

County Board to Vote on Co-Op Disclosure Bill on June 28

By John Jordan

WHITE PLAINS—Decades of advocating for strong laws to promote co-op disclosure in order to prevent housing discrimination by cooperative boards may finally bear fruit later this month for members of the Hudson Gateway Association of Realtors and the consumers they represent.

The Westchester County Board of Legislators at its meeting on June 28th is expected to vote on co-op disclosure legislation that has the strong support from the Hudson Gateway Association of Realtors and other real estate and housing advocacy organizations.

A host of prominent Westchester County Realtors testified in favor of a long sought-after co-op disclosure bill on May 24 during a virtual public hearing before the Westchester County Board of Legislators.

The amendments to current county law would require that co-op boards provide a reason for the



PHOTO CREDIT: JOHN VECHOLLA

Top Row (left to right); HGAR President Crystal Hawkins-Syska; HGAR Chief Executive Officer Richard Haggerty; HGAR President-elect Anthony Domathoti. Bottom Row (left to right); HGAR Treasurer Carmen Bauman; Legislative Committee Co-Chair Leah Caro and Former HGAR President Barry Kramer

denial of an application when the co-op board notifies the county's Human Rights Commission of a denial. The measure would also require disclosure of minimum financial requirements to applicants before they apply. The County Board of Legislators will hold a vote on whether to approve the bill on June 28th, according to Philip Weiden, government affairs director for the Hudson Gateway Association of Realtors.

Among the many HGAR officials and members that testified before the County Board of Legislators included: HGAR President Crystal Hawkins-Syska, HGAR Chief Executive Officer Richard Haggerty, HGAR President-elect Anthony Domathoti, Legislative Committee Co-Chair Leah Caro, Barry Kramer, John Crittenden, Rey Hollingsworth Falu, Dorothy Botsoe, Jean Tickell, Mary Kingsley and

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HGAR COO Ann Garti to Retire After 40+ Years Of Service to the Region's Real Estate Industry

By John Jordan

GOSHEN—One of the most well-liked and respected staff members of the Hudson Gateway Association of Realtors, Ann Garti has announced her retirement effective on June 30.

Garti has served the association for more than 40 years, first at the Orange County Board of Realtors (later named the Orange County Association of Realtors) as its executive officer in May 1980. Garti would later shepherd OCAR through both heady and tumultuous times until Dec. 31, 2011 when OCAR merged with the Hudson Gateway Association of Realtors. She has since served as the Chief Operating Officer of HGAR and as the Orange County office

manager in Goshen since Jan. 1, 2012.

The native of East Harlem, Garti eventually moved to the Bronx when she was 12 and later after graduating Queens College, she worked at Union Carbide in New York City. First moving to Rockland County and some years later to Cornwall in Orange County, she would work for a trucking company before entering the real estate industry as the head of Orange County's Realtor association.

In 1980, Garti recalled that the entire budget for the then Orange County Board of Realtors was \$42,000. In 2011, the OCAR budget had grown to approximately \$627,000 and the association's

MLS had a budget of \$1.3 million.

Due to her tremendous contributions to the associations and to the real estate industry overall, Garti is the subject of *Real Estate In-Depth's* "Five Questions With" feature on page 2. In addition, HGAR Chief Executive Officer Richard Haggerty dedicates his monthly column on page 4 to Garti. His column entitled "Ann Garti: A 40-Year Tutorial in Leadership" details her background, her contributions and leadership to the Realtor community over four decades.

"Ann has always been adamant that you can't 'teach' leadership. You can enhance leadership traits and you can improve leadership skills, but you can't



teach leadership. Either you have it or you don't," Haggerty stated in his Gateway Perspectives column. "One thing I know for sure. Ann has it in spades. Her whole career has been about leadership. Living it day in and day out—quietly, effectively, with little fanfare, and at the end of the day with tremendous impact."

Facility Completed on Time Despite COVID

White Plains Hospital Opens \$272M Outpatient Facility

By John Jordan

WHITE PLAINS—There are few positive things people can point to during the coronavirus pandemic. On June 2, a host of political dignitaries, hospital executives and hundreds of staff celebrated the completion of a \$272-million project that serves as a concrete testament to the courage and dedication of White Plains Hospital workers and the construction workers that built the new Center for Advanced Medicine & Surgery despite the dangers of COVID-19.

The new nine-story 252,000-square-foot Center for Advanced Medicine & Surgery (CAMS) is located at 122 Maple Ave., at the corner of Maple and Longview avenues, in White Plains. The hospital broke ground on the project in April 2019 and contemplated completion this year. Susan Fox, president and



White Plains Hospital's new 252,000-square-foot Center for Advanced Medicine & Surgery is located at 122 Maple Ave. in White Plains

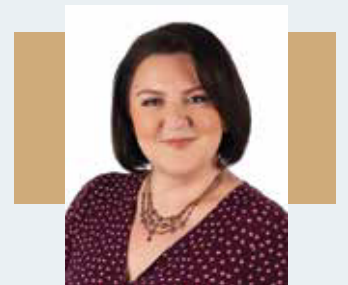
CEO of White Plains Hospital praised hospital staff, architect Perkins-Eastman and construction manager Turner Construction for completing the project on-time, despite the dangers and safety protocols put in place during the height of the pandemic.

While highlighting the latest hospital expansion project and the many benefits it will bring to patients, Fox and others did look back at what was a very tumultuous and troubling year.

"To say that this has been an incredible year is an understatement," Fox said. "We have all been through so much and

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SECTION 2
**FOCUS ON
 LUXURY
 PROPERTIES**

5 QUESTIONS WITH HGAR COO Ann Garti

By John Jordan

GOSHEN—At the end of this month a familiar face in the real estate industry in Orange County and the Hudson Valley region will be retiring after more than 40 years of dedicated service.

