



28th ANNUAL

# HOUSING CONFERENCE

*Sunday November 16, 2008*

*8:00 am - 5:15 pm*

*75 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
- 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 8:45am - 11:45am **TITLES IN GREEN INDICATE NEW TOPIC**

## **A. SIGNIFICANT LEGAL DECISIONS FOR COOPS & CONDOS** ★ ❖

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 WORKSHOP 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. 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 the elevator, the boiler, the 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.

## **D. 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.

## **E. 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 Prisand and Robert Mellina will enumerate and discuss the treasurer's responsibilities, suggesting systems of control and practical, timesaving procedures.

## **F. 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. 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. 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.

## **K. 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.

## **L. 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 Howard Schechter 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.

Cover: *Hell Gate Bridge*, Bob Mueller. Mr. Mueller's artwork has adorned many of CNYC's conference materials over the past seventeen years. This year's cover art is dedicated to Donna Rypkema.

# 1 Hour Seminars 9:15am - 10:15pm

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## P. UNDERSTANDING REVERSE MORTGAGES

Reverse mortgages give senior homeowners a unique opportunity to tap the equity in their homes without incurring the monthly payments of a standard mortgage. Repayment is due only when the owners leave their home. Widely available to owners of private homes and of condominiums, reverse mortgages are now offered to cooperative homeowners by certain lenders. Boards will want to become familiar with this form of borrowing to be able to make informed policy decisions when their approval is requested. At this session, lenders will describe reverse mortgage opportunities and criteria for the board's evaluation of these mortgages will be suggested.

## Q. THE GREEN COMMITTEE

As fuel costs rise and concern about global climate change increases, many cooperatives and condominiums are seeking ways to incorporate 'green' products and practices into their building's maintenance routines and development projects. A Green Committee can help boards come to grips with the new thinking where conserving budgetary dollars is being tied in to conserving planetary resources and quality of life in the building. Board president Renee Serlin has produced documentaries in England on solar and other energy issues and is a freelance writer for HABITAT magazine. She will lead a discussion of issues that a Green Committee can address.

## R. RATS!

Rats are seen far too often on the streets and in the parks of our City. They roam city streets quite boldly at night, sampling the fare in plastic garbage bags that provide little resistance to their incursions. Cooperatives and condominiums have charged staff and management with the challenging task of keeping their buildings safe from these pests. Property manager Ellen Kornfeld will lead a session providing sound advice on ways to protect your building.

## S. EMERGENCY PREPAREDNESS

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 equipments and supplies at the ready. Mary Fischer is an Emergency Room nurse and president of the board of her cooperative. Greg Carlson has been trained in the City's CERT program. He is executive director of the Federation of New York Housing Cooperatives and Condominiums and a management expert. Firefighter Jim Lanza is president of the board of his cooperative. All three are present or former CNYC Board members. Sharing expertise in preparedness and board functioning, they will discuss communications, special meetings and drills for effectively conveying the need to be prepared.

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

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## 1. 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, people who think the Board is their employee. CNYC Board Chairman Stuart Saft, Esq. and property manager Nicki Smith will suggest creative and effective ways to deal with difficult resident.

## 2. ADMISSIONS POLICY & PROCEDURE FOR NEW YORK COOPERATIVES

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 (#221). And Workshop #115 is a opportunity for a detailed review of an Admissions application. 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.

## 3. 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 purchase and sublease application forms, 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.

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

Accountant Charles Zucker will walk participants 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 co-op Board of Directors.

## 5. 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 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.

## 6. 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).

**Morning Workshops Continue ▼**

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

### 7. INTRODUCTION TO LEED

Leadership in Energy and Environmental Design — LEED — for Existing Buildings is a green building rating system for identifying ways to reduce energy use, improve building comfort, implement sustainable operations and reduce the environmental impact of a building. The LEED system can be used as a framework to identify economical changes that will have the greatest impact improving the operations of your building. Retired facilities professional Sheila Sheridan and architect Douglas Lister will introduce the major areas addressed by a LEED survey: energy, indoor environmental quality, water efficiency, materials, and sustainable sites.

### 8. 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 high cost of insurance and will suggest ways a building can maintain appropriate coverage.

