

This conference will help you

- Manage your building at peak efficiency
- Address legal, financial, and "people" issues
- Plan wisely for the present and the future
- Discover new products & services
- Learn from the experiences of others
- Think GREEN!

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 9:00am - 12:00pm TITLES IN GREEN INDICATE NEW TOPIC

#### 1. CURRENT SIGNIFICANT LEGAL DECISIONS ★❖

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; he also suggests ways for boards 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.

### 2. LEADERSHIP SKILLS DEVELOPMENT: FOR PRESIDENTS ONLY

The leadership skills of the board president drive the success of the cooperative or condominium. In this class, created by management consultant Arthur Davis, the group will examine what makes the position of president unique among board members, exploring the special demands placed on presidents in the changing political environment of their buildings, and helping participants become more effective decision makers, team builders, motivators and mediators, guiding other directors toward becoming more responsive managers.

### 3. 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 appropriate portions of the proprietary lease, the by-laws and the law. Specific examples will be cited.

### 4. THE TREASURER A

The co-op or condo treasurer oversees 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 Jayson Prisand and Robert Mellina will discuss the treasurer's responsibilities, suggesting systems of control and practical, time saving procedures.

#### 5. YOUR ROOF & EXTERIOR WALLS

Masonry expert Maurice Schickler will discuss preservation of the 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. Mr.Schickler will also discuss Local Law 11 and the NYC Building Code and how they apply to facade and roof work.

#### 6. HOW DOES YOUR BUILDING WORK?

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

### 7. BOARD RESPONSIBILITIES IN CONDOMINIUMS

Attorney Linda Plotnicki will review the laws and legal documents governing a condominium and will 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 effectively amend policies, by-laws and rules and regulations of the condominium? 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 important condo questions.

#### 8. LEGAL RESPONSIBILITIES OF CO-OP BOARDS

Attorney Dennis Greenstein 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, but also providing many practical suggestions and examples to guide participants to be able to function efficiently and to understand both the legal and the practical issues that boards frequently face. The class is packed full of information that you will not want to miss.

### 9. RESERVES:

### Accumulating, Investing & Spending Them ★▲

The reserve fund of a cooperative or condominium is the cushion protecting shareholders and unit owners from sudden assessments or unanticipated jumps in carrying charges. It is a vital component of long term plans for maintaining the building and upgrading 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. Participants will be expected to have a good basic knowledge of co-op or condo finances.

### A. A PRIMER OF CO-OP & CONDO TERMS AND ISSUES

As we seek to understand our responsibilities as owners in New York cooperatives and condominiums, we encounter new terms and new ideas that can sometimes be confusing. This class is designed to help participants familiarize themselves with jargon and concepts such as common elements, inspectors of elections, quiet enjoyment, warranty of habitability, Notice to Cure, defaults, arrears, bill backs, transfer fees, reserve funds, capital improvements, fiduciary responsibility, directed proxies and the right of first refusal. Come ask attorney Ron Gold about concepts that are puzzling you. He will provide a glossary of terms that will help you speak the same language as others involved with your building.

### **B. FINANCIAL RESPONSIBILITIES OF CONDO BOARDS**

Accountant Rick Montanye will review all the basic financial responsibilities of condominium 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.

### C. THE GREEN COMMITTEE: Enhancing Energy Awareness

Energy-efficiency consultant Tom Sahagian will lead a discussion of ways to incorporate 'green' practices and products into buildings' maintenance routines and development of projects. The Green Committee can help the board come to grips with the new thinking — that conserving budgetary dollars is intimately connected with conserving planetary resources.

### D. A LOVELY LOBBY ON A MODEST BUDGET

Lets talk about fresh, attractive and upbeat interiors that are reasonable in cost, durable in features and easy to maintain. Modest budget doesn't mean boring or having to hold back on impeccable taste and high aesthetic standards. Interior designer Marilyn Sygrove and her team of professionals will offer a variety of economically sound suggestions for bringing modest but highly visible enhancements to public spaces in your building. In mid-September five registrants will be invited to submit digital photos of their lobbies for use as examples of suggested design solutions during the class.

#### E. WHAT SHOULD BE IN THE MINUTES?

The minutes of your board meetings are the official record of actions taken, policies established and projects planned. Minutes are not the occasion for flowery prose; they are not enhanced by excessive detail. Every board member shares responsibility for ensuring that the minutes they approve accurately reflect the intentions of the board and do not contain any unnecessary information. Attorney Jeffrey Schwartz will help secretaries and aspiring secretaries develop clear, concise minutes for their cooperatives or condominiums.

YOU MAY FOLLOW YOUR 9:15 CLASS WITH A LATE MORNING CLASS AT 11:00.

## 2 Hour Classes 9:30am - 11:30pm

### 10. WARNING SIGNS: How To Know If Your Building Is In Trouble

Co-op and condo boards face problems all the time; they are usually manageable, but sometimes, a seemingly insignificant issue can escalate into an expensive and time consuming problem that become a major source of dissension in the building. These catastrophes do not occur without warning signs — subtle (or not-so-subtle) hints that an issue has the potential to turn into a major headache. Attorney Stuart Saft, who chairs the CNYC Executive Board, and property manager Elly Pateras will discuss warning signs that need to be addressed to prevent small nuisances from taking on a life of their own. The class will help board members identify the warning signs of potential problems and prepare them to identify and deal with these issues prior to (and/or after) the exploding point.

