



Avoiding land grabs - by C. Jaye Berger

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With all the new development work that is being done currently, especially in the five boroughs, buildings need to be more careful than ever that the right areas are being worked on by the right people. For example, during a project involving a portion of the roof, the construction team apparently took an extra amount of space and enclosed it into their project. If the building doesn't say something, there can be a problem with adverse possession. One should make sure that the plans, title insurance and property line information is approved and shared with the team prior to work beginning. If not, buildings must take legal action to avoid adverse possession. This commonly occurs in the rooftop areas because they're so spacious.

Another spacious area are air rights. In today's ever evolving skyscape, many developers are purchasing air rights. Nearby property owners must be vigilant in making sure that some of their property isn't taken over in the process and monitoring it alongside the Department of Buildings. The DOB does not police your area. You have to use the court to help you. No one is policing and counting how far and wide a 27 story addition will be without neighboring buildings' help.

This is where the role of the property manager is of great importance. They're the ones who police what's going on within a building so if a new project is taking over, they're the ones leading the charge to speak up. Make sure all eyes and ears are aware, you see something, say something.

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