



Catching up after the pandemic - by C. Jaye Berger

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C. Jaye Berger

The pandemic has caused a lot of co-ops and condominiums to not embark on repair and maintenance projects unless absolutely necessary.

As buildings consider what they need to do, the first thing is to prioritize what needs to be done and where the money is going to come from to pay for it.

When there are a number of projects that need to be undertaken, there is usually a need for a construction manager because work would be done in different places in the building. The money for this work can come from either an assessment against unit owners or a bank loan by the building.

Some of the work that needs to be done may be controversial because the building and the parties never agreed on who would be responsible for it.

In other words, there might need to be some litigation to establish who should be required to pay. There are also situations where someone did their work on someone else's property and the boundary needs to be established and reset either by agreement or litigation.

Other work such as facade repairs is not discretionary and must be done.

It has also been difficult for some buildings to meet and have the necessary consensus since some people have gone to live elsewhere.

Since we all have heard in the news about partial wall collapses, this is all the more reason this work must be done sooner rather than later.

In one instance, the building has been trying to revise its alteration agreement which has been taking so long that new alterations cannot get started.

Buildings must have attorneys on retainer so that they have people to reach out to confer about these issues. Some buildings leave these issues in the hands of their building supers who may be knowledgeable, but not have the authority to decide bigger issues.

C. Jaye Berger, Esq. is the founder of Law Offices C. Jaye Berger, New York, N.Y.

New York Real Estate Journal - 17 Accord Park Drive #207, Norwell MA 02061 - (781) 878-4540