HGAR Chief Operating Officer Ann Garti, who also serves as the office manager for HGAR's Goshen office, is retiring on June 30. The affable Garti entered the real estate industry answering a blind ad in the *Middletown Times Herald Record*. She was hired as the executive officer of the then Orange County Board of Realtors, later to be renamed the Orange County Association of Realtors, in May 1980. She led the organization for 31 years and eight months, growing the organization from a few hundred members to an entity that had as many as 2,900 members and a budget that rose from \$42,000 at the start of her tenure to \$627,000 and a thriving MLS that had an annual budget of \$1.3 million.

Since January 2012, after being a critical part in OCAR's merger with the Rockland and Westchester associations, Garti has served as the COO of HGAR and has sat in her familiar seat in the Goshen office as office manager. As HGAR Chief Executive Officer Richard Haggerty attests in his column on page 4, Garti has shined as an association executive and has displayed tremendous leadership in both good and bad times.

The resident of Cornwall is the mother of three grown men—Mark, Andrew and Christopher. Her partner and her “biggest supporter” for 35 years Ralph Friedel, passed away in 2018. Garti has a picture taken by *Real Estate In-Depth* photographer John Vecchiolla of her and Ralph dancing at an HGAR function as her computer screen saver in her Goshen office.

She considers her mentor to be George Kohl and added Mary Gray Griffith, Lee Rickie and Dorothy Reid were some of her key supporters during her time with the Orange County Association. She also added that former WPAR CEO P. Gilbert Mercurio was her role model and she considers current HGAR CEO Haggerty as one of her closest friends.

1 **Real Estate In-Depth:** Ann, you are retiring after more than 40 years serving the Orange County Association of Realtors, the Hudson Gateway Association of Realtors and both organizations' affiliated MLSs. What would you say were some of your major accomplishments?

Garti: I think that the first thing I would have to say is the merger between the Orange County Association of Realtors and the Rockland County Board of Realtors and the Westchester-Putnam Association of Realtors (predecessor organization to the Hudson Gateway Association of Realtors). I think that has enabled us to have an incredible organization that is cost-effective, while representing the best interests of the members by being able to provide a great number of services to the members and a lot of professional development for them as well.

Also, I think that just initially the satisfaction of growing the Orange County Association of Realtors to have been able to see a very tiny organization, grow and develop and have strategic plans for its future and to become financially a very viable organization so that we had protection in times of bad markets where we were able to maintain our services, but at the same time we did not have to raise dues to the members. Those were some of the things that I found gratifying.

2 **Real Estate In-Depth:** What were the most difficult periods in your tenure and please explain why?

Garti: I think one of the most difficult periods, which turned out in fact to be one of the successes of the Orange County Association of Realtors, was when the Orange County Multiple Listing Service took over providing multiple listing services to Rockland County. It was contentious, there was an antitrust lawsuit filed against us for \$5-million. Also, getting the technology to work for the multiple listing service because we had to convert all of the data from Rockland County and bring it into our system. I lost 15 pounds during the whole process! Ultimately, I think that everybody pretty much would agree that it was very successful and that was good for both organizations. **Editor's Note:** OCAR prevailed in the anti-trust suit.

3 **Real Estate In-Depth:** What were some of the more beneficial changes that took place in the industry over the past 40 years and is there anything no longer part of the industry that you wish could make a return? Also, do you think the role of the Realtor Association has changed over the years?

Garti: I think the part of the industry that I miss and part of it is just a function of size is that there was more trust. I think a handshake was a very significant way of doing business and I think not only the relationship between the members, but just with the public because the public has changed too in the way they want to do business or not. Products such as Errors & Omissions

insurance were practically unheard of because people were not constantly afraid of being sued, with or without cause. Those are some of the things I miss.

Some of the great things that have changed obviously is that the technology has just totally made the industry more efficient. The technology it goes without saying

has facilitated the availability of information about properties and the speed in which it is available and the fact that our agents can work so much more productively because basically, now the public does a lot of the research before

they even make any kind of decision about buying or where they will buy or any of those factors.

I definitely think the role of the association has changed. I think we provide a great deal more service and our endeavors in education and professional development have really expanded. And I think that more than ever our role as advocates for the industry—that is major—how we have expanded our role in terms of lobbying and trying to influence elected officials about what is important to the industry and why. Basically, I am very proud of the fact that most of the things we have advocated for are issues of private property rights, so in a sense I feel we are protecting the public as well as our own industry and our own members.

4 **Real Estate In-Depth:** Where do you see the industry heading in the years to come and do you believe Realtors will continue to play a major role in residential and commercial real estate transactions?

Garti: I think everybody has said this so this is not something new—this is still a people relationship kind of industry. I think that while technology has served us very well and will continue to do so and will continue to make the industry even better because of the fact that things like closings won't take forever and it can make us more efficient in those aspects of getting financing, necessary documents, etc. It is still basically a relationship industry. Particularly in residential (transactions), I believe that selecting your home is an emotional decision. When you buy a house, when you find the house that you love, it's really an emotional decision. So, I still see a very significant role for Realtors.

5 **Real Estate In-Depth:** What are your plans in retirement and do you have any message you wish to convey to your HGAR colleagues and staff?

Garti: My plans in retirement, and this is no surprise to people who know me, is I want to “play in the dirt” because I love to work outside and garden and all of that good stuff and to do some traveling. Morocco has been on my bucket list for some time and so has Turkey, but Turkey isn't happening for obvious reasons! And I do want to perfect some of my baking skills, so I will spend some time doing that. Also, some of the obvious things like having more time to read and visiting museums and the (New York) Botanical Gardens. I really enjoy that.

To my colleagues and staff, I want to say that I think it is very, very important to enjoy what you do every day and to always give it your best effort. I also think that having been through the pandemic, we haven't had the opportunity for collegiality that would be the norm so as we have the opportunity to being back in the office I hope they will take advantage of knowing and caring about their co-workers. At the end of the day you have to feel like you have given it your best, it is the most wonderful form of self-satisfaction that you can have.



