IMPACT

BUILDING & REALTY NEWS

VOL. 12 NO. 3 SERVING WESTCHESTER AND THE MID-HUDSON REGION JULY / AUG 2013

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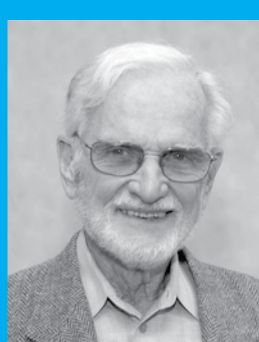
CO-OP CONDO CORNER



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Westchester County Rent Guidelines Board Issues Increases of 3 & 4 Percent for Renewals

By Jeff Hanley, IMPACT Editor

WHITE PLAINS – The Westchester County Rent Guidelines Board recently decided on rent increases for renewal leases affected by the Emergency Tenant Protection Act (ETPA).

Owners and Managers of ETPA properties can offer tenants a 3 percent increase for a One-Year Lease, or a $15 Increase, whichever is greater.

For a Two-Year Lease, Owners and Managers can offer tenants a 4 percent increase, or a $20 Increase, whichever is greater.

The board reached its decisions during its June 26 Deliberation Session at The Westchester County Courthouse in White Plains. The increases affect renewal leases between Oct. 1, 2013 and Sep. 30, 2014.

The guidelines are scheduled to be certified at the board's next meeting in September. The date and location of that meeting will be announced in the weeks ahead, according to officials from the New York Homes and Community Renewal Agency (HCR).

When Heat or Hot Water Are Not Provided

Where the Owner does not provide heat or hot water, the following Guidelines Increases were approved:

- A One-Year Lease Term: 2.4 percent.
- A Two-Year Lease Term: 3.2 percent

No other components, such as a Low-Rent Guideline, were issued by the board.

Vacant Apartments

No additional guidelines—other than The Rent Regulation Reform Act Formula of 1997—were adopted for Vacancy Leases.

The formula for units vacated between Oct. 1, 2013 and Sep. 30, 2014 is as follows:

- In the event of a vacancy, the allowance as stated in the Rent Regulation Reform Act of 1997 is operative. The allowance permits the Legal Regulated Rent for a vacant apartment to be increased by 20 percent for a Two-Year Lease.
- For a One-Year Lease, the allowance calls for 20 percent, less the difference between the One and Two-Year Lease Renewal Guidelines. For the 2013-2014 term, the rent increase would be19 percent (20 percent - 1 percent = 19 percent) for a One-Year Lease.

Continued on page 3

"Source of Income" Now Law in Westchester

WHITE PLAINS – After years of deliberation, disagreement and occasional discord, the Source of Income Legislation for Westchester County was recently signed into law.

The County Board of Legislators approved the proposal at its meeting on June 17. The vote for the approval of the legislation was 15-2. Legislators David Gelfarb (R-Rye Brook) and Michael Smith (R-White Plains) voted against the proposal. County Executive Rob Astorino then signed it into law on June 26.

The legislation bans discrimination against potential renters and home buyers based on their source of income. The legislation that passed is a slightly modified version of the Source of Income Legislation previously vetoed in 2010.

The one modification to the bill was to change a single exemption. In the previous version, a landlord living in and owning a rental property with four or less units and maintaining ownership or part ownership in another property of four or less units would be exempted from the law. The modified Source of Income Legislation now simply exempts landlords and owners of one property of six or less units.

"The exemption for co-ops and condos, which the Building and Realty Institute (BRI) fought for, remains. In ad-

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Co-op and Condo Group to Meet on Sep. 25

By Jeff Hanley, IMPACT Editor

WHITE PLAINS—"A Look at Key Financial Issues Affecting Your Building or Complex – Part II" is the topic of the Sep. 25 Membership Meeting of The Cooperative and Condominium Advi-

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Builder Confidence Rises

SEE STORY ON PAGE 4

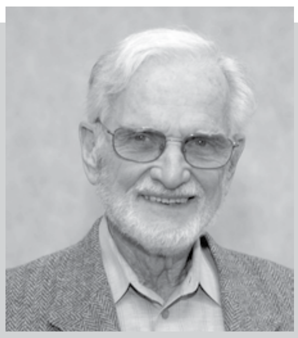
A POSITIVE DIALOGUE WITH CON EDISON

The June 13th General Membership Meeting of The Building and Realty Institute (BRI) featured a panel of representatives from Con Edison. The panel reviewed issues of concern to members of the building, realty and construction industry. Pictured during the event are, from left to right: Pat Reilly, panelist; Michael Beldotti, president, BRI; Orlando Alves, panelist; Andres A. Velez, panelist; and J. Mark Drexel, Con Edison's liaison to the BRI. More than 60 BRI members attended the event at The Crowne Plaza Hotel in White Plains.

Photo by Myron Marcus

CO-OP CONDO CORNER

By HERB ROSE



Thoughts on Money Matters For Board Members

NEW YORK—Money isn't everything, but it is way ahead of whatever is second best.

Whatever your aims or politics, you can hardly accomplish anything unless you can pay for it. Even with this in mind, co-op and condo buildings pay for many expenses more than once, fail to take refunds for overpaid taxes, and often are victimized by unscrupulous predators.

Before you start to organize your finances, how much money does your building have? This amount can be determined in a minute or two. At year-end, the building gets a certified financial statement that has many pages and amounts. Only three of these are of immediate importance:

1) Cash and "Equivalents On-Hand" (be sure to include the Reserve Fund);
2) Accounts Payable;
3) Accounts Receivable.

Deduct Accounts Payable from Cash and Equivalents and that is how much money you had on December 31! This can be done on a monthly basis by taking the balance(s) from the bank statement(s) and deducting the bills payable at that time. Daily balances are available on-line. Deduct payables from the bank statement(s).

Access your bank account, personal or business, in real time, and you have an instant statement. Many people pay their bills, automatically receive funds and have records of payments made. Actually, you are privy to an instant bank statement!

A Story

A prime example of unreality was a Co-op Financial Annual Statement that listed a reserve account of $150,000 and due unpaid bills of $105,000. The net result is a reserve fund of $45,000! Unpaid Bills (Accounts Receivable) are an expensive deception. Using these funds as Operating Accounts can result in overcharges by vendors since businesses who are competitive expect to be paid promptly. In addition, some bills, such as Oil Delivery, often offer discounts which cannot be taken by late payers.

Accounts Receivable older than 30 days are a serious problem, since the burden of payment falls on the up-to-date payers. When this figure exceeds five percent of the yearly maintenance, it should send up "a red flag" indicating lax collection procedures.

Co-ops have many collection remedies, but this process is more complicated for Condos. Co-op units are subject to a "super lien" which must be satisfied before the unit can be sold. Condo units do not have this lien obligation and a Condo board must sue and/or obtain a lien against the unit to insure payment.

Under certain circumstances, a condo unit can be sold without paying the outstanding Common Charges. The Condo's board/management may not have even been notified!

In both cases, notification of the unit lender will help in securing payment. Occasionally, a lender will pay Maintenance Overdue and/or Maintenance/Common Charges to avoid foreclosure. Board and management should aggressively pursue this business necessity.

Obligations

Practically all board members are technically "non-professionals" who have professional obligations to their board. State law prohibits payment for board participation in Co-ops and Condos. Despite these limitations, most boards do a rather capable job.

Water damage of the interior walls is a perennial problem that can be expensive and daunting to remedy. Leading causes of this recurring difficulty are leaking window sills and/or lintels, water leaking through brick work and mortar, and water penetrating roof parapets and gradually penetrating walls lower down. Winter's freeze and thaw expand and break the brick work, as well.

A large (300-plus) unit development solved this problem in a most efficient way by first hiring an engineer to assess the problem and letting the work by comparing contractor offers. Board members became temporary experts and came to a successful conclusion ($200,000).

Up to this point we have discussed a little bit of everything, but you must remember this: a well maintained property is worth far more than a rundown edifice. In addition, occupants enjoy the use of a better place, so don't evade repairs or renovations. Costs continually rise, so to keep maximum value, you have to pay up.

Get "the most for money," collect it all and spend wisely. Boards have the potential to get maximum value for their money with due diligence and the most efficient use of funds.

You must remember this: a well-maintained property is worth far more than a rundown edifice. In addition, occupants enjoy the use of a better place, so don't evade repairs or renovations. Costs continually rise, so to keep maximum value, you have to pay up!

Herb's Hints

1) Use blinds and/or curtains to cut air conditioning expenses.

2) According to Con Edison, each degree you raise your air conditioning thermostat above 70 degrees will save you 6 percent.

