. Department of Housing and Urban Development on a local and regional level.

Prior to handling fair housing claims, Chris worked as an advocate for disability benefits seekers before the Social Security Administration, and many years within that Administration writing disability determinations. Chris finds that his understanding of medical and mental-health treatment, and the medical and legal definitions of disability, continues to inform and help him to assess problems and assist clients for fair housing and ADA claims.

Chris can speak, read, and write Spanish and has conducted investigations and interviews in Spanish.

Education: J.D., Brigham Young University, J. Reuben Clark Law School;  
B.A., University of Utah

**Richard M. Matheson** is an experienced attorney who is associated with our firm in an “Of Counsel” relationship. Richard has been practicing law in Utah for 30 years. He maintains a general real property law practice, with an emphasis in HOA management and commercial and residential transactions, construction disputes and project development. He also does business organizations and counseling, and estate planning. When necessary, Richard vigorously litigates on behalf of his clients, though he adheres to the adage that real success comes in keeping his clients out of the courtroom. He is admitted to practice in all Utah state and federal courts and in the 10th Circuit Federal Court of Appeals.

Education: J.D., University of Utah, S.J. Quinney College of Law  
B.A., English, B.S. Economics

**Carolynn L. Howe** is a recent law school graduate joining our firm as a law clerk until she passes the Utah Bar and is sworn in as a licensed attorney. Carolyn has over five years working as a legal assistant and a judicial extern. She is familiar with legal issues related to homeowners associations having previously worked as a legal assistant at another HOA focused law firm and served for two years on the communications committee for the Utah Chapter of Community Associations Institute.

Education: J.D., University of Utah, S.J. Quinney College of Law  
B.A., English, *cum laude*, Brigham Young University - Idaho

**Firm Staff.** We have nine non-attorney staff, which includes several legal assistants to serve our clients with their legal needs, including a collection department focused on enforcing liens against properties and collecting past due amounts owed to homeowner’s association.



**RESPECT. LEADERSHIP. RESULTS.**

The attorneys and staff of Jenkins Bagley Sperry, PLLC have earned the respect of our clients and peers and established a reputation as leaders in the field of homeowner's association law in Utah. To us, however, the most important measure of our success is achieving the best result possible for you, our client.

**RATES**

An employment and fee agreement will be prepared and executed by the client to formally retain us, which agreement sets forth the specific terms of our legal representation. We generally charge for our services on an hourly basis, but flat rates for statutory updates to governing documents are available. We may utilize contract attorneys to assist us on certain matters and to timely complete projects. Our hourly rates are as follows:

Partner & Of Counsel Attorneys:                      \$250.00 -\$325/HR

Associate & Contract Attorneys:                      \$180.00-\$250/HR

Paralegal Professionals & Legal Assistants:        \$70.00-\$130/HR

Collections: We provide collection services to recover amounts from past due owners. The terms for such collection work are set forth in the firm's collection agreement. In general, the firm carries the costs and fees of collection and recovers them from the delinquent owner, except in situations where there is a discharge in bankruptcy or similar event resulting in the amounts being uncollectible, then the outstanding costs and discounted fees will be paid by the association.