### 9. FINANCIAL RESPONSIBILITIES OF CONDOMINIUM BOARDS

Accountant Rick Montanye will review all 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.

### 10. 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.

### 11. WORKING EFFECTIVELY WITH YOUR 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, Michael Badowski, Esq. of the RAB will discuss effective ways to deploy, motivate and, when necessary, discipline building employees. Joining him is Margie Russell, executive director of NYARM, the New York Association of Realty Managers who will provide insights on training staff and suggestions for enhancing performance while also improving employee satisfaction.

## Late Morning Sessions —

## 1 Hour Seminars 10:45am - 11:45pm

Follow your 9:15 Workshop with one of these or begin the day at 10:45.

### W. IS THERE A GREEN ROOF IN YOUR FUTURE?

The State of New York has recently authorized tax incentives for green roof installations. Green roofs capture rain and thus mitigate runoff that would otherwise flood streets and sewers. Properly installed they can insulate the building against the heat of summer and the cold of winter, enabling less use of energy for heating and cooling. And green roofs can be attractive areas where residents can relax. But not every building is suited to green roof installation. In this seminar, Architect Stephen Varone will outline the concerns that must be addressed in deciding whether a building can accommodate a Green Roof, landscape designer Barbara Britton will tell of a rooftop lawn that she has installed and naturalist Michael DiMezza will discuss plantings suitable for a green roof.

### X. COMMITTEES TO HELP RUN YOUR BUILDING

Anyone who has ever 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 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.

### Y. WHY SERVE ON THE BOARD?

The Board is elected to oversee the business affairs of the cooperative or condominium. Each board member is a fiduciary agent pledged to act in the best interest of their cooperative or condominium, to 'serve and protect'. Board service affords privileged, responsible, first-hand involvement, input and decision making. Board members are volunteers who receive no compensation and who devote personal time, labor and effort to address the range of issues involved in managing their homes. CNYC board member Marleen Levi who is president of the board of the cooperative where she lives, will discuss the responsibilities and benefits of board service. This class is for shareholders and unit owners considering board service, for new board members interested in understanding and defining their roles, and for long term board members seeking to reconnect with the rewards of board service.

### Z. ROLE OF THE L & T ATTORNEY

When shareholders and unit owners fail to meet their ongoing obligation to pay maintenance or common charges, a wise board will have a policy in place to push for payment. While a letter from management (or the treasurer) is appropriate in pursuing a one month lapse, it is wrong to let things slide beyond a second month. At this juncture 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 & Tenant in helping cooperatives and condominiums to keep all owners current.

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

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## 101. DEALING WITH COOP/CONDO OWNER DEFAULTS ★

As the economic downturn impacts a wider and wider swath of the nation's industries and people, layoffs and unemployment will increase the pressure on New York cooperatives and condominiums to prepare for the very real possibility that some sponsors, shareholders and unit owners will become unable to meet their obligations. What are the legal, financial, management and insurance issues that the Board should bear in mind in difficult times? What happens if a default occurs? How can the Board be proactive and still be compassionate? Attorney Stuart Saft, who chairs the Board of CNYC, will lead a discussion of various default situations to help prepare Boards to make decisions in the best interest of their condominium or cooperative. He will be joined by experts, including representation from the Attorney General's Office.

## 102. ISSUES FOR NEW CONSTRUCTION COOPS AND CONDOS

Purchasers of units in newly constructed buildings have no opportunity to negotiate the sponsor's offering and do not know what problems exist until after they live in the building for a while. These new owners often face unpleasant surprises in the form of construction defects as they take responsibility for their homes. Oliver Rosengart is an attorney and engineer who, for many years, reviewed offering plans at the Real Estate Finance Bureau of the Office of the Attorney General of the State of New York. He and attorneys Steven Sladkus and Jeffrey Reich will discuss typical problems that arise in new construction cooperatives and will suggest ways of coping.

## 103. SECTION 216 OPPORTUNITIES & CHALLENGES ▲

Effective for tax years ending on or after December 20, 2007, thanks to House Ways & Means Chairman Charlie Rangel, changes were made to the so called '80/20' rule in Section 216 of the Internal Revenue Code. These changes open the door to opportunities for housing cooperatives, while creating some challenges as well. Tax attorney Joel E. Miller and accountant Mark B. Shernicoff will discuss the new legislation.