Editor's Note: Herb Rose is a co-op and condo consultant. He is also a member of the Board of Directors of The Co-operative and Condominium Advisory Council of Westchester and The Mid-Hudson Region (CCAC). To reach the CCAC, call (914) 273-0730. Rose can be reached at hrose47563@aol.com.

An Example of How Participation Can Produce Positives

THE HANLEY REPORT

By JEFF HANLEY
Associate Director, Building and Realty Institute (BRI) / IMPACT Editor

WHITE PLAINS – Kudos.

The term is defined by Farlex, The On-Line Dictionary, as acclaim or praise for exceptional achievement. That definition can most definitely be used to illustrate the recent efforts of some members of The Apartment Owners Advisory Council (AOAC).

Those AOAC members listened to the pleas from the staff of the AOAC and The Building and Realty Institute (BRI) and turned out in impressive numbers at the recent Public Hearings and Deliberation Sessions of The Westchester County Rent Guidelines Board.

In the weeks prior to the Public Hearings and Deliberations, the AOAC/BRI staff consistently urged AOAC members to participate in the events as speakers and representatives of the building and realty industry. Our staff emphasized that strong participation from the AOAC usually makes a good impression on the Guidelines Board. In turn, staff consistently said, that impression can help to produce a positive outcome for the industry.

And that is exactly what happened.

The Guidelines Board, at its June 26 Deliberation Session, issued rent increases of 3 percent for a One-Year Lease Renewal and 4 percent for a Two-Year Lease Renewal, as well as options for both scenarios. More than 40 AOAC members observed the process at The Westchester County Courthouse in White Plains while serving their association in a definitive show of solidarity. A full report on the process is featured on page one of this issue.

So, a series of kudos are passed from our staff to the AOAC/BRI members who participated in the process and listened to our call for action. Your participation made a definite difference!

Other topics covered in this edition include:

- A Full Page Photo Montage of the Public Hearings and Deliberations of the Guidelines Board.
- A Page One Report on the "Source of Income" proposal being signed into law in Westchester County.
- A report in Co-op and Condo Corner on money matters for board members. Herb Rose authored the piece.
- A summary in Tech Talk on useful Web Sites. Andrea Wagner wrote the report.
- A story in Insurance Insights by Levitt-Fuirst Associates, insurance manager for the BRI, on Insurance Recommendations, Requirements and Compliance. Jason Schiciano and Ken Fuirst, co-presidents of Levitt-Fuirst Associates, wrote the analysis.
- A report from The National Association of The Remodeling Industry (NARI) on how remodelers are seeing noteworthy increases in work levels.
- A full page Photo Montage of the July 18 Clambake/Barbecue of the BRI.

Enjoy the issue – and the rest your summer.

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Rent Guidelines Board Issues Increases

Continued from page 1

If a unit was occupied eight years or more, an additional increase of 0.6 percent per year is allowed. For example, a unit occupied for 10 years can be increased 26 percent (20 percent, plus .6 percent x 10 years = 26 percent) in the event of a Two-Year Lease.

The Realty Industry's Strong Participation Was a Factor

"We thank the many AOAC members who issued testimony at the Public Hearings of The Guidelines Board, as well as those many members who joined us at the June 26th Deliberation Session as representatives of the building and realty industry," said Carmelo Milio, chairman of The Apartment Owners Advisory Council (AOAC). "The participation of our members was very important. We feel it played a major factor in the positive outcome that we achieved."

Milio also thanked Ken Finger and Carol Kope, the owner representatives on the Guidelines Board, for what he termed as their strong efforts during the Public Hearings and Deliberations.

AOAC members with any comments or questions can call the AOAC offices at (914) 273-0730, association officials said.

The AOAC is a realty industry membership organization. The association, an affiliate of The Building and Realty Institute of Westchester and the Mid-Hudson Region (BRI), is composed of more than 300 Owners and Managers of rental apartment buildings and complexes. Those Owners and Managers are responsible for approximately 20,000 units, association officials said.

"Source of Income" Now Law in Westchester

Continued from page 1

dition, the law allows landlords to use reasonable business judgment and level of income in evaluating potential tenants. The legislation will sunset in five years, unless it is reenacted. It includes a 180-day phase-in period," said Albert Annunziata, executive director of the BRI.

"The BRI and its apartment industry affiliate, the Apartment Owners Advisory Council (AOAC), are now committed to informing and educating our members—and the rental industry at large—on the requirements of the new law," added Carmelo Milio, chairman of the AOAC.

To that end, BRI/AOAC officials said that the associations will be working with their Chief Counsel, Kenneth J. Finger, and the law firm of Finger and Finger, P.C. of White Plains, in conducting educational seminars on the new law in the weeks ahead.

Further information can be obtained by calling the BRI/AOAC at (914) 273-0730.

—AN IMPACT Staff Report

Co-op and Condo Group to Meet on Sept. 25

Continued from page 1

sory Council (CCAC).

The seminar will continue the finance program from the May 22 membership meeting of the CCAC, association officials recently announced. It is scheduled to begin at 6:30 p.m. at The Crowne Plaza Hotel in White Plains.

The following topics are scheduled to be covered at the conference:

- Current scenarios regarding Underlying Mortgages.
- Re-Fi Situations for Buildings/Complexes, etc.
- A review of issues related to Condo Financing.

Barry Korn, managing director of Barrett Capital Corporation, is a scheduled panel member. Barrett Capital Corporation is a member of the Building and Realty Institute (BRI).

Other scheduled speakers include John Naclerio of Bank of America, a BRI member. CCAC officials said that full details on the panel and the event will soon be released.

"Our May 22 meeting covered understanding and reviewing audited financial statements, the investing of co-op and condo funds and available options, as well as financial issues and your insurance, so the agenda for Sep. 25 is giving us a well-rounded, two-part program," said Diana Virrill, CCAC chair. "We urge our members to attend this meeting. It will be very, very informative."

CCAC and BRI members wishing to make advance reservations may do so by calling (914) 273-0730. Reservations are also being accepted at jeff@buildersinstitute.org.

The CCAC is a realty industry membership organization. The association is composed of more than 400 co-ops and condos. Meetings, Seminars, Group Insurance, Referral Services, Lobbying Services, Publications and Bulletin Services are among the membership benefits of the association. Founded in 1979, the CCAC is an affiliate of the BRI.

ACMA MEETS – The Advisory Council of Managing Agents (ACMA) held its Spring Membership Meeting on June 5. Pictured during the event at The Crowne Plaza Hotel in White Plains are, from left to right, ACMA Members John Holzinger; John Bonito (vice chair); Jay Mendel; and Kathleen Masson. ACMA, an affiliate organization of The Building and Realty Institute (BRI), is composed of property managers of co-ops, condos and apartment rental buildings. *Photo by Myron Marcus*

THE AOAC SPEAKS – Representatives of The Apartment Owners Advisory Council (AOAC) testified at a June 10 Public Hearing of The New York Homes and Community Renewal Agency (HCR) on proposed changes to New York State's Rent Stabilization Regulations. Pictured speaking during the hearing is AOAC Member Brigite Rocha. Rocha is with DeRosa Builders of White Plains. *Photo by Jeff Hanley*

CCAC MEETING FOCUSES ON FINANCES - "A Look at Key Financial Issues Affecting Your Building or Complex" was the topic of the May 22 Membership Meeting of The Cooperative and Condominium Advisory Council (CCAC). More than 50 CCAC members attended the conference at The Crowne Plaza Hotel in White Plains. Pictured during the event are, from left to right, Jane Curtis, vice chair, CCAC; Jeffrey Chin (speaker), Merrill Lynch; Diana Virrill, CCAC chair; John Naclerio, Bank of America and a member of The Building and Realty Institute (BRI); and Dan Sirota, Merrill Lynch. Mindy Eisenberg Stark, CPA, and Jason Schiciano, Levitt-Fuirst Associates, the Insurance Manager for the CCAC/BRI, were also speakers. Carl Finger, Esq., of Finger and Finger, chief counsel to the CCAC/BRI, was a co-coordinator of the meeting. *Photo by Myron Marcus*

Study: Remodelers Continuing to See Increases in Business

DES PLAINES, Ill.—The National Association of the Remodeling Industry's (NARI's) second-quarter Remodeling Business Pulse (RBP) data of current and future remodeling business conditions continues to soar, association officials recently announced.

The report said that quarter-over-quarter increases are seen in nearly all sub-components measuring remodeling activity.

Deep into the "remodeling season," the study said, remodelers are reporting the highest overall rating on overall business conditions at 6.31, up from 5.97 reported during the first quarter. The rating has steadily increased in the six quarters NARI has been tracking thus far, the report added.

