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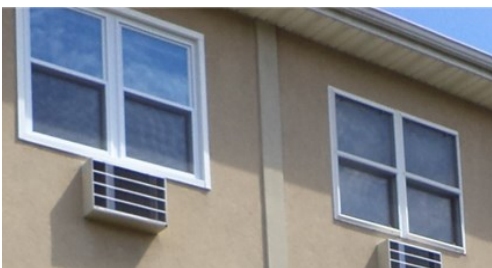
Issue No. 29 – Summer 2015

## PROTECT THE ASSOCIATION'S REAL AND INTANGIBLE ASSETS

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

How can you better protect your communities? After all isn't it the responsibility of a Board to **protect** the association's assets? Protect, by definition, is to "keep from harm or injury", so when decisions are made regarding work in your community – whether they are decisions by the board or by homeowners - are you being assured your assets are being protected and kept from harm or injury?

**How can you be sure your assets are being protected?** Let's start with a simple window replacement. Recently, I visited a community in which the homeowners were responsible for maintaining their own windows – this included replacement as necessary. The community, built in 1985, was finished with a foam stucco exterior and stood as tall as three stories. After some conversation with the homeowner, we noticed



something very interesting – some of the windows were capped in aluminum while others were not. **Many communities have strict guidelines in terms of window colors, styles, etc.**, and we were advised that the capping of the



windows was permitted – **but that's where it stops.** Further investigation led us to find out that the capping was not affixed to anything, but was simply bent aluminum tacked into the foam stucco with nothing behind it. Typically, aluminum capping should be placed over a solid wood substructure to support the aluminum and provide a solid connection. This was not something that anyone would have been able to tell, unless you got up on a ladder and examined it and/or watched the entire project being completed. Things that look

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good from afar may not necessarily be good. **Simply put - the project was completed with inferior products and poor installation.**

**What causes wood rot?** Understanding wood rot is the first step towards fighting it, so let's take a minute to think about what causes wood to rot. It is actually fairly simple – **lingering moisture in wood creates an environment conducive to fungi growth.** Fungi feeds on the cellulose in the wood, causing it to deteriorate. So, when water contacts an unprotected wood surface for a long enough period of time for fungi to grow, the wood begins to rot. Regardless of whether this process begins with a gentle rain collecting on your window sill or a violent leak pouring through your roof, unless the leak is located and fixed fairly quickly, the wood rot can be astonishingly destructive and costly.

**How do you locate rotted wood?** Unfortunately, homes with vinyl siding can experience water intrusion just like homes with other types of siding such as cedar, **however there is typically no visible evidence of moisture intrusion with vinyl siding...** at least not until it's too late. Signs of water issues may appear at doors, windows or any other openings in the structure.

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Older stucco houses typically don't have the problems that newer stucco homes (late 80's +) often have. There's not much that can be seen to identify major problems with older stucco houses either. **Stains below windows and**



**other similar penetrations in the walls are cause for concern, but they're not necessarily a problem.** You're actually lucky if you see stucco tears, because at least you can easily tell that you've got moisture damage. But there are times when there are no outward signs of moisture damage, meaning homeowners have no idea that they've got mold, mildew and rot eating away at their property until it's too late. But while **stucco tears are a tell-tale sign, they are not conclusive. The best way to determine whether you have water damage in stucco is a moisture test.** You'll need to hire a professional to conduct this moisture test. Once you've

