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WHEN IS A CONDO NOT A CONDO?

By WOODY GOLDSTEIN, CPA, SENIOR MANAGER, MAYER CPAS LLP

During the past few decades, there has been a significant increase in the number of multi-family housing developments across Long Island and the 5 boroughs of NYC. These developments consist of high-rise apartment buildings, low-rise multi-family buildings and separate housing units. Often, these homes are referred to as “condos,” which is not always an accurate portrayal of the development’s legal structure.

The three most common types of Common Interest Realty Associations (“CIRA”) are: Cooperatives, Condominiums and Homeowner Associations. It is worthy to note that the initial sale of units in each of these CIRAs is covered by a “Prospectus” or “Offering Plan.”

Legal Structure and Purpose

Cooperatives are stock corporations, which are incorporated pursuant to NYS law, and qualify under Internal Revenue Code (“IRC”) Section 216(b)(1) as Cooperative Housing Corporations. Condominiums are non-stock unincorporated Associations formed pursuant to Article 9-B of the Real Property Law of NYS and come into existence pursuant to a Declaration of Condominium which is filed in the county

in which the condo is constructed. Homeowner Associations are non-stock Associations, incorporated under the Not-for-Profit Corporation law of NYS.

The primary purpose of these CIRAs is to manage the operations of the multi-family development, and maintain the Common elements (e.g. roadways, roofs, elevator, landscape and amenities).

Ownership

When you acquire a unit in a co-op, you purchase shares of the co-op's stock and occupy the unit pursuant to terms set forth in a proprietary lease and prospectus. The number of shares allocated to each dwelling unit is based upon a combination of factors (e.g. number of apartments, square footage, number of rooms, floor location, etc.). The co-op owns the land, building and residential units (e.g. apartments), and unit owners are called tenant-stockholders. Typically, new purchasers must be approved by the Board prior to closing on their purchase.

When you purchase a unit in a condominium, you own the residential living area. In the case of “free-standing”

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homes, you also own the exterior of your unit. Your purchase is governed by the Declaration, By-Laws and other terms contained in the Offering Plan, and house rules.

In an HOA, similar to a condo, you own the residential living area, and in the case of "free-standing" homes, you also own the real estate underlying your unit, plus additional land surrounding the unit as set forth in the deed/certificate of title.

Condo and HOA associations govern the use of all amenities and exterior land (i.e., not owned by the homeowner). Generally, purchasers do not need Board approval prior to purchasing a unit in a condo or HOA. In the case of a HOA, the purchaser is known as a member, and in the case of a condominium, the purchaser is known as a unit owner.

Governing Body

A cooperative corporation is governed by a Board of Directors, which is elected by the stockholders (i.e., unit owners). A Board of Managers governs a condo association and a Board of Directors governs an HOA, both of which are elected

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by the unit owners of these Associations.

Monthly Fees and Tax Deductions

Unit owners in each of these CIRAs are subject to monthly fees that provide funds for the CIRA’s operating expenses, future capital acquisitions, and major repairs and replacements. These fees are based on an annual budget determined by the entity’s Board, and are allocated to each unit based on calculations in the CIRA’s Offering Plan and/or other governing documents.

In the case of a co-op, the operating expenses also include real estate taxes and mortgage interest, for which the tenant-stockholders receive an annual tax deduction on their individual income tax returns.

With respect to condos and HOAs, since the residential units are owned individually, the owners are responsible for paying their own real estate taxes.

Alterations

In a co-op, Board approval is required for interior alterations, such as a new kitchen. In a condo or HOA, alterations to the exterior of units must be approved by the Board, whereas interior alterations normally do not require such approval.

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Tax Status

These CIRAs are subject to federal, state and local income taxes. For federal purposes, co-ops are required to file form 1120-C, while condos and HOAs may elect to be taxed as a tax-exempt entity under IRC Section 528, or be taxed as a regular corporation, whichever yields the lower income tax. This election may be changed annually. ■

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SMOKING IN THE BOARD ROOM

By MELISSA B. SCHLACTUS, ESQ. AND EDWARD M. TAYLOR, ESQ., TAYLOR, ELDRIDGE & ENDRES, P.C.