NYS DOT Study Estimates Route 17 Expansion to Cost Between \$245 Million to \$1 Billion

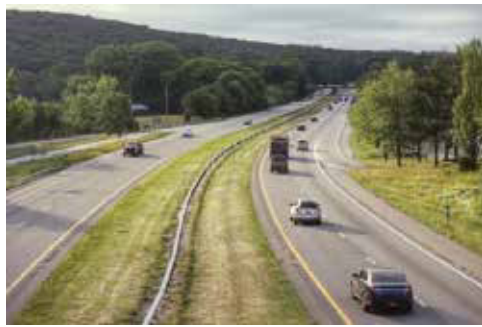
By John Jordan

POUGHKEEPSIE—An ongoing study on the costs of improvements to Route 17, including the possible construction of a third lane in both the eastbound and westbound directions could cost anywhere from as little as \$245 million to as much as \$1 billion, depending upon the scope of the project.

Members of the New York State Department of Transportation’s Route 17 Planning and Environmental Linkage (PEL) Study group hosted a virtual workshop on Thursday, June 3 to provide the public an update on the study’s progress and improvements being considered for the vital section of roadway in Orange and Sullivan counties. The program was hosted by Mark Tiano, PE, NYS DOT Project Manager for the Route 17 PEL study, and also featured officials with consulting firm WSP USA that covered a host of topics including the estimated cost of various third lane build scenarios under consideration; possible transit enhancements, including the construction of new park and ride facilities, and a host of interchange improvements in Sullivan and Orange counties that could be undertaken if and when funding is available.

Rebecca Novak, civil department manager at WSP USA’s office in Valhalla, detailed the two major third lane build options. If the study recommends the construction of a third lane, the least expensive option would add a third lane in the existing roadway footprint for a stretch of 20 miles from the I-87 connector in Harriman to the Route 211 exit (Exit 120) that would cost an estimated \$245 million to \$315 million. To broaden the scope of the project to run a stretch of 45 miles extending the third lane to

Route 17B (Exit 104) in Monticello would raise the cost of that option to between \$550 million to \$710 million. This option would have low to moderate impacts on existing bridges, minor environmental impacts and moderate pavement needs, but would also have non-standard left shoulders for the full length of



A study on the possible construction of a third lane on Route 17 in Orange and Sullivan counties should be finalized by this October.

the respective third lane expansions.

Novak explained that a second option would involve widening the existing roadway to accommodate the third lane expansions in both directions. The estimated cost of this option for a third lane covering 20 miles from Southern Orange County to Middletown would run between \$350 million to \$450 million. The project cost for the 45-mile stretch from Southern Orange County to Monticello would run between \$790 million to \$1 billion.

Under this option, it is believed the impact to existing bridges would be moderate, would involve minor pavement maintenance needs and would only have left shoulders at existing bridge piers termed as non-standard.

She noted that the environmental impacts of this more expansive third lane scenario would be moderate.

The study group has not made any decisions on third lane build option preference. The group has also considered no-build as well as the construction of a High Occupancy Vehicle Lane and infrastructure upgrades as options. The study group has ruled out the No Build option, while it believes that the HOV would accomplish some of the project goals and that upgrades to interchanges would fall in line with the project’s goals and objectives.

It should be noted that supporters for the addition of a third lane on Route 17, including the 17-Forward 86 coalition, have estimated the cost at approximately \$500 million. Project advocates have expressed hope that the project could be funded under the massive infrastructure bill being discussed in Washington, DC between the Biden administration and Democratic and Republican members of Congress.

The presentation also included traffic data from 2018 which showed significant traffic issues mainly by the Harriman, Central Valley and Monroe exits as well as in Goshen and Middletown. Several participants noted that the traffic data for an average Friday evening needs to be updated due to a host of issues, including the impending opening of LEGOLAND New York as well as the influx of new residents to Sullivan County by New York City residents fleeing the city during the coronavirus pandemic.

Katie Craig, PE, PTOE, traffic engineering & ITS Manager at WSP USA, in

projecting the roadway’s needs by 2055, said, “So, overall the picture we are trying to paint here for you is that what we see during this Friday evening time period in 2055 is that most of Orange County is really going to be operating under Level of Service F and stop-and-go conditions, with small pockets of stable (traffic flow), but mainly stop-and-go conditions.”

Marc Baez, director of economic development for Sullivan County, noted that the DOT figures were compiled from May and noted that every June and for the rest of the summer the population of the county increases sharply from approximately 78,000 to well in excess of

Description	Estimated Costs			Impact to Existing Bridges	Pavement Maintenance Needs	Non-Standard Features	Environmental Impacts
	Per Mile	Subtotal (0.5 to 1.0 miles)	Subtotal (10 to 20 miles)				
1. Build within existing footprint	\$20M to \$24M	\$24M to \$31M	\$200M to \$700M	Low to Moderate	Moderate	No (Full length of left shoulder)	Minor
2. Widen roadway	\$18M to \$22M	\$22M to \$40M	\$20M to \$1B	Moderate	Minor	No (Left shoulder, only at existing bridge piers)	Moderate

Source NYS DOT

300,000.

Bill Gorton, senior manager for transportation services for WSP USA, said that the traffic data will be updated prior to the release of the draft study in September. Gorton is a former Director of Region 8 (Hudson Valley) for the New York State Department of Transportation.

Baez, who is co-chair of the 17-Forward-86 Coalition, said of the workshop, “It is encouraging that efforts to widen the Route 17 corridor are moving forward and the PEL study is a critical step in this process. The message from Washington is that infrastructure investment is a priority, with a focus on transformative projects that have significant local sup-

Continued on page 8

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PRESIDENT'S CORNER

By Crystal Hawkins-Syska
HGAR President



Section 8 or No Section 8 Is Not the Question

On April 12, 2019 the Lawful Source of Income Non-Discrimination Act of 2019 was signed into law by Gov. Andrew Cuomo. Although that has been more than two years ago, it seems quite apparent that many in our industry have yet to wrap their minds around what it really means. Just the other day sitting in my office I heard a conversation between my colleague and an agent inquiring about our rental listing. The first question the agent asked was "Will your landlord accept Section 8?" I cringed, and took a deep breath. I decided then that I had to address this in an article.