#### 11. CO-OP ADMISSIONS POLICY & PROCEDURES

CNYC co-founder and vice president Arthur I. Weinstein, Esq. and property manager Steve Hoffman, Esq. will 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. Various housing discrimination laws will be reviewed in detail. Sublet policy will be touched upon briefly in this session, but it is also the subject of a separate class (#111). CNYC's prototype application form will be distributed and discussed.

### 12. NEW CODES & RULES IN NEW YORK CITY

Laws passed by the City Council and regulations promulgated by City Agencies impose new responsibilities on building owners each year. In this annual session, CNYC board member Gregory J. Carlson, who is also the executive director of the Federation of New York Housing Cooperatives & Condominiums, and architect Leon Geoxavier bring participants up to date on the City's latest requirements and their deadlines.

## 13. MANAGEMENT FORUM: 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 provided transition guidelines; alteration agreements; mortgage applications; and a listing of all of the services which management typically performs. Property managers Mitchell Gelberg and Harry Smith will lead an interactive discussion of the services buildings should expect from their management company.

### 14. BASIC FINANCIAL ASPECTS OF COOPERATIVES

A careful analysis of budgets, management reports, and tax issues designed to help new treasurers and 'non-financial' board members fully understand their responsibilities. Once the basics are covered, if time permits, the discussion will turn to issues such as long range planning, mortgage refinancing, and contingency reserves. This class is designed for the true beginner; with class #204 on Financial Statements it provides a detailed overview of financial issues.

### **15. ALL ABOUT HOUSE RULES**

Every cooperative and condominiums starts its existence with a set of boiler plate house rules. Over time these can be updated, amended, (or simply ignored!) as new building policies are instituted. Attorney Peter Livingston will discuss the role of House Rules in a cooperative or condominium, their relationship to other corporate documents, how to change House Rules and ways to make sure that everyone knows what the House Rules are. Examples of what belongs or does not belong in the House Rules will also be discussed.

### 16. HDFC TRANSFERS AND SALES: AFFORDABILITY IN HDFC COOPERATIVES •

HDFC cooperatives are a resource providing affordable, owner-occupied housing in a city where such housing is increasingly costly and in demand. Andrew Reicher, Executive Director of UHAB (the Urban Homesteading Assistance Board) and Emily Ng, UHAB's Director of Member Services will present policies and procedures to help an HDFC board handle vacancies, including suggestions for the process of setting the sales price, and reaching out to the community. This class is designed to coordinate with #106 HDFC Transfers and Sales: Interviews and Selection, which covers interviewing and selection of prospective shareholders and with #206 on HDFC Resale Policy.

### 17. COORDINATING CAPITAL IMPROVEMENT PROJECTS

Undertaking a major repair or upgrade project for your cooperative or condominium requires planning many steps along the way. Architect Stephen Varone will discuss the various issues involved, including scope of work, budgeting, competitive bid, contract negotiation, payment terms, insurance and bonding, scheduling, project supervision, sub-contractors, site safety, and project signoff. The class is designed to help boards coordinate the many moving parts of a capital improvement program to achieve successful results.

### 18. 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. Three types of typical city violations will be discussed: Department of Housing Preservation and Development (HPD), Department of Buildings (DOB) and Environmental Control Board-DOB (ECB-DOB).

### 19. AMENITIES TO ENHANCE YOUR BUILDING: Roof Garden, Storage, Gym, Meeting Room, Play Room...

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 increase apartment value. Property manager Neil Davidowitz will lead a session on amenity options; it will cover methods for establishing priorities and effective ways to get resident input on the decision and will then proceed from decision to implementation, including suggestions on applicable 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 these amenities.

## Late Morning: 1 Hour Classes 11:00am - 12:00pm

### FOLLOW YOUR 9:15 CLASS WITH ONE OF THESE OR BEGIN THE DAY AT 11:00.

### F. COMMITTEES TO HELP RUN YOUR BUILDING

Anyone who has served on a board knows how time-consuming, even overwhelming, the work load can be. Attorney Theresa Racht will lead a discussion on how the effective use of committees can actually ease the board's work load as well as provide a mechanism to move controversy outside board meetings so that decision-making during board meetings is easier.

### G. THE URBAN GARDENER: GROW FLOWERS! GROW FOOD!

Gardening space in New York City coperatives and condominiums is often limited. But there are many plants that can thrive in tree wells, window boxes, balconies or courtyards. And an increasing number of gardeners are growing fruit and vegetables in the city today. Naturalist Mike DiMezza will suggest a variety of plants — for food or for decoration — that are well suited to the rigors of city life. He will also have practical guidance on how to maintain your urban garden.

### H. SAVINGS OPPORTUNITIES IN SAVVY READING OF UTILITIY BILLS

Most utility bills are complicated and challenging to read. Consultant Herb Rose will help demystify the various entries on a typical utility bill, which may help participants identify overcharges or savings opportunities. Bring current utility bills to this class to clearly identify your own opportunities for economies.