In recent years, municipalities have banned cigarette smoking in government offices and places of public accommodation. Many private entities also prohibit cigarette smoking in office buildings, factories and warehouses. Even facilities that originally established designated smoking areas have been gradually doing away with them. While cigarette smoking has long been considered dangerous to the user, the relatively recent prohibitions against smoking are largely designed to protect non-smokers from the ill effects of second-hand smoke.

Not surprisingly, this increased awareness of the dangers of second-hand smoke has begun to affect the community association arena as well. Most condominiums, co-ops and homeowners associations on Long Island are built either as townhouses (side by side) or apartments (upper and lower units). The units are never built air-tight. Cigarette smoke and odors can often pass into neighboring units due to breaches in the walls, ceilings and floors and due to shared attics, hallways and ventilation systems.

While people's sensitivities vary, most non-smokers find the infiltration of cigarette smoke into their homes to be offensive, at best, and intolerable, at worst. The problems are compounded when the smoker's neighbors already have pulmonary health problems. And while the complaints and disputes are between neighbors, the Board of Directors (co-ops and homeowners associations) or Board of Managers (condominiums) will almost always be drawn into the conflict.

Virtually every community has a set of House Rules that safeguard residents from objectionable odors or other nuisances and from interference with the enjoyment of their units. It is the Board's duty to enforce these rules. However, the language is always general and the rules almost never contain an express prohibition against smoking. So what is a Board to do when presented with a complaint from one homeowner whose living quarters are filling up with second-hand smoke from a neighbor?

There are several possible remedies that are not too painful. One is to determine how the smoke may be traveling from one unit to the other, and attempting to seal these paths – ideally in both units. A building engineer or architect may be useful in identifying these sources of infiltration as well as suggesting methods and materials to close them up. Another avenue is to install enhanced air filtration and/or circulation systems in both units that may remove offending particles or direct them out of the unit instead of next door or upstairs.

Another avenue for resolution is to have the smoker and complainer adopt habits that may minimize smoke infiltration. Maybe the smoker can smoke in an area far from the party wall or outside the unit. Maybe the complainer can use the air conditioner more often. While these suggestions, and the others set forth above, require the cooperation of both the smoker(s) and the complainer(s), a negotiated settlement is almost always better than the alternative. Your managing agent and community attorney may be able to assist in bringing the parties together and in reaching a compromise agreement that may involve some or all of these components.

But what if these suggestions do not solve the problem, or worse yet, what if the parties cannot agree on a solution? The smoker insists on his right to do as he/she wishes in his/her unit and the complaining neighbor simply cannot tolerate the cigarette smoke which permeates his/her home.

One option is for the Board to pass a House Rule prohibiting smoking in the building(s). If challenged, however, a court could find that a House Rule is insufficient authority for such a prohibition. Another option would be for the Board to schedule a vote of the community, seeking to prohibit cigarette (and presumably cigar, e-cigarette and marijuana) smoking in the units and common areas through a By-Law amendment. Such a vote can be polarizing. The smokers in the community will vehemently oppose the measure. Non-smoking unit owners may support the proposal with much the same vigor. A super majority of 66 2/3 % or greater is usually needed to pass a proposed By-Law amendment. That threshold is difficult to obtain in the best of circumstances. In a potentially contested vote such as a smoking ban, the required support by a super majority of unit owners may be unobtainable.

Garnering overwhelming support for a smoking ban amendment may also be a challenge even if most residents in

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the community are non-smokers. People usually get involved in a cause when it affects them directly. Most smoke infiltration disputes are between one resident (the smoker) and, at most, one or two other neighboring residents who are affected by the smoke. The controversy does not directly affect the other 99% of the community. It may not be a priority for unit owners not involved in the dispute to attend and vote at a special meeting or even to fill out a proxy.

If a smoke infiltration conflict cannot be resolved among the parties or by a By-Law amendment, is that the end of the issue? Do the smokers “win”? Do the complaining neighbors need to live with the fumes, buy tons of air freshener, or sell their unit? Maybe not. A recent Court decision appears to provide a glimmer of hope for the fresh air advocates.