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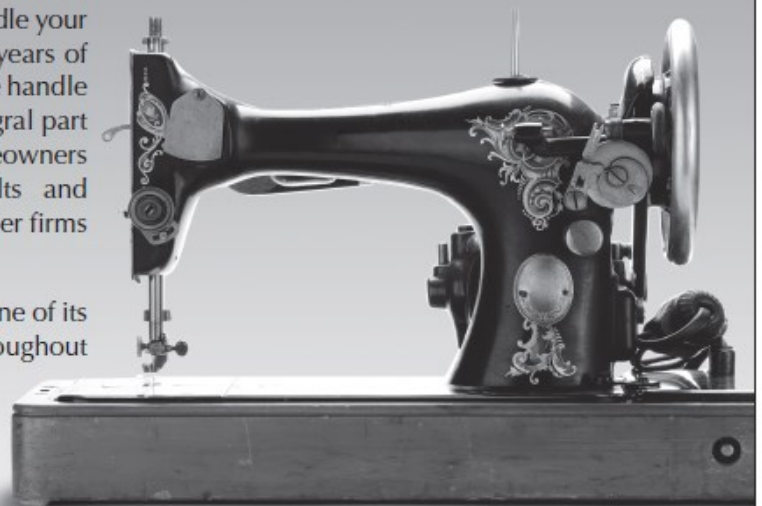
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diagnosed your moisture problem, you can either repair or replace the stucco...however, often times, **repairing the stucco isn't an option.**

Much more than type, color, and style – **the effects of inferior products should be equally as concerning as bad installation.**

How do you choose between the three most commonly found windows built with fiberglass, wood, or vinyl? Start by understanding that our local weather in New York contains constant changes in the seasons, from the beautiful mid-80's of the summer to the frigid mid-teens of the winter. Because of this, we must look for materials that have an **extremely low thermal expansion rate**, which keeps windows stable and weather tight, **reducing the risk of seal failures and air leakage into your home.**

Understanding that your home will have expansion and contraction, you also want to be sure that your window frame is extremely strong and resilient. As with all things, the sun and its natural UV rays continuously break down materials over time, so finding materials with an extremely long degradation life should certainly be important to maintain the home's curb appeal, as well as foster lower maintenance costs. Energy efficiency is extremely important considering windows are the gateway to either letting weather into your home or keeping it out. **Not all windows are rated the same** and many manufacturers add features that sound great when buying them, but don't necessarily add up in reality. Be sure to look for windows with **low conductivity which will reduce heat loss** in your home, translating into lower energy bills.

**So where do we go from here?** We started by explaining to the property manager and homeowner that we felt the best installation method to replace this window was to remove the window and frame entirely. This includes cutting the stucco 3 ½" around the entire frame to allow removal of the flanges originally installed when the unit was first constructed, install a full frame fiberglass window, aluminum drip edge and flashing on top of and around the window, and complete the exterior trim with 1" x 4" 100% composite material that is impervious to moisture and insects, and does not require painting, and then seal the entire perimeter to create a tight seal with caulking. This method ensures not only the correct installation to provide and back up the manufacturer's warranty but it would also **prevent damage** to the building. An improperly installed window will not only create drafts

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and water issues within the unit, but can also allow water to penetrate BEHIND the siding facade or sheetrock.

**Preventative Measures?** Proper installation techniques are vital to preventing water damage. A qualified contractor is going to be sure to include the proper labor, materials, and trained installation techniques when doing a job. For instance, a contractor who will be replacing siding with vinyl will be sure that the siding has drainage holes which allow water to flow to the outside of the home and not the inside. They will also be sure that **flashing is always put into place surrounding the edges of the siding, windows and doors.** Flashing can be either aluminum, copper, or lead based upon the application. It could be exposed or concealed, however it must be a metal that is impervious to water. When properly installed, water will be directed to the outside of the home, away from windows, doors, chimneys and joints. Housewrap - a material that helps keep air and water out while

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## NUTRIENT MANAGEMENT IN PONDS AND LAKES

By SHANNON JUNIOR, AQUATIC ECOLOGIST AND REGIONAL LEADER — SOLITUDE LAKE MANAGEMENT

It is a sad fact that ponds and lakes begin to die on the day that their construction is completed. When flowing water is captured behind a dam embankment, sediment, nutrients, and other pollutants settle to the bottom of the basin and are left behind in the pond, and the cleaner water leaves through the outlet structure. So the fate of the stormwater management ponds in our communities is that they become impaired over time because of their function to filter runoff and protect downstream water resources. This **process of nutrient accumulation and pond aging is known as eutrophication**, and eutrophic ponds can become a maintenance nightmare.

