

Cooperative and Condominium Practice Guide



Belkin · Burden · Goldman, LLP

A T T O R N E Y S A T L A W

Est. 1989



Co-Op and Condo Practice

About our Services

Belkin · Burden · Goldman, LLP ("BBG") represents more than 300 cooperatives and condominiums throughout New York City, primarily serving as general counsel. BBG's Co-Op and Condo services include, but are not limited to, the following:

- Corporate governance matters;
- Enforcement of obligations under Proprietary Leases, By-Laws and House Rules, including the collection of maintenance arrears (through and including the preparation of requisite notices and the commencement of non-payment proceedings and other methods);
- Enforcement of obligations under Condominium By-Laws and Rules and Regulations, including the collection of common charge arrears (through and including the filing and foreclosure of liens for unpaid common charges);
- Guidance in connection with the turnover of control from the Sponsor to the Unit Owners;
- Amendment of governing documents;
- Assisting with and attendance at meetings of the Board or owners; review and editing of the minutes at such meetings;
- Assisting in the resolution of disputes with and between owners and shareholders;
- Cessation of illegal subletting (including transient/short term occupancy);
- The negotiation and preparation of contracts for major capital projects (Construction Access Agreements), professional services and other vendors;
- Handling all aspects of building mortgage refinancings;
- Handling all aspects of purchase/sale transactions and financing;
- The negotiation and preparation of leases (whether residential or commercial);
- All forms of litigation in all courts, including lien foreclosures;
- Handling all types of matters before the Department of Buildings, Board of Standards and Appeals, and the Environmental Control Board; and
- The conversion and sale of professional offices, servants rooms, common hallway space, and other non-allocated space, including obtaining private letter rulings from the Internal Revenue Service and no-action letters from the New York State Department of Law.

BBG offers a unique perspective and invaluable industry knowledge in providing legal advice and guidance given our extensive involvement representing cooperatives and condominiums, preparing offering plans for developers, and representing parties involved in the ownership, operation, purchase and sale of residential and commercial real estate.

Each quarter, BBG publishes "The BBG Update," a newsletter that includes The Co-Op/Condo Corner, which surveys recent cases relating to Co-Op/Condo matters with comments from a BBG attorney on their outcomes. Read it here: <https://bbgllp.com/the-bbg-update-new-york-law/>.



Recent Representative Experience

- Represented a Madison Avenue co-op in a \$75M refinancing. **Transactional**
- Represented a Manhattan co-op in a \$22M mortgage refinancing. **Transactional**
- Assisted an Upper East Side co-op in connection with Department of Buildings issues to effectively address quality of life concerns from an adjoining eating and drinking establishment. **Land Use**
- Prepared Department of City Planning application for modifications to an existing plaza at a Manhattan co-op. **Land Use**
- Represented a large Midtown condominium association in connection with obtaining an \$11.5M loan for capital improvements. **Transactional**
- Represented medical center in connection with a 30-year lease of an entire building pursuant to a leasehold condominium regime in the Fort Hamilton section of Brooklyn. **Leasing**
- Represented co-op in connection with conversion of existing Joint Living Work Quarters for Artists to residential use under the new Soho/Noho regulations. **Transactional**
- Conducted zoning due diligence and negotiated development rights, cantilever, easement and construction agreements related to development of condo project in Tribeca. **Land Use**
- Represented the seller of a midtown parking garage composed of three commercial condo units in two separate condominiums, in a \$9M sale. **Transactional**
- Represented Greenwich Village co-op in negotiation of a lease with gourmet supermarket. **Leasing**
- Represented an Upper East Side co-op in the leasing of approximately 3,000 square feet of ground floor and cellar space for an upscale café operated by a top NYC chef. **Leasing**
- Served as special counsel to a real estate fund in connection with \$142M sale of a 4-unit mixed-use condo consisting of 270 apartments, retail space, and parking garage. **Transactional/Administrative**
- Represented the seller of a portfolio of commercial condo garage units. **Transactional**
- Represented a co-op corporation in connection with a \$24M refinancing of its underlying mortgage with Apple Bank. **Transactional**
- Counseled co-ops on Upper West Side and Midtown East in connection with Department of City Planning applications to modify their Privately Owned Public Spaces (POPS). **Land Use**
- Represented the purchaser in its \$20M bulk purchase and financing of 20 co-op apartments—comprising all apartments in the co-op. **Transactional**

** A selected list of representative clients may be provided upon request.*

Co-Op and Condo Leadership

EXECUTIVE OVERSIGHT



Daniel T. Altman
Co-Managing Partner, Co-Chair, Transactional Dept.