In 201 W. 89th Owners, Inc. v. Mostel,¹ the Board of Directors of a cooperative apartment corporation commenced a holdover proceeding in New York City Civil Court in Manhattan, seeking to evict shareholder Barbara Mostel on the grounds that she had substantially violated the terms of the proprietary lease for her co-op apartment. The co-op’s House Rules prohibited unreasonable odors or anything which could interfere with the rights, comfort and convenience of other shareholders. The Board claimed that Mostel had violated the co-op’s House Rules by allowing cigarette smoke to escape from her apartment and permeate into the public hallway on the second floor of the building, even though the House Rules did not specifically mention smoke or smoking.

The co-op called the superintendent, property manager and two tenants who lived on the same floor as Mostel to testify on its behalf. The superintendent, Felix Romero, testified to having smelled cigarette odor in the public corridor at various times between early 2012 and March 2014. Although he received a complaint regarding the cigarette odor from Sandra Smith, a resident who lived in apartment 2A, no other residents in the building complained to Mr. Romero about the odor.

The co-op’s property manager, Alfred Nicasio, testified to having visited the subject property after receiving a complaint from Sandra Smith in 2011. Following this visit, Mr. Nicasio sent Ms. Mostel two letters in 2012 regarding the cigarette odor in the subject premises and in the public hallway. Mr. Nicasio also testified that

Ms. Smith was the only resident to complain about the cigarette odor.

Sandra Smith testified that she contacted management and complained about the cigarette odor in the hallway since she

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had detected the odor beginning in 2008 and smelled the cigarette odor through 2013. She further testified that she did not smoke and did not like the smell of smoke. Ms. Smith stated that in 2013, Ms. Mostel informed her that she was trying to mitigate the cigarette odor by smoking electronic cigarettes.

Sandra Smith's husband, Jeffrey Smith, also testified to having smelled cigarette odor in the public hallway from 2008-2012. He stated that he had difficulty remembering how often he would smell the odor since the odor was sometimes less present than at other times. For the period from 2013 through 2014, Mr. Smith was unable to testify with any certainty how many times he smelled cigarette odor in the public corridor.

Barbara Mostel called Annette Kahn, a former Board member, and Emily Goodman, a childhood friend, to testify on her behalf. Both witnesses stated that they did not detect cigarette odor in the public hallway. Another defense witness stated that she visited the subject premises twice in 2013 and did not smell cigarette odor in the hallway on either occasion. Ms. Mostel testified that she was unaware that the co-op had rules prohibiting unreasonable odors from emanating into the common areas, but still attempted to remedy the situation by purchasing new furniture and cleaning the apartment regularly.

The Court held that the Board failed to prove that Ms. Mostel had violated the Proprietary Lease and House Rules. The Board did not submit evidence that the rights of other tenants in the building would be affected by the cigarette odor. The Court noted that the Board did not present expert testimony to prove that the air in the hallway contained cigarette smoke nor did it present any evidence that the odor posed any danger to other residents. The Board did not present any evidence from experts or machines to determine the strength of the cigarette odor.

The Court noted that although the building's ventilation system is designed to direct the air upwards and out of the building, the only complaint management ever received was from Ms. Smith. The fact that the subject premises is located on the second floor of the building is significant. While almost all residents in the building could have potentially been affected by the smoke through the ventilation system, none of them complained other than Ms. Smith.

The Court found that Ms. Smith's testimony was insufficient to prove that Ms. Mostel had violated the Proprietary Lease and House Rules due to the subjective nature of her testimony. With respect to Mr. Smith's testimony, the Court pointed to his inability to state with any kind of certainty when and how often he smelled cigarette odor in the public hallway.

Although the Court did not find in favor of the Board, this case still suggests the possibility of enforcing House Rules against smoke infiltration. As the Court indicates, whether a Board will be successful depends on the evidence submitted. Subjective witness testimony alone will not be enough for a court to find that a resident is allowing smoke to escape from their unit into the common areas or a neighboring unit.

