



27th ANNUAL

# HOUSING CONFERENCE

*Sunday November 11, 2007*

*8:00 am - 5:15 pm*



**70 Seminars**  
**45 Exhibits**

*Plus*

Directory of Products & Services

Continuing Education Credit

Sessions by UHAB Experts

Classes for New Attorneys

This conference will help you

- Manage your building at peak efficiency
- Cope with legal, financial, and "people" issues
- Meet diverse needs of building residents
- Plan and budget wisely for the present and the future
- Learn from the experiences of others
- Discover new products & services

**Baruch College — Newman Vertical Campus • 55 Lexington Avenue • NE corner East 24th Street**



**Council of New York Cooperatives & Condominiums**  
INFORMATION, EDUCATION AND ADVOCACY

# MORNING SESSIONS

3 Hour Seminars 8:45am - 11:45am **TITLES IN GREEN INDICATE NEW TOPIC**

## **A. SIGNIFICANT LEGAL DECISIONS OF 2007** ★❖

Every year, CNYC president Marc Luxemburg, Esq. examines recent legal decisions, providing commentary and insights about how each case affects New York cooperatives and condominiums and their boards and suggesting ways to cope with new challenges that these cases raise. Mr. Luxemburg moves quickly through a great number of court cases in this advanced class, designed for experienced board members familiar with board functioning and for attorneys.

## **B. LEADERSHIP MANAGEMENT: FOR PRESIDENTS ONLY** ★

The leadership skills of the board president drive the success of the cooperative or condominium far more than those of any other board member. This leadership workshop created by management consultant Arthur Davis, examines what makes the position of president unique among board members, the special demands placed on presidents in the changing political environment of their buildings, and how they can become more effective decision makers, team builders, motivators and mediators, and guide other directors toward becoming more responsive managers in the face of sometimes daunting obstacles and challenges.

## **C. ADMISSIONS POLICY & PROCEDURE FOR NY COOPS**

CNYC vice president Arthur I. Weinstein, Esq. and property manager Steve Hoffman will review in detail the responsibilities of the Board of Directors and the Admissions Committee in establishing criteria and reviewing applications for the purchase of shares for units in a cooperative. Sublet policy will be touched upon in this session, but it is also the subject of a separate workshop (#Q) CNYC's television show on Admissions is suggested preparation for this workshop; it can be viewed by appointment in the CNYC office. CNYC's prototype application form will be distributed and discussed.

## **D. A PROGRAM OF EFFECTIVE MAINTENANCE**

A well-maintained building is a well organized one with schedules for regular inspection, maintenance and upgrading of building systems, a responsible staff, and good, clear communications. Dick Koral, founder of the Apartment House Institute and the Superintendents' Technical Association, will help you develop a maintenance program to ensure regular attention to all the systems inside your building.

## **E. REPAIRS IN A COOPERATIVE — Who's Responsible for What?**

Is it the shareholder or the corporation that is responsible for a particular repair in a cooperative apartment? The answer is not always evident, but attorney Phyllis Weisberg and property manager Tony Angelico will provide sound guidelines for delving this key issue. References will be made to those portions of the proprietary lease or bylaws that govern in each instance. Specific examples will be cited. Participants' questions will be answered.

## **F. LEGAL RESPONSIBILITIES OF CO-OP BOARDS**

Attorney Peter Livingston will discuss the concepts common to the functioning of all cooperatives, focusing on the proprietary lease and bylaws, court cases and the responsibilities of directors. This is a basic survey course for cooperative board members and potential cooperative board members interested in the legal aspects of operating a cooperative.

## **G. BOARD RESPONSIBILITIES IN CONDOMINIUMS**

Attorney Linda Plotnicki will review the laws and legal documents governing a condominium and discuss issues of general concern — ranging from house rules and their enforcement to protection of the income stream in default situations. What should the board do to ensure efficient day-to-day operation of the building? to deal effectively with the City and appropriate agencies? to exercise some control over who lives in the condominium? What does the concept of a board member's fiduciary duty really mean? Here you will find answers to these condo questions and to others that you raise.

## **H. INSURANCE GUIDELINES FOR BUILDING AND RESIDENTS**

Insurance expert James Fenniman and property manager Rosemary Paparo will present the full range of insurance coverages necessary to a typical building and each of its residents. They will discuss the cyclical nature of increases and decreases in insurance costs, and will suggest ways a building can maintain appropriate coverage.

## **J. YOUR ROOF & EXTERIOR WALLS**

Masonry expert Maurice Schickler will discuss preservation of your building envelope, with slides to illustrate both problems and solutions. He will explain why and how leaks occur and what preventive measures are effective in deterring them and will explain terminology and techniques to be aware of in supervising roof repair and replacement, pointing, masonry repairs and waterproofing.

## **K. CO-OP ISSUES FOR NEW ATTORNEYS** ❖

Co-op law does not receive much attention in most law schools, and yet it is an important specialty in New York City today. Attorneys Howard Schechter and Douglas P. Heller will take attorneys new to this field on a swift journey through the basics of this challenging discipline, examining the legal documents that form its foundation, applicable statutory law and case law developed over decades of wrangling between boards and building residents. They will discuss admissions issues, corporate meetings, alterations, Board authority, shareholder rights and "problem shareholders," and the services expected of counsel in each instance. This fast paced class is designed exclusively for attorneys.

## **L. RESPONSIBILITIES OF BUILDING TREASURERS** ▲

The treasurer of a cooperative or condominium is responsible for overseeing all financial activities. While the execution can be delegated to management or to investment advisors, the treasurer can never relinquish responsibility for ensuring that all is done. Accountants Norman Prisant and Robert Mellina will enumerate and discuss the treasurer's responsibilities, suggesting systems of control and practical, timesaving procedures.