"This summer, many companies entered the summer with a backlog of jobs, which is something most haven't seen in the past few years," said Tom O'Grady, chairman of NARI's Strategic Planning & Research Committee. "What's also positive is that the inquiries and bid requests are still steady, which provides some more market stability for remodelers."

Key Facts

Growth indicators in the second quarter of 2013 highlighted in the report are as follows:

- Current business conditions up 5.7 percent since last quarter;
- The number of inquiries up 4.7 percent since last quarter;
- The number of requests for bids up 3.3 percent since last quarter;
- The conversion of bids to jobs up 4.6 percent since last quarter;
- The value of jobs sold is up 5.9 percent since last quarter.

The report said that the trend is expected to continue, as remodelers predict that three months out, their sales will be as strong as they are now.

The number one and two reasons for growth continues to be the postponement of projects (up 5 percent at 87 percent) and the improvement of home prices (up 6 percent to 65 percent), but economic growth has moved into the number 3 reason for growth, at 49 percent (up 7 percent), according to the report.

"As consumer confidence has increased, so has the confidence of the remodeling community," O'Grady said. "It appears that everyone has finally settled into this 'new normal' economic picture, and more bids are turning into remodeling projects, and at higher price points."

Other significant contributors to overall activity cited in the report are:

- The certainty about the future was reported by 47 percent of respondents;
- The Low Interest Rates Factor was reported by 35 percent of respondents (its lowest rating in three quarters);
- The growth in the stock market was reported by 37 percent of respondents.

"One of the things we saw from the comments of the second-quarter RBP is that many homes were impacted by disasters in the past three months - from the storms along the East Coast, tornadoes in Oklahoma and the explosion in Texas," O'Grady said. "Remodelers in those areas are involved in the clean-up, and that's impacting their businesses."

Those interested in reviewing the research in its entirety may send their requests to marketing@nari.org.

NARI is the only trade association dedicated solely to the remodeling industry. The organization, which represents 7,000 member companies nationwide, is composed of 63,000 remodeling contractors. It is known as "The Voice of the Remodeling Industry," association officials said.

NAHB Report: Builder Confidence Rises Six Points in July

WASHINGTON, D.C.—Builder confidence in the market for newly built, single family homes rose six points to 57 on the National Association of Home Builders (NAHB)/Wells Fargo Housing Market Index (HMI) for July.

The index was released on Jul. 16. Report officials said that it is the index's third consecutive monthly gain and its strongest reading since Jan. of 2006.

"The report is particularly encouraging in that it shows improvement in builder confidence across every region, as well as solid gains in current sales conditions, the traffic of prospective buyers and sales expectations for the next six months," said NAHB Chairman Rick Judson.

Judson, however, cautioned that "this positive momentum could be disrupted by threats on the policy side, particularly with regard to the mortgage interest deduction and federal support for the housing finance system."

"Builders are seeing more motivated buyers coming through their doors as the inventory of existing homes for sale continues to tighten," said NAHB Chief Economist David Crowe. "Meanwhile, as the infrastructure that supplies home building returns, some previously skyrocketing building material costs have begun to soften."

Derived from a monthly survey that NAHB has been conducting for 25 years, the NAHB/Wells Fargo Housing Market Index gauges builder perceptions of current single family home sales and sales expectations for the next six months as "good," "fair" or "poor."

The survey also asks builders to rate the traffic of prospective buyers as "high to very high," "average" or "low to very low." Scores from each component are then used to calculate a seasonally adjusted index where any number over 50 indicates that more builders view conditions as good than poor, study officials said.

Positives

All three HMI components posted gains in July, according to the report. The component gauging current sales conditions rose five points to 60 – its highest level since early 2006. Meanwhile, the component gauging sales expectations in the next six months gained seven points to 67.

The component gauging the traffic of prospective buyers rose five points to 45, marking the strongest readings for each since late 2005.

All four regions also posted gains in their HMI scores' three-month moving averages. The Northeast showed a four-point gain to 40, while the Midwest reported an eight-point gain to 54. The South posted a five-point gain to 50 and the West measured a three-point gain to 51, according to the report.

The NAHB/Wells Fargo Housing Market Index is strictly the product of NAHB Economics. It is not seen or influenced by any outside party prior to being released to the public, spokesmen said.

HMI tables can be found at nahb.org/hmi. More information on housing statistics is also available at housingeconomics.com.

Study: New Home Sales Jump 8.3 Percent in June

WASHINGTON, D.C.—Sales of newly built, single family homes surged 8.3 percent to a seasonally adjusted, annual rate of 497,000 units in June, their fastest pace in the last five years, according to data recently released by the Department of Housing and Urban Development (HUD) and the U.S. Census Bureau.

The data was analyzed by The National Association of Home Builders (NAHB) and then released as a building and realty industry study. "New home buyers are returning to the market in larger numbers as firming prices, shrinking inventories of homes for sale and improving local economies convince them that now is the time to make their move," said Rick Judson, chairman of NAHB. "Meanwhile, the very low supply of new homes on the market is indicative of the difficulty that builders are having in keeping up with demand due to availability issues with regard to materials, credit, labor and lots for development." "The takeaway from this report is that the housing recovery is solidly on track and isn't going to be derailed by slightly higher mortgage rates," said NAHB Chief Economist David Crowe. "After years of fence-sitting, buyers are back and are ready to move forward with an investment in homeownership."

Looking ahead, Crowe said that he anticipates further, though more incremental gains in sales through the end of the year.

Specifics

The report said that three out of four regions saw solid gains in new home sales activity in June, with the Northeast, South and West posting increases of 18.5 percent, 10.9 percent and 13.8 percent, respectively.

The Midwest posted an 11.8 percent decline following an above-trend bump in activity in May, the study added. The inventory of new homes for sale declined to 161,000 units in June, marking a razor-thin, 3.9-month supply at the current sales pace. The months' supply of homes for sale has not fallen below this level since March of 2004, according to the report.

A Look at Issues Involving Ancillary Services

COUNSELS' CORNER

By Kenneth J. Finger, Esq.,
Carl L. Finger, Esq., and
Daniel S. Finger, Esq.
Finger & Finger, Chief Counsel,
Building & Realty Institute (BRI)

WHITE PLAINS—In the days when there is some difficulty renting apartments, or alternatively, keeping good tenants, or even in providing amenities in the building, landlords frequently offer inducements to tenants.

These can be of a variety, but the within comments will have to do with "parking" in an Emergency Tenant Protection Act (ETPA) community/building /apartment.

As every landlord and tenant knows, a parking space is a valuable commodity. It can be a space attached to a lease with the rent for the space included in the base rent, there can be a separate lease for the space, or it can be given on a temporary basis.

Generally, when a parking space is given as part of the lease, it is given to the tenant with the same conditions and caveats as the regular lease and rental. In other words, the rent increase for the space has to be with the same guidelines as exist for the apartment.

A Recent Scenario

In a recent case handled by this office, an owner client almost was subject to the cliché of "no good deed goes unpunished." Factually, as a familial accommodation, a tenant—let's call him Amos—was rented an apartment with a parking space included in the rent.

Thereafter, Amos was rented another parking space at a market rent. Years later, Amos came into possession of a third car and wanted a third parking space. Insofar as the policy of this landlord was to only provide a maximum of two parking spaces—and then only to tenants of two-bedroom apartments—the landlord was hesitant.

However, again, to accommodate this family relation, the landlord agreed to allow Amos the limited use (evenings only) of a third parking space, but only on a "month-to-month" basis, with the understanding that when the landlord needed the space for other tenants, it would be surrendered.

Amos' wife (on his behalf) signed a month-to-month application for the space and then used it until the Landlord advised that he wanted the space back. Amos at first agreed and then balked, arguing that under the Rent Stabilization Law (although this was an ETPA community) that the space became an "ancillary" or "essential" service once given to him and could not be taken back without a reduction in rent for loss of services. He filed a complaint with the Division of Housing and Community Renewal (now known as The New York State Homes and Community Renewal Agency, HCR) for loss of services. On the local level, DHCR found in his favor and directed a reduction in rent and the return of the third parking space.

The tenant claimed that as an ancillary service, the owner must continue to maintain the services as a matter of law until DHCR or the Court decided to the contrary. DHCR looked to "consistent DHCR policy … that a landlord may become obligated to continue furnishing services which it begins furnishing on the base date, or at some point subsequent thereto, related to the use of an apartment but not directly applicable to the apartment itself."