## 104. EFFECTIVE COMMUNICATIONS BETWEEN BOARD & MANAGEMENT

If boards are to enjoy a successful, productive and professional relationship with their managing agents, they must learn how to work in concert. Essential core components include common understanding, shared goals and active communication (with follow-up). CNYC board members Marleen Levi and Greg Carlson will lead a discussion that focuses on identifying, developing, implementing and adapting work styles that yield result-oriented interaction between board and management. Mr. Carlson is a management professional and executive director of the Federation of New York Housing Cooperatives and Condominiums

## 105. 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 maintenance. It is a vital component of long term plans for maintaining the 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.

## 106. COMBATING RISING ENERGY COSTS ♣

Concerned about the increasing costs for fuel and water? In this workshop UHAB energy specialist Elizabeth Ontaneda and guest expert Wendy Fleischer, the NYC Energy Smart Communities Coordinator for the New York State Energy and Research Development Authority (NYSERDA), will offer tips to lower your building's energy bills while budgeting to anticipate increasing energy costs. The focus will be on the needs of smaller buildings where resident owners may have limited resources.

## 107. RENOVATION DISASTERS & HOW TO AVOID THEM

There are many ways that renovation and construction projects can go awry but Attorney C. Jaye Berger will help you 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 conclude with advice on how to avoid these situations from the outset.

## 108. 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 and internet 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.

## 109. 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.

## 110. PROPERTY TAX FAIRNESS: STILL AN ELUSIVE GOAL ▲

Home owners in New York City cooperatives and condominiums continue to pay more than their fair share of property taxes. The abatement program for home owners in cooperatives and condominiums, which was recently extended thru June of 2012, is a significant first step toward correcting tax inequities, but more is needed. CNYC Board Member James Rheingrover and Tax Certiorari attorney Eric Weiss will lead a discussion of New York City property taxes focused on what can be done to push for a more equitable property tax system.

## 111. DETECTING & 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.

## 112. HDFC RESALE POLICIES ♣

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 purpose of providing affordable housing to deserving individuals and families. Attorney Larry McGaughey will advise HDFC cooperatives about establishing and administering a sound resale policy in perfect conformity with the cooperative's incorporating documents.

## 113. YOUR VOTE COUNTS

Cooperatives and condominiums are self-governing entities. The shareholders or unit owners elect the board which runs the coop or condo until their successors are elected. No shareholder or unit owner should abdicate the important responsibility of being an informed voter. In this workshop, attorney Ronald Gold will explain the many aspects of voting in cooperatives and condominiums — including the use of proxies (and dedicated proxies) the difference between straight voting and cumulative voting, and the power of informed, active shareholders or unit owners to bring change to their buildings.

## Midday Sessions: 1 Hour Seminars 12:30pm - 1:30pm

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### 114. PROCEDURES FOR AMENDING YOUR DOCUMENTS

Major changes in the way your building is run will generally require amendment of the Proprietary Lease or By-laws of a cooperative and the By-laws and perhaps the Declaration of Condominium. These transactions include (but are not limited to) submetering electricity, instituting a transfer fee, adopting a new proprietary lease, or cooperativizing a condominium. A vote of shareholders or unit owners is normally required to implement such changes. Securing approval may not be an easy task. CNYC president, Marc J. Luxemburg will review the legal requirements, and will suggest strategies to implement changes effectively.

### 115. REVIEWING A COOP ADMISSIONS APPLICATION

No cooperative should ever agree to meet prospective purchasers until it has thoroughly reviewed the application and obtained satisfactory answers to any questions that have come up. Attorney Arthur Weinstein will take participants through a typical application for the purchase of shares in a housing cooperative, pointing out warning signs that can be found in different parts of the application. He will provide guidelines for reviewing financial information and will suggest 'talking points' to use when checking references. This class will supplement the morning workshop on Admissions Policy and Procedures (Workshop #2), but it will also stand alone as a valuable review for all board members.

### 116. 21st CENTURY ENERGY MANAGEMENT: A CASE STUDY

Georgetown Mews is a large scatter site cooperative in Queens with a strong board and a strong commitment to energy conservation. Herb Hirschfeld is an engineer who has specialized for more than 30 years in energy management. At Georgetown Mews, he is installing state-of-the-art equipment and instituting systems to maximize energy conservation. Mr. Hirschfeld and Georgetown Mews board president Mary Fischer, who is also a CNYC board member, will describe this innovative program.