## **M. MAKING & ENFORCING THE RULES**

A well-run cooperative or condominium will have a sound set of rules and policies to deal with all possible situations. These policies will be clearly described and communicated to all owners and residents, and will be enforced consistently and evenhandedly. Attorney Bruce Cholst suggests ways to design and implement rules for your cooperative or condominium that are effective and fair.

# 2 Hour Seminars 9:15am - 11:15pm

---

## 1. SELLING YOUR AIR RIGHTS ❖

Many cooperatives and condominiums have earned large sums by selling their air rights or development rights, which are invisible portions of properties which have not been built to the full extent permitted by local zoning. Air rights and development rights are regularly traded in New York City to enable contiguous buildings to be larger than would otherwise be permitted. CNYC board chair Stuart Saft, Esq. will discuss the nature of air rights, how they can be used, why they are so valuable, and how boards can maximize their value while also ensuring the ability to exercise a certain degree of control over the way that the adjoining property will be developed.

## 2. BEING GREEN IS NOT A SPECTATOR SPORT

Energy consultant Lewis M. Kwit will lead a discussion of sustainability as it impacts cooperatives and condominiums. The session will offer practical advice for buildings to develop their own sustainability portfolio, the types of technologies which contribute to a sustainable living environment and incentives available from the State, City and Federal governments for implementing these protocols. Joining Mr. Kwit will be sustainability experts from the City of New York, The New York State Energy Research and Development Authority (NYSERDA), Green Building Architects and practitioners in multifamily buildings.

## 3. COORDINATING MAJOR PROJECTS

When a cooperative or condominium undertakes a major project, it must ensure that proper funding is in place, the scope of work and specifications are correctly developed, the contractor bid solicitation is handled in a professional manner, and the work progresses smoothly. Architect Stephen Varone will help you acquire "owner" expertise in overseeing major construction projects, with guidelines on effective management to get the best from the construction team.

## 4. UNDERSTANDING YOUR COOPERATIVE'S AUDITED FINANCIAL STATEMENT

Accountant Charles Zucker will walk you through a line-by-line review of financial statements for cooperatives, discussing issues related to each item. This elementary session is designed to introduce new treasurers and interested board members to the basics of co-op financial statements. With workshop 204, it will provide a detailed overview of the financial responsibilities of the Board of Directors of a cooperative.

## 5. WORKING EFFECTIVELY WITH BUILDING EMPLOYEES

New York cooperatives and condominiums rely on staff to protect the building and its residents, and to keep the physical plant running smoothly. They set high standards for employee performance. When problems arise, advice and help are available through the Realty Advisory Board on Labor Relations, Inc. (RAB), which represents buildings in their dealings with service employees—both for day-to-day issues and in the negotiation and administration of contracts with unions representing the employees. In this workshop, Peter Finn, Esq. and Michael Badowski, Esq. of the RAB will discuss effective ways to deploy, motivate and, when necessary, discipline building employees. Margie Russell, executive director of NYARM, the New York Association of Realty Managers will join them and provide insights on training staff and suggestions for enhancing performance while also improving employee satisfaction.

## 6. BREAKING THE GRIP OF AN ENTRENCHED BOARD

Some cooperatives and condominiums cease to function in the democratic way provided by their governing documents. A self-perpetuating board does not communicate with residents, nor call annual meetings, nor hold elections. Then there are those boards dominated for years by investor owners and sponsors, with the issues of resident owners largely ignored. Residents become so disheartened or fearful of the power of the board, that they accept this diminished situation. In some instances, there are very serious repercussions, including depressed re-sale prices and increased costs in obtaining financing. But change is possible. Attorneys Theresa Racht and Alfred M. Taffae will provide advice on how shareholders or unit owners can organize to break the grip of an entrenched board.

## 7. FINANCIAL RESPONSIBILITIES OF CONDO BOARDS

Accountant Rick Montanye will review the basic financial responsibilities of condo boards, including analysis of financial statements and management reports. If time permits, additional issues will be explored—reserves, tax considerations, and exercise of the right of first refusal as units are sold. Mr. Montanye will also have answers for your financial questions about condominiums.

## 8. VIOLATIONS AND HOW TO CURE THEM ♣

Ann Henderson, Associate Project Director at the Urban Homesteading Assistance Board (UHAB), has worked with limited-equity cooperatives for over 25 years, helping them deal with government regulations and obtain loans and tax abatements. In this seminar, she will offer practical advice on how to avoid receiving violations, how to cure violations and why it is very important to clear outstanding violations. Four types of typical city violations will be discussed: Department of Housing Preservation and Development (HPD), Department of Buildings (DOB), Environmental Control Board-DOB (ECB-DOB) and Environmental Control Board-Department of Sanitation (ECB-DOS).

## 9. AMENITIES TO ENHANCE YOUR BUILDING: Roof Gardens, Storage, Gyms...

Building amenities benefit residents in many ways. Enhanced 'curb appeal' and more facilities in the building foster a sense of community and enhance the quality of life. These same factors can increase apartment value. Property manager Neil B. Davidowitz will lead a session on amenity options. It will cover methods for establishing priorities and effective ways to get resident input on decisions and will then proceed from decision to implementation, including suggestions on designs, budgets, fees, construction, and policies and procedures for the use of the new amenity. Experts Josh Goldman and Dennis Mele will provide insights regarding storage units, exercise facilities and roof amenities

## 10. WHAT TO EXPECT FROM YOUR MANAGING AGENT

The Residential Management Council of the Real Estate Board of New York (REBNY) was founded as a forum for principals and CEOs of management firms to exchange information, to cope collectively with industry issues, and to set standards and recommend practices to maintain high standards in the management field. They have produced transition guidelines; alteration agreements; mortgage applications; and purchase and sublease application forms, and a listing of all of the services which management typically performs. Property managers Ben Kirschenbaum, Mitchell Gelberg and Harry Smith will lead an interactive discussion of the services buildings should expect from their management company and will focus on key management issues raised by participants.