Unfortunately, ponds and lakes that become over enriched with nutrients are more susceptible to cyanobacteria and nuisance algae blooms, surface biofilms, excessive submersed plant growth, and related oxygen depletion. That “ugly pond” in your community is likely suffering from a severe case of nutrient pollution. Mitigating the effects of nutrient loading is the key factor in successful lake management programs, with phosphorus being the primary concern.

Integrated pest management strategies for nuisance aquatic vegetation and algae control include preventive approaches to minimize the amount of nutrients and sediment entering the water. Whenever possible, it is recommended to integrate sustainable, proactive practices into long-term pond management plans in order to improve water quality and minimize the quantity of pesticides required to maintain healthy and attractive ponds and lakes. Unfortunately, though, many of the nutrient inputs to stormwater ponds come from outside of the community and cannot be controlled. And while preventive strategies are widely implemented, they are inadequate to restore ponds that are already impaired. Physical removal of unconsolidated sediment and the associated nutrients (i.e., dredging) is the most direct mitigation strategy and will ultimately be required for every stormwater pond, although it is a major process and can be cost-prohibitive.

There is a new technology available for pond restoration that

results in the permanent inactivation of phosphorus. When Phoslock is applied to a pond, phosphorus is permanently removed from the water column, and it improves water quality by resetting the eutrophication clock. The product is completely safe for use in the aquatic environment, with no adverse effects on fish, macroinvertebrates, or other wildlife.

In order to implement the most effective phosphorus mitigation strategy with Phoslock, laboratory testing is recommended to assess the water quality entering and within the pond, including the phosphorus levels in both the water column and the sediment. But even when laboratory test results are not available, the product can be applied at a moderate baseline rate on an annual basis as part of an ongoing pond management program. In order to evaluate the effectiveness of this strategy, we applied Phoslock to 100 ponds in 2012, and developed an objective rating system to quantify the results.

Since laboratory test results were not available for these ponds, we instead assessed the management inputs (i.e., labor hours and product quantities) required after the Phoslock applications compared to historical programs as an indicator

of phosphorus, trophic status (i.e., ecological age) and water quality. Our assumption was that more eutrophic ponds with poor water quality would require more management inputs compared to ponds with better water quality.

For ponds where there was no obvious difference in water quality and

management inputs after the Phoslock application, we used a rating of “Neutral.” Ponds where there was an improvement in water quality and reduction in management inputs were rated as “Positive,” and ponds with a significant improvement in water quality and 50% or greater reduction management inputs were rated as “Excellent.”

We observed Positive to Excellent results in 83% of the ponds (49% Excellent, 34% Positive) and the remaining 17% were rated as Neutral. As an example of improving the trophic status and water quality over time with repeated

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applications of the product, one pond had a 50% reduction in management inputs in 2012, an 85% reduction in 2013 and a 99% reduction in 2014 compared to the 2011 program.

Although Phoslock is not always less costly than herbicides from a short-term financial standpoint, we feel that a more environmentally sustainable strategy is the best value for a long-term management program. ■

*If you have any questions or would like to learn more, feel free to contact Shannon at [sjunior@solitudelake.com](mailto:sjunior@solitudelake.com) and/or visit [www.solitudelakemanagement.com](http://www.solitudelakemanagement.com).*

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letting water vapor escape should be used on all siding jobs. Exterior, weather-resistant caulking creates a seal that prevents water, air and noise from getting in. Ask your contractors **HOW** they intend to protect the home from water damage before you hire them. The best way to manage water damage is to **prevent it from occurring in the first place**. Anytime you see one of the tell-tale signs mentioned above, I suggest you contact a certified and well respected home inspector. **The bitterness of poor quality remains long after the sweetness of low price.** ■

*Eric Clemente may be reached at [eclemente@alure.com](mailto:eclemente@alure.com) and/or visit the website at [www.alure.com](http://www.alure.com).*



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## DEALING WITH SUMMER MOLD

By DEBORAH RASHTI, VP SALES & MARKETING — SERVPRO OF GREAT NECK/PORT WASHINGTON

Warm weather is here and summer is in full swing! The recent high levels of humidity can contribute to rapid growth of mold and we know that we will most likely see a corresponding spike in mold with the rise in temperature.