Sensitivity to cigarette odor is something that varies greatly from one person to another. This case illustrates the range of sensitivities witnesses can have with respect to detecting cigarette odor. While Ms. Smith testified to smelling a strong odor in the hallway for extended periods of time, her husband was unable to testify with any certainty how often he detected cigarette odor in the hallway and the three witnesses who testified on behalf of Ms. Mostel stated that they did not detect any cigarette odor in the public corridor.

Due to the varying sensitivities of witnesses, this case suggests that courts will be looking for a more objective measure to determine an odor's strength. Complaining unit owners or Boards may consider hiring expert witnesses who are able to testify as to the particle content

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of the air or whether the odors are dangerous or hazardous to other residents. Devices which are able to determine the strength or content of an odor may also be useful in providing objective evidence for a court to consider. Provided a Board is able to submit sufficient evidence to the court, the possibility exists that the House Rules may be enforced against smoking.

While a co-op Board of Directors can usually evict a shareholder for violating the House Rules, condominium and homeowners association boards have less extreme options. Nevertheless, condominium and HOA boards may be able to obtain a Court order directing a unit owner or resident to take steps to prevent smoke infiltration or even to stop smoking in the apartment if the evidence presented regarding the extent of smoke infiltration is properly documented and sufficiently compelling. ■

¹ 201 W. 89th Owners, Inc. v. Mostel, 46 Misc.3d 1201 (Civil Court, New York County – 2014).

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WHAT ARE CONDOMINIUMS, HOMEOWNER ASSOCIATIONS, AND COOPERATIVES GETTING FOR THEIR MANAGEMENT DOLLARS?

By ALVIN WASSERMAN, DIRECTOR, FAIRFIELD PROPERTY SERVICES

Boards for Condominiums, Homeowner Associations, and Cooperatives are concerned about the number of properties their manager is assigned. The assumption is when a manager's work assignment increases, quality of service is diminished. Boards are correct in making this assumption but the number of properties a manager handles is only part of the picture. The manager is the tip of the iceberg in management services. If a property manager has to do their own typing and filing, order supplies, prepare meeting reports, coordinate closing documents, act as liaison with the properties' attorneys, and also fulfill their responsibilities at the property, supervising staff and contractors, etc., then they cannot provide quality service. The organization that supports the property manager is the ice beneath the surface that upholds the tip of the iceberg and is significant when considering a management company.

Quality back office services reflect the depth of the management company providing support to the property managers in carrying out their assignments. Back office support services are evident to clients by the efficiency in processing correspondence and prompt response time, professional presentation of monthly management reports that expedite Board meetings, and file maintenance for unit owners, accounts payable and accounts receivable. These are all critical functions in helping managers carry out their assignments. Other examples of support services are staff dedicated to monitoring insurance compliance, preparing legal status reports, managing closing documents, and acting as liaison with the properties' attorneys. These support services free the property managers to do their primary job of building and grounds maintenance, and customer service.

The administrative staff that backs a property manager is of utmost importance. Boards should consider the ratio of administrative staff to properties managed just as they would consider the number of properties a manager is assigned. The tenure of administrative and management staff is also a vital statistic. Frequent turnover of staff indicates problems at the management company.

Boards should be cognizant of the Accounting Department in a management company. Electronic data processing by accounts receivable improves cash flow and provides real time cash balances. Safeguards in the form of checks and balances in accounts payable are critical to protecting assets. Staff accountants assigned to specific properties to prepare and review monthly financial reports provide continuity and the

ability to accurately respond to Board and homeowner questions. These services further enhance the managers' ability to serve the community. The qualifications of the accounting and financial staff and, again, the ratio of staff to properties managed should be evaluated by clients to ascertain the ability of the management firm to succeed in its mission. Recent events in financial markets highlight the value of accounting due diligence.

A Purchasing Department is not commonly found in management companies that provide services to Condominiums, Homeowner Associations, and Cooperatives. Typically, property managers are required to price and order materials themselves. Purchasing materials is a job that most property managers would like to execute with as little effort as possible. This approach does not result in cost savings. It is also an area subject to the most abuse.