## 11. PROPERTY TAX FAIRNESS: AN ELUSIVE GOAL ★▲

Accountant Mark B. Shernicoff, who is Treasurer of CNYC, will lead a discussion of New York City's intricate property tax system, with emphasis on its impact on cooperatives and condominiums. Certiorari Attorney Bert Tuchman and Martin Karp, chairman of the Action Committee for Reasonable Real Estate Taxes will trace the history of the property tax and the abatement program for home owners in cooperatives and condominiums. This abatement program will sunset on June 30, 2008. Will this program need to be extended or might there be a more equitable property tax system proposed for our City?

## 12. REDECORATING PUBLIC SPACES

The first impression of your building is conveyed by its public space. A welcoming lobby and handsome hallways have a positive effect on the quality of life of every resident. Prospective purchasers react positively, too. Selecting and executing the right new design depend on a strategically planned process, which is the subject of this seminar. Interior designer Joel Ergas will guide you through key steps that result in successful renovations of lobbies, hallways, elevator cabs, mail rooms and building entrances. Clear and timely communications to residents at every step of the way are vital to attaining consensus for the lobby design as well as patience and cooperation with the inevitable inconveniences of construction.



# Midday Sessions: 1 1/2 Hour Seminars 12:00am - 1:30pm

---

## 101. SPECIAL ISSUES IN LARGE COOPS AND CONDOS

Cooperatives and condominiums that are larger than 250 units often face a number of unique problems. Frequently, these are multi-building complexes with little contact between the buildings. Almost always the many owners have differing interests and needs. How can the Board forge a cohesive community in so large a population? How are priorities ordered so as not to appear to favor one building or one faction? How can candidates become known well enough to get elected without developing a reputation for being a renegade or a trouble maker? These issues and many more will be discussed by Stuart Saft, Esq., chairman of the CNYC Board.

## 102. CONTROLLING VARIABLE COSTS

Many of the costs of operating our buildings appear completely beyond our control, but cooperatives and condominiums can effectuate significant savings through a careful review and monitoring of all building costs. In this step-by-step workshop, property manager Mark Hoffman and CNYC board member Ted Procas who is chairman of the Association of Riverdale Cooperatives (ARC), will review typical building expenses and will share secrets for containing runaway budgets.

## 103. PERFORMANCE ANALYTICS: A MANAGEMENT TOOL

Today's boards have many resources at their command. One of these is the business model of Performance Analytics. It enables the board to audit and evaluate managerial practices by using Key Performance Indicators ("KPI") to measure the effectiveness of its existing policies, guidelines, procedures or system. Property manager Georgia Barton and attorney David Berkey will explain Performance Analytics and describe how Key Performance Indicators can be used to enhance the effectiveness of the policies of your cooperative or condominium.

## 104. INTERNAL CONTROLS FOR SMALL BUILDINGS

Small cooperatives and condominiums (20 units or less) are generally self managed. Unless the various aspects of running the building are well delineated, well understood and well delegated, problems can arise. Accountant Charles Zucker, a long term board member of a Manhattan loft cooperative, offers practical advice for ensuring that financial records are in order, that filing deadlines are met, and that the building is well maintained and well organized.

## 105. CASHING IN ON HIDDEN ASSETS

Property manager James Goldstick and attorney James Samson will help Boards think outside the box to help their cooperative or condominium raise needed funds when the Board would prefer not to impose an assessment, raise maintenance or borrow from a bank. Come learn of alternative sources of raising money for cooperatives and condominiums beyond the customary and traditional methods.

## 106. HARNESSING TECHNOLOGY FOR YOUR BUILDING

Technology has brought enormous changes in the way we live and work. The internet puts worldwide communication and boundless information at our fingertips. Increasingly sophisticated devices can monitor and control building systems, energy use, etc. Management firms are harnessing technology to improve their delivery of services, and the Super and staff of the building can also benefit from technological advances. Property manager Michael Wolfe, attorney Joseph Colbert and communications expert Lloyd Chrein will discuss diverse ways that New York cooperatives and condominiums may choose to harness technology to meet resident, board and management needs. They will also have advice and caveats about how we use technology.

## 107. RENOVATION DISASTERS & HOW TO AVOID THEM

Attorney C. Jaye Berger will discuss ways that renovation and construction projects can go awry and will offer specific suggestion about how to avoid these situations. Defaults by contractors will be discussed as well as lawsuits between cooperatives or condominiums and contractors, interior designers, architects and engineers, and legal problems that can arise from the unauthorized use of subcontractors. The session will provide sound advice on how to avoid these situations from the outset.

## 108. DEATH OF A SHAREHOLDER IN LIMITED EQUITY COOPS ♣

Every board should be prepared to deal with the death of a shareholder and with ownership succession, but limited equity cooperatives often face unusual problems. Shareholders may not have made arrangements for how their apartments will be dealt with after their death. What if no interested party steps forward to handle the estate? Perhaps the legal and other costs exceed the value of the apartment. Many issues parallel those in conventional cooperatives, such as Who gets the apartment? Can a board reject an heir? What if maintenance is not being paid? Attorney Lawrence McGaughey, whose practice includes both cooperative and trust and estates law, will provide clear advice and specific information that will help both board members and shareholders in limited equity cooperatives understand their rights and responsibilities relative to inheritance and transfer of apartments on death.

## 109. EMERGENCY PREPAREDNESS MEASURES & DRILLS

Every building and every resident should be concerned about personal safety issues in all kinds of emergencies. The building and each family in it should have plans for coping with an emergency. They should also have equipment and supplies at the ready. CNYC board member Mary Fischer is an Emergency Room nurse and president of the board of her cooperative. Greg Carlson, executive director of the Federation of New York Housing Cooperatives and Condominiums, has been trained in the city's CERT program. Firefighter Jim Lanza is president of the board of his cooperative. These experts will provide plenty of sound and practical advice on emergency preparedness. Sharing expertise in preparedness and board functioning, the panelists are ready to discuss communications, special meetings and drills for effectively conveying the need to be prepared.