If you suspect a mold problem, do not bring in a mold remediation company without first bringing in an indoor environmentalist (industrial hygienist) to do independent air testing, who has no vested interest in the job. Remediation companies and your insurance company can usually provide you with names of environmentalists or hygienists.

A professional mold remediation company will not only insist that you have an air test done - they will make sure that it is done fairly by someone other than themselves, to avoid any conflict of interest. How many times have we seen undercover newscasters expose unscrupulous people that prey on people's naivety and fear for profit?

Remember, mold can't exist without a water source, so make sure that you know where the water is coming from and that it has been resolved, before you remediate. If it can't be resolved, as is the case with ground water coming in from the high water tables, make sure that you rebuild with materials

that can stand up to water infiltration like tile floors, cement walls and floor drains.

Hidden water is often the culprit when it comes to mold: water behind drywall and above ceilings; carpeting that feels and looks dry, but isn't. While it is expensive to bring in a water remediation specialist to clean up your flood, it is a drop in the bucket compared to what it will cost you if it is not cleaned properly. Mold is considerably more expensive to clean up than flood-water (depending on the square footage).



Keep in mind that contractors think "renovation" not "restoration" and are not trained in safe mold mitigation and removal. I can't tell you how many contractors' homes we've been assigned to by insurance carriers, who are convinced our services are not needed... until we show where the water is hidden in their home using infrared cameras and moisture content meters. It is an eye-opening experience.

If you wonder why you never heard about mold years ago, think about the "home improvements" we've made along the way: the advent of double paned windows for energy saving in the 70's kept our homes airtight (a disastrous environment if there was moisture lurking behind a wall or in a hidden cavity); lead was removed from paint in 1978 and replaced with latex which became a food source for mold; drywall, an excellent organic source of food for mold, replaced plaster after WWII; and sugar and starches in wallpaper paste literally supplied the icing on the cake for what has become a mold smorgasbord! Mold resistant products are just beginning to come on the market.

Another change that brought mold to our attention is the trend in finishing basements. 80% of mold remediation is performed "below grade." As a general rule, dehumidifiers should be plugged in once the heat is turned off for the season. It is one of your best protectors against mold and odors.

Remember blowing seeds off a dandelion? It's a good analogy for what happens to mold when it is disrupted.

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Once airborne, it latches onto new areas for growth. The larger the area mold encompasses, the greater the containment site needed, and the more money it will cost to remediate. As for bleach, don't think of it as a healthy or effective solution. Not only is it toxic in high levels and when mixed with certain chemicals and cleaners, but it is corrosive to wood and metal. Today's products are much more eco-friendly and effective.

At present, there are no laws concerning mold remediation or any rulings on the health effects of mold and therefore it is a hot bed for litigation. Scientific testing is the best protection you can buy against being swindled by vendors and home sellers. Currently, in other parts of the country, there are laws that require homeowners to disclose mold remediation as public record. New York has been resistant to this disclosure, but that may change with so many homes affected by Sandy. Scientific data showing air levels to be within acceptable or unacceptable ranges post-remediation are about the only proof you can get that would stand a chance to hold up in court.

**Moral of the story: Dry it correctly, right from the start. ■**

Contact Debbie Rashti at [debbie@servproofgreatneck.com](mailto:debbie@servproofgreatneck.com) or visit [www.ServproOfGreatNeck.com](http://www.ServproOfGreatNeck.com).

