

Perkins & Anctil Attorneys at Law

A Constant to Rely on in an Ever-Changing World

[by Pamela Schweppe]

The Greek philosopher Heraclitus once said, “The only thing that is constant is change.”

You don’t have to work in the condominium industry for long to realize that truth: the one constant you can always count on are new challenges coming to the fore. After all, back in the ’80s, who could have predicted some of today’s hot-button issues? Issues like service and support animals, hoarding, the legalization of recreational marijuana, short-term rentals such as Airbnb, anti-discrimination laws, hostile environment harassment, and the special challenges of over-55 communities and residents aging in place.

Perkins & Anctil P.C. specializes in confronting and resolving the special challenges of multi-family living. The Westford, Mass.-based firm was launched in 1996, when founding partner Charles A. Perkins Jr., who has been practicing condominium law since 1988, joined forces with managing partner Robert W. Anctil, expanding the firm’s practice to include all aspects of real estate law. Admitted to practice in Massachusetts, New Hampshire, and Maryland, the firm’s team of attorneys handles a full range of condominium, real estate, construction, business, bankruptcy, employment, and general litigation matters, successfully navigating all levels of state and federal courts, as well as local and administrative agency commissions and municipal boards.

Their experience has given them special insight into how to handle the unique and complicated challenges confronting condominium associations today.

A POLICY OF CREATIVE CONFLICT AVOIDANCE

Take the issue of service and support animals. “There’s a tendency to become desensitized to these things or get jaded by so many requests for service and support animals,” says partner Scott J. Eriksen. “But it’s really important to treat each one on an individual basis, because the penalties and potential liability for failing to do that are significant.”

Perkins & Anctil has a policy of what they call “preventive conflict management,” or trying to avoid conflict whenever possible. “We actively do a lot of creative con-

flict avoidance,” says Anctil. That includes getting a third party involved when appropriate. When hoarding is an issue, for example, the focus is on bringing in the board of health, elder services, or mental health professionals who can address the underlying issues.

“While there is a legal mechanism in place to address hoarding, we do our best not to spend the client’s money on an issue that’s better left to mental health professionals,” he says. “Our focus is: how do we get out of this quickly, equitably, and economically, while also preserving the values of the condominium association.”

KEEPING UP WITH THE TIMES

Of course, providing the best representation in these emerging sources of conflict means keeping up with current trends. “One of the things we find in our firm is the need to continually reinvent and educate ourselves,” says Perkins.

“Education continues daily,” says director David R. Chenelle, who leads the firm’s Lien Enforcement and Bankruptcy Departments. “Every morning I receive blogs that tell me the trend of the day or the case of the day, and we also educate ourselves through frequent attorneys’ meetings.”

One meeting is the national law seminar held annually by the College of Community Association Lawyers (CCAL). For the last seven years, at least three Perkins & Anctil attorneys have attended the conference, and Eriksen has been a speaker. “It’s useful when we go to these educational seminars and we are the educators,” says Eriksen. “Oftentimes in that capacity we’ll engage with members of the audience, and they’ll bring up something new or give a new spin on a similar problem. That dialogue gives us an opportunity to do some more research and expand our knowledge base.”

The firm is a member of both the New England chapter and national Community Associations Institute (CAI), and its attorneys are active volunteers. Perkins is a member of the Massachusetts Legislative Action Committee (MALAC) and CCAL; Eriksen is co-chair of the Attorneys’ Committee, of which Chenelle is also a mem-

ber; and paralegal Amanda Luciano co-chairs the chapter's Awards Banquet Committee and is an active member of the Seminar & Conference Committee.

FLEXIBILITY THROUGH SHARED KNOWLEDGE

Encouraging that depth of knowledge and experience is another hallmark of Perkins & Anctil. In every division, forging a long-lasting, meaningful relationship with clients is a priority. "Our paralegals aren't just people who go to work. We hope and expect that paralegals form relationships with our clients, too," says Perkins. "Each one is devoted to that type of practice: speaking to clients, getting information, finding out what needs to be done, and working with the attorneys to get it to them."

In addition to Perkins, Anctil, Eriksen, and Chenelle, the firm's stable of attorneys includes Kimberly A. Alley, who directs the firm's litigation; Rhonda L. Duddy, who heads up the real estate division; and associate attorney Daniel M. López. While all have different specialties and areas of expertise, all are fluent in the major issues and are able to, in Eriksen's words, "divide and conquer or spread out our work among personnel."

"What makes us different from firms that have each person assigned specifically to one task is that we can just do it all," says Chenelle. "Being nimble, we have the flexibility to handle all aspects of the cases."

PAYING IT FORWARD

To the attorneys of Perkins & Anctil, making sure clients are educated, too, is important. "The Internet is a great tool, but I think it's also dangerous," Eriksen points out. "Some board members may want to rely on the Internet in lieu of counsel—whether it's us or somebody else. But the experience we have in dealing with these issues is something you cannot get online, and that knowledge and direct context are important."

Citing the support animal issue as an example, he points out that boards sometimes react to the negative publicity by saying "no" immediately. "That's where you have to be careful," he says. "That's where good counsel and education are important."

Toward that end, Perkins & Anctil regularly hosts complimentary educational events on different themes. A roundtable every fall showcases different speakers and draws up to 90 attendees, according to Perkins.

Perkins, Eriksen, and Chenelle also hold meetings with clients that they call "Q&A with P&A," in which they answer questions and field ideas, free of charge.



The attorneys at Perkins & Anctil are (from left) Daniel M. López, David R. Chenelle, Robert W. Anctil, Scott J. Eriksen, Charles A. Perkins Jr., Rhonda L. Duddy, and Kimberly A. Alley.

According to Eriksen, "We work with a lot of committed, dedicated boards, but, at the end of the day, they're volunteer lay people who don't necessarily have the depth of knowledge with respect to all condominium matters that we do. To the extent that we can give them as much information as possible, that makes our job easier, too."

In addition, Perkins is a frequent speaker at CAI events, Chenelle spoke at an event in New Hampshire last fall, and Anctil recently led a seminar for the Northeast Association of Realtors (NEAR). "The NEAR seminar was educational, because property managers, engineers, developers, and real estate brokers also attend, and they all bring a different perspective on issues that face condominium associations," he says.

This culture of giving back to others has earned members of the firm many honors. Most recently, Anctil was nominated as Philanthropist of the Year for 2017 through Enterprise Bank's Celebration of Excellence. And Chenelle was appointed a commissioner by the Supreme Judicial Court for his pro bono work on behalf of bankruptcy clients, including serving as co-chair for the bankruptcy section of the Worcester, Mass., bar.

"David has done a tremendous amount of pro bono for the bankruptcy bar," says Anctil. "It's a tremendous honor to be appointed a commissioner."

In the end, it all comes down to one thing that will never change about Perkins & Anctil: the goal of exceeding expectations for their clients. "We don't want to just be a faceless firm," says Perkins. "As a firm philosophy, we want to really know our clients and have them know us." ■

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