### J. DEALING WITH CONSTRUCTION DEFECTS

As owners take possession of their units in newly constructed condominiums and cooperatives and begin to work with their neighbors to get organized, they often find defects in the construction of their building. Construction defects can also be an issue in existing building when large projects are undertaken. Attorney Robert Braverman will provide advice on assessing both types of situations and making the critical decision of how to proceed in order to achieve the best possible results at the most reasonable cost.

### K. IMPROVING RECYCLING IN NYC APARTMENT BUILDINGS

Help make NYC cleaner and greener one building at a time, starting with your own. Eve Martinez, Program Manager of the NYC Department of Sanitation's Apartment Building Recycling Initiative (ABRI), will share state-of-the-art information to help you set up effective recycling areas throughout your building, and will review what your building staff and residents need to know. Current and pending legislative issues will also be discussed, as well as the opportunity to sign up for more direct assistance from the DSNY Bureau of Waste Prevention, Reuse and Recycling.

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

### 101. WHY YOUR ATTORNEY SHOULD REVIEW ALL CONTRACTS

The contracts that service providers offer will have been carefully prepared by their attorneys to give them maximum protection and opportunities for additional charges as your job progresses. Your own attorney will review these contracts with a keen eye for protecting your cooperative or condominium, advising changes in certain provisions and elimination of others. This can protect you from unexpected surcharges, ensure high quality of work and perhaps add incentives for swift completion of the project. Attorneys and CNYC founding board members Marc Luxemburg and Arthur Weinstein, will discuss pitfalls and best practices when reviewing contracts for work in co-ops and condos.

### 102. LIMITING SMOKING IN CO-OPS AND CONDOS

Certain cooperatives and condominiums have made the decision to be smoke-free. They develop and enact policies with this target in mind. Issues can arise if smokers are in residence or if owners know that their guests may want to smoke. How will resale value be affected? Are there discrimination issues to consider? Stuart M. Saft, Esq., who is board chair of CNYC and who implemented the first smoking ban at an Upper West Side building, and management professional Ben Kirschenbaum, Esq., will provide advice about implementing and enforcing a no smoking policy.

### 103. A GREEN ROOF FOR YOUR BUILDING

Green roofs provide many benefits: They add usable space to the roof, extend the life of roofing membranes, lower heating and cooling costs, reduce storm water runoff, and increase a building's property value. Architect Stephen Varone and LEED AP Yessica Marinez will address the issues involved in installing a green roof, including structural and waterproofing considerations, maintenance costs, roofing warranties, code compliance, and zoning restrictions. Green roof specialist Michael DiMezza discusses which types of systems and plantings are most suitable for green roof installations.

### **104. PROPERTY TAX UPDATE**

Home owners in NYC co-ops and condos have benefit from a property tax abatement program since 1997; last spring, renewal was needed. Although the State legislature ended its session on June 21, 2012 without enacting an extender of the abatement program, the NYC Department of Finance did include the abatement on July 2012 tax bills. The City seeks modifications to the abatement program, but assures taxpayers that it will not be revoked. CNYC and its Action Committee for Reasonable Real Estate Taxes work for property tax fairness. Action Committee Chair Jim Rheingrover and certiorari attorney Eric Weiss will provide an update and answer questions about this and other City tax relief programs.

#### 105. CONTROLLING VARIABLE COSTS

Many of the costs of operating our buildings appear completely beyond our control, but significant savings can be effectuated through a careful review and monitoring of all building expenditures. In this step-by-step class, 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.

### 106. HDFC RESALES: INTERVIEWS AND SELECTION .

HDFC cooperatives are a resource providing affordable, owner-occupied housing in a city where such housing is increasingly costly and in demand. Educators from UHAB (the Urban Homesteading Assistance Board) will describe the role the Shareholder Selection Committee plays in the process of selecting new shareholders for your HDFC cooperative. They will discuss identifying candidates, the interview process, fair housing guidelines, and selection of shareholders. This class is designed to coordinate with class #16 on Affordability in HDFC's, and class #206 on HDFC Resale Policy.

### 107. INSURANCE GUIDELINES FOR BUILDING AND RESIDENTS

Insurance expert James Fenniman will present the full range of insurance coverages necessary to a typical building and each of its residents. He will discuss the cost of insurance and will suggest ways a building can maintain appropriate coverage.

### 108. AUDITS AND RETRO-COMMISSIONING: WHAT IS REQUIRED?

New York City law requires all buildings of 50,000 square feet or larger to begin to perform energy audits every ten years, and to implement recommendations made in an effort to significantly reduce the carbon footprint of these buildings. The first reports are due in 2013, although early filing is permitted. These reports will reflect efforts at RETRO-COMMISSIONING: cleaning and fine-tuning building equipment and systems to maximize performance and enhance energy conservation. Representatives of the Mayor's Office of Long Term Planning and Sustainability will detail what is required, and will answer questions from participants.

### 109. COMMUNICATING WITH SHAREHOLDERS/UNIT OWNERS

In today's information-focused world, shareholders and unit owners expect to be kept informed and to have procedures for bringing their questions to the attention of building staff, management and board members. Communications professional Lloyd Chrein and property manager Gerard Picaso will lead a discussion of ways to maintain open and effective lines of communication.