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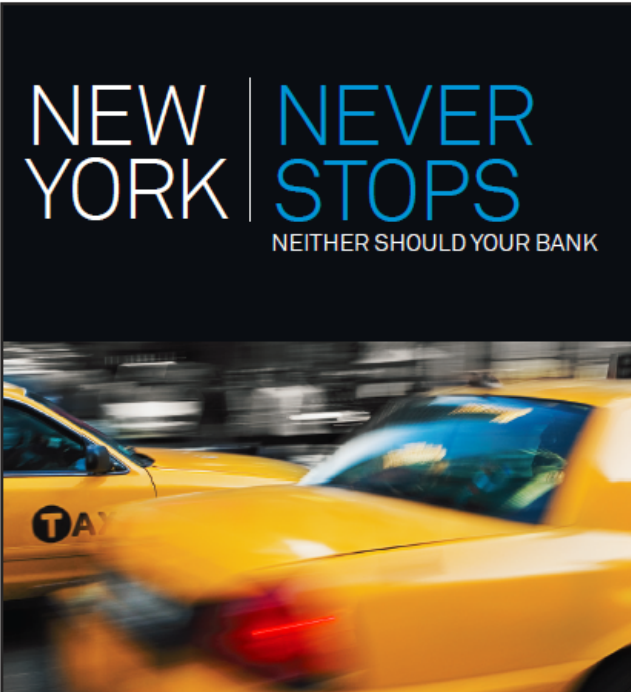
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## Long Island Chapter Upcoming Events

*Thursday, September 24th - 6:00 p.m.*  
*Managing Construction Projects*  
*Capital One Bank*  
*275 Broad Hollow Road, Melville*

*Saturday, October 17th - 9:00 a.m. to 3:00 p.m.*  
*9th Annual Trade Show*  
*Hilton Long Island*  
*598 Broad Hollow Road, Melville*

*Thursday thru Saturday - November 5th-7th*  
*M-100 Class: The Essentials of*  
*Community Association Management*  
*Belfor Property Restoration*  
*60 Raynor Avenue, Ronkonkoma*

*Saturday, November 7th - 8:00 a.m.*  
*Basic Essentials Class*  
*for Community Association Board Members*  
*Belfor Property Restoration*  
*60 Raynor Avenue, Ronkonkoma*

*Thursday, November 12th - 6:00 p.m.*  
*Bretton Woods HOA Clubhouse*  
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*December — Chapter Holiday Party*

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## CHOOSING PROPERTY MANAGEMENT SOFTWARE

By SARAH SUKTA, DIRECTOR OF MARKETING, EUNIFY

Technology for property management has evolved. A growing number of managers are replacing pen and paper with tablets and smartphones on compliance rides and even HOA boards are discovering the benefits of association web portals with important functions, such as, online payments, homeowner accounts, eBlasts, and community calendars. While the industry as a whole has been slow to adopt new technologies, many property management companies are realizing the competitive edge software can provide by streamlining operations and making it easier to provide quality service to HOA clients.

Managers interested in adopting technology solutions are looking to serve internal operational needs and meet external association requests. Internally, managers want a mobile compliance application with the ability to capture violations with photos, a simple, centralized database without expensive hardware, and an easy to learn platform for staff to access and track homeowner accounts. Board members are demanding better reporting, quicker correspondence, and most importantly, online access to their accounts placed with the property management company. A board member of a self-managed association in Tempe explained, "We serve our community on a volunteer basis, so we turned to software to reduce our time commitment in managing the association budget, homeowner dues, and keeping up with our compliance inspections" – Chris, Village at Shalimar.