Source of Income is a protected class. So, before you ask if a landlord will accept Section 8, play fill in the blank. Ideally in writing. What do I mean? On a piece of paper write the following:

Will your landlord accept _____? And then fill in the blank of a protected class. Will your landlord accept a single woman? Will your landlord accept a disabled person? Will your landlord accept a Hispanic Person? Are you wiggling out yet? You should be! You never should ask such a question. That's the same way you should feel about Section 8 clients. It's that serious.

At the Hudson Gateway Association of Realtors, we understand that there is a learning curve. New laws, regulations and procedures need to be understood and implemented. To those aims we are working on bringing more training and tools for you to be effective practitioners. Right now, what needs to happen is for you to stop asking landlords or landlord's agents if they take Section 8.

If you are like me, it can be intimidating to be involved in something if you don't really understand it. And there is a lot of misunderstanding and misinformation on what Section 8 is or how it works. In 1974 Congress enacted "Section 8" of the Housing and Community Development Act to aid low to moderate income wage earners afford "decent housing." For those who would meet the income requirements, the government pays either all or part of the applicant's rent. Eligibility is based on the size of the family and gross income. The maximum household contribution towards rent is 40% in New York City. It's 30% in counties like Westchester. The United States Department of Housing and Urban Development set the income limits. This is updated annually.

To help paint the picture in terms of numbers, the Average Median Income (AMI) for a four-person household in Westchester County for 2021 is \$127,500. Therefore, the maximum percentage of that household income that can be contributed towards rent is \$3,188. So, that's working adults making about \$65,000 a year before taxes with possibly two dependents. There are some households of four people that don't even make that much. Maybe they make a percentage of the AMI, for example, 80% or less. For some families, it is the difference between paying rent or paying for food. Or perhaps not being able to afford healthier choices when it comes to food. Due to the stigma and discrimination against such households receiving government assistance towards their rent, in New York State, they are now a protected class as this is a part of their income.

Consider this, are there signs in any store that say "Funds from COVID relief stimulus checks not accepted here." No, right! In fact, many Americans felt that the government had to do something to help citizens financially impacted by the pandemic. How immoral would it be for stores to not allow those funds to be used to purchase groceries or anything else? There would be public outrage. So, what is the difference between that and another government program that helps those who are financially challenged or insecure to pay their rent and live in "decent housing"? Do you see the point? To do so would be infringing upon the civil rights of Americans to seek and obtain adequate housing.

Section 8 or no Section 8 is NOT the question. Be champions for Fair Housing and be current. Get out of the past and old mindsets. It's HGAR's goal to assist all of us in being the educated professionals the public needs us to be.

GATEWAY PERSPECTIVES

By Richard Haggerty, HGAR CEO



Ann Garti: A 40-Year Tutorial in Leadership

To say that June 30, 2021 is going to be a bittersweet day for not just me, but for all of the members of HGAR, is an understatement, as that is the day that Ann Garti formally retires from HGAR. Ann's career spans 40 years of service for the Realtor organization, and during that time she has been recognized as a true thought leader, not just in the lower Hudson Valley, but throughout New York State and around the country.

To borrow from a famous ad campaign: When Ann talks, people listen.

Ann was born and raised in East Harlem until the age of 12, when her parents moved north to the Bronx. She attended Queens College, achieving a degree in Business Administration. She moved north to Orange County in 1969, and she was hired as the Association Executive for the Orange County Association of Realtors in 1980 by a search group spear headed by John Dwyer, a past president of the Orange County Association, as well as a past president of NYSAR. Her mentor during those early years was George Kohl, another past president of both OCAR and NYSAR, and one of the most respected Realtors throughout the state.

I met Ann soon after I joined the then Westchester County Board of Realtors in 1984 and she became, and continues to be, a valued mentor. We had similar interests (gardening, travel and food to name just a few) and a passion for Realtor policy, from Code of Ethics enforcement to MLS policy, to Realtor legislative issues. What immediately drew me to Ann was her intellect, her honesty, her candor and her sense of humor. I wasn't alone. She was never satisfied with the status quo. Ann was a trail-blazer and the members of the Orange County Association of Realtors knew it and appreciated it.

I can't begin to recount all of the memories that Ann and I have shared over the years. However, two certainly stand out. The first started on Sept. 10, 2001. Ann and I were attending the NYSAR Fall Business meetings at Lake Placid and were having a wonderful evening overlooking Mirror Lake, remarking how gorgeous the setting was. The next morning, 9-11, the world felt like it was falling apart at the seams. There was understandable panic and fear. New York City was shut down, as were the suburban bridges and tunnels. Ann was the voice of reason. Deal with what was in our control, and don't succumb to all of the speculation and fear. That's when I truly realized the importance of true leadership during times of crisis. That's when the voice of reason is vital.

The second memory occurred in 2011. Drew Kessler, then the President of the Rockland County Board of Realtors, reached out to us to discuss the possibility of a merger. Gil Mercurio, my predecessor, and I thought that any merger discussions should include Orange County. Ann was onboard. She recognized that bringing people together to engage in conversations about furthering Realtor interests was a win-win. If the conversations were productive, then everyone benefited. If the conversations were not productive, then so be it. We had the framework for a merger hammered out within months, in many ways thanks to Ann's leadership.

Ann has always been adamant that you can't "teach" leadership. You can enhance leadership traits and you can improve leadership skills, but you can't teach leadership. Either you have it or you don't. One thing I know for sure. Ann has it in spades. Her whole career has been about leadership. Living it day in and day out - quietly, effectively, with little fanfare, and at the end of the day with tremendous impact.

For me, what will always define my relationship with Ann, is our friendship, and I know that I'm not alone in that feeling. Ann is a fierce, loyal, honest and unwavering friend, and that friendship has benefited me so many times through the years. Fortunately, while Ann may be retiring at the end of June, I know that our friendship will continue.

I know you all join me in wishing Ann the very best in the years to come.