### 110. BUILDING ENVELOPE ISSUES FOR POST WAR BUILDINGS

Maintaining the facades, windows and roofs of buildings built after World War II require more thoughtful maintenance and repair procedures than older buildings. Architect Douglas Lister will explain key technological changes to building enclosures and how to plan maintenance projects to keep these buildings dry, safe and looking good. Specific topics will include: glazed brick masonry, repointing, membrane waterproofing, structural steel shelf angle maintenance, masonry anchors, air barriers and insulation to reduce energy costs, roof systems and terraces and windows. There will also be a section on glass and aluminum frame curtain wall construction and maintainence.

### 111. SUBLET ISSUES IN NEW YORK COOPERATIVES

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, discussing procedures for reviewing sublet candidates and sublet fees. The class will also explore restrictions and conditions that boards might consider imposing in sublet situations. The law and possible board policies with respect to occupancy by 'guests' and 'roommates' will also be discussed.

### 112. CONDO UNIT FINANCING CHALLENGES

The ability of unit owners to borrow to finance the purchase of their apartments is vital to the economic health of any condominium. In recent years, lenders have become increasingly cautious in their lending practices. All seek to make loans that conform to Fannie Mae guidelines, so that these loans may be saleable in the secondary market. But many lenders are over zealous in their interpretation of these guidelines. Join Margaret Walsh, long term board member of Parkchester South Condominium, banker Jerry Niemeier, and accountant Avi Horwitz for a clear discussion of Fannie Mae requirements, how a condominium can be 'prequalified' for loans and advice about establishing budgets and reserves to help give lenders greater comfort with loans on units in your condominium.

#### 113. TREASURERS FORUM ★

Accountant Annette Murray invites building treasurers to discuss their responsibilities, expand their insights, share their concerns and work together to address problem issues in an interactive session designed for the experienced building treasurer.

#### 114. OPTIONS WHEN SWITCHING FROM #6 OIL

City regulations require the elimination of #6 oil by 2015 and #4 oil by 2030. Since July, triennial permits have not be renewed for building that burn #6 oil. Is your cooperative or condominium affected? What are the factors to consider when deciding next steps? Will you convert to #4 oil now and then either to #2 oil or to gas heat? Or is it advantageous to eliminate the middle step? What are the likely costs, the challenges, the obstacles, the incentives that could/should be factors in your decision? Engineer Young Suh and environmental attorney Isabelle Silverman will explain the regulations and suggest cost-effective ways to switch to a cleaner fuel and financing options available to do so.

### 115. EVALUATING BOARD PERFORMANCE

It is wise for a board to review and evaluate its own performance periodically — with the goal always of improving both the way it functions and the way it is perceived by its 'constituents' in the condominium or cooperative. Some buildings, particularly smaller ones, may bring all shareholders together for a constructive evaluation session of board performance. Join long term board member Ed Yaker, who is also Co-Chair of the Coordinating Council of Cooperatives for an interactive session on evaluating board performance, including a sample evaluation form and board resource material.

### 116. MANAGEMENT TRANSITIONS

Like any other relationship, the one your building has with its management firm can become strained. Discussion may bring solutions to the problems, or you may determine that the relationship cannot be salvaged. 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 promptly and in good order.

### 117. RENOVATION DISASTERS & HOW TO AVOID THEM

There are many ways that renovation and construction projects can go awry, but Attorney C. Jaye Berger teaches boards how to avoid these situations from the outset. She will explain what to look for in a contractor, key provisions in contracts, how to negotiate them, insurance issues, mechanic's liens, subcontractors and managing the construction. Successfully completing a project will be discussed, as well as legal problems that can arise between the coop or condo and contractors.

#### 118. LAUNDRY ROOM CONSIDERATIONS

Co-ops and condos generally have laundry equipment for residents to use. They can operate these machines as an accommodation, charging just enough to maintain the equipment, or the laundry room can be a profit center. The contract you negotiate with a laundry company can include many amenities: redesigned space, state-of-the-art machines, folding tables, along with guarantees of prompt service visits. Important to this negotiation will be an understanding of the different types of agreement available. Join property manager Ellen Kornfeld and attorney Adam Leitman Bailey, author of the laundry room lease form sold by Blumberg Forms, for a detailed look at the many issues and concerns that arise relating to the laundry room. Contract terms, 'smart cards', repairs and replacement, hours of operation and HD detergent will all be discussed.

### 119. ADDRESSING OBJECTIONABLE CONDUCT IN CONDOS

When unit owners or their guests or tenants engage in conduct that their neighbors find objectionable, the condominium board has fewer weapons in its arsenal for dealing with this than do their counterparts on the boards of cooperatives. Nevertheless, with patience and determination and a well organized strategy, a condominium can deal effectively with objectionable conduct. Attorneys Robert Braverman and Kelly Ringston will offer clear guidelines and will cite appropriate case law.

### 120. HELPING SENIORS AGE IN PLACE: ADVENTURES IN GOTHAM

New York City is an ideal setting for senior citizens to 'age in place'; it has excellent public transportation, neighborhood stores, and a wide variety of community services, social, religious and cultural opportunities making it easy to enjoy community life and to obtain necessary services. Evelyn Jones Rich and Rochelle Shereff will discuss amenities and opportunities to enhance the lives of seniors in your co-op or condo drawing on their own backgrounds as senior activists and organizers at Lincoln Towers and Lincoln Guild as well as in the NYC NORC Coalition.

