



Daniel J. Miske

SENIOR COUNSEL

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OVERVIEW

Dan is one of only two Wisconsin attorneys admitted to the national College of Community Association Lawyers, which recognizes excellence in the practice. He represents condominium and homeowners associations (HOAs) throughout the state.

He helps boards of directors and managers of condominium associations, homeowner associations, cooperatives and timeshares with the many issues they face, including document amendments, collections, contracts, rules and governance.

Dan's interest in condominium law stems from being a condo owner as well as the president of his condominium association. Because he has served on various boards as treasurer and president, he relates well to clients and can identify with the complexities of legal challenges that boards and managers confront. His vast experience allows him to present options and see issues that others would likely miss, in part because of his service on the Wisconsin CAI Legal Action Committee, which reviews the current laws and comments on any proposed amendments. Dan already knows association law inside and out, so clients never have to wait for him to learn or get up to speed.

"Attorney Miske did an outstanding presentation to the jury ... he is an outstanding lawyer."

— Judge, Waukesha Circuit Court

Industry

Real Estate, Development & Construction

Services

Condominium & HOA
Construction & Design
Construction Litigation
Mergers & Acquisitions

Dan serves on the firm's Executive Board and is actively involved in the following professional associations:

- College of Community Association Lawyers (CCAL), National Membership Committee, Chair, 2017-present; Board of Governors (CAI National), January 2020-present
- Community Association Institute (CAI), Wisconsin Chapter, Member of the Board of Directors, 2006-2012, 2019-2020; Treasurer, 2021-present; Former Legislative Action Committee Chair, 2013-2018; Former Chapter President, 2011-2012
- Milwaukee Bar Association, Courts Committee
- State Bar of Wisconsin

Featured Experience

Condominium Association Obtains Favorable Results in Mediation

While representing a condominium association, Dan and his team filed a notice of arbitration for \$5.5 million against the developer over construction defects. In its response, the developer admitted no liability and advised it had no assets. After reviewing facts supported by two engineering reports, the developer agreed to mediation. In mediation, Dan suggested creative strategies for maximizing payments from the developer to the association. In addition to the developer paying \$200,000 up front to the association, the developer transferred 75 percent of the remaining units (without mortgages) to the association and control of the parking structure.

Experience

- Represented construction company for collection action against business owner and insurance company for fire restoration work based on signed contract. Jury awarded client all collections sought, plus \$30,000 of punitive damages. Judge then awarded client \$100,000 attorney fees. Jury awarded nothing on business owner's \$500,000 plus counterclaim for construction deficiencies and delays in completion.

Experience

- Represented condominium association in case against unit owner whose air conditioner dripped water and caused damage to unit below and common element. Unit owner refused to make repairs or pay repair costs of less than \$1,000. Unit owner refused to settle with association for \$1,500, including attorney fees. After trial, judge awarded association all damages, costs and attorney fees, resulting in collection of more than \$39,000.
- Represented door manufacturer in which client won \$1.5 million jury verdict against manufacturer of defective paint.
- Wrote amendment to Wisconsin Condominium Act and chaired legislative action committee supporting passage of law allowing condominium associations to amend declarations by more easily obtaining mortgagee approval.
- Aggressively collected more than \$9 million as a result of delinquent accounts for Wisconsin condominium associations.
- Developed procedure for Wisconsin condominium association emotional support animal requests.
- Defended Wisconsin condominium association against unit owner's claims of discrimination and breach of fiduciary duty, prompted by association's refusal to ban smoking in all units. Association won its motion for summary judgment before trial and was awarded frivolous costs and fees. Appellate court affirmed ruling.
- Advised Wisconsin condominium association regarding quiet title action against lender to clear way for repair and sale of foreclosed unit.
- Counseled numerous Wisconsin condominium associations on procedures needed to properly run meetings, deal with difficult owners and fine residents or unit owners for violation of association documents.

Experience

- Advised Wisconsin association that faced significant collection issues as result of mismanaged files and errors by former counsel. Association collected more than \$25,000 from prior attorney.
- Represented Milwaukee County real estate LLC when co-founding member misappropriated funds and engaged in self-dealing. After filing suit to dissolve LLC and for monetary damages based on civil theft, negotiated settlement in which defendant relinquished complete real estate interest, 50 percent of company – \$750,000 value.

Recognition

- *The Best Lawyers in America*®, Litigation - Real Estate, 2012-2024, Commercial Litigation, 2013-2024; Real Estate Law, 2019-2024; Community Association Law, 2023 and 2024
- Martindale-Hubbell AV Preeminent
- JD Supra Readers' Choice Awards, Top Author: Real Estate, 2019 and 2024

Education

- J.D., DePaul University College of Law
- B.S., Marquette University

Admissions

- U.S. District Court, Eastern District of Wisconsin
- Wisconsin
- U.S. District Court, Western District of Wisconsin
- U.S. Court of Appeals, Seventh Circuit

Community Leadership

He and his wife, Cindy, meet every week with a Bible-based youth group to connect and build rapport with teens. The young adults share their thoughts about life and often continue the relationships after they move on to college.

Dan's additional community leadership includes:

- Christ Church, Youth Leader, 2010-present; President, 2012-2015
- Mequon-Thiensville Education Foundation Board, 2010-2013
- North Shore Country Club, President, 2009; Board of Directors, 2007-2009



2024 Best Lawyers