HGAR Meets With U.S. Rep. Ritchie Torres



On June 9, approximately 50 people gathered at Pasta-Pasta Restaurant in The Bronx to attend a "Meet and Greet" with Congressman, Ritchie Torres (D-15th District). Kathy Zamechansky, a member of The Hudson Gateway Association of Realtors, Bronx Chapter, was one of the lead coordinators of the event and served on the Host Committee. Other HGAR representatives included: CEO Richard Haggerty; Anthony Domathoti; Sandra Erickson and, Eli Rodriguez. The Congressman was extremely engaging and answered many questions from the attendees. From left, HGAR Chief Executive Officer Richard Haggerty, Kathy Zamechansky, U.S. Rep. Ritchie Torres, Eli Rodriguez, Anthony Domathoti and Sandra Erickson.

REAL ESTATE IN-DEPTH

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The 2nd Circuit Reverses Course: Landlord is Not Found Liable Under Fair Housing Laws

LEGAL CORNER

By John Dolgetta, Esq



Two years ago, on March 4, 2019, the 2nd Circuit Court of Appeals in New York in *Francis v. Kings Park Manor, Inc.* (see <https://bit.ly/2Kd38bo>) (“Kings Park Manor I”) held that a landlord could be liable under the Federal Fair Housing Act (see <https://bit.ly/2WBzEdH>) and the New York State Human Rights Law (see <https://dhr.ny.gov/law>) for failing to protect a tenant from harassment and discrimination by another tenant. At the time, it was an important decision as it was only the second time a court imposed an obligation on a landlord to take affirmative steps to curtail tenant-on-tenant discrimination.

More than two years later, the 2nd Circuit Court of Appeals reversed course and, in a decision issued on March 25, 2021 (see <https://bit.ly/2Ov4rpX>) (“Kings Park Manor II”), held that “...landlords cannot be presumed to have the degree of control over tenants that would be necessary to impose liability under the FHA for tenant-on-tenant misconduct.” This decision now limits the exposure that landlords and property managers have under the FHA and NYSHRL.

Revisiting the Facts in Francis

Donahue Francis (the “Plaintiff”), an African American individual, signed a lease with Kings Park Manor, Inc. (the “Landlord”) for the rental of his apartment in 2010. In February, 2012, another tenant, Plaintiff’s next-door neighbor, Raymond Endres (the “Tenant-Defendant”), engaged in racially discriminatory and threatening behavior and harassment toward the Plaintiff. The Tenant-Defendant used extreme profanity and made racially inflammatory remarks. The Plaintiff was continuously harassed and threatened while in his apartment, in the building, and in the parking lot of the complex. The behavior continued for nearly one year.

The Plaintiff called the police several times about the behavior. On one occasion an officer in the police department’s Hate Crimes Division visited the apartment complex and warned the next-door neighbor to stop his behavior. The officer also informed the Landlord and the property manager about what had occurred. The Plaintiff filed a formal police report. The Landlord did not address the situation. The behavior continued, and in May, 2012, the Plaintiff called the police once again and filed another police report. This time, he wrote a formal letter to the Landlord regarding the Tenant-Defendant’s conduct. Again, the Landlord and the Landlord’s property manager did not respond to the Plaintiff’s letter. The behavior became even more aggressive, and, in August, 2012, the Tenant-Defendant was arrested for aggravated harassment. The Tenant eventually filed a lawsuit against the Landlord and the Landlord’s management agent (collectively, the “Landlord Defendants”), as well as the Tenant-Defendant for discrimination and violations under the FHA and NYSHRL.

Kings Park Manor I

In Kings Park Manor I, a panel of three judges from the 2nd Circuit Court of Appeals heard the initial appeal from the District Court case. The central issue involved “...whether a landlord may be liable under the FHA for failing to take prompt action to address a racially hostile housing environment created by one tenant targeting another, where the landlord knew of the discriminatory conduct and had the power to correct it.” The three-judge panel relied on the broad interpretation of the language of the FHA and rules issued by the United States Department of Housing and Urban Development and held that landlords may be held liable under certain circumstances for violating the FHA and other fair housing laws due to certain discriminatory behavior of tenants toward other tenants.

The Court of Appeals’ three-judge panel, in reversing the decision of the District Court, held that a landlord may be held liable, in certain instances, for failing to affirmatively act and protect another tenant by utilizing certain rights and remedies the landlord may have under the terms of a lease agreement with the tenant in question or which may be available to a landlord at law. As part of the panel’s decision, it remanded the case back to the District Court for a retrial. The Defendants, however, appealed the panel’s decision and requested a rehearing “en banc,” whereby all of the judges of the 2nd Circuit Court of Appeals would rehear the appeal. A majority of the judges of the 2nd Circuit ultimately agreed to grant the Landlord Defendants an en banc rehearing, which took place in September 2020.

Kings Park Manor II

In Kings Park Manor II, all of the 2nd Circuit Court of Appeals judges reviewed the three-judge panel’s dismissal of the District Court’s decision on a de novo basis. The Court Appeals explained that the FHA makes it unlawful “to discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race...” and that “when...a plaintiff brings a claim under the FHA that does not rest on direct evidence of landlord discrimination, we analyze the claim under the familiar McDonnell Douglas burden-shifting framework first developed in Title VII cases.” The McDonnell Douglas analysis requires a plaintiff to establish the following in order to avoid the case from being dismissed:

- [1] the plaintiff is a member of a protected class,
- [2] the plaintiff suffered an adverse action, and
- [3] the plaintiff has at least minimal support for the proposition that the housing provider was motivated by discriminatory intent.

The court held that while the Plaintiff was a member of a protected class, the Plaintiff did not establish that the landlord’s action, or in this case inaction, was motivated by a discriminatory intent. The court points out that the Plaintiff did not present sufficient evidence establishing that the Landlord Defendants were acting with a discriminatory intent toward the Plaintiff simply by not evicting or dealing with the Tenant-Defendant directly.

The Deliberate Indifference Theory of Liability, Substantial Control Over Tenant

The Plaintiff also attempted to establish that the Landlord Defendants engaged in intentional discrimination under a deliberate indifference theory of liability. The court explained that “this theory of liability has been applied almost exclusively in custodial environments, such as public schools and prisons, where it is clear that the defendant has both ‘substantial control over the context in which harassment occurs’ and ‘a custodial [power over the harasser] ...permitting a degree of supervision and control that could not be exercised over free adults.’” The court held that the landlord-tenant relationship between the Plaintiff and Defendant did not rise to the level of “substantial control” nor was there “a custodial power” over the person engaging in the harassment.