Craig L. Price
Partner, Co-Chair, Transactional Dept.

★ CO-OP AND CONDO PRACTICE LEADERS



Lloyd F. Reisman
Partner



Matthew N. Tobias
Partner



Rosa Lombardo
Legal Assistant



James Cutting
Associate



Michael J. Shampain
Partner



Fletcher Corley
Associate



Zachary C. Rozycki
Associate

ADDITIONAL SUPPORT

ADMINISTRATIVE



Kara I. Rakowski
Partner, Co-Chair, Administrative Dept.



Logan O'Connor
Partner

- ADA Issues
- Companion Pet Issues
- Disability Issues
- Reasonable Accommodations
- Rent Stabilization and Control Issues



Ensuring compliance and efficient resolution of regulatory issues

CONSTRUCTION



Robert S. Marshall, Jr.
Partner



Joseph D. Verga
Associate

- Construction License and Access Agreements
- Construction Manager Agreements
- Contractor Agreements
- Design Professional Agreements
- Insurance and Indemnification Agreements
- Owner's Representative Agreements
- Project Manager Agreements



A proven leader in real estate construction in New York City

LAND USE/ZONING



Ron Mandel
Partner



Frank Noriega
Partner

- Applications to Authorize Alterations
- Combination of Apartments
- Conversion of Non-Commercial to Residential
- Modification of Privately Owned Public Spaces
- Permitted Uses/Change of Uses
- Transfer of Development Rights
- Zoning and Land Use



Comprehensive assistance related to land use and zoning

LITIGATION



Jeffrey L. Goldman
Co-Managing Partner, Co-Chair, Litigation Dept.



Matthew S. Brett
Partner

- Apartment Access Litigation
- Cessation of Illegal Subletting
- Commercial Landlord/Tenant Litigation
- Disputes Between Shareholders
- Enforcement of Sponsor Obligations
- Evictions of Superintendents
- General Litigation
- Maintenance Arrears
- Nonpayment Proceedings
- Pet/Animal Litigation
- Pullman Evictions
- UCC Enforcement Sales
- § 881 Proceedings



Generous support from a deep bench of BBG litigators

TRANSACTIONAL



Stephen Tretola
Partner



Allison R. Lissner
Partner

- Co-Op Refinances and Condo Borrowing
- Co-Op Transfer Agent Services
- Financings and Refinancings
- Purchases and Sales
- Residential/Commercial Leases and Licenses
- Sale of Apartments, Offices and Hallway Space
- Trust and LLC Transfers
- Vendor Agreements



The trusted source for transactions, financings, and leasing for 30+ years

65

More than 65 BBG attorneys are available to assist our practice group leaders with any type of legal matter a Co-Op/Condo may encounter.



LLOYD F. REISMAN

Partner

PRACTICE LEADER ★



Education

JD, Hofstra University School of Law
BA, Baruch College

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☎ (212) 485-5295

Admissions

New York

Professional Associations & Memberships

New York City Bar Association Cooperative & Condominium Law Committee
New York State Bar Association Condominiums & Cooperatives Committee

Honors & Awards

Super Lawyers®, New York Metro Area, Real Estate (2024 - 2026)
Super Lawyers Rising Stars®, New York Metro Area, Real Estate (2018 - 2020)

Lloyd F. Reisman has extensive experience serving as general counsel to Co-op and Condo Boards throughout New York City, working closely with BBG's Aaron Shmulewitz to establish himself as a trusted advisor to his clients, and a leader of BBG's Condominium and Cooperative practice. Prior to joining BBG, Lloyd worked with industry leaders at boutique firms, with a singular, unique focus on cooperatives and condominiums in New York City.