The "PAR Process"

The Landlord brought a Petition for Administrative Review ("PAR") which is the statutory procedure for challenging an unfavorable DHCR ruling, claiming that (1) the space was only rented on a month-to-month basis; (2) the space was "temporary;" (3) the statute / rules / regulations were different for New York City and Westchester; (4) the landlord's policy was to rent one space for a one-bedroom apartment and two spaces for two-and –three-bedroom apartments, and (5) this would deny other tenants the use of a parking space, albeit a limited use, while indulging Amos' desire to keep his third vehicle with a parking space.

In a detailed and well-reasoned decision, DHCR found that the use of this third parking space was only "temporary" and the landlord was within its rights and not violating the law by requiring that the space be returned. (In a lawsuit started by the tenant for virtually the same relief demanding the return of the third space, the Supreme Court also found in the Owner's favor, stating that this was a "month-to-month" parking arrangement).

DHCR looked to, among other things, the fact that the application was "month-to-month," the service was not included in the apartment rent; there was a limitation on the use of the space for evenings only; and, in this situation, the space was actually outside the building and used for visitors during the day.

While it is not known which, if any of those factors, or the combination of same was determinative, it is clear that the most significant factor was that the space was taken as a "month-to-month" space and the Owner's policy as to limitation of the number of spaces was also an important factor.

Therefore, DHCR found that "the owner's decision to remove the parking space from the tenant's use did not constitute a decrease in ancillary services warranting a rent reduction."

Caution Is Urged

We believe that this case is a significant victory for the Owner in the DHCR recognition of the care that the Owner took herein in assuring that the application was "month-to-month," that the use of the space was temporary and that it conformed with the policy of the Owner in its assignment of spaces. We suggest that all Owners dealing in an ETPA (and RSL) environment be very careful when adding services that are not necessarily attendant to the use of the apartment, such as parking, pool, storage, use of roof, etc.

Appropriate documentation must be prepared with advice of counsel and signed by the Tenant and Owner before utilization of the particular amenity is commenced. Avoid having a disastrous and unnecessary result by some careful forethought and documentation.

Editor's Note: The authors are with Finger and Finger, A Professional Corporation. The firm is Chief Counsel to The Building and Realty Institute of Westchester and The Mid-Hudson Region (BRI). Finger and Finger is based in White Plains.

AOAC Testifies Before Rent Guidelines Board

By Jeff Hanley, IMPACT Editor

WHITE PLAINS – Representatives of The Apartment Owners Advisory Council (AOAC) recently testified at the Public Hearings of The Westchester County Rent Guidelines Board.

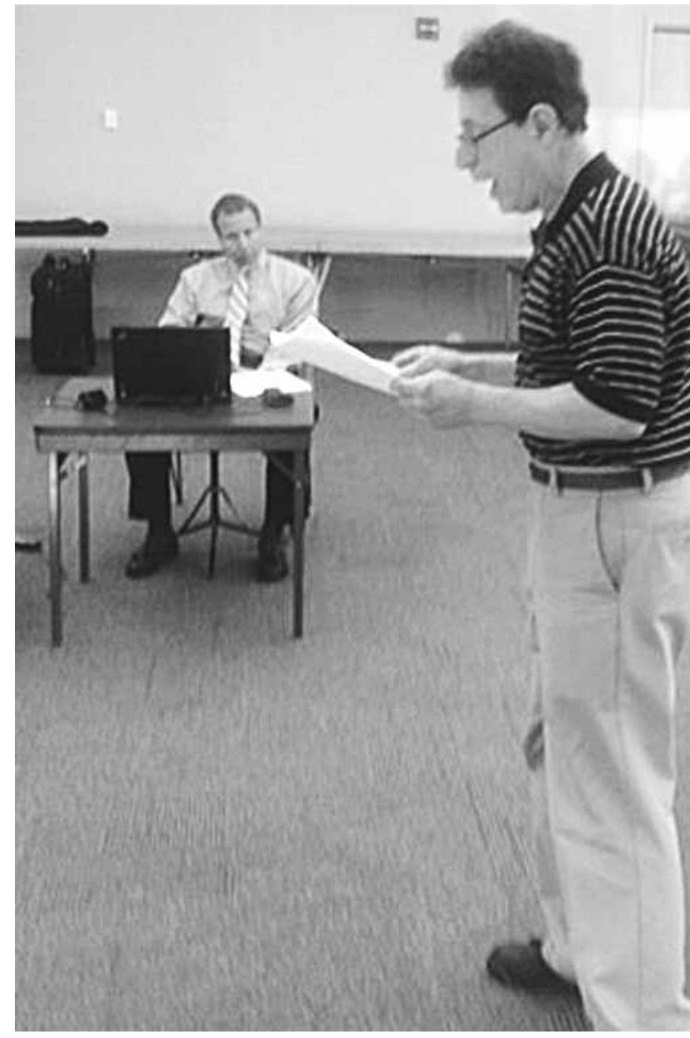
The board held the hearings in Mount Vernon (Jun. 10), Yonkers (Jun. 11) and White Plains (Jun. 17). The board, during its Jun. 26 Deliberation Session at The Westchester County Courthouse in White Plains, approved the following Guideline Increases for Renewal Leases between October 1, 2013 and September 30, 2014:

- A 1-Year Lease Term: 3 percent, or a $15 increase, whichever is greater;
- A 2-Year Lease Term: 4 percent, or a $20 increase, whichever is greater.

A photo montage of the hearings is below. A full report on the guidelines process is on page one.

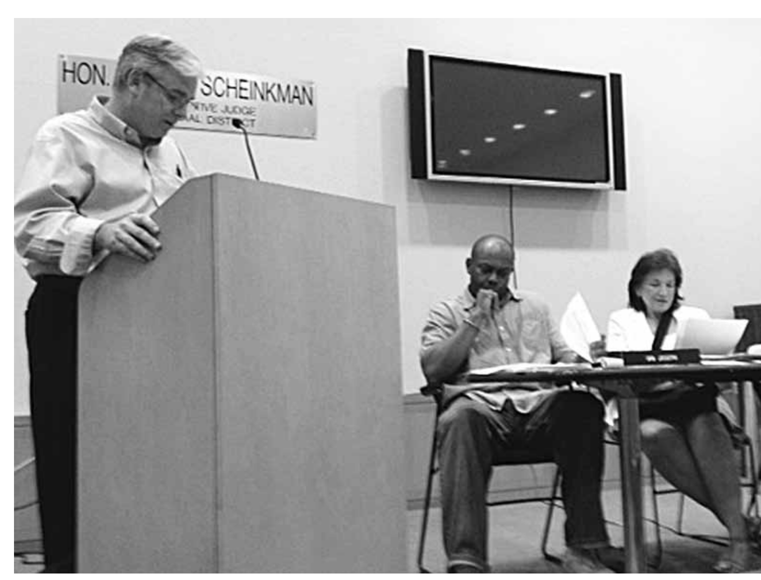
Photos by Jeff Hanley

Howie Ravikoff, a board member of The Apartment Owners Advisory Council (AOAC), spoke at the June 11th Public Hearing of The Westchester County Rent Guidelines Board in Yonkers. Ravikoff stressed the need for a Low-Rent Surcharge.



Silvio Solari, a longtime member of The Apartment Owners Advisory Council (AOAC), is pictured while speaking during the Yonkers Public Hearing of The Westchester County Rent Guidelines Board on Jun. 11. Solari stressed the many negatives facing small Owners and Managers in the county.

Jim Lanfranchi, a member of The Building and Realty Institute (BRI), is pictured at the podium while addressing members of The Westchester County Rent Guidelines Board at its June 17 Public Hearing in White Plains. Lanfranchi stressed that certain components of Rent Stabilization eventually produce negatives for the general public, including owners of single family homes.



Jerry Houlihan, vice chair of The Apartment Owners Advisory Council (AOAC), delivered a presentation on the continuing increases in local property taxes to members of The Westchester County Rent Guidelines Board at its Jun. 17 Public Hearing in White Plains. Houlihan, pictured at the podium, noted that the increases produce consistent challenges for Owners and Managers of Emergency Tenant Protection Act (ETPA) properties.

Lisa DeRosa, a board member of The Apartment Owners Advisory Council (AOAC), is pictured at the podium while answering questions from The Westchester County Rent Guidelines Board during the board's June 17 Public Hearing in White Plains. DeRosa reviewed a series of negative factors affecting Owners and Managers in the county.

The Overall Realty Industry Presentation of The Apartment Owners Advisory Council (AOAC) before the Westchester County Rent Guidelines Board was delivered by AOAC Chairman Carmelo Milio. Milio presented the summary to the board at its Jun. 17 Public Hearing in White Plains. Milio is pictured at the podium during his presentation.

BRI Sponsors Summer Clambake & Barbecue

By Jeff Hanley, IMPACT Editor

MONTROSE – More than 60 Building and Realty Institute (BRI) members attended the association's July 18 Clambake/Barbecue.