### 121. CONTROLLING COOP ARREARS: ROLE OF THE L & T ATTORNEY

Every board should have a policy in place to ensure that all shareholders pay their maintenance fees each month. While a letter from management (or the treasurer) is appropriate in pursuing a one month lapse, things shouldn't be allowed to slide beyond a second month. A prudent board will bring the landlord/tenant attorney into the picture to ensure collection. Adam Pollack, Esq. will describe the role of the landlord and tenant attorney in helping coops keep all shareholders current.

#### 122. SOLVING NOISE ISSUES — MANAGEMENT ROLE

Noise issues between neighbors are always a challenge. It is difficult to establish reasonable hours for practicing of musical instruments, just as it is difficult to control barking dogs, noisy children or residents who play their televisions at top volume. Then there are also other noise issues pertaining to external sources emanating from neighboring buildings and from construction. Property manager Irwin Cohen and attorney David Byrne offer practical advice on noise issues, and specifically, on the role that management can play in bringing about solutions to these diverse problems.

# AFTERNOON SESSIONS

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

### N. CONDO ISSUES FOR NEW ATTORNEYS &

Condominium law 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', problem residents, and the services expected of counsel in each instance. This fast-paced class is designed exclusively for attorneys, including attorneys who serve on condo boards.

### P. CO-OP ISSUES FOR NEW ATTORNEYS &

Co-op law is an important specialty in New York City today. Attorneys Howard Schechter and Douglas P. Heller will a swift review of the basics of this challenging discipline for attorneys new to this field. They will examine the key legal documents, applicable statutes and case law. 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, including attorneys who serve on co-op boards.

## 2 Hour Classes 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 questions, but refuse to listen to or accept the answers, those whose maintenance is chronically late, but who still expect very prompt service whenever *they* have a problem, people who think the board is their employee. CNYC Board Chairman Stuart Saft, Esq. will suggest creative and effective ways to deal with difficult resident.

### 202. CO-OP SHAREHOLDER VS. BOARD: Remedying Issues with Water Penetration, Mold, Bedbugs, Noise and Odors ★❖

When costs are incurred because of water penetration, removing mold, eradicating bedbugs or controlling noise and odors in shareholder apartments, the cooperative must walk a careful line in distinguishing its responsibilities from those of the shareholder. Numerous concepts come into play, including City and State laws such as the statutory concept of the warranty of habitability, the building's proprietary lease, principals of common law negligence and the policies in effect in the specific cooperative. Attorney Arthur Weinstein, who is a founder and Vice President of CNYC will explore the complexities of these issues. Participants will be expected to have a clear understanding of the functioning of a cooperative.

#### 203. FIRE: LETS BE PREPARED FOR EVERY EVENTUALITY

Boards and building staff need to be aware of best practices for fire safety and should implement these practices in their buildings; the staff should be drilled in ways to help if ever there is a need to implementing the Fire Safety Plan that is distributed each year. Residents should be encouraged to develop and rehearse their own personal fire safety plans, including ways to keep in contact. If a fire should occur, building staff can be of great help to the firefighters. And after the fire, the enormous clean-up process can be facilitated if thought has been given to it in advance. Property manager Steve Greenbaum and board president Mary Fischer, who is also a member of the CNYC board, will help you prepare to cope with every aspect of a possible fire in your cooperative or condominium.

### 204. UNDERSTANDING YOUR CO-OP'S AUDITED FINANCIAL STATEMENT

CPA Michael Esposito 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 #14, it will provide a detailed overview of the financial responsibilities of the co-op Board of Directors.

### 205. ENFORCING THE RULES &

Boards' power to impose rules on their community residents is the quintessential feature of cooperative and condominium living. Unfortunately, the exercise of that power often results in acrimony and costly litigation. Attorney Bruce Cholst will discuss strategies for enforcing the rules while minimizing tension and the prospect of litigation. If litigation is unavoidable, he will also explore boards' powers and legal remedies in compelling compliance with their regulations. Bring along your house rules and horror stories to help make this an informative and interactive discussion.

#### 206. HDFC SALES POLICY ISSUES &

Cooperatives developed under the Housing Development Fund Corporation law often have specific requirements regarding resales. When these are ignored, the cooperative may deviate from its original purpose of providing affordable housing to deserving individuals and families. Attorney Larry McGaughey will discuss the background of HDFC legal requirements, shifting and ambiguous positions by the NYC Dept. of Housing Preservation and Development (HPD), threats of enforcement by HPD and the Attorney General's office and proposed legislative initiatives to amend the HDFC statute. He will provide advice on how HDFC coops can navigate proposed changes while establishing and administering a sound resale policy.

# 207. REASONABLE ACCOMMODATIONS: Ramps, Comfort pets, parking spots, etc. WHAT IS YOUR BUILDING REQUIRED TO DO?

Marc H. Schneider, Esq. will discuss what your board should do when it receives a request for an accommodation or modification of the building based upon a medical necessity. His presentation will analyze the various laws applicable to such requests including the Fair Housing Act, the New York State Human Rights Law and the New York City Human Rights Laws. Mr. Schneider will share advice to help your board avoid lawsuits and discrimination claims. He will discuss what to do when the request is first made; what can and what cannot be asked of the person making the request; the circumstances under which such a request must be granted; and when a request can be denied. He will also discuss who pays for any costs related to compliance with the request. Can a fee be charged for an accommodation? What should the board do if a formal complaint is filed? Is the claim covered by insurance?