## 110. COOP OR CONDO: WHICH IS BETTER?

New Yorkers often disagree about whether they would rather live in a cooperative or a condominium. Many feel the grass is greener wherever they are not living. Actually, the differences are many, and each of these popular forms of home ownership has its own set of problem and advantages. Attorneys Walter Goldsmith and Douglas Heller will discuss the distinctive features of cooperatives and condominiums and will provide insights on how the lessons of one may well help in operating the other.

## 111. ISSUES FOR NEW CONSTRUCTION COOPS AND CONDOS

When existing buildings are converted to cooperative or condominium status, negotiations generally occur, causing some of the terms of the original offering plan to be modified. Reserve funds are sometimes increased; asking prices lowered. But purchasers of units in newly constructed buildings have no opportunity to negotiate the sponsor's offering. These new owners often face unpleasant surprises as they take responsibility for their homes. Oliver Rosengart is an attorney and engineer who reviewed offering plans at the Real Estate Finance Bureau of the Office of the Attorney General of the State of New York for many years. He and co-op/condo attorneys Steven Sladkus and Jeffrey Reich will discuss typical problems that arise in new construction cooperatives and condominiums and will suggest ways of coping

# Midday Sessions: 1 1/2 Hour Seminars 12:15pm - 1:45pm

---

## **P. A CODE OF ETHICS FOR BOARD MEMBERS**

CNYC vice president Arthur I. Weinstein, Esq. has developed a suggested code of ethics for board members of cooperatives and condominiums. This model will form the basis for a discussion of not-so-hypothetical issues which may confront board members in New York cooperatives and condominiums as they serve their buildings. Time will be allotted for questions from participants and topics discussed will include the reasons for establishing and enforcing such a code.

## **Q. SUBLET ISSUES**

Many cooperatives periodically review their sublet, admissions and 'guest' policies to ensure a consistently balanced approach to the changing needs of the building and its shareholders. Attorney Morton H. Rosen will examine subletting both from the point of view of the board of directors and that of shareholders who may wish to sublet. Procedures for reviewing sublet candidates will be discussed as will sublet fees. The seminar will also explore various restrictions upon subletting and conditions to approval of sublet applications that boards might consider imposing. The law and possible board policies with respect to occupancy by 'guests' and 'roommates' will also be discussed.

## **R. RESERVES:**

### **ACCUMULATING, INVESTING & SPENDING THEM ▲**

The reserve fund of your cooperative or condominium is the cushion protecting shareholders and unit owners from sudden assessments or unanticipated jumps in maintenance. It is a vital component of your long term plans for maintaining your building and replacing systems as needed. CPA Abe Kleiman will discuss reasons for establishing reserves, means of accumulating funds, and prudent ways to invest these assets while effectively addressing the needs of your cooperative or condominium. Attention will be paid to pertinent tax rulings and regulations.

## **S. SAVVY HIRING AND FIRING PRACTICES**

Volunteer board members are often confronted with responsibilities for which they have not had training or preparation. One such challenge is that of making employment decisions. Hiring employees to work in your building, training and supervising them calls for multiple skills. Selecting professionals is also important. And the task of severing a relationship when things have not worked out, can be equally daunting. But help is at hand. In this workshop, labor attorney Lewis Silverman will offer practical advice on hiring and working effectively with management personnel, professional advisors, contractors and building service workers. He will suggest sound interviewing practices and will cite case law that may be important to bear in mind. Mr. Silverman will also explore how to terminate staff so as to minimize the risk of losing an arbitration or a lawsuit.

## **T. FIFTY WAYS TO USE — NOT ABUSE — YOUR LAWYER**

Almost daily, issues arise in every cooperative or condominium where an attorney can be helpful. Yet far too often, boards fail to consult their attorney in advance and instead spend far more when that professional has to come to the rescue at the eleventh hour to turn around a failed negotiation or resolve a problem without a proper paper trail. Early consultation with your attorney can be infinitely valuable in helping you 1) provide basic training for new board members; 2) develop policies for dealing with shareholder late payments, infractions, question; 3) establish protocols for negotiating contracts and agreements; 4) ensure a strong presence ready to intervene to calm internal conflict (whether in the Board room or at the Annual Meeting). Your lawyer can help ensure a smoothly functioning building well prepared to deal with new challenges as they arise. Attorney Peter Livingston will identify dozens of situations where an attorney can be of great help to a cooperative or condominium.

## **U. PLANTS THAT THRIVE IN AN URBAN ENVIRONMENT**

Experts will discuss types of trees, plants and flowers that can best survive the rigors of city life. They will offer practical suggestions for the urban gardener for cultivating street plantings, dealing with dogs, with buffeting winds, with bicycles and with flower fanciers.

## **V. COMMITTEES TO HELP RUN YOUR BUILDING**

Anyone who has served on a board knows how time-consuming, even overwhelming, the work load can be, generally more than the average board can efficiently and effectively handle. Or, there are instances where a disruptive member constantly distracts the board from its agenda, thus preventing decision-making. Consultant Gerald Fingerhut and attorney Theresa Racht will lead a discussion on how the effective use of committees can ease the board's work load as well as provide a mechanism to move controversy outside board meetings and thus facilitate decision-making during board meetings.

## **W. MANAGEMENT TRANSITIONS**

Like any other relationship, the one your building has with its management firm can, over time, become strained. Rational and open minded discussion may lead to solutions to the problems, or may determine that the relationship cannot be salvaged, and that the board must find new management. But transitions to new management aren't always smooth. Accountant Mindy Eisenberg Stark and attorney Jeff Schwartz will lead a full and frank discussion of how to shop for and select the firm and agent that are right for your cooperative or condominium; what contract provisions will help define the expectations of both parties; and how to optimize the possibility that records and documents all reach the new management firm quickly and in good order.