A Purchasing Department justifies its existence by saving money for property owners. Central purchasing adds an important level of financial controls when properly set up with a system of purchase requisitions, purchase orders, delivery tickets, invoicing, and oversight with stringent checks and balances. A Purchasing Department is an expense to a management company with no financial return if third-party management is its only business. It is hard to convince Boards of the value of a Purchasing Department when they are cost-conscious about management fees, and often seek the lowest price for management services without full consideration of quality and control issues.

When a Board contracts management services, visiting the management office is as important as meeting the property manager. Sales presentations to Boards may be indistinguishable but a visit to the management office provides a picture worth a thousand words. A visit to the

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administrative back office of a property management company will tell you what you are getting for your management dollars.

Now that we have reviewed the management organization, what about the manager? The number of properties a manager handles is important, but so are the manager's qualifications. Since there are no government licensing requirements for managing condominiums and homeowner associations, and cooperatives require only a real estate broker's license, management qualifications are largely up to the hiring practices of the management company.

The management company should establish a minimum number of years experience in real estate management as a prerequisite for hiring property managers. Management companies are well-advised to perform a background check on prospective candidates and subject them to a management aptitude test to be evaluated by an independent company. Substance abuse testing should also be part of the hiring process. All of this is costly and time-consuming but, in most instances, it results in the employment of qualified managers.

There is much more that can be said about evaluating a management company's services that space does not allow in this article. In summary, when a management company is properly staffed, the real estate property manager is a team leader coordinating the professional services of the management team. Without adequate staffing there is no iceberg under the tip, and the property manager is no more than an island of ice adrift. ■

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Long Island Chapter Events

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PRESIDENT'S MESSAGE

By J. DAVID ELDRIDGE, ESQ. - TAYLOR, ELDRIDGE & ENDRES, P.C., CAI-LI CHAPTER PRESIDENT FOR 2015

Happy holidays to all – and welcome to CAI-Long Island and the close of our best year ever! It's hard to believe that summer has already passed and the leaves have turned as we head into the holiday season, but it's been an absolutely fantastic year, and my genuine honor and privilege to have served as your president. I must also thank, no, I salute the real driving force behind our success: our incredible team of dedicated board members and volunteers who consistently give so much of their personal time and effort to ensure the continued improvement of CAI-LI, and to our generous sponsors whose support help make it all possible. Thank you one and all. With your combined efforts, we will continue to grow and guarantee that CAI-LI remains the finest educational resource available to communities all over Long Island.

And now on to some of this year's highlights. Earlier in the year, I was quite surprised to be contacted by a representative of the US-China Business Training Center located in Shengdong Province, (one of China's busiest seaports), who wanted to meet with our Board of Directors to learn about community association life here in the United States, and how we manage and govern them across the country. Established in 1992, the US-China Business Training Center is a China State Administration of Foreign Experts Affairs (SAFEA) certified provider of professional training programs for Chinese officials, industry professionals and business executives, and they arrange exchanges with institutions, universities and speakers across the U.S. to facilitate academic, business and cultural discussions.

The CAI-LI Board decided that this could be a very interesting and informative event, so we went ahead and invited them to lunch – and boy, was it ever! It took several months to set up, and when the bus finally arrived, we had a very wide and diverse range of elected officials and delegates show up, from state and federal government officials to trade union

representatives and municipal bureaucrats.

We spoke for some time (through an interpreter of course!), and learned as much from them as they did from us. Suffice it to say, while there are literally tens of thousands of condominiums in China, living in a community association there is very different from what we are accustomed to here!

They were so pleased with the results from our first meeting that they called back again hoping that we would meet with another similar group, which we did (this time, though, it was real estate professionals, professors and investors looking to purchase real estate in the Metro area). We shared stories and laughed over good ole American BBQ, and I'm sure China will never be the same after we were through with them. A special thanks to our own Tom Lowenberg for providing the conference room and lunch for these events – Tom, you are a shining example of the best CAI-LI has to offer.