Technology should simplify life for board members and aid property management companies in growing business, going paperless and helping managers effectively do their job. When evaluating software options with technology firms, before scheduling a demo with a software company, compile a list of key functions and business requirements in order to evaluate how closely a potential software solution aligns with your

specific needs. Here are **several important** factors to consider when looking for a technology solution:

**Scalability** – Whether your company is managing one or a thousand associations, find a product that empowers your company to accomplish core functions with a flexible, affordable, web-based platform. This will allow room to grow within a single solution. Look for a solution with "pay as you grow" pricing so you aren't penalized for being the "little guy" starting out, or overburdened if you already manage a long list of communities.

**Accessibility** – Look for a solution that is fully hosted (cloud-based). This will eliminate the need to acquire and maintain expensive server hardware, and enables system accessibility with only an internet connection and a browser. Choosing cloud-based software allows management companies to save time, money, and head count. Security and privacy are critical when it comes to adopting a cloud-based system and it should offer security such as SSL data encryption. Be sure to read the terms of service documents carefully to ensure guaranteed and explicit ownership of your data so that it cannot be sold or used by a third party.

**Mobility** – A powerful mobile application for smart phones and tablet devices will help make managers truly mobile. Choose an application that can fulfill your core compliance functions, such as capturing violations during inspections and re-inspections, and work orders with photos in the field that synchronize automatically. Some mobile solutions run on mobile browsers, requiring a constant 3G/4G connection and

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a lot of data usage. These tend to run slower and are less robust than true mobile applications. Look for a mobile application that saves inspection data locally on the device to avoid problems associated with loss of internet connectivity. Finally, mobile applications available via the Apple Store or Google Play Store undergo thorough testing and therefore are generally better quality (and more trustworthy) than applications downloaded from another source.

**Innovation** – With the ever changing rules, regulations and laws, it is important to choose a technology solution that is committed to continually innovating, evolving and growing to match your business needs. Look for a company that maintains a regular schedule of update releases and that is willing to listen to suggestions for enhancing its system over time.

**Integration** – Make sure that the new software will be able to integrate with platforms you are currently using. It could be costly to have to buy a specific hardware or new accounting software if your new technology is not compatible. You might also consider how the solution integrates with community web portals to make account information accessible to homeowners, and online merchant accounts to enable online bill pay. Technology is the future of the industry. Don't get left behind. ■

Contact Sarah Sukta at [ssukta@eunify.net](mailto:ssukta@eunify.net).

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**PRESIDENT’S MESSAGE**

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

Greetings CAI members and friends!

I hope you are all enjoying our wonderful Long Island summer, and getting ready for the second half of our upcoming year together – we have a lot of great things still in store for you, so don’t miss out on a single bit of it!

However, before going into what we have coming up – allow me to share a brief recap of the past few months for those of you who may have missed out.

In June, we had our Fourth Annual “Nine and Dine” Golf Outing at Spring Lake Golf Course in Middle Island. What a fantastic and well-attended event that was! In addition to sharing the perfect day with friends and colleagues out on the course (cigars optional), we also had a fun-filled dinner and cocktail hour with raffles and prizes for everyone; a hearty congratulations to our winners (Doug, did you really hit the ball within 1” of the hole, or was that a property manager trick?!). Better luck next year to those, like me, who need to spend a whole lot more time out there – and a very special thank you is in order for our tireless Master of Ceremonies, Frank Riggio, who puts this event together and keeps things

going for us year after year.

In July, we had our annual summer cocktail party at Trento in Farmingdale, also well-attended and a great time for all. If you missed this one, be sure to make next year - no seminar, no notes, no lectures - just good old fashioned fun and comradery (where else can you chat and mingle with friends over free drinks and great food on a lazy summer day?!)

Our final recap is a hearty and well-deserved congratulations to our own Ed Taylor, who was inducted into CAI’S College of Community Association Lawyers (CCAL) last year at the CAI Legal Conference in San Francisco. Of the thousands of attorneys practicing community association law in the United States, fewer than **150** have been granted membership in the College, and Ed is the **ONLY** member of the College in the entire state of New York. Fellows of the College distinguish themselves through contributions to the development of community association law, with service demonstrated by a consistent commitment to educate and empower boards and residents of the more than 300,000 community associations across the country. CCAL attorneys commit themselves to

*Continued on Page 14*

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high standards of professional and ethical conduct and work to create a community of experienced legal professionals to advance community association law for the betterment of the communities they serve. Only the cream of the association crop makes this distinguished milestone – so we are as pleased as punch and proud of Ed as could be.