## **X. TESTS AND SAMPLES SAVE TIME AND MONEY**

Testing of building materials and assemblies can lead to economical repairs. Whether you are carrying out Local Law 11 repairs, installing a new roof or permitting a tenant to install a deck or solarium, tests and sample installations can save unneeded work, avoid replacement of historic detailing and save money. When does a parapet or roof require replacement and when does it just require revision of some flashing or coping joints? When is a white coating on your brick an ominous sign of water running through it and when is it a harmless dust? Don't pay for work you don't need. Don't have your conditions misdiagnosed. Simple tests can identify flaws in terra cotta, internal fractures in brick or leaks in roofs. Once tests have determined the true cause of a problem, the proper [and often less expensive] treatment can be carried out. Materials conservator Joan Berkowitz and architect Stephen Gottlieb will share with you the secrets of harmless versus hurtful and cheap repairs versus expensive replacement.

## **Y. SPONSOR VOTING RIGHTS**

Attorney Marc Schneider will provide a comprehensive look at "sponsor's control" including the right to vote for members of a co-op Board of Directors or a condominium's Board of Managers. His presentation will include answers to questions ranging from "How many directors or managers is the sponsor entitled to vote for (the entire board or just one less than a majority)?" "Who can the sponsor vote for?" "How are the sponsor's votes to be allocated?" "The governing documents of each cooperative or condominium along with Attorney General regulations and case law are to be consulted for the answers to these and many other questions regarding a sponsor's voting rights.

## **Z. KEEP YOUR BUILDING GOING FOREVER**

Cooperatives and condominiums need to last forever; both because they are our homes, and because we have made significant investments in them. But if buildings are to last, they must be constantly and carefully maintained, and there must be plans to replace building systems as they wear out. Property Manager Gerard J. Picaso will help you plan for a smooth future for your building, suggesting long term planning for the upgrading and replacement of building systems.

# AFTERNOON SESSIONS

## 3 Hour Seminars 1:30pm - 4:30pm

---

### 00. CONDO ISSUES FOR NEW ATTORNEYS ❖

Condominium law does not receive much attention in most law schools, and yet it is a specialty of growing importance in New York City today. Attorneys Andrew Brucker and Dale Degenshein will take attorneys new to this field on a swift journey through the basics of condominium law, reviewing the legal documents

that form its foundation, applicable statutory law and case law developed over decades of wrangling between boards and unit owners. They will discuss the extent and limits of Board authority, meetings, unit owner rights, the 'right of first refusal' and "problem residents," and the services expected of counsel in each instance. This fast paced class is designed exclusively for attorneys.

## 2 Hour Seminars 2:30pm - 4:30pm

---

### 201. DEALING WITH DIFFICULT RESIDENTS

Every building is challenged by demands of difficult residents: people who are convinced that they are exempt from all rules; who renovate their apartments without permission, who park in others' spaces, who send unauthorized guests to use the apartment in their absence; or those whose cluttered units invite vermin infestation or fire; or the people who disrupt meetings and bombard the board with angry question, but refuse to listen to or accept the answers, those whose maintenance is chronically late, who never return a window guard notice, but who still expect very prompt service whenever *they* have a problem. CNYC Board Chairman Stuart Saft, Esq. will suggest creative and effective ways to deal with difficult resident.

### 202. MERITS OF MEDIATION (AND ARBITRATION)

Mediation is a conflict resolution process. The mediator brings disputing parties together and helps them arrive at an equitable agreement. Properly used, mediation has been effective in resolving technical disputes over construction flaws in new buildings as well as bringing peace between neighbors over noise issues and the like. Oliver Rosengart has successfully mediated both these categories of disputes in his two roles of president of the board of the cooperative where he lives and Assistant Attorney General in the Real Estate Finance Division of the Office of the Attorney General of the State of New York. In this session, he and Nancy Kramer who is also a former Assistant Attorney General, will describe the mediation process and how it differs from arbitration, and will offer clear guidelines to help boards resolve both their engineering problems and their 'people' problems through mediation.

### 203. ALL ABOUT TRANSFER FEES ('FLIP TAXES')

'Flip taxes' are an invention of the 1970's as a serendipitous source of revenue to converting buildings with low 'insider prices'. A portion of the profit realized by those residents who bought and quickly 'flipped' was captured by the flip tax. Over time, many buildings where flip taxes did not originally exist have instituted similar transfer fees to bolster their reserves. Originally a co-op phenomenon, transfer fees are now found in some condominiums as well. Attorney Arthur Weinstein, who is vice president of CNYC was present at the creation of flip taxes. He will explore these fees in depth, discussing how they can be established, increased, reduced or otherwise modified. Mr. Weinstein will alert workshop participants to possible pitfalls and will answer questions about possible restrictions on the use of the funds collected and other questions from participants.

### 204. BASIC FINANCIAL ASPECTS OF COOPERATIVES

Accountant Mark Shernicoff, who is treasurer of CNYC, will present a careful analysis of budgets, management reports, and tax issues designed to help new treasurers and non-financial board members fully understand their responsibilities. The true beginner is encouraged to attend workshop #4 before this one. Once the basics are covered, attention will focus on issues such as long range planning, mortgage refinancing, and contingency reserves. Questions will be addressed at the end of the session.

### 205. BEST PRACTICES FOR COOP/CONDO BOARDS

Boards differ widely in their management styles and the way they run the cooperatives or condominiums they are elected to serve. Some quickly learn to work together while others struggle to bridge differences in goals or styles of warring factions. But every good board establishes standards for their cooperative or condominium and focuses on protecting the building in all its dealings. Attorneys John Van Der Tuin and Michael Manzi will discuss some of the principles, practices and procedures that tend to be attributes of an excellent board. Among the topics to be discussed are board training, structuring of effective meetings, consensus building and communications.