The Court of Appeals in Kings Park Manor II ultimately held that the Plaintiff failed to state a claim because the complaint did not provide any factual basis establishing that the Landlord Defendants had “...substantial control over [Tenant-Defendant] and the context in which the known harassment occurred.” The court held that no such “...control [could] be reasonably presumed to exist in the typically arms-length relationship between landlord and tenant, unlike the custodial environments of schools and prisons.” The court stated that “the typical powers of a landlord over a tenant—such as the power to evict—do not establish the substantial control necessary to state a deliberate indifference claim under the FHA.”

The court also noted that even if the Plaintiff did establish that there was substantial control, in order to establish a “deliberate indifference” claim, a plaintiff must show that the Defendant’s response to the “...harassment by a third party was clearly unreasonable in light of the known circumstances.” The court ultimately held that the Landlord Defendants’ inaction was not “clearly unreasonable” under the circumstances because the Landlord Defendants were aware of the police involvement and, ultimately, the Tenant-Defendant was arrested.

Landlord’s Obligations Under New York Law

The Court of Appeals in Kings Park Manor II explained that under New York law, landlords do have a duty “...to take reasonable precautionary measures to protect members of the public from the reasonably foreseeable criminal acts of third persons...on the premises.” However, the court goes to explain that generally under New York tort law “...a landlord has no general duty to protect tenants even from ‘the criminal acts of yet another tenant, since it cannot be said that a landlord has the ability or a reasonable opportunity to control [the offending tenant]’ and the ‘power to evict cannot be said to . . . furnish’ such control.” New York similarly does not impose liability on a landlord for the acts of a tenant.

The Court’s Reversal Does Not Lessen The Importance of Fair Housing

The decision in Kings Park Manor II has alleviated some of the burden placed on landlords and management agents with respect to added liability under fair housing laws and their relationship with tenants. And, while the Court of Appeals has made clear that the liability of landlords has been lessened, the decision does not completely let landlords off the hook. A closer reading of the decision does leave open the potential of liability in the event “substantial control” is able to be established—although the burden of proof on a plaintiff is still high. Nevertheless, it is important that agents, landlords, management agents, and other real estate professionals be aware of the fair housing laws and the liability that exists when there is a violation.

Legal Column author John Dolgetta, Esq. is the principal of the law firm of Dolgetta Law, PLLC. For information about Dolgetta Law, PLLC and John Dolgetta, Esq., please visit <http://www.dolgettalaw.com>. The foregoing article is for informational purposes only and does not confer an attorney-client relationship.

HGAR Holds Flag Day Ceremony to Thank The Local Community



HGAR’s Bronx Chapter joined with members of the American Legion Post 19 and Engine 90 Hook & Ladder 41 at a Flag Day celebration to thank them for donating a new flag and flagpole line at the HGAR Bronx office.

Earlier this year, several storms caused the HGAR office flag pole line to break. The local American Legion Post 19 reached out to help, donating a new flag and flagpole line, then firefighters of Engine 90 Hook & Ladder 41 relined the pole.

Middletown Apartment Complex Trades for \$19 Million

MIDDLETOWN—The 150-unit Crestwood Apartments multifamily property at 92 Fitzgerald Drive here has been sold for \$19 million.

The deal was reported by Woodbridge, NJ-based brokerage firm The Kislak Company, Inc. which did not identify the purchaser. *The Real Deal* reported that the buyer of Crestwood Apartments was Chestnut Ridge-based North Point Management. Last July, North Point Management spent \$10.28 million in purchasing Evergreen Manor Apartments, a 112-unit multifamily property located at 51-95 and 97-127 High Barney Road in Middletown. That deal was also brokered by Kislak Co.

Kislak marketed the property on an exclusive basis with Senior Vice President Janet Bortz handling the assignment for the seller, a large multifamily owner with an existing Hudson Valley New York apartment portfolio and an I.R.C Section 1031 exchange.

Crestwood Apartments has historically been fully occupied with long term

ownership and sold at 98% occupancy. It consists of eight three-story brick buildings containing 69 two-bedroom, 68 one-bedroom, nine three-bedroom and four studio units. The larger units are available with 1 and 1.5 baths; and all apartments feature eat-in kitchens, dishwashers, A/C in wall units, large closets, vinyl Thermopane windows and sliding doors to patios or balconies.

Other property amenities include on-site management and 24-hour service; on-site laundry facilities; and ample on-site parking with open green space on the 8.5-acre site. Future plans include an upgrade of the units and the exterior and repositioning the property.

With direct access to Orange County public transportation in front of the property, tenants also have easy access to dining, retail, neighborhood centers, schools, and big box stores just blocks from nearby Route 211. Route 17, the New York State Thruway and I-84 are a few minutes away.

Bortz, who also was the broker in the



Crestwood Apartments is a 150-unit complex on Fitzgerald Drive in Middletown.

Evergreen Manor Apartments transaction, said, "The Hudson Valley multifamily market is in high demand particularly from owners diversifying from the high regulatory and rent controlled markets of New York City and Northern New Jersey. The Hudson Valley market has

no rent control; high demand for rental units and continued migration of tenants from higher cost rental markets."

She added, Low interest rates and strong investor interest in the Hudson Valley multifamily market have created a continued demand post-COVID.

Hartsdale-Based Westchester Choice Realty Affiliates With Better Homes and Gardens Real Estate

HARTSDALE—Madison, NJ-based real estate franchise Better Homes and Gardens Real Estate LLC reports that it has affiliated with locally-based brokerage firm Westchester Choice Realty Inc. The deal, BHGRE officials stated fortifies its New York Metropolitan footprint.

The newly named Better Homes and Gardens Real Estate Choice Realty has locations in Scarsdale and Hartsdale and serves clients throughout lower Westchester County. The firm is led by owners Barry Kramer and John Crit-

tenden, was founded in 2008 and was considered one of the top independent real estate brokerage firms in the county. Kramer was the 2018 president of the Hudson Gateway Association of Realtors.