Looking ahead, next month we have an exciting and informative seminar that should be of great interest to every one of our members and sure to help you avoid problems and save money: “Managing Construction Projects” is being coordinated by Marsha Grant, and will consist of a panel of experts including contractors, property managers, attorneys and insurance experts – all here to assist you in effectively managing your communities without going mad - so be sure not to miss this one, it’s going to be a doozie! Our meeting and seminar will be held on Thursday, September 24<sup>th</sup> at Capital One Bank, 275 Broadhollow Road in Melville, at 6:00 pm, so don’t miss it.

And now, on to the big event, our Ninth Annual CAI-LI Trade Show, Saturday, October 17<sup>th</sup> from 9:00 am – 3:00 pm! We have some great new members and committees working extremely hard to make this year’s event the best available, so a special thanks and acknowledgment is in order for these diligent volunteers who consistently make CAI-LI better and better. First, a heart-felt thank you to our new Trade Show Chairs, Pat Matheis and Suzanne Borelli, who have both invested enormous sums of time and energy in making this year’s Trade Show one of the best in the country; THANK YOU both for everything you do – you are greatly appreciated!

Next up is our Membership Committee, which just happens to be the exact same group of devoted members as our newly-formed Social/Media Committee, so a very special thank you, acknowledgement and recognition is warmly extended to these members who have diligently worked on both of these committees, taking enormous time from their own work and family to put this together for us - THANK YOU ladies and gentlemen (in no certain order): Eric Clemente; Lisa Rosenthal; Debbie Rashti; and Woody Goldstein. Kudos to you all!

This year’s Trade Show is being held on Saturday, October 17, 2015, from 9:00 am to 3:00 pm at the Hilton Long Island, Melville, New York. In addition to conducting six fantastic, informative and entertaining seminars given by experts in their various fields, we serve a delicious buffet breakfast & lunch (free to all community board members), have tons of fun prizes, raffles and giveaways throughout the day, and present professional awards to our winning board members, property managers and contractors/vendors – so bring your whole

board down for the day and see what a difference CAI can make for you and your community.

Finally, a special thanks to our Board and its members for all of their hard work throughout the year, and of course – to our fabulous and indispensable Executive Director, Christine Majid, for all of her late-night hours behind the scenes making the rest of us look so good, and to our dedicated members and sponsors who keep this ship running and afloat with their continued support – thank you all for your continued involvement, and I look forward to seeing you at our next meeting in September. ■

Warm regards,

J. David Eldridge, Esq.



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## FINANCING FOR COMMUNITIES: WHY AND HOW TO GET FUNDS, DO THEY GROW ON TREES?

By MARSHA GRANT, PRESIDENT, GRANT MANAGEMENT SERVICES

Financing for communities can differ greatly based on the type of community and their needs. In a co-op, financing is for the underlying mortgage and usually a line of credit. For a condominium or homeowners association, it is not technically a mortgage, but a loan with a pledge against the collections of common area maintenance for the community. (It means that if the community doesn't make the loan payments, the bank can step in and collect maintenance and make those payments as well as others. This rarely happens.) I will go over each of these separately, and depending on the type of property you have, you can just read that section. Here are some ideas and recommendations based on my 25 years experience of securing financing for communities.

First, it is important to stress that since each community is unique, your accountant and your attorney must be consulted on any of the suggestions in this article. It is impossible to anticipate By-Laws, Proprietary Leases, and other special circumstances at each community when writing this. Of course, the Board members themselves must agree to the plan.