### 206. H.D.F.C. ISSUES: HOW CAN WE PRESERVE AFFORDABLE HOUSING? ♣

HDfC cooperatives are designed to be a permanent resource of affordable, owner-occupied housing in a city where such housing is scarce. Andrew Reicher is the Executive Director of the Urban Homesteading Assistance Board (UHAB), which has been working with the city for almost 35 years to create affordable housing and to train HDfC home owners. He will present the history of the HDfC program and will lead a discussion of ways that HDfCs have dealt with the challenges of managing their limited-equity cooperatives and maintaining affordability as original shareholders sell their units. All those interested in preserving affordable housing are welcome at this seminar.

### 207. CO-OP SUCCESSION RIGHTS AFTER DEATH

Every board should be prepared to deal with the death of a shareholder and with ownership succession. In a building where shares have significant value, an interested party will usually step forward to handle the estate, but issues remain. Who gets the apartment? Can an heir occupy the apartment or must it be sold? Can a board reject an heir? How should maintenance charges be collected? And what can be done if no one does step forward? Attorney Lawrence McGaughey, whose practice encompasses both cooperative and condominium law and trusts and estates, will provide clear advice and specific information that will help both board members and shareholders understand their rights and responsibilities relative to inheritance and transfer of apartments upon the death of a shareholder.

### 208. HOW DOES YOUR BUILDING WORK?

Peter Grech is a past president of the Superintendents Technical Association (formerly the Superintendents Club of New York) and resident manager of a large cooperative. His presentation will give board members a better understanding of their elevator, their boiler, their water tank and other building systems. Mr. Grech will explain in clear non-technical terms, exactly how these key systems work. This overview will be interesting to all board members, people considering serving on the board, management personnel and building staff members.

**Afternoon Workshops Continue ▼**



## **209. DETECTING AND PREVENTING FRAUD & KICKBACKS ▲**

Forensic accountant Mindy Eisenberg Stark will offer guidelines for detecting wrongdoing in your building and will suggest preventive measures designed to help maximize the board's effectiveness in controlling management and supervising building personnel.

## **210. ALL ABOUT WINDOWS**

Many window controversies can be avoided if Boards have clear guidelines for residents to use when repairing or replacing their windows and air conditioners. Architect Douglas Lister will review repair and maintenance techniques for original wood, steel and newer aluminum windows to maximize their useful life. Mr. Lister will help participants understand the vast differences in the quality of available replacement windows, and will review requirements and strategies for replacing or repairing windows in historic buildings. With property manager Neil Davidowitz, he will present a set of guidelines for establishing your cooperative or condominium's window policy.

## **211. SPENDING ENERGY DOLLARS WISELY**

As energy costs soar, buildings have become increasingly interested in any way to save energy dollars. NYSERDA, the New York State Energy Research and Development Authority has incentive programs to help fund building improvements that produce significant energy savings. Deregulation of electricity and natural gas provide the opportunity for savings, but many cooperatives are apprehensive about entering this market. In this seminar, CNYC board member J. Reyes-Montblanc will lead a discussion of ways that cooperatives and condominiums can improve energy conservation and save on energy costs.

## **212. RIGHTS & RESPONSIBILITIES OF SHAREHOLDERS & UNIT OWNERS**

Attorney David Berkey will review the rights and responsibilities explicitly granted to shareholders and unit owners in cooperatives and condominiums and will suggest others including the right to be kept informed and the responsibility of taking one's turn to serve on the board or on committees. Your questions will be welcome.

## **213. EXTERIOR RESTORATION PROJECTS: PREPARE TO PROTECT**

Undertaking any major capital improvement project can be daunting, made even more so by the prospect of costly overruns, ineffective repairs and careless contractors. Learn how owners and board members can overcome these obstacles and effectively contribute to the process to get the job done right. Engineer Kathleen Needham Inocco and architect Dennis Mele will take workshop participants through a practical step-by-step review of how boards can prepare for upcoming projects and work with their professionals to protect the cooperative or condominium, minimize disruption to residents, and keep the job on budget.

## **214. REFINANCING COOPERATIVE MORTGAGES**

Attorney Theresa Racht will moderate a seminar exploring diverse aspects of refinancing underlying mortgages on cooperative buildings with experts Gerard Jones Patrick Niland and Sheldon Gartenstein. The session will begin with a careful look at mortgage basics, including guidance about prerequisites, costs, preparation, and obligations, and suggestions for maximizing your building's borrowing power.

## **215. THE BUDGET ▲**

Every well-run cooperative or condominium develops an annual budget to govern spending and to determine the amount of carrying charges that must be collected from each shareholder or unit owner. The building manager, the accountant and the treasurer should all participate in the development of your budget. Accountant Steven Beer will offer insights to help you establish and monitor a prudent budget and will provide tips to smooth out the impact of large seasonal expenses such as fuel and periodic ones (taxes, insurance, etc).

## **216. HOMEOWNERS INSURANCE TO PROTECT YOUR PROPERTY**

Every building resident should carry adequate homeowners insurance. This coverage protects against loss and against costly repairs and also helps smooth conflict between neighbors when leaks or other accidents occur. Many insurers have special homeowner policies for resident owners of cooperatives and condominiums, with broader coverages and lower premiums than policies for rental tenants. Insurance expert Robert Mackoul will describe various coverages appropriate to New York cooperatives and condominiums and will suggest guidelines for the board if it should opt to impose insurance requirements.

## **217. EFFECTIVE ELECTION POLICIES**

In some cooperatives and condominiums, board elections are lively events with many candidates vying to take their turn serving their building. In others, it is an annual chore to find anyone willing to run at all. Apathy may be responsible in the latter case...or the conviction rightly or wrongly held that no one could possibly unseat the board in power...or perhaps a truly excellent Board has served the building to everyone's satisfaction for a long period of time. Attorney Marc H. Schneider will discuss election policies, procedures and law to help your Board conduct effective and proper elections. Methods of voting (cumulative vs. straight voting), sponsor rights, proxies, inspectors of election, recruitment of candidates, term limits and other election related issues will all be discussed.

