



Kevin A. Kernan

PARTNER; CO-CHAIR OF COMMUNITY ASSOCIATIONS SECTION

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FALLS CHURCH

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BIOGRAPHY

Mr. Kernan has more than 20 years of experience as a lawyer and litigator serving clients in Washington, D.C., Maryland and Virginia. His practice has a particular focus on community associations, and he is an experienced advisor on the full range of legal issues that community associations face, including covenant enforcement, governing documents interpretation and negotiated statutory warranty claims. He has litigated many such issues on behalf of his clients.

Mr. Kernan also represents nonprofit and for profit organizations on a broad range of business and corporate issues, including entity formation, corporate governance, employment counseling, general operational compliance, and drafting and negotiation of agreements. In addition, he has significant litigation experience, particularly with commercial real estate issues including fair housing complaints, landlord-tenant disputes, contract disputes and insurance defense. He is experienced appearing on behalf of community associations before the Montgomery County Commission on Common Ownership Communities ("CCOC").

An active member for many years of Community Associations Institute

PRACTICES & INDUSTRIES

[Community Associations](#)
[Associations, Nonprofits and](#)
[Political Organizations](#)

EDUCATION

Widener University School of Law, 1995, J.D.

State University of New York (SUNY) Albany, 1989, B.S.

ADMISSIONS

Virginia
District of Columbia
Maryland
U.S. District Court: District of Columbia
U.S. District Court: Eastern District of Virginia

(CAI) Washington Metropolitan and Chesapeake Chapters, Mr. Kernan currently serves as Co-Chair of the Education Committee, as well as a member of the Chapter's Virginia Legislative Committee and Maryland Legislative Committees. He is a contributor to *Quorum Magazine*, the chapter's publication, as well a frequent speaker and writer on topics related to his practice.

RECOGNITIONS

- Washington Metropolitan Chapter Community Associations Institute, Educator of the Year Chapter Award (2018)

MEMBERSHIPS & ACTIVITIES

- Member: Alexandria Bar Association
- Member: District of Columbia Bar Association
- Member: Alexandria Soccer Association Board of Directors
- Member: Community Association Institute Legislative Committee, D.C. Chapter
- Member: Education Committee, Community Associations Institute (CAI), D.C. Chapter, January 2012 - present
- Member: Membership Committee, Belle Haven Country Club, January 2012 - present
- Education Council Chair: Washington Metropolitan Chapter of the Community Associations Institute (WMCCAI), 2020
- Board of Directors: Washington Metropolitan Chapter of the Community Associations Institute (WMCCAI), 2023

COMMUNITY ASSOCIATIONS

- Represents community associations in general business affairs, including compliance with governing documents, operating procedures, meetings, quorum, voting and proxy issues, director issues and disputes, member issues and disputes, financial transactions, land use and rezoning issues, assessment collections, and federal, state and local law

- Represents both large and small association clients in litigation and administrative proceedings involving developer warranty issues, foreclosures, covenants and rules compliance, and contract disputes

ADMINISTRATIVE INVESTIGATIONS AND PROCEEDINGS

- Represents common-interest community associations in responding to investigations by federal, state and local administrative agencies on fair housing complaints
- Represents common-interest community associations in responding to investigations by the Virginia Common-Interest Community Board on complaints filed by owners and citizens

NONPROFIT ORGANIZATIONS

- Represents nonprofit and for profit organizations on a broad range of commercial issues including entity formation, corporate governance, employment counseling, general operational compliance, and drafting and negotiation of agreements
- General counsel for tax-exempt organizations and other nonprofit entities

COMMERCIAL REAL ESTATE

- Representation of national real estate developer in numerous landlord/tenant and other commercial lease-related and contractual disputes

LITIGATION

- Successfully represented nonprofit and for profit entities against fair housing, discrimination and employment related claims before federal and state courts and the EEOC
- Additionally experienced in litigating matters involving employment discrimination, employment contracts, premise liability, allegations of defamation, insurance defense and general breach of contract

INSIGHTS

Transforming Community Development: Building Sustainable, Transparent and Empowered HOAs (CAI VLR, July 2025)

Stay in Your Lane: Roles and Responsibilities of the Board Directors (Chesapeake Chapter CAI, April 2021)

Virtual Board Leadership Development Workshop, Two-Part Webinar (WMCCAI, December 2020)

Managing through COVID-19: Virtually Everything You Need to Know About Virtual Meetings (WMCCAI Town Hall Webinar Series May 2020)

Rookie Managers - Management 101 (WMCCAI Manager Seminar)

Tech Dilemmas: The Good, The Bad and The Ugly (Chesapeake Chapter CAI Managers Breakfast, April 2019)

Fair Housing Laws and Community Associations (2017, 2018, and 2019)

Community Association Institute - Board Leadership Development Workshop (2015-2019)

Avoiding Unlawful Workplace Discrimination & Harassment (2018)

When Short-term Rentals Happen In Your Community (2018 WMCCAI Conference & Expo, Washington, D.C.)

Who's Liability Is It Anyway? (2017 WMCCAI Conference & Expo, Washington, D.C.)

Virginia Legislative Update (2016 and 2017)

Covenants Enforcement in Virginia (2016)

Falling Water: Who Stops It, Who Repairs It and Who Pays For It (WMCCAI Managers Luncheon April 2016)

Maryland Legislative Update 2016

2016 Virginia Legislative Update

Community Association Collections - A Fresh Start For Your Community (Prince Georges County, Maryland 2013)