### 208. 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 ways to raise money for coops and condos beyond the customary and traditional methods.

### 209. WINDOW ISSUES

Architect Douglas Lister and property manager Neil Davidowitz will review window replacement and repair technologies and board policies on the subject of windows. Many window controversies can be avoided of the board has clear guidelines for residents to use when repairing or replacing windows and air conditioners. The class will include advice on preparing these guidelines. It will also explain the difference between a \$300 replacement window and a \$2000 replacement window and will suggest strategies for replacing or repairing windows in historic buildings.

### 210. BEING 'GREEN': THE NEXT GENERATION

Energy expert Lewis Kwit will lead a discussion of sustainability as it impacts New York cooperatives and condominiums today and in the foreseeable future, with practical advice to help buildings develop their own sustainability portfolio. Technologies that contribute to a sustainable living environment will be presented as will incentives available from State, City and Federal governments for implementing these protocols. Panelists include Cameron Bard of the New York State Energy Research and Development Authority (NYSERDA), Isabelle Silverman, Esq. of the Environmental Defense Fund (EDF) and a representative of the Multi-Family Energy Efficiency Program at Con Edison.

### 211. UNDERSTANDING YOUR KEY CONDO DOCUMENTS

Many condominium unit owners and even some condominium board members do not fully understand the implications and the contents of their governing documents. A clear understanding of the condominium declaration and by-laws is essential for any current or prospective condo board member. Attorneys Steven Sladkus and Jeffrey Reich will walk participants through the provisions of typical condominium documents, providing examples from real life situations to explain the interplay and the importance of these governing documents.

### 212. 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).

### 213. REFINANCING THE COOPERATIVE'S UNDERLYING MORTGAGE

Attorney Theresa Racht will moderate a seminar exploring diverse aspects of refinancing underlying mortgages on cooperative buildings with experts Gregg Winter, David Lipson and Charles Zucker. 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.

### 214. COPING WITH EXTREME HOARDING

People who hoard collect things and fill their homes far beyond reasonable capacity, eventually putting themselves, their neighbors and their buildings at risk. They may have serious difficulty discarding the daily newspaper, junk mail, empty food containers or cartons from internet purchases. Some hoarders bring home other peoples' discards. Others have more pets than they can properly care for. These patterns of accumulating can create fire hazards, offending odors, vermin infestation, squalor, nuisance to neighbors and even structural damage. Hoarders present unique challenges that management and boards need to address. Kristin Bergfeld runs a company that provides services to clear and reorganize apartments, often to clear violations and help the building cope compassionately with a chronic hoarder. Ms Bergfeld is one of the creators of Clutter-Hoarding Scale a Residential Observational Tool which designates levels and categories of hoarders. She will show participants how to assess objectively the severity of the hoarding and its impact on others and will outline useful remedial approaches.

### 215. 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 Patricia Batih 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.

### 216. UNDERSTANDING YOUR HEATING SYSTEM

A clear understanding of how your heating system operates will help you make maximal use of your energy dollars. This workshop will take an in-depth look at the heating plant of buildings of between 20 and 1,000 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.

### V. WHEN LEGISLATION AFFECTS CO-OPS/CONDOS

Lawmakers often impose restrictions on cooperatives and condominiums, or they enact laws that require costly building modifications or complicated filings. But other laws can merit our wholehearted support. CNYC frequently present testimony to help law makers understand how their initiatives affect our members. CNYC also appeals to its members for a 'grass roots' campaign of calls, e-mails and letters to promote a measure or to help modify or defeat a misguided proposal. CNYC Board member James Rheingrover who heads the Action Committee for Reasonable Real Estate Taxes and CNYC's advocate Katie Schwab will review recent legislative and regulatory developments important to CNYC members and will discuss ways to enhance the effectiveness of CNYC's grass roots lobbying efforts.

### W. DETECT & PREVENT 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' effectiveness in controlling management and supervising building personnel.

### X. THE CONFIDENTIALITY OF THE BOARD ROOM

A board member must put personal interest aside when participating in board meetings and must act in the best interest of the cooperative or condominium, yet board members may each have their own opinions on issues that affect them and all the residents of their building. Board members also must strictly preserve the confidentiality of the board room. How does one balance the representative nature of being a board member with the ability to make decisions and run the business of the cooperative or condominium? Attorney Ronald J. Gold will help participants analyze what is meant by preserving the confidentiality of the board room and will examine the types of situations that could make it a challenge to meet this essential responsibility and balancing act. He will also explore ways for the board censure members who breach confidentiality when the equation gets out of proportion.