The event, held at the Kolping-on-Hudson in Montrose, featured a full range of traditional Clambake and Barbecue menu items. BRI officials termed the event as a huge success.

"Despite uncomfortable temperatures that soared close to 100 degrees, the feedback from our membership was very, very positive," said Michael Beldotti, president of the BRI. "We were very happy with the comments we received."

Albert Annunziata, executive director of the BRI, said that non-members in attendance also praised the event while having the opportunity to learn more about the association.

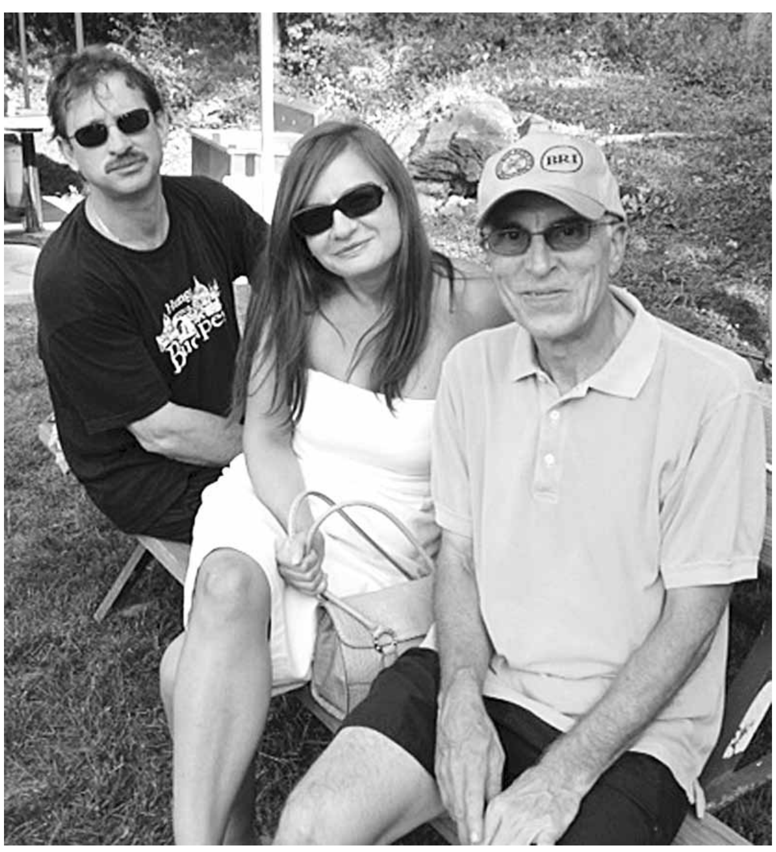
"We are continuing our efforts to develop new services and events for our membership, while showing non-members the benefits of membership in our organization," he said. "We feel this event was an example of our consistent efforts to enhance our membership services and show non-members how membership in the BRI can be so very valuable."

Beldotti and Brett La Rocque, a BRI board member, served as co-chairmen of the event. Hillary Sheperd, a BRI member and a member of the association's Membership Committee, assisted Beldotti and LaRocque.

A photo montage of the occasion is featured below.

Photos by Jeff Hanley

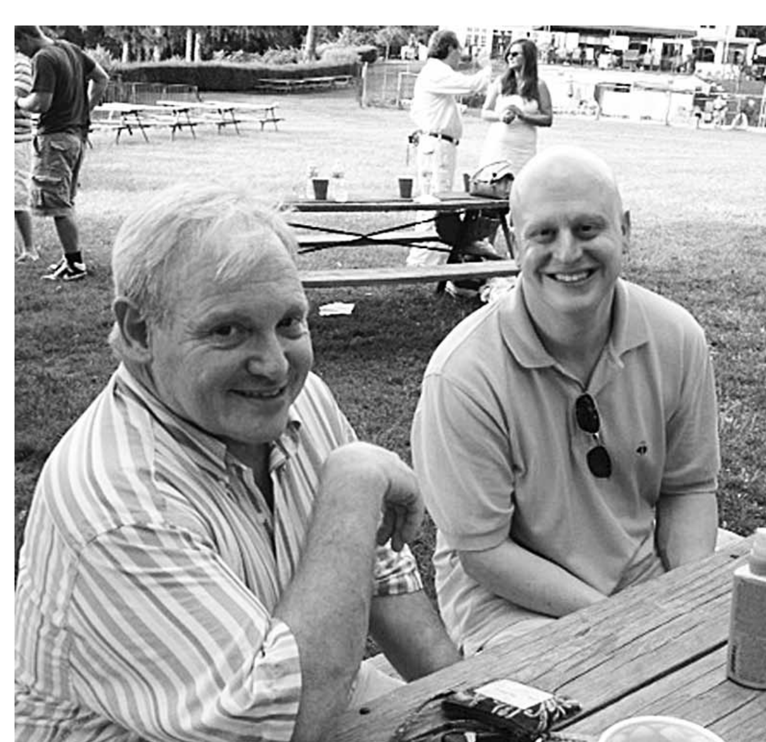
A full range of Clambake and Barbecue menu items were available for participants. Pictured during the dinner portion of the event are, from left to right, Brett LaRocque, Building and Realty Institute (BRI) member and event co-chairman; Mike Beldotti, BRI president and event co-chairman; Lila Beldotti; and Alex Beldotti, BRI member.



Pictured moments before dinner are, from left to right, Bob Lupica, JP McHale, Building and Realty Institute (BRI) member; Michele Lavarde, board member, Cooperative and Condominium Advisory Council (CCAC); and John Bonito, vice chairman, Advisory Council of Managing Agents (ACMA).

Peg Conover (left) and Pat Kinsey, board members of The Cooperative and Condominium Advisory Council (CCAC), are pictured during the dinner portion of the event.

Pictured during the opening portion of the event are, from left to right, Jim Lanfranchi, Building and Realty Institute (BRI) member; Anthony J. Calbi, Marks Paneth & Shron; and Bruce Davison, BRI member. Lanfranchi and Davison are with Webster Bank.



Pictured in the main picnic area are Bruce Desmond (left), Building and Realty Institute (BRI) member, and Marc Sheridan, Esq., a guest of Desmond.

Construction Compensation Group Reports a 30% Dividend; Real Estate Group Announces a 20 Percent Dividend

By Jeff Hanley, IMPACT Editor

YONKERS—New York State Workers Compensation Group 458 – the compensation insurance group for The Builders Institute (BI) – recently announced a 30 percent dividend for the policy year ending June 29, 2012.

The dividend was announced at the group's Annual Meeting on May 30 at the offices of Component Assembly Systems in Pelham. The dividend is in addition to the maximum 25 percent advance discount that group members are eligible to receive. Officials from Levitt-Fuirst Associates Ltd., manager of Group 458, made the announcement. Officials added that the group has now had 60 consecutive years of dividends.

The Dividend of Group 530

New York State Workers Compensation Group 530—the compensation insurance group for The Cooperative and Condominium Advisory Council (CCAC), The Apartment Owners Advisory Council (AOAC) and The Advisory Council of Managing Agents (ACMA) of The Building and Realty Institute (BRI) – recently announced a 20 percent dividend for the policy year ending June 1, 2012. The dividend is in addition to the maximum 20 percent upfront discount.

The announcement was made at the group's Annual Meeting on Apr. 18 at the offices of Group Manager Levitt-Fuirst Associates, Ltd. More than 500 cooperatives, condominiums and apartment buildings – as well as office buildings – participate in the program, spokesmen said. Group 530 was formed in 1990.

Robert Friedland Announces The Merger of NAI Friedland & Benson Commercial Realty

Scott H. Benson Named President of Merged Company

YONKERS—Robert (Bob) Friedland, founder and chairman of NAI Friedland, recently announced the merger of NAI Friedland with Benson Commercial Realty of Tarrytown and Greenwich (Conn.).

Scott H. Benson will take the helm of the merged company, which will keep the name NAI Friedland. Benson will assume responsibility for brokerage operations, business development and expansion into new markets, Friedland added.

The merger combines two established, privately held commercial real estate firms that have been in business for a combined 65-plus years, officials said. Benson's extensive knowledge of the Westchester, Fairfield (Conn.), and Rockland markets complements NAI Friedland's longstanding presence in Southern Westchester and the Bronx. The combined firm handles over 180 exclusive commercial properties, officials added.

"I've known Scott professionally for 27 years and hold him in the highest regard," said Friedland. "At this stage of my company's lifecycle, it is time for a dynamic real estate professional such as Scott to step in as the visionary and transform our company."