Lloyd's Co-Op and Condo clients benefit from his unique perspective and invaluable industry knowledge. On a regular basis, Lloyd provides legal advice and guidance on corporate governance matters, the negotiation and preparation of contracts for major capital improvements, professional services and other vendors, and the representation of cooperative boards in connection with the issuance and sale of previously unissued shares, among others.

When working closely with Boards and Managing Agents, Lloyd focuses on responsiveness, practical guidance, and client-centered insights, to deliver actionable legal advice tailored to the unique concerns and needs of each client.

As a leader in the field of New York City Condominium and Cooperative law, Lloyd serves on the New York City Bar Association's Cooperative & Condominium Law Committee, where he has contributed to key working groups, including the Forms Subcommittee and the Sponsor-Issues Subcommittee, both of which address significant legal challenges facing New York's co-ops and condominiums. Lloyd is also an active member of the New York State Bar Association's Condominiums & Cooperatives Committee, where he Co-Chairs the Board Governance Subcommittee.



MATTHEW N. TOBIAS

Partner

PRACTICE LEADER ★



Education

JD, Fordham Law School
BA, Cornell University

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☎ (212) 485-5245

Admissions

New York
US District Court for the Southern District of New York
US District Court for the Eastern District of New York

Honors & Awards

Super Lawyers®, New York Metro Area, Real Estate (2023 – 2026)
Super Lawyers Rising Stars®, New York Metro Area, Real Estate (2013 – 2014)

Matthew Tobias joined Belkin Burden Goldman LLP (“BBG”) as a partner in the Co-op and Condo division of the firm’s Transactional Department in 2025.

Mr. Tobias has extensive experience serving as general counsel to Co-op and Condo Boards throughout New York City. He regularly advises Boards on all manner of corporate governance issues, the operations and management of residential buildings, and resident issues, as well as negotiating access agreements with neighboring property owners. In addition, Mr. Tobias previously served for many years on the Board of Directors of his own cooperative, including as President. Thus, he has a keen understanding of the issues involved in managing a cooperative and considers these issues from the perspectives of both an attorney and a Board member.

In addition, Mr. Tobias is a veteran civil litigator, with over two decades of experience handling a wide variety of real estate and general commercial litigation, including, contract and lease disputes, mortgage lien priority disputes, disputes concerning real property and mortgage title defects, disputes concerning the governance and operation of condominiums and cooperatives, disputes concerning access to neighboring properties, and landlord/tenant disputes.



MICHAEL J. SHAMPAN

Partner



Education

JD, Brooklyn Law School
BA, Cornell University

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Bar Admissions

New York

Michael Shampán is a partner in the firm's Cooperative and Condominium Practice and Transactional Department. Michael specializes in representing purchasers and sellers of condominium and cooperative apartments, brownstones, single and multi-family homes, and commercial properties. He successfully conducts closings in connection with the sale, acquisition and financing of all types of residential and commercial properties. He regularly reviews, negotiates and prepares transactional and financing documents. He also helps represent numerous condominium and cooperative boards.

Michael also has significant experience in commercial and residential leasing, regularly reviewing and negotiating residential, retail, office and commercial leases.

In addition, Michael has represented numerous clients in drafting and negotiating access and license agreements and commercial constructions agreements.



FLETCHER CORLEY

Associate



Education

JD, Fordham University School of Law
BA, Columbia University

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☎ (212) 867-4466

Admissions

New York

Fletcher Corley is an associate in the Firm's Transactional Department. Fletcher represents condominium and cooperative boards, property owners, and other clients in a broad range of real estate disputes and governance matters. Their practice includes advising boards on day-to-day operational and legal issues, negotiating access and alteration agreements, and representing clients in litigation, landlord-tenant proceedings, and administrative matters.

Fletcher has experience handling commercial and residential real estate disputes, including lease and landlord-tenant matters, as well as administrative matters related to real estate, including City-issued violations and Loft Law issues. They have also represented clients in a variety of commercial litigation matters involving contract, employment, intellectual property, aviation, and other business disputes.