### Y. WHY YOU NEED AN ENGINEER OR ARCHITECT

An ongoing relationship with an architect or engineer who becomes familiar with your building and its quirks and past history will help streamline renovation projects and will lead to a consistent set of priorities in maintaining and upgrading your cooperative or condominium. Your building will be well served by a qualified expert hired to protect your interests consistently, to write specifications for projects and to oversee the work as it is done. Attorney Alfred Taffae will lead a panel discussion exploring the many reasons cooperatives and condominiums should seek the expertise of an architect or engineer to maximize the life expectancy of their building. Joining him on the panel are architect Dennis Mele, engineer Edward Brzezowski and property manager Gregory J. Carlson who is also executive director of the Federation of New York Housing Cooperatives and Condominiums and president of the New York Association of Realty Managers.

### Z. HDFC WILLS AND ESTATES &

Attorneys Rachel Jaffe, Phillip Onorato and Benjamin Flavin will discuss how family members and the HDFC cooperatives should proceed when a shareholder passes on, including steps that HDFC boards and share-holders can take to avoid having apartments tied up in legal proceedings to settle an estate. Many issues parallel those in conventional cooperatives: Who gets the apartment? Can a board reject an heir? What if maintenance is not being paid? Other issues are unique to HDFCs or to limited equity housing. This class will offer 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.

#### **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 educational experience for home owners in New York housing cooperatives and condominiums and the professionals offering services to these buildings. A roster of information-packed classes 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 32nd Annual HOUSING CONFERENCE is held at Baruch College in Manhattan, with classes on the ninth and fourteenth floors of the NEWMAN VERTICAL CAMPUS at 55 Lexington Avenue (East 24th Street). **Registrants should bring photo ID** to facilitate entrance to the NEWMAN VERTICAL CAMPUS. Once inside, proceed to the FOURTEENTH FLOOR REGISTRATION AREA opposite the elevator to show your name badge and receive a badge holder and Conference Packet. Coats can be checked at this location. Late registrants can pick up tickets in Room 14-280 which is labeled CNYC HEADQUARTERS.

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.

Classes are conducted on floors 14 and 9 of the Newman Vertical Campus, tickets for each class are sent to all pre-registrants; each one indicates both the floor and the room where the class is scheduled.

To register at the Conference, please arrive early as special Security procedures will be necessary. Only checks or cash will be accepted for payment on the day of the Conference.

At the end of the day, there will be a Reception on the FOURTEENTH FLOOR where CNYC Leaders will highlight recent achievements.

### 32ND ANNUAL HOUSING CONFERENCE

### 8:00 AM REGISTRATION and EXHIBITS

★ higher level course 🛕 accounting CPE credit 💠 CLE credit pending 👲 UHAB presentation

**MORNING** — Please select one numbered morning class (1-18) or two consecutive lettered morning classes .

### 9:00 - 12:00**THREE HOUR CLASSES**

- 1. Current Significant Legal Decisions ★ ❖
- 2. Leadership Skills for Presidents Only
- 3. Repairs in a COOPERATIVE ❖
- 4. The Treasurer ▲
- 5. Your Roof & Exterior Walls
- 6. How does York Building Work?
- 7. Board Responsibilities in CONDOS
- 8. Legal Responsibilities of **COOP Boards**
- 9. Reserves ★▲

### 9:15 - 10:45**ONE AND** A HALF HOUR **CLASSES**

- A. Co-op and Condo Terms & Topics
- B. CONDO Financial Issues
- C. The Green Committee: **Enhancing Energy Awareness**
- D. A Lovely Lobby on a Modest Budget
- E. What Should Be In the Minutes?

### 11:00 - 12:00ONE HOUR CLASSES

- F. Committees to Help Run Your Building
- G. The Urban Gardner: Grow Flowers! Grow Food!
- H. Savings Opportunities in Savvy Reading of Utility Bills
- J. Dealing with Construction Defects
- K. Improving Recycling in New York City

### 9:30 - 11:30TWO HOUR CLASSES

- 10. Warning Signs
- 11. CO-OP Admissions Policy & Procedure \*
- 12. New Codes & Rules in NYC
- 13. What to Expect from Your Managing Agent
- 14. Basic Financial Aspects of COOPS
- 15. All About House Rules
- 16. HDFC Transfers and Sales: Affordability in HDFC CO-OPS &
- 17. Coordinating Capital Improvement Projects
- 18. Violations and How and Why to Cure Them &
- 19. Amenities to Enhance Your Building

### **MIDDAY** — Please select one midday class.

### 12:15 – 1:45 ONE AND A HALF HOUR CLASSES

- 101. Why your Attorney Should Review All Contracts
- 102. Limiting Smoking in Co-ops and Condos
- 103. A Green Roof for Your Building
- 104. Property Tax Update
- 105. Controlling Variable Costs.
- 106. HDFC CO-OP Resales: Interviews & Selection ♣
- 107. Insurance Guidelines
- 108. Audits and Retrocommissioning: What is Required?