Benson, founder and chief executive officer (CEO) of Benson Commercial Realty, launched his firm in the late 1980's by securing exclusive properties near train stations throughout Westchester and Connecticut. By 2010, his firm had completed in excess of 2,400 transactions with an aggregate value of close to $1 billion, officials said.

Officials added that Benson is known for his unparalleled experience in landlord and tenant representation, new construction, commercial and industrial leasing and subleasing, investment and user sales, consulting and advisory services. Benson's list of prestigious clients includes many of the premier companies, owners, and investors domestically and worldwide, spokesmen said.

Scott H. Benson

Benson, a noted writer and lecturer, has been affiliated with numerous business and industry groups, including The Arete Group, NACORE, The Building Owners and Managers Association (BOMA) and The Westchester County Association. He is highly active in UJA, The March of Dimes and other community philanthropic organizations. He recently received the Family Leadership Award for the advancement of Jewish continuity by Chabad Lubavitch, officials said.

Spokesmen added that Benson has received more than a dozen Robert Martin Company and Mack Cali industry awards. He was involved in the initial fundraising for the Maria Fareri Children's Hospital and actively supports Make A Wish, My Sister's Place, UJA, the Maria Fareri Children's Hospital, the American Cancer Society and other entities throughout the metropolitan area.

"NAI Friedland has some of the finest brokers in each of its five divisions – office, retail, industrial, investment/user sales, and consulting – and I look forward to adding new talent that will make our team of brokers an even more dominant force in the industry as we establish a larger presence in launching our new White Plains and Greenwich offices and expanding our New York City office," Benson said. "It will be an honor to uphold and build upon the tradition and reputation of NAI Friedland."

NAI Friedland is headquartered in Yonkers, with new offices at 777 Westchester Avenue in White Plains and recently expanded Benson offices in Manhattan and Greenwich (Conn.). The company, founded in 1970, is a multi-discipline, full service commercial real estate firm covering the New York environs, with a majority of its business in Westchester County and the Bronx. The company also covers Putnam and Rockland counties, New York City, Connecticut, and New Jersey.

Company officials said that brokers in Friedland's five divisions—office, retail, industrial, investment/user sales, and consulting—understand their markets and are supported by a sophisticated computer database of available properties and potential tenants. Friedland is a member of NAI, the largest managed network of commercial real estate firms in the world, officials added.

A Look at Web Sites That Can Offer Valuable Services

TECH TALK

By Andrea Wagner
Wagner Web Designs, Inc.

DANBURY, CONN.—As I am constantly browsing through the internet, I come upon websites that are utterly absurd, as well ones that are creative and innovative tools.

Below I have a listed a few that I find particularly useful:

1. Free online file converter. Covert your text, image and audio files to other formats without any software. online-convert.com.
2. Learn and or teach a new language. livemocha.com or memrise.com.
3. A network of people giving away free stuff in their towns. freecycle.org.
4. Crash on someone's couch anywhere in the world. couchsurfing.org.
5. Find coupons for just about anything. retailmenot.com.
6. An easy way to send big files. wetransfer.com.
7. Find cheap stuff the government is getting rid of. govdeals.com.
8. Compare cell phone and credit card plans. billshrink.com.
9. Evaluates various charities. charitynavigator.org.

And, my personal favorite:

10. Talk to an actual person instead of a machine when you call Customer Service. nophonetrees.com.

Editor's Note: Andrea Wagner has been creating websites and offering services for small business for more than 16 years. Her firm can offer design, redesign, updates for your site, SEO, or the creation of a mobile site for your business. Her company's web address is www.wagnerwebdesigns.com.

Insurance Carrier Recommendations:

How Can a "Recommendation" Be a "Requirement"– and What Will Eventually Happen If I Do Not Comply?

INSURANCE INSIGHTS

By Ken Fuirst and Jason Schiciano, Levitt-Fuirst Associates Ltd.

YONKERS—If you are responsible for your company's commercial insurance, then you may be familiar with the dreaded topic of "Insurance Carrier Recommendations."

You know, the "To-Do List" —sometimes one or two items, often many more—that comes from your Property and/or Liability Insurance Carrier, usually by way of your insurance broker.

Recommendations are typically issued following an On-Site Inspection of your building, office, or jobsite by the carrier. Examples are listed in the chart to the right.

Questions and Answers

These lists are called "Recommendations." Are they optional, or mandatory? Good question. Frankly, it's a poor use of terms that unfortunately is "standard" in the insurance industry, not to mention misleading. In most cases, compliance with recommendations is mandatory.

What happens if I don't comply with the "Recommendations?" It depends. If your insurance has been placed with a new carrier, who issues Recommendations following an initial inspection, in most cases, the carrier may have the option to cancel (per policy terms) your insurance if you fail to comply with recommendations. If your insurance has been with a carrier for more than 60 days, the carrier may non-renew your policy at its expiration date.

What if I intend to comply with the "required" Recommendations, but I don't have the time (and/or money) to address them by the carrier's compliance deadline? As with so many other things in life and business, it pays not to procrastinate. If you think that "dragging your feet" and avoiding the carrier's recommendations will somehow make them disappear, you're wrong. In fact, often times, a carrier will delay acting on your non-compliance until a couple months prior to your renewal, when they may issue a non-renewal notice. Then, it may be too late to comply with the recommendations (e.g., you can't repair a concrete sidewalk in the winter). Worse yet, the options to replace your non-renewing insurance may be far more expensive and/or provide far less coverage. The key is to communicate with your broker regarding Recommendations as to what you can do, and when you can do it, and to keep your broker informed of your progress.

If you can't comply by a deadline date, but the carrier sees you are making a genuine effort (e.g., completed 50 percent of a sidewalk replacement), often times that will be enough to buy you additional time, and/or get you through the next renewal.

The recommendations are costly to address. Couldn't I save money by not complying and moving to a new carrier? Not necessarily. Especially during rising insurance rate environments, any new carrier may quote a significantly higher premium than your current carrier. The cost difference may be substantially more than what it would have cost to complete the recommendations. What's worse: the new carrier may inspect, and issue the exact same recommendations as the old carrier!

What You Need To Know

Consider an insurance carrier's "Recommendations" as "Requirements." If you fail to address them, you can expect a policy cancellation or non-renewal.

The incumbent carrier frequently (especially during periods of rising insurance rates, like now), offers the best renewal premium, so don't risk a non-renewal due to non-compliance with recommendations.

Something is better than nothing, and sooner is better than later. Communicate with your broker about progress on recommendations, and if you require more time, for some reason, ask! The earlier, the better. Last-minute requests for more time are often denied by the carrier.

Some of the most economical insurance policies offering the broadest coverage are those that have been in-place for many consecutive years. In order for a multi-year relationship to exist between an insured and a carrier, Recommendations must be addressed in a timely manner.

When in doubt as to how to address Recommendations, call your broker (sooner than later) for advice.

While Insurance Recommendations are issued by insurance companies in an effort to avoid claims, almost all Recommendations are for your own good—to protect your property and/or prevent injury.

Editor's Note: Levitt-Fuirst Associates Ltd. is the Insurance Manager for The Building and Realty Institute of Westchester and the Mid-Hudson Region (BRI). The firm is based in Yonkers.

INSURED	POLICY TYPE	EXPOSURE	EXAMPLE RECOMMENDATION
Building	Property	Fire Hazard	Maintain BBQ Grill at a minimum distance from building, in accordance with local building codes.
Building	Property	Water Damage	Repair loose roof shingles at north end of roof and flashing around chimney.
Building	Property	Water Damage	Repair brick pointing where loose mortar exists on south side of building.
Building	Gen. Liability	Trip/Fall Hazard	Replace cracked/uneven sidewalk slabs at front entrance.
Building	Gen.Liability	Bodily Injury/ Prop. Damage	Install mounting brackets on all exterior/window air conditioners.
Building	Property/Liability	Fire Hazard/Egress	Remove all trash/contents/clutter from basement hallways.
Contractor	Gen. Liability	3rd Party Injury/ Prop.Damage	Provide certificates, identifying you as an "Additional Insured," and indemnification/additional insured agreements for all sub-contractors.
Contractor	General Liability	Bodily Injury	Provide a Jobsite Safety Manual/Requirements (e.g. hardhat, eye protection, fall protection).
Contractor	Auto Liability	Bodily Injury/ Prop. Damage	Provide evidence of a Commercial Vehicle Maintenance Plan.

Faros Properties and Caspi Development Report Upgrades at 120 Bloomingdale Road

WHITE PLAINS—Faros Properties, LLC and Caspi Development, LLC are planning to begin interior renovations to their 145,000-square-foot, Art Deco property at 120 Bloomingdale Road in White Plains, officials recently announced.