## **218. COPING WITH HOARDING PROBLEMS**

People who fill their homes far beyond reasonable capacity can eventually put their neighbors and their buildings at risk. They may have difficulty discarding the daily newspaper, the junk mail they receive, or empty food containers. Some hoarders retrieve other peoples' discards and bring them home. Others have more pets than they can properly care for. Over time, these patterns of accumulation can create fire hazards, offending odors, vermin infestation, and can even cause structural damage. Hoarding behavior is a serious condition and difficult to change, but 'hoarders' present unique challenges that management and Boards need to address. Kristin Bergfeld runs a company that provides services to clear and reorganize apartments as a way to give the hoarder a clean start, clear violations and help the building cope compassionately with a chronic hoarder. She works with services and agencies that can help a client with behavior modification. She will lead an interactive discussion focused on ways to identify problem behavior and assess its seriousness.

## **219. NEWSLETTERS**

How can a newsletter enhance your cooperative or condominium? How often should it appear? To whom should it be distributed? What topics should it include? How is editorial policy set? Who can contribute articles? What are the options for handsome, inexpensive desktop publishing on a home computer? Lloyd Chrein president of the communications marketing company Chrein.com and an award winning journalist, is webmaster and newsletter designer for CNYC and many other entities. He and journalist William McBurney will focus on both form and function for co-op and condo newsletters. Participants are encouraged to bring samples of their own newsletters.

## **220. APARTMENT RENOVATIONS & COMBINATIONS**

As cooperative and condominium ownership expands, the impulse to make one's home one's castle grows too. New shareholders and unit owners often plan extensive renovations before moving into their units; others decide that their apartments need a facelift, or they buy an adjacent unit and combine the two. This does bring dust, noise and disruption to the building, which the board must keep under control. Corporate council provides guidance. Attorneys Bruce Cholist and Alfred Taffae will share their expertise about renovation rules, time frames, fees, inspections, and compliance with city and federal requirements in a workshop designed to help the board mitigate the stress of renovations.

**Afternoon Workshops Continue ▼**

## 221. REPAIRS IN A CONDOMINIUM — Who's Responsible for What?

When repairs become necessary in a condominium unit, debate often arises regarding whether the condominium association or the unit owner must pay the cost. Attorneys Steven Sladkus and Jeffrey Reich will help condo boards and unit owners understand the nuances of this important issue. References will be made to those portions of the by-laws or other condo documents that govern in each instance and specific examples will be cited.

## 222. UNDERSTANDING YOUR HEATING SYSTEM

A clear understanding of how your heating system operates will help you make optimal use of your energy dollars. This workshop will take an in-depth look at the heating plant of buildings of between 20 and 200 apartments and examine their various servicing needs. Attention will be paid to boilers, burners, controls and to inspection requirements. Experts Fredric Goldner and Asit Patel will provide practical facts and figures about the cost of maintaining and upgrading existing systems and advice about replacement of aging equipment.

## 223. GOALS & CHALLENGES OF SELF MANAGEMENT

Consultants Rebecca Poole and Mitch Levine will provide insights to the needs of a building that undertakes self management. Will the Board take on all of the responsibilities of day-to-day management or will they contract for certain services? Can the building hire in-house management personnel? Costs will be addressed as will the delegation of responsibilities. The importance of an active Board, a good superintendent, and knowing when to consult professionals (attorney, accountant, architect) will be stressed.

### LEGEND

- ★ Indicates higher level course — background knowledge of the topic will be expected
- ▲ Indicates accounting CPE class
- ❖ CLE credit pending.
- ♣ UHAB presentation.

## AT THE CONFERENCE

CNYC's HOUSING CONFERENCE is the premier citywide educational experience for home owners in housing cooperatives and condominiums and the professionals offering services to these buildings. A roster of information-packed workshops and seminars gives you the opportunity to find answers to questions of importance to your building. Exhibitors demonstrate state-of-the-art equipment and describe their services in a setting where you can look, touch, ask questions and take home information. The Conference Program contains a directory of advertised products and services that will be useful throughout the year.

The 27th Annual HOUSING CONFERENCE is held at Baruch College in Manhattan, just north of Gramercy Park with classes on the ninth and fourteenth floors of the NEWMAN VERTICAL CAMPUS on the northeast corner of Lexington Avenue and East 24th Street. **Registrants should bring photo ID** to facilitate entrance to the NEWMAN VERTICAL CAMPUS, where Security requires a list of registrants. Once inside, proceed to the FOURTEENTH FLOOR REGISTRATION AREA which is labeled CNYC HEADQUARTERS to show your name badge and receive a badge holder and Conference Packet. Coats can be checked at this location.

The EXHIBIT AREA and snack facilities are on the FOURTEENTH FLOOR at ROOM 14-220. There, complimentary coffee and tea are served throughout the day and snacks, sandwiches and box lunches can be purchased.

Workshops and seminars are conducted on floors 14 and 9 of the Newman Vertical Campus, Workshop tickets sent to all pre-registrants indicate both the floor and the room where the session is scheduled. **INDIVIDUALS WITH ACCESSIBILITY ISSUES ARE URGED TO REGISTER EARLY AND TO INFORM CNYC OF THEIR NEEDS.**

**Persons who wish to register at the Conference should arrive early as special Security procedures will be necessary.**

At the end of the day, there will be a Convocation and Reception on the FOURTEENTH FLOOR of the NEWMAN VERTICAL CAMPUS. CNYC Leaders will highlight developments in the last year and recognize an honored guest.



**BARUCH COLLEGE NEWMAN VERTICAL CAMPUS IS ACCESSIBLE BY PUBLIC TRANSPORTATION  
SUBWAY**

The #6 Lexington Avenue Local stops at East 23rd Street at Park Avenue. The N, R and W trains stop at Broadway and East 23rd Street. The F and V trains stop at 6th Avenue and West 23d Street (transfer to eastbound M23 bus)

**BUSES**

M1 travels down Fifth Avenue to 40th Street and then down Park Avenue. The M2 and M3 travel down Fifth Avenue and up Park Avenue South. The M5 travels down Fifth Avenue. The M6 and M7 travel down Broadway. The M15 travels down Second Avenue and up First Avenue. The M101, M102 and M103 travel down Lexington Avenue and up Third Avenue. The M23 crosstown travels both east and west on 23rd Street.