I am going to start with condominiums and homeowners associations (HOA), so if you are in a co-op, please skip down to that section. For condos and HOA's, the reasons for seeking financing would be for large capital improvement projects and repairs. The pros for seeking funding versus using a reserve fund or building a reserve fund are mostly in the fact that the dollar amount for large projects such as roofs, roads, masonry repairs, etc. can be sizeable: The owners who will pay for these repairs might not stay long enough to recoup the benefits of the project; the loan payment attributable to each unit is attached to the unit as a maintenance payment and not to each owner and travels with the unit if it is sold. Each owner will only pay for the project based on the amount of time that they live in the unit. (If they sell in one year, they only paid for one year and the new owner continues on with their portion of the payment.) Another benefit is that the work can be done sooner rather than later preventing further damage, improving quality of life and protecting property value.

*Continued on Page 16*

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*Continued from Page 15*

(Some insurance carriers may even require some of the work you are contemplating based on their annual inspection.) The cons are that you will be paying interest, the loan payment can go five, ten or fifteen years out, and maintenance will appear slightly higher for the additional loan payment per unit.

In order to seek financing for condos and HOA's, the bank will require a few things. The biggest hurdle is to determine the process for having the owners vote at a Special Meeting to authorize the work and financing. I strongly recommend having your attorney review your By-Laws. Most By-Laws require a Special Meeting and vote to approve the expenditure and financing and have a set number of owners who must vote yes (usually 2/3rds) and a set number of days in advance that notice of this special meeting must be sent out, among other requirements.

For the Special Meeting, and for your bank application, you will usually need the following: an engineer's report, if needed for the project, a budget for the work and a description of the work required. Your attorney, accountant, managing agent and engineer may all be at this meeting to address owners' concerns and questions.

For co-ops with an underlying mortgage, this loan is usually for ten years, but can be for a shorter or longer period. About two years before the current loan is due, I recommend you start going out to the market and exploring options. The first thing you want to do is to get a payoff estimate to see what



Congratulations to Arthur Freilich (left) from the Seasons at Plainview! He was the winner of an American Express gift certificate, compliments of BankUnited, while attending the Long Island Chapter's Summer Social which was held in July at Trento in Farmingdale and sponsored by BankUnited. Arthur is accompanied by Peter J. Dumelle, Vice President at BankUnited and Chair of the CAI - Long Island Programs Committee.

## SAVE THE DATE TRADE SHOW

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your current pre-payment penalty is. There are banks out there that will give you deals on some fees to compensate for your pre-payment penalty, so don't let it stop you from looking. Your current lender may even make you an offer. Interest rates are supposed to rise in the near future so there is good reason to take a look sooner rather than later. Rates are still quite low. One word of caution would be for yield-maintenance loans. When interest rates rise, this product becomes popular as it can offer a low rate, but the effective prepayment penalties are exorbitant, as it requires you to pay back the interest income the bank would have made if you had not prepaid the loan. Another item that can add up is a yearly service fee for your line of credit. Try to negotiate this down or away completely. If the new loan payment is based on a lower interest rate and there is enough savings, many co-ops refinance additional funds for future capital improvements.

For all funding, I recommend examining arrears for the community and getting as many as possible resolved and collected. Make sure financial statements are up to date. I always recommend several months before year-end to step up collection efforts so that year end financials look good. For all loans, look at the prepayment schedule and don't assume you have to live with it. The last few years of the loan, you make sure the prepayment penalty is low so you have options for when to refinance. For condos and HOA's, you want to try to ensure that the current lender will not charge you fees if you refinance at any point during the loan. For co-ops, you will need a copy of your survey. For all loans, I recommend comparing proposals (term sheets) from all banks to see if they will match some of the lower fees. There are sometimes nice savings to be had.

These are the basics to get you started, and there are many more details, but it is a good start. I hope you use a few of these ideas to get your financing started and save your community money. ■

*If you have any comments or questions you can reach Marsha Grant at [mgrant@nygms.com](mailto:mgrant@nygms.com).*



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