The firm is known for its expertise in the Westchester co-op market. Kramer and Crittenden said they see an opportunity to leverage their affiliation with a widely recognized and respected brand to further tap into the county's significant single-family home segment,

catering to the local move-up buyer.

In addition to expanding their client base, they say the deal will fuel growth by deploying the BHGRE's learning platform to support increased productivity of their current agents and recruit new agents to the team.

"Barry and John bring a wealth of knowledge to their clients and community and prioritize service above all else. Barry's impressive sales and production accomplishments combined with John's deep expertise in operations management make them a formidable leadership team," said-

Sherry Chris, president & CEO, Better Homes and Gardens Real Estate. "As they envisioned the next step for their company, they knew access to robust systems to support client acquisition and agent growth were imperative. We are thrilled they chose to partner with Better Homes and Gardens Real Estate to enhance their value to both their affiliated agents and customers and fuel future growth."

Kramer currently serves as the president of the Garth Road Cooperative Council, Eastchester's largest neighborhood association. In addition, both Kramer and Crittenden are active supporters of the Hudson Valley LGBTQ Community and LGBTQ+ Real Estate Alliance members.

"Having been in this industry for several decades, it is evident that the real estate business is ever-changing, especially when it comes to technology. The rapid pace at which new tools and platforms are introduced makes it challenging for an independent brokerage to keep up," said Kramer. "John and I knew that Better Homes and Gardens Real Estate's impressive technology suite, industry-leading learning programs and sophisticated marketing platforms were exactly what we needed to succeed in our market. As brokers,



From left, John Crittenden and Barry Kramer

we are excited to be able to share these powerful assets with our agents to help them grow their business and increase market share."

"When we were looking to partner with a real estate brand, we were immediately drawn to Better Homes and Gardens Real Estate's incredibly well-respected reputation and significant brand awareness," Crittenden said. "We knew it would help us stand out in our market and take our company to the next level. Being aligned with a leading lifestyle brand will help us deepen our connections with clients during and after the transaction."

Better Homes and Gardens Real Estate LLC is a subsidiary of Realogy Holdings Corp., a global leader in real estate franchising and provider of real estate brokerage, relocation and settlement services. The Better Homes and Gardens Real Estate network includes nearly 12,500 independent sales associates and more than 390 offices serving home buyers and sellers across the United States, Canada, Jamaica, The Bahamas, Australia and New Zealand.

Better Homes and Gardens lost its foothold in Westchester and the region in late September 2020 when franchisee Rand Realty affiliated with Howard Hanna Real Estate.



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NAR: Realtors Cite Lack of Inventory as Top Impediment to Completing Sales Transactions

WASHINGTON—Realtors cite a lack of inventory as the leading cause for limiting potential clients from completing a transaction, according to the National Association of Realtors' 2021 Member Profile, an annual report released recently that analyzes members' business activity and demographics from the prior year.

However, in spite of a global pandemic, its drastic impacts on how business was conducted, and a dwindling housing supply, 2020 saw the highest number of homes sold since 2006 (5.64 million) and NAR's membership increased from the previous year (1.48 million at the end of 2020, up from 1.4 million at the end of 2019).

"Realtors continued to serve clients' needs despite the challenges 2020 brought to the real estate market," said Jessica Lautz, NAR vice president of demographics and behavioral insights. "Economic lockdowns and historically-low inventory coupled with surging home buying demand only showed the resilience of our members and industry."

Business Characteristics Of Realtors

The majority of Realtors—68%—hold sales agent licenses, which is up from 65% last year. Twenty percent hold broker licenses and 13% hold broker associate licenses. Seventy-three percent of members specialize in residential brokerage. Relocation, residential property management and commercial brokerage are members' most common secondary specialty areas.

Members typically have eight years of real estate experience, down from nine years in 2019. Eighteen percent of those surveyed have one year or less experience—nearly identical to 17% last year—while 15% of Realtors have more than 25 years of experience, down from 17% a year ago. Appraisers, broker-owners, and managers had the most experience, while sales agents were typically the newest to the field with five years of experience. Consistent with recent surveys, nearly four out of five members—79%—were certain they'll remain in the real estate industry for at least two more years.

Business Activity Of Realtors

The typical member had a slightly lower sales volume (\$2.1 million vs. \$2.3 million) and fewer transactions (10 vs. 12) in 2020 compared to 2019.

The typical Realtor earned 15% of their business from previous clients and customers, unchanged from last year. The most experienced members—those with 16 or more years of experience—reported a greater share of repeat business from clients or referrals (a median of 37%), compared to no repeat business for those with two years of experience or less. Overall, Realtors earned a median of 19% of their business from referrals, a slight drop from 20% in 2019. Referrals were also more common among members with more experience, with a median of 27% for those with 16 or more years of experience compared to no referrals for those with two years of experience or less.

Income and Expenses of Realtors

The median gross income for Realtors was \$43,330 in 2020, down from \$49,700 in 2019. Realtors with 16 years or more experience had a median gross income of \$75,000, a decrease from \$86,500 last year, as income was typically commensurate with experience. One out of four Realtors earned \$100,000 or more. Total median busi-

ness expenses for members were \$5,330 in 2020, a decline from \$6,290 in 2019.

Demographic Characteristics of Realtors

Seventy-eight percent of Realtors were White, down slightly from 80% last year. Hispanics/Latinos accounted for 9% of Realtors, followed by Black/African Americans (7%) and Asian/Pacific Islanders (6%). New members tended to be more diverse than experienced members. Among those who had two years or less of experience, 34% were minorities.

Sixty-five percent of Realtors were women, a minor increase from 64% last year. The median age of Realtors was 54, down slightly from 55 last year. A third of members were over 60 years old and 5% were age 30 or younger.

More than nine in 10 members—93%—had some post-secondary education, with a third completing a bachelor's degree, 6% having some graduate school education and 13% completing a graduate degree.

The marital status of Realtors remained nearly unchanged from 2019. Sixty-nine percent of Realtors were married, 15% were divorced, and 11% were single or never married. The typical Realtor household had two adults and no children.