The facility is the former headquarters for Nestlé. Gallin Beeler Design Studio in Tarrytown has been named architect for the project, officials added.

"The lobby will convey a sophisticated ambiance, with wood panels, cove lighting, stone flooring, a comfortable waiting area with a flat screen TV, and a dramatic wood and granite reception desk," said Alexander Leventhal, managing partner of Faros Properties.

Officials said that a cafeteria upgrade will create a restaurant-like facility for tenants and guests. An expansion of the gym space incorporates new locker rooms with private showers and changing areas, state-of-the-art exercise equipment, a refreshment counter, a cool-down seating area, and flat screen TV's.

A luxurious new conference and board room will seat up to 30 people and provide tenants with a level of flexibility and AV equipment not found in similar facilities, spokesmen added. Also included in the renovation is the incorporation of private decks into fourth floor office space.

Among the scheduled exterior renovations are:

- Wood paneling.
- Landscaping and Extensive Plantings of Trees and Shrubs.
- New Pedestrian Walkways and numerous "Green Elements" that meet requirements for LEED certification.

"We commissioned Gallin Beeler Design Studio to create an environment and amenities commensurate with the finest first class office buildings in the tri-state area," said Joshua Caspi, principal, Caspi Development. "Additionally, the dramatic fourth floor office space and private decks provide an attractively-priced indoor/outdoor option not usually found in commercial properties."

The owners said that they are actively seeking additional tenants to fill the approximately 50,000 square feet of available space in the building, including a 28,000-square-foot full floor that is divisible. Among the building's features are flexible floor plans, fourth floor offices with outdoor decks and served by a private 100-car parking deck with an overpass directly to the fourth floor, on-site property management and concierge, 24/7 building access, and a main parking lot.

Spokesmen added that the property is across from Bloomingdales, one block from The Westchester shopping mall, and within easy access of both highways and public transportation. Current tenants include Oxman Tulis Kirkpatrick Whyatt & Geiger L.L.P., Nationwide Insurance, Byram Healthcare, the New York State Department of Labor, and Keller Williams Realty of White Plains.

Officials said that Faros Properties seeks additional direct and venture investment opportunities in the New York and Boston areas as the firm expands its portfolio, primarily seeking distressed opportunities created from the economic downturn. Caspi Development is seeking investment opportunities in New York City, officials added.

Background

Faros Properties is a New York City based real estate investment firm established by Alexander Leventhal, Jeremy Leventhal and Elliot Gould as a platform to target long-term private investment opportunities, spokesmen said. Faros primarily targets core investments in supply-constrained markets with high concentrations of intellectual capital. Faros and its predecessor companies trace their roots to family owned operations. The family has, for over six decades, been actively involved in the construction, development, acquisition, management, and financing of more than 50 million square feet of real estate internationally.

Officials added that Caspi Development has been a leader in the ownership, management and development of residential and commercial real estate for more than 40 years. Based in Purchase, the company is known for its diversity and ability to respond to market conditions and capitalize on opportunities, officials said. In recent years, the company has acquired, through joint ventures, approximately 1,600 apartments in New York City.

Recent Caspi Development projects, officials said, include a 500-unit apartment package in the Bronx with Finkelstein Timberger and CBRE Capital Markets, as well as a number of high-end apartment projects in Brooklyn with Artemis Real Estate Partners.

Other notable Caspi Development projects include the 600-room Holiday Inn in Midtown Manhattan on 57th Street; the Chambers Hotel, a luxury 80-room hotel off Fifth Avenue and 56th Street; the Stamford Marriott Hotel in Stamford (Conn.); the Classic in Stamford and Hartsdale; 235-245 Main Street, a 158,000 square-foot office property in White Plains; and The Sanborn Map Building, a 75,000 square-foot office property in Pelham.

US Energy Group Announces New Product Release

FRESH MEADOWS, N.Y.—US Energy Group recently announced the release of TEEMSM, a new and enhanced energy management and metering service that provides clients with a dedicated Energy Manager who works to maximize their fuel, electric, and water savings while improving tenant comfort.

Officials said that participating TEEMSM clients will outsource their energy monitoring to US Energy Group. A dedicated expert will then check their buildings daily, comparing them to other buildings and providing a weekly update on the efficiency of each building.

"Using the most advanced technology in the industry and experts who are knowledgeable and customer-focused, TEEMSM makes running an efficient building completely hassle-free," said David Unger, chief operating officer of US Energy Group.

Details

TEEMSM is an add-on service, available in buildings using US Energy Group's flagship BEMS—which reduces fuel usage by 15-to-30 percent with a payback in less than two years—and the USE Manager Information Portal, officials said.

The dedicated TEEMSM Energy Manager handles daily Alert Monitoring, reviewing all HVAC system issues and trouble-shooting with the building staff to determine the exact cause of the issue. The expert also conducts trend analyses and identifies concerns. The concerns include short cycling and heat imbalances. Solutions are recommended for ongoing operational issues and are tracked until they are resolved, officials added.

Spokesmen added that TEEMSM clients also receive comprehensive BEMS and USE Manager Training for property managers, superintendents and administrators, as well as unlimited phone support.

During weekly conference calls, the TEEMSM Energy Manager provides a comprehensive and succinct status update on all open issues and discusses the overall performance of the building. The client receives a building report card each week, providing three separate grades for the building. The Energy Grade reflects energy consumption in comparison to other similar buildings, officials said.

The Comfort Grade is based on interior space temperature, while the Operations Grade is based on quantitative metrics reflecting boiler plant operations, such as stack temperature and water loss, officials added.

Spokesmen said that, as the leading pioneer in energy management solutions for existing residential, commercial, and industrial buildings from 20,000 to 500,000 square feet, US Energy Group's BEM and USE Manager are currently in more than 3,500 buildings. Those buildings include high-profile portfolios owned by Newman Knight Frank (37 commercial buildings) and OMNI Properties (110 residential buildings). TEEMSM makes these robust and powerful systems even more versatile and personalized, officials said.

"TEEMSM clients can let us worry about the details," said Jerry Pindus, chief executive officer of US Energy Group. "They have peace of mind knowing that their buildings are running efficiently, their tenants are comfortable, and they are saving money."

Those interested in more information on TEEMSM and US Energy Group's BEMS can contact Justin Rumack, vice president of client services, at (718) 285-9172, or Justin@use-group.com.

With 30 years in the industry and more than 3,500 system installations, US Energy Group has earned a reputation for product quality and personalized customer support, spokesmen said. Founded in 1978 by Pindus, US Energy Group is a metro-New York based building energy management solutions firm which develops and integrates energy control, monitoring and analysis hardware and software systems for large residential and commercial properties.

With the slogan "Building Efficiency Through Information Management," the company's Building Energy Management System (BEMS) integrates: USE-Manager™ Online Monitoring, heating and cooling system USE-Controllers, and USE-TEEMSM (Total Energy Efficiency Management Services), officials said.

US Energy Group's BEMS controls and monitors energy and fuel use, prevents overheating and provides significant savings, with payback in less than two years, officials added.

US Energy Group's Verifier® Digital Fuel Gauge is a patented ultrasonic measurement system which enables building owners and managers to verify the amount of oil they receive, as well as control their inventory and budget. The USE-Controller and USE-Verifier have received the ETL Mark, indicating superior product safety and quality. With US Energy Group's products and services, building owners save money, conserve energy and enhance tenants' comfort, company officials said.

Mack-Cali Sells Its Connecticut Facility

NORWALK, Conn. - Mack-Cali Realty Corporation recently announced that it has sold its commercial office property at 40 Richards Avenue in Norwalk for $16.5 million.

The approximately 64 percent occupied, seven-story, 145,487-square-foot property was sold to The Davis Companies, officials said. Matthew F. Keefe of HK Group represented Mack-Cali in the transaction.

Mitchell E. Hersh, president and chief executive officer of Mack-Cali, said that 40 Richards Avenue was Mack-Cali's sole asset in Norwalk and was no longer consistent with the company's overall strategy.

"This was the right time to sell given market conditions and we look forward to redeploying the proceeds into more strategic investment opportunities," he said.

Mack-Cali Realty Corporation is a fully integrated, self-administered, self-managed Real Estate Investment Trust (REIT). The firm provides management, leasing, development, construction and other tenant-related services for its Class A real estate portfolio, officials said.

Officials added that Mack-Cali owns or has interests in 273 properties, consisting of 264 office and office/flex properties totaling approximately 30.6 million square feet, and nine multi-family rental properties containing more than 3,300 residential units, all in the Northeast. The properties enable the company to provide a full complement of real estate opportunities to its diverse base of commercial and residential tenants, officials said.