And now on to the Trade Show! Hopefully you didn't miss this year's 9th annual Trade Show at the Huntington Hilton, which was packed to the gills with incredible exhibits, 6 fantastic seminars, and great food and prizes – this was our absolute best show to date, and everyone truly enjoyed the entire day! We had more attendees, from more communities than we have ever had before, and 65 different vendors all sharing their services and wares, including a terrific comedy show (poking fun at community living - good natured ribbing always allowed). If you weren't able to make it this year, you should make every effort to attend next year's event!

Some of our prior events you may have missed include our September seminar on Managing a Construction Project – one of the critical items every board will eventually be forced to deal with. Thanks to our esteemed panel who contributed their time and effort to this well-attended show. And our November meeting was hosted by our good friends at Bretton

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Woods HOA in Coram, who were kind enough to open their clubhouse to us for this event – they even provided a delicious dinner! The evening’s seminar was about winterizing your community, and with so many questions from the floor, it was as entertaining as informative. Thank you to Janet Harrington and her wonderful Board for opening their home to our group – we hope to see you again there next year!

Keep an eye out for our upcoming events headed your way, such as Collection and Foreclosure Basics – January 28th at Capital One, and lowering your community’s energy costs provided by National Grid on March 24th also at Capital One. A special thank you is also in order to our Treasurer, Robert Plank, for making the Capital One private dining room available to us for several meetings each year; thanks again Bob, we promise to turn the lights out when we’re done.

To our incoming President, Patrick Matheis, who probably headed up more committees than anyone else in our history, thank you for working so hard, for so long, and putting up with so much (not me, of course!) – Congratulations on your new position, and good luck with your time at the helm!

Last but not least, a very special thank you to our tireless, efficient and organized Executive Director (“boss”) Christine M. Majid – who never gave up on me no matter how late I was in handing in an article, and for making the rest of us look so good. You go girl, you do it all with style and grace.

If you like what you have seen and want to help us make CAI-LI even better – why not jump in and help out on one of our committees, or perhaps come up with a timely topic for one of our upcoming seminars – there’s still time to get involved! We hope you have enjoyed your time with us at our various events, and welcome your opinions and suggestions as to how we can make it even better – so get involved, have a wonderful holiday, and I’ll see you all at our holiday party in December. ■

Warm regards,
J. David Eldridge, Esq.



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WHAT IS AN ICE DAM & HOW CAN I PREVENT IT?

By ERIC B. CLEMENTE, ALURE HOME IMPROVEMENTS, INC.

Winter weather may look beautiful out your window, but it can cause serious problems for your home. Many homeowners unfortunately deal with ice dams - a wall of ice that builds up at the edge of your roof and prevents water from draining properly. When melting snow or ice can't get off the roof, it pools behind the dam and eventually soaks into your roof under



the shingles and through cracks leading to damage to your roof, insulation, attic and the home's interior.

How are ice dams made? The science of how an ice dam is

created is not complex – for starters, dams are most likely to occur during times when there are below-freezing temperatures and plenty of precipitation. When snow hits your roof, it will melt because the temperature of your house is warmer than outdoors. As this water runs down your roof, it eventually hits the eaves or overhang that isn't heated by your house below. This part of the roof is the same temperature as outside and leads the water to freeze. As more water runs

down, more water freezes on the edge of the roof. This creates a growing ice dam that holds more and more snow and water on your roof, leading to an increased likelihood of leaks and water damage.

How can I tell if I have an ice dam? The first sign of ice dams is seeing long & thick icicles. While small icicles are unavoidable, icicles that are more than an inch in diameter can be a sign of an ice dam. Additionally, if you suspect you have an ice dam but see few signs outside, check the area inside your house that is most likely to be damaged. If your dam has let water leak in, you'll have stains and puddles as indicative signs. Unfortunately, if your home has received a lot of snow, it can be difficult to see your whole roof so be sure to consistently look for tell-tale signs.

How can I prevent ice dams?