### 117. 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.

### 118. GREEN DESIGN SOLUTIONS FOR PUBLIC SPACES

Interior designer Jonathan Baron will offer attractive and practical 'green' design solutions for your lobby, hallways, play rooms and other public spaces, illustrated by views of successful installations. He will answer participants questions about the process of interior design and will provide a guide of green design products.

### 119. ROLE OF THE CORPORATE SECRETARY

Far from simply being a note taker, the secretary of a cooperative or condominium has many vital responsibilities. As keeper of the corporate records, the secretary monitors the building's official history and is the guardian of institutional memory. Can the minute-taking be delegated? What other resources does this important officer oversee? Attorney Jeffrey Schwartz will discuss the diverse aspects of the secretary's role.

### 120. SPREADSHEET BUDGETING FOR SMALL BUILDINGS

Some small self-managed buildings have managed in the past by only casually tracking income and expenses. But with rising expenses necessitating large maintenance increases, and affordability being an issue to shareholders already stretched by high mortgage payments, it has become vital for all cooperatives and condominiums to keep careful track of their funds. In this workshop, management professional Rebecca Poole will provide easy-to-follow spreadsheet templates for tracking income and expenses and will demonstrate how to use them to plan future budgets.

### 121. GREEN CLEANING PRODUCTS

Today, more and more buildings are thinking 'Green', whether it is to address alternative energy sources or, simply to ensure that the cleaning products used in the building will do no harm to the health of building service workers or building residents and their guests. In this session, experts will suggest alternative cleaning products that do their job well with no harm to the environment. Surprisingly, the 'Green' solution will often prove to be the more economical one as well.

## AFTERNOON SESSIONS

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

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### 200. 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 devel-

oped 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.

# AFTERNOON SESSIONS

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

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## **201. ALL ABOUT TRANSFER FEES ('FLIP TAXES')**

'Flip taxes' are an invention of the 1970's as a source of revenue to converting buildings with low "insider prices". A portion of the profit from those residents who bought and quickly 'flipped' at substantial profit 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 discuss these fees in depth, explaining 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.

## **202. BEING GREEN IS NOT A SPECTATOR SPORT**

CNYC Board member J. Reyes-Montblanc will host a discussion of sustainability as it impacts the cooperatives and condominiums featuring energy experts Lewis Kwit and Peter Funk, Jr as well as representatives of the City of New York, the New York State Energy Research and Development Authority (NYSERDA) and Green Building architects. The session will offer practical advice to help buildings develop their own sustainability portfolio, and will present technologies which contribute to a sustainable living environment and incentives available from the State, City and Federal governments for implementing these protocols.

## **203. NEW CODES IN NEW YORK CITY**

The Department of Buildings spent several years reviewing and revising the City Building Code, which took effect July 1, 2008, affecting both new construction and renovations in existing buildings. There have also been changes in the Fire Codes, Elevator Codes and electrical requirements. Gregory J. Carlson will lead a discussion of these new regulations, with a panel of experts including architect Leon Geoxavier and elevator consultant Martin Walsh. Mr. Carlson is a member of the Board of CNYC and is executive director of the Federation of New York Housing Cooperatives & Condominiums.

## **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. 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.

## **206. HOW CAN WE KEEP HDFC HOUSING AFFORDABLE? ♣**

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 35 years to create HDFC housing and to train HDFC home owners to manage their buildings. 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. 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 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.

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

Almost daily issues arise in every cooperative or condominium where an attorney can be helpful. Yet, boards often fail to consult the 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 to 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, questions; 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.

## **209. REFINANCING COOPERATIVE UNDERLYING 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.

**Afternoon Workshops Continue ▼**

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

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### 210. 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 in to 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 Cholst 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.