JAMES CUTTING

Associate



Education

JD, Brooklyn Law School
BA, University of Central Florida

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Bar Admissions

New York

James Cutting is an associate in the firm's Cooperative and Condominium Practice and Transactional Department, representing clients in a variety of real estate matters, including residential and mixed-use property transactions. James has experience serving as general counsel to property owners and their agents, advising on corporate, real estate, leasing, compliance, and litigation matters. His work includes negotiating and drafting design and construction contracts, securing financing through construction loans, government subsidies and grants, and negotiating commercial leases and subleases. He also advises clients on corporate governance and regulatory compliance.

Prior to joining BBG, James was employed at a boutique real estate law firm in New York City and served as an Assistant District Attorney in the Kings County District Attorney's Office.

A veteran of the U.S. Navy, James served on several overseas deployments as a Flight Engineer aboard the P-3 Orion aircraft and at home as an Aviation Survival School Instructor, earning several awards for his service, including the Navy Medicine Education and Training Instructor of the Year. He was also temporarily assigned to the Judge Advocate General Corps, where he assisted with criminal investigations.



ZACHARY C. ROZYCKI

Associate



Education

JD, St. John's University School of Law
BA, SUNY Binghamton

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Admissions

New York

Zachary C. Rozycki is an associate in the Cooperative and Condominium Practice and Transactional Department at BBG. He joined the firm as a summer associate in 2023.

Zach has experience assisting with condominium and cooperative matters, as well as land use and zoning matters. Additionally, Zach assists the transactional department in the different facets of commercial and residential transactions.

Zach graduated *cum laude* from St. John's University School of Law. While at St. John's, Zach was a Fellow of the Mattone Family Institute for Real Estate Law, as well as the Executive Notes and Comments Editor of the American Bankruptcy Institute Law Review.



About Our Firm

BBG is a team of highly seasoned practitioners who advise clients on all facets of real estate matters. With our vast experience in handling some of the largest real estate portfolios, we advocate effectively for our clients, safeguarding their legal and personal interests in a cost-efficient manner.

Advocating for Developers, Investors, Owners, Property Managers and Co-op and Condo Boards for Over 35 Years

Since 1989, our firm has been dedicated to providing top-notch real estate and legal advice for commercial and residential property owners in New York City and nationwide. With over 60 real estate attorneys based in NYC, our depth of diverse real estate knowledge gives us a competitive advantage in navigating the intricacies of the real estate landscape.

We possess extensive expertise in the following core competencies:

- Anti Harassment and Certificates of No Harassment
- Administrative Proceedings
- Appellate Litigation
- Bankruptcy and Creditors' Rights
- Co-Op and Condo Law
- Construction Law
- Due Diligence
- Human Rights
- Land Use and Zoning
- Landlord and Tenant Disputes
- Lease Preparation and Negotiation
- Litigation Civil and Supreme Courts
- Loft Law
- Mortgage Foreclosures
- Real Estate Transactions and Financing
- Rent Regulation
- Tax Exemptions and Zoning Incentives

Recent Accolades and News

- Ranked by *Chambers USA* as a top tier NY Real Estate Law Firm
- Ranked by *The Real Deal* for NY Real Estate Law
- Attorneys ranked by *Super Lawyers* and *Super Lawyers* "Rising Stars"
- Quoted extensively in *The New York Times*, *Wall Street Journal*, *Law360*, *New York Habitat*, and *The Real Deal*, among others

Reliable Advocate for the Industry and Emerging Trends

Through our long-standing partnerships with real estate industry groups (e.g., REBNY, NYAA), we have solidified our reputation as not only legal tacticians but also passionate advocates for the rights of property owners. BBG is at the cutting edge of legislative developments, proactively offering essential industry insights and identifying emerging trends.

Effective Billing Practices

The firm has first class billing practices, including the utilization of various electronic billing systems. We aim to make invoicing a painless process for our clients.

Client Service

Client service is paramount and we pride ourselves on our responsiveness, quick turn-around times and devotion to our clients' need for effective, personal and "hands-on" representation.



Co-Op/Condo Contact Sheet

CO-OP AND CONDO PRACTICE



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LITIGATION AND DISPUTES



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TRANSACTIONAL AND LEASING



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