If you wish to drive, there are several parking garages near the Newman Vertical Campus and on-street parking can be found nearby on Sundays. **WARNING:** Left turns are not permitted from Third Avenue onto 25th Street.

**REGISTRATION**

**Advance registration is required for attendance at all workshops. Registrations will be honored in the order received.**

Team registration is encouraged. Each registrant may attend up to three workshop sessions, one in the morning, one midday and one in the afternoon.

**Each CNYC member cooperative and condominium can send one PRE-REGISTERED person to the Conference at no cost.**

**ALL REGISTRATIONS MUST BE RECEIVED BY CNYC PRIOR TO NOVEMBER 8, 2007**

YOUR NAME BADGE AND WORKSHOP TICKETS WILL BE MAILED TO YOU PRIOR TO THE CONFERENCE.

YOUR NAME WILL BE AT SECURITY FOR ADMISSION TO THE CONFERENCE. **BRING A PHOTO ID TO FACILITATE ENTRY.**

TICKETS WILL BE COLLECTED FOR ADMISSION TO EACH SESSION. If a workshop is full when your registration is received, CNYC will contact you to make an alternate choice. You are encouraged to come early to visit the exhibit area ( there is no additional charge).

A \$5 TICKET ADMITS NON-WORKSHOP GOERS TO THE EXHIBIT AREA FROM THE HOURS OF 8:00 AM TO 2:00 PM.

EXHIBIT AREA TICKETS ARE NOT VALID FOR ADMISSION TO WORKSHOP SESSIONS.

**Fee Schedule:**

|                            |  |  |                      |
|----------------------------|--|--|----------------------|
|                            | <b>If received by 10/11/07</b>               | <b>If received by 11/8/07</b>                | <b>At Conference</b> |
| CNYC members (1 free) then | \$ 45 per person/ 3 for \$105 /addl. @ \$ 35 | \$ 70 per person/ 3 for \$150 /addl. @ \$ 50 | \$100 per person     |
| CNYC subscribers           | \$ 75 per person/ 3 for \$210 /addl. @ \$ 70 | \$100 per person/ 3 for \$250 /addl. @ \$ 85 | \$125 per person     |
| Non-affiliates             | \$175 per person/ 3 for \$450 /addl. @ \$150 | \$200 per person/ 3 for \$500 /addl. @ \$150 | \$250 per person     |
| Just One Seminar           | 50% of the applicable full day price         | 50% of the applicable full day price         | 50% full day price   |
| Exhibit Area & Videos Only | \$ 5 per person                              | \$ 5 per person                              | \$ 5 per person      |

Registration closes on November 8, 2007 so that tickets can be mailed to each registrant.

**FULL REFUND ONLY ON CANCELLATIONS RECEIVED IN WRITING BEFORE NOVEMBER 8, 2007**

**PLEASE MAKE ALL PAYMENTS BY CHECK • CNYC DOES NOT ACCEPT CREDIT CARDS**



**27TH ANNUAL  
HOUSING CONFERENCE**

*Sunday, November 11, 2007*

PLEASE PLACE  
RE-AFFIXABLE MAILING  
LABEL HERE

Address \_\_\_\_\_ CNYC # \_\_\_\_\_

**PARTICIPANTS FROM YOUR CO-OP OR CONDO**

Please print clearly. Attach separate sheet for additional names. Please provide mailing address if it differs from the building address above.

**Names**

Email **EACH CNYC MEMBER BUILDING IS**

Email **ALLOWED ONE FREE PARTICIPANT**

Email **WHO MUST PRE-REGISTER**

Email **BY 11/2/07**

**WORKSHOP SELECTIONS**

Registrations will be honored in the order received. Consult the chart above and schedule so that you select workshops that do not overlap.

**Daytime Phone      Morning      Midday      Afternoon**

\_\_\_\_\_ **BE SURE TO LIST THE**

\_\_\_\_\_ **LETTERS AND NUMBERS**

\_\_\_\_\_ **OF EACH OF YOUR**

\_\_\_\_\_ **WORKSHOP CHOICES HERE**

|                        |                                   |                                   |                |                         |
|------------------------|-----------------------------------|-----------------------------------|----------------|-------------------------|
| <b>CONFERENCE FEES</b> | <b>BEFORE 10/11/07</b>            | <b>BEFORE 11/8/07</b>             | <b>AT DOOR</b> |                         |
| CNYC MEMBERS           | \$ 45 / 3 for \$105 / addl. \$ 35 | \$ 70 / 3 for \$150 / addl. \$ 50 | \$100 each     | \$ _____ CNYC MEMBERS   |
| CNYC Subscribers       | \$ 75 / 3 for \$210 / addl. \$ 70 | \$100 / 3 for \$250 / addl. \$ 85 | \$125 each     | \$ _____ Subscribers    |
| Non-affiliates         | \$175 / 3 for \$450 / addl. \$150 | \$200 / 3 for \$500 / addl. \$150 | \$250 each     | \$ _____ Non-affiliates |
| Just one session       | 50% applicable full day price     | 50% applicable full day price     | 50%            | \$ _____ One session    |
| Exhibit Area Only      | \$ 5 per person                   | \$ 5 per person                   | \$ 5           | \$ _____ Exhibit Area   |

**TOTAL ENCLOSED \$ \_\_\_\_\_**

Registrations will be honored in the order received. Full refund only on cancellations received in writing by November 8, 2007.

Please send this form and a check payable to the Council of New York Cooperatives & Condominiums (CNYC) to: CNYC, 250 West 57 Street, Suite 730, New York, NY 10107