

What's the point of living in a condo?

Poliakoff

Question: I just skimmed your recent column regarding the association demanding a key from the letter writer. You explain that condo dwellers give up certain rights and agree to abide by many rules, etc. My question therefore is, what are the benefits? Why subject yourself to strict rules and nosy, backstabbing neighbors?

Poliakoff: There is no question that there are certain people — those to whom rules are anathema, and for whom privacy is a primary consideration — who are not well-suited to living in any deed restricted community, whether a condominium, cooperative, or community governed by an HOA. Rules, however, are one of the primary purposes of such communities. Many people believe that rules governing how people must use and maintain their property helps to support property values and ensure that no individual home or neighbor drags down the investment of the owners who happen to live next door.

Anecdotally, there is evidence that can be the case — consider how hard it can be for a person in a traditional residential neighborhood to sell a home next to a neighbor whose lawn is used as a junkyard, or who has painted their home with screaming multi-colored polka dots and who has adorned the façade with high-powered spotlights, and you can imagine the appeal of a well-ordered but somewhat sterile community. On the other end, of course, are people who honestly and legitimately believe that those polka-dotted homes are the spice of life, and that wacky neighbors make living interesting. Having dealt at times with nightmare neighbors while growing up, I count myself in the former camp, but I also respect the latter.

Certainly, homeowners in non-restricted communities have fewer legal tools available to deal with nuisance and harassment issues, and they lack the weight of a community association to help keep the appearance of the overall community at a stable base level. But, that's a tradeoff that many are willing to make.

In a condominium, in particular, it would be nearly impossible for neighbors to live in such close proximity, sharing many of the common facilities, without some rules governing the behavior of residents and the way those facilities may be used. Even rental buildings have rules, and I am not aware of any high-rise communities that are successfully maintained as an anarchic free-for-all. In addition, rules are required to govern the shared ex-



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penses that are an essential element of condominium and cooperative living. The tradeoff for this is that condo and cooperative owners often have access to facilities that they would never be able to afford in a private home.

Also, let's not fool ourselves into believing that nosy, backstabbing neighbors are an issue unique to shared ownership communities. It is certainly a significant problem in condominiums and cooperatives, but that's more a function of the fact that everyone is living on top of their neighbors, rather than a function of the scheme of ownership. Rental buildings have nosy neighbors, too.

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