Ventilate your Eaves and Ridge - A ridge vent paired with continuous soffit vents circulates cold air under the entire roof. Both ridge and soffit vents should have the same size openings and provide at least 1 square foot of opening for every 300 square feet of attic floor. Place baffles at the eaves to maintain a clear path for the airflow from the soffit vents.

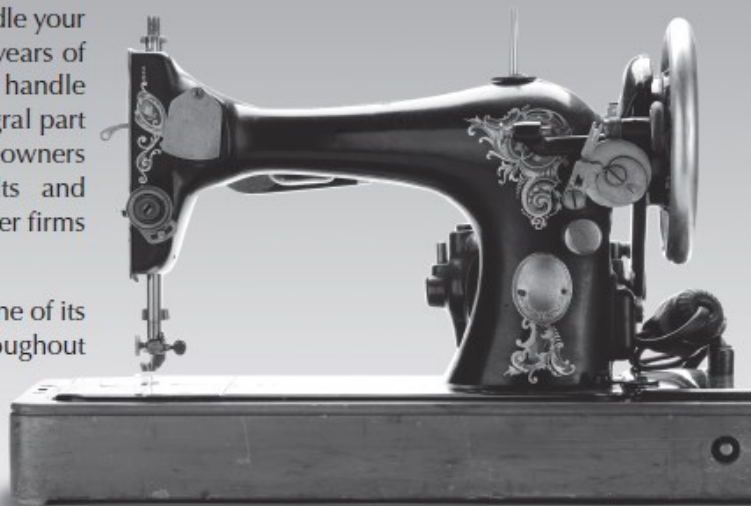
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Close all Openings - Openings in your roof such as fans are major openings for heat to escape so be sure to seal them with weather-stripping made with foil-faced foam board held together with aluminum tape.

Exhaust to the Outside - Make sure that the ducts connected to your kitchen, bathroom, and dryer vents all lead outdoors through either the roof or walls, but never through the soffit.

Add Insulation - The more insulation on the attic floor, the more heat that will stay within your home's living space.

Install Sealed Can Lights - Old-style recessed lights give off great plumes of heat and can't be insulated without creating a fire hazard. Replace them with sealed "IC" fixtures, which can be covered with insulation.

Insulate Ducts - Be sure that all ducts have appropriate duct tape, duct paintable sealant, duct caulk, duct insulation, etc.

Seal Cables and Pipes - Seal around electrical cables and vent pipes with a fire-stop sealant. Also, look for any spots where light shines up from below or the insulation is stained black by the dirt from passing air.

What should I do if I find an ice dam? If you find yourself facing an ice dam in the middle of a storm, there are a few ways that you can reduce its damage. People use specialty rakes to clean the snow and ice off their roof during and after a

storm to eliminate the buildup of precipitation. Therefore, there will be minimal water/ice build up to allow ice damming to occur.

If water is leaking inside, you can crack the dam to let the water out. However, this may cause additional damage to your roof, fascia, and/or gutter, so be sure to be careful or consult a professional contractor, as professionals often use steam. There are some known home remedies that you can use including the use of salt or kitty litter in pantyhose to eat away at the ice and melt it. All of these quick fixes can work in an emergency, but none are ideal.

Often, by the time you address an ice dam, there's already some damage to the home, so be sure to invest in an ice rake and consult with an exterior designer to create permanent fixes for ice dams and address any damage that has already developed. ■

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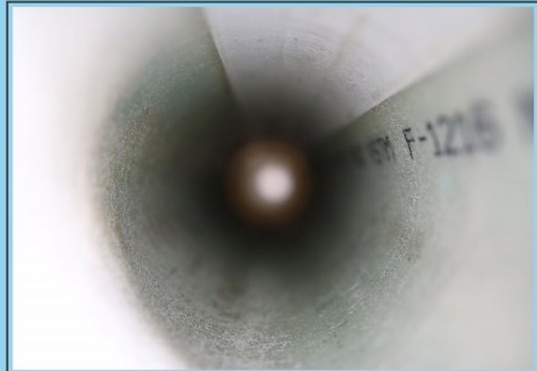


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