- 109. Communicating with Shareholders & Unit Owners
- 110. Building Envelope Issues in **POST-WAR Buildings**
- 111. Sublet Issues in NYC COOPERATIVES
- 112. CONDO Unit Financing Challenges
- 113. Treasurers' Forum ★
- 114. Options when Switching from #6 Oil
- 115. Evaluating Board Performance

- 116. Management Transitions
- 117. Renovation Disasters and How to Avoid Them
- 118. Laundry Room Considerations
- 119. Addressing Objectionable Conduct in CONDOS
- 120. Helping Seniors Age in Place: Adventures in Gotham
- 121. Controlling CO-OP Arrears: The L & T Attorney
- 122. Solving Noise Issues: Management Role

### **LUNCH BREAK** — **VISIT EXHIBITS** — You may purchase snacks and box lunches on the Fourteenth Floor.

### **AFTERNOON** — please select one session

#### 1:30 - 4:30 THREE HOUR CLASS

N. Condo Issues for NEW ATTORNEYS �

O. Co-Op Issues for NEW ATTORNEYS \*

#### 2:30 - 4:30 TWO HOUR CLASSES

- 201. Dealing with Difficult Residents
- 202. Shareholder v. Board ★❖
- 203. Fire: Let's be Prepared
- 204. Understanding CO-OP Audited Financial Statements
- 205. Enforcing the Rules ❖
- 206. HDFC Sales Policy Issues &
- 207 Reasonable Accommodations

- 208. Cashing in on Hidden Assets ★
- 209. Window Issues
- 210. Being 'Green': The Next Generation
- 211. Understanding your Key CONDO Documents
- 212. The Budget ▲
- 213. CO-OP Underlying Mortgage Refinancing
- 214. Coping with Extreme Hoarding
- 215. Homeowners Insurance
- 216. Understanding Your Heating System

### 3:00 - 4:30 **ONE AND A HALF HOUR CLASSES**

- V. When Legislation Affects Co-ops & Condos
- W. Detecting & Preventing Fraud & Kickbacks ★▲
- X. Confidentiality of the Board Room
- Y. Why You Need an Engineer of Architect
- Z. HDFC Wills and Estates &

#### BARUCH COLLEGE NEWMAN VERTICAL CAMPUS IS ACCESSIBLE BY PUBLIC TRANSPORTATION

The #6 Lexington Avenue Local stops at East 23rd Street and 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).

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 classes. Registrations will be honored in the order received.

Team registration is encouraged. Each registrant may attend up to four classes, one or two 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, 2012

YOUR NAME BADGE AND A TICKET FOR EACH CLASS YOU HAVE SELECTED 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 CLASS. If a class 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 THOSE NOT TAKING CLASSES TO THE EXHIBIT AREA FROM THE HOURS OF 8:00 AM TO 2:00 PM.

EXHIBIT AREA TICKETS ARE NOT VALID FOR ADMISSION TO CLASSES.

#### Fee Schedule:

CNYC members (1 free) then CNYC subscribers

#### Non-affiliates Just One Class Exhibit Area Only

Exhibit Area Only

### If received by 10/11/12

\$ 60 per person/ 3 for \$150 /addl. @ \$ 50 \$ 85 per person/ 3 for \$240 /addl. @ \$ 80 \$185 per person/ 3 for \$480 /addl. @ \$160 50% of the applicable full day price

\$ 5 per person

### If received by 11/8/12

#### \$ 75 per person/ 3 for \$180 /addl. @ \$ 60 \$110 per person/ 3 for \$270 /addl. @ \$ 90 \$225 per person/ 3 for \$600 /addl. @ \$200 50% of the applicable full day price

### \$ 5 per person

### **At Conference**

\$100 per person \$125 per person \$275 per person 50% full day price

\$ 5 per person

Registration closes on November 8, 2012 so that tickets can be mailed to each registrant.

FULL REFUND ONLY ON CANCELLATIONS RECEIVED IN WRITING BEFORE NOVEMBER 8, 2012

TO REGISTER ONLINE GO TO www.CNYC.coop. CNYC ACCEPTS CREDIT CARD PAYMENT ONLINE ONLY.

PLEASE PLACE RE-AFFIXABLE MAILING LABEL HERE

Sunday, November	11, 2012	L					
Address	CNYC #						
PARTICIPANTS FROI Please print clearly. Attac provide mailing address if Names	SELECT YOUR CLASSES Registrations will be honored in the order receive above and schedule so that you select classes th  Daytime Phone Morning Midday			classes tha			
Email EACH CNY	C MEMBER BUILDI	NG IS		<del></del> .	BE SU	JRE TO L	IST THE
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<b>CONFERENCE FEES</b>	BEFORE 10/11/12	BEFORE 1	1/8/12	AT DOOR			
CNYC MEMBERS	\$ 60 / 3 for \$150 / addl. \$ 50	\$ 75 / 3 for \$	3180 / addl. \$ 60	\$100 each	\$	CN	IYC MEMBERS
CNYC Subscribers	\$ 85 / 3 for \$240 / addl. \$ 80	\$110 / 3 for \$	270 / addl. \$ 90	\$125 each	\$	Su	bscribers
Non-affiliates	\$185 / 3 for \$480 / addl. \$160	\$225 / 3 for \$	600 / addl. \$200	\$275 each	\$	No	n-affiliates
Just one Class	50% applicable full day price	50% applica	ble full day price	50%	\$	On	ie class
Exhibit Area Only	\$ 5 per person	\$ 5 ner ner	son	\$ 5	\$	Fx	hihit Area

Registrations will be honored in the order received. Full refund only on cancellations received in writing by November 8, 2012.

\$ 5 per person

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

**TOTAL ENCLOSED** 

\$ 5 per person