### 211. 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).

### 212. SHAREHOLDER SURVEYS THAT SUCCEED

Is your board having difficulty prioritizing projects? Do you question the level of support for a proposed policy change? Is there shareholder unrest that you don't understand and therefore have not been successful in addressing? If so, help is at hand. Laurie Pollock is a market research professional who also serves on the board of the cooperative where she lives. She has been extremely successful in creating surveys that 1) give guidance to the board, and 2) de-fuse potentially explosive arguments, and 3) give a feeling of cohesiveness to the previously fractious shareholder population. In this seminar, Ms. Pollack will share her expertise, showing how to identify the right questions, how to execute the survey, analyze the results and publish the findings.

### 213. HOMEOWNERS INSURANCE PROTECTION

Every building resident should carry adequate homeowners insurance. This coverage protects against loss and against costly repairs and also helps soothe 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.

### 214. 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.

### 215. 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.

### 216. 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.

### 217. KEEP YOUR BUILDING GOING FOREVER

If cooperatives and condominiums are to last forever, 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.

## 1 1/2 Hour Seminars 3:00pm - 4:30pm

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### 218. NO SMOKING HERE!

Certain cooperatives and condominiums have made the decision to be smoke-free. They develop and enforce policies with this target in mind. Issues can arise if smokers are in residence when this policy is presented or if owners know that their guests may want to smoke. How will resale value be affected? Are there any discrimination issues to consider? Attorney Stuart M. Saft, who is board chair of CNYC, will provide sound advice about implementing and enforcing a no smoking policy.

### 219. INTRODUCTION TO MEDIATION & ARBITRATION

Mediation and arbitration are conflict resolution processes. 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, formerly, Assistant Attorney General in the Real Estate Finance Division of the Office of the Attorney General of the State of New York. He will describe mediation and arbitration and will offer clear guidelines to help boards resolve problems by these methods.

**Afternoon Workshops Continue ▼**



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

### 220. FINDING SOLUTIONS TOGETHER

After a morning of information-packed workshops and seminars, you may be ready to discuss your problems and share your successes in a forum where others will listen and share the benefit of their experiences. This is NOT a gripe session. Come prepared with a BRIEF explanation of the issue you're hoping to solve; be prepared to help the others in this class as we seek solutions together. Long term board presidents Marleen Levi and Mary Fischer, who are also members of the CNYC board, will facilitate the session.

### 221. 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.

### 222. 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? How can the internet be harnessed for Newsletter distribution? Journalist Lloyd Chrein president of the communications marketing company Chrein.com 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.

### 223. MANAGEMENT TRANSITIONS

Like any other relationship, the one your building has with its management firm can become strained. Open minded discussion may bring solutions to the problems, or you may determine that the relationship cannot be salvaged, and that the board must find new management. But this transition isn'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.

### 224. DARE TO ADDRESS ACCUMULATED DEFICITS

Far too often, boards fearful of shareholder/unit owner wrath, simply will not budget the increases needed to keep their building properly afloat. Instead they invade reserves or bridge shortfalls with last minute assessments. In the long run, this is very detrimental. Darren Newman, CPA will help you prepare to make the difficult decisions necessary to bring your cooperative or condominium back on sound financial footing. It won't be easy, and the process will take time, but the sooner you begin, the sooner the problem can be solved

#### 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 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 28th 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, where Security requires a list of registrants. 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.

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.**

**To register at the Conference, please arrive early as special Security procedures will be necessary.**

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

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

**SUBWAY**

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)

**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 four workshop sessions, 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 13, 2008**

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 10/17/08</b>	<b>If received by 11/13/08</b>	<b>At Conference</b>
CNYC members (1 free) then	\$ 50 per person/ 3 for \$120 /addl. @ \$ 40	\$ 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 13, 2008 so that tickets can be mailed to each registrant.

**FULL REFUND ONLY ON CANCELLATIONS RECEIVED IN WRITING BEFORE NOVEMBER 13, 2008**

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



**28TH ANNUAL HOUSING CONFERENCE**

*Sunday, November 16, 2008*

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 \_\_\_\_\_

Email \_\_\_\_\_

Email \_\_\_\_\_

Email \_\_\_\_\_

**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**

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\_\_\_\_\_

\_\_\_\_\_

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<b>CONFERENCE FEES</b>	<b>BEFORE 10/17/08</b>	<b>BEFORE 11/13/08</b>	<b>AT DOOR</b>	
CNYC MEMBERS	\$ 50 / 3 for \$120 / addl. \$ 40	\$ 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 13, 2008.

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