NAI Friedland Reports Local Activity

YONKERS—NAI Friedland recently announced that its Industrial and Office Divisions closed seven transactions in Westchester County and the Bronx during April and May.

The combined deals represent more than 82,799 square feet of space, company officials said.

The firm's Industrial Division completed five transactions:

- The sale of 23,500 square feet at 1320 Zerega Avenue in the Bronx. Ross Schneiderman represented both the seller and the purchaser in the transaction between Inductoweld Tube Corp. (seller) and Four One Management Corp. (purchaser).
- The sale of 18,000 square feet at 3494 Park Avenue in the Bronx. Schneiderman and Atanu Bhattacharjee represented both the seller and the purchaser in the transaction between NYC 174th Realty Co. Corp. (seller) and 3494 Park Avenue Corp. (purchaser).
- The sale of 10,000 square feet at 761 Nepperhan Avenue in Yonkers. Schneiderman and Steve Kaufman exclusively represented the seller, while Peter Cokin represented the purchaser in the transaction between Atlantis Worldwide (seller) and 761 Nepperhan Avenue (purchaser).
- The lease of 5,625 square feet at 18 Belway Place in White Plains. Andy Grossman represented the landlord in the transaction between Tesla Motors (tenant) and Sciullo Construction (landlord).
- The sale of a 2,400-square-foot building, plus 13,000 square feet of land at 676 Saw Mill River Road in Yonkers. Cokin represented both the seller and the purchaser in the transaction between Seabury Construction Corp. (seller) and CI Contracting Corp. (purchaser).

NAI Friedland's Office Division completed two transactions:

- The sale of 22,000 square feet at Two John Walsh Boulevard in Peekskill. Carl Silbergleit represented both the seller and the purchaser in the transaction between Singer Properties (seller) and Bertram Realty LLC (purchaser).
- The lease of 1,274 square feet at 935 Kelly Street in the Bronx. Kaufman and Steve Lorenzo represented the tenant in the transaction between Versatil Beauticians (tenant) and Kelly Street Partners LLC (landlord).

"The real estate market is showing positive signs of recovery, and NAI Friedland is actively working with buyers, sellers, landlords and tenants to help them take advantage of the great opportunities that are available," said Tony Lembeck, NAI Friedland's chief executive officer (CEO).

He added: "We are seeing prices of real estate increase in the Bronx, but not much being offered for sale, making each transaction significant. Leasing prices have leveled, and we are seeing an increased amount of activity in that area."

Lembeck added that, with the announcement of the possibility of increased interest rates, his firm has seen a significant increase in the number of potential purchasers who wish to take advantage of current trends and "lock-in to today's rates."

"Our clients are seeing the value in working with a local firm that has the global reach of NAI and even in this difficult economy, our brokers are continuing to match clients with space that suits their needs," he said.

NAI Friedland, founded in 1970, is a full service commercial real estate firm covering the entire metropolitan New York area, with a majority of its business in Westchester County and the Bronx, but additionally in Putnam and Rockland Counties, New York City, Connecticut, and New Jersey, company officials said.

Headquartered in Yonkers, Friedland also maintains a satellite office in Manhattan. Brokers in Friedland's four divisions—Retail, Industrial, Office, and Investment Sales — understand their markets and are supported by a sophisticated computer database of available properties and potential tenants, officials said. Friedland is a member of NAI, the largest managed network of commercial real estate firms in the world.

GHP Office Realty Reports Recent Leasing Activity

WHITE PLAINS—GHP Office Realty, LLC, recently announced that it has leased and renewed approximately 42,369 square feet of office and flex space in the 80,000 square-foot, two-building office campus known as the Ramland Road Corporate Park in Orangeburg.

Andy Greenspan, principal of GHP and Jamie Schwartz, executive vice president of GHP, represented the owner in the following transactions:

- Sensormatic, a TYCO company, leased 7,297 square feet at 30 Ramland Road. Sensormatic designs, manufactures, sells and services its own products in markets worldwide, including Electronic Article Surveillance, Access Control and Closed Circuit Television Systems. With around 1,200 patents, the engineering department has a wide-area focus. It excels in the development of integrated software packages for control and security systems, optic/video, RFID and magnetic. Employing more than 35,000 people, it is the world's largest firm in the electronic security sector. The tenant was locally represented by Robert Norton of CBRE, officials said.
- Katapult, LLC, an affiliate of Octagon Process, Inc., an airplane de-icing company, signed a longterm lease to occupy 6,700 square feet at 30 Ramland Road. Bill Pastuszak of Resource Realty of Northern New Jersey represented the tenant.
- Greenwald Doherty, LLP renewed its lease for 5,600 square feet at 30 Ramland Road. The law firm concentrates in labor and workplace legal matters.
- Orangeburg Pediatrics Associates signed a 5,000 square foot lease at 30 Ramland Road. The local pediatric practice is relocating from its longtime location in Tappan to its new state of the art facility. Randy Eigen of CBRE represented the group.
- Davidson and Grannum, LLP, a securities law firm, renewed its 4,827 square-foot lease at 30 Ramland Road.
- Impulse Dynamics, Inc. signed a lease for 4,513 square feet at 30 Ramland Road. The company is focused on the development of electrical therapies for the treatment of chronic heart failure, officials said.
- Facilities Management LLC, a home healthcare company, renewed its 4,468 square foot lease at 40 Ramland Road.
- Amerlist, Inc. relocated from Pomona to lease 2,464 square feet on the second floor of 40 Ramland Road. Amerlist is a leading online database company focusing on sales leads, e mail marketing and data processing for companies.
- Blue Laurel Marketing, a marketing company concentrating in the telecommunications industry, signed a 1,500 square foot lease at 30 Ramland Road.

GHP Office Realty is the office building division of Houlihan-Parnes Realtors, LLC. Houlihan-Parnes Realtors is one of the New York area's leading owners, operators and purchasers of suburban Class A Office Space.

In the past 10 years, GHP Office Realty has acquired, financed, redeveloped, leased and managed more than 7,000,000 square feet, company officials said. The firm's current portfolio consists of 32 buildings totaling approximately 3,000,000 square feet. Regionally, the company's partners presently own and manage buildings in Westchester County, Fairfield County (Conn.) and Rockland County, as well as in Bergen County (N.J.) and Princeton (N.J.).

BRI Schedules Its Annual Golf Tournament for Oct. 7

By Jeff Hanley, IMPACT Editor

LINCOLNDALE – The Building and Realty Institute (BRI) recently announced that it is continuing to accept reservations for its 2013 Golf Outing/Tournament.

The event is scheduled for Monday, Oct. 7 at Anglebrook Golf Club in Lincolndale. BRI officials said that the association is accepting reservations on a first-come, first-served basis. The tournament is scheduled to begin at 10:30 a.m. with the Registration Process.

"We are really happy that our tournament is returning to Anglebrook Golf Club," said Michael Beldotti, president of the BRI, who is serving as an Event Co-Chair with BRI Board Member Brett LaRocque. "Anglebrook is regarded as one of the nicest facilities in our area and it has become a favorite of our membership."

Beldotti added that the price of the event is $295 per golfer, the same price as the 2012 tourney.

"We really feel that is a great price for an event at such a tremendous location," Beldotti added. "We are urging our members to reserve soon. We're anticipating that spots will go at a quick pace."

The schedule for the tournament is as follows:

- 10:30 a.m. – Welcome and Registration.
- 11 a.m. – Barbecue Lunch/Buffett.
- Noon – A "Shotgun Start."
- 5:45 p.m. – A Networking Reception, Followed By Dinner and the Event Program.

Sponsorship Opportunities

Event officials said that Sponsorship Slots are available for the tourney. They are:

- Event Sponsor, $1000.
- Dinner Sponsor, $500.
- Golf Cart Sponsor, $300.
- Lunch Sponsor, $300.
- Cocktail Sponsor, $300.
- Photography Sponsor, $250.
- Driving Range/Putting Sponsor, $200.
- Tee Sponsor, $100.

BRI officials said that full information on the tournament will soon be mailed to the organization's membership. Officials added that an event flyer was recently placed on the association's Web Page, buildingandrealtyinstitute.org.

Other BRI members joining Beldotti and LaRocque on the Tournament Committee are Eric Abraham, Tim Allen, John Bonito, Carl DiMaio, Ken Finger, Bob Lupica and Jason Schiciano. Albert Annunziata (executive director of the BRI), Jane Gill (controller, BRI) and BRI Staff Members Margie Telesco and Peggie MacDougall are assisting the committee.

Those interested in further information can call the BRI offices at (914) 273-0730.