Two-thirds of members—66%—reported volunteering in their community. Volunteering was most common among members aged 40 to 49 years.

"Realtors come from all walks of life and serve as pillars in their respective communities," said NAR President Charlie Oppler, a Realtor from Franklin Lakes, NJ and the CEO of Prominent Properties Sotheby's International Realty. "As champions for consumers, Realtors combine hard work, dedication and trusted expertise to help individuals and families achieve the dream of property ownership."

Technology and Realtors

The coronavirus pandemic has forced businesses of all types to rely heavily on technology for communicating with consumers and remaining competitive in the marketplace. On a daily basis, the strong majority of Realtors use a smartphone with wireless e-mail and Internet capability (96%) and a laptop or desktop computer (92%). The smartphone features that members use most frequently on a daily basis are e-mail (95%) and social media apps (57%). Text messaging (93%) is the top method of communication for members with their clients, followed by phone calls (90%) and e-mail (89%). Nearly seven in 10 members—69%—have their own website.

"Realtors used emerging technologies in 2020 to bridge the gap when pandemic precautions were in place," Lautz said. "Members have now pivoted and embraced these tools to showcase listings and help buyers strategically find and secure the limited number of properties available."

Office and Firm Affiliation of Realtors

Despite an ever-changing housing market, Realtor office and firm affiliation remained stable compared to a year ago. A slight majority of Realtors—53%—worked with an independent company and 88% were independent contractors at their firms. Forty-two percent of members worked at a firm with one office and 26% worked at a firm with two to four offices. The typical Realtor had a median tenure of five years with their current firm, up from a median of four

years in 2019. Eight percent of members reported working for a firm that was bought or merged. Errors and omissions insurance is the most common benefit provided by members' firms.

Survey Methodology

In March 2021, NAR emailed a 93-question survey to a random sample of 161,155 Realtors. Using this method, a total of 10,643 responses were received. The survey had an adjusted

response rate of 6.6%. The confidence interval at a 95% level of confidence is +/- 0.95% based on a population of 1.4 million members. Survey responses were weighted to be representative of state level NAR membership. Information about compensation, earnings, sales volume and number of transactions are characteristics of calendar year 2020, while all other data are representative of member characteristics in early 2021.



Member of the National Association of Realtors sold the most homes in 2020, despite the pandemic, since the year 2006, according to the NAR Member Profile released recently.

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Howard Hanna | Rand Realty Opens New Office in Morris Plains, NJ



Howard Hanna | Rand Realty's new Morris Plains, NJ office is located at 374 Speedwell Ave.

MORRIS PLAINS, NJ—Howard Hanna Rand Realty announced on June 1 the opening of its new office in Morris Plains, NJ at 374 Speedwell Ave.

Company officials said the opening marked the continued expansion for the brokerage firm in the New York/New Jersey market.

"Howard Hanna Rand Realty is making a tremendous effort to build a strong network of offices throughout New York and New Jersey, the epicenter of the global real estate landscape. The opening of this new office is an opportunity to expand and enhance our business," said Matt Rand, CEO of Howard Hanna Rand Realty.

The new office will be under the leadership of Keith Kirkwood, who has been working with Rand Realty for the last three-and-a-half years and has a track record of experience in the New Jersey real estate market. Kirkwood will lead

the Howard Hanna Rand Realty Morris Plains network of 50 agents who specialize in high-end homes, condominiums, and most upscale markets.

"Our growth in the N.J. market is an exciting development with the Howard Hanna Rand Realty brand, "We have already seen an uptick in new business since we have announced our new location. I anticipate these trends to continue," said Kirkwood, branch manager at Howard Hanna | Rand Realty

Howard Hanna | Rand Realty has more than 1,000 residential real estate sales associates serving the N.Y., NJ, and C.T. suburbs of New York City. Its 26 offices serve Bergen County, Passaic County, Hudson County, Morris County, and Essex County in New Jersey and Westchester County, Rockland County,

Orange County, Dutchess County, Ulster County, and the Bronx in New York. Rand also owns and operates Rand Commercial, a commercial real estate brokerage, and Hudson United Home Services, which provides residential mortgage lending, title services, and both personal and commercial insurance.

Howard Hanna Real Estate Services is a family-owned and -operated independent broker. The full-service real estate company has 325 real estate, mortgage, insurance, title, and escrow service offices across 10 states, including Allen Tate Realtors in the Carolinas, with more than 11,000 sales associates and staff, including many of the industry's top-producing real estate agents.

Route 17 Expansion

Continued from page 3

port. The Route 17 improvements are consistent with those objectives. This is an opportunity for us all to focus on safety and sustainability, as we strive to continue to ensure economic prosperity for our region."

17-Forward-86 was established in August 2018 by a dedicated group of advocates who support the widening of Route 17. The coalition comprises more than 200 members of economic development groups, construction trades, tourism groups and energy companies who share a common vision for expanding the capacity of Route 17 to strengthen the economic well-being of the Hudson Valley and Sullivan Catskills.

The June 3rd workshop was the second of a planned three public workshops. The Route 17 Planning and Envi-

ronmental Linkage (PEL) Study group will be working on a draft scoping report that will be released at its next public workshop scheduled for Sept. 14. The group hopes to close out the study by the end of October 2021.

A total of 132 community and business leaders from the Hudson Valley zoomed in March 18 for a presentation by the New York State Department of Transportation on the status of a Planning and Environment Linkages (PEL) study of the Route 17 corridor in Orange and Sullivan counties.

The PEL process is being initiated by the NYSDOT in cooperation with the Federal Highway Administration. The DOT last year began a scoping and preliminary review process as part of the \$5- million PEL study, whose funding was secured through the 2018-2019 state

budget.

The PEL study is a follow-up to a NYS-DOT study released in May 2013 that examined the corridor between Monticello, Exit 103 (Rapp Road) and Harriman, Exit 131 (New York State Thruway) to help accommodate transportation demands brought about by economic growth in the region and to help accommodate future growth.

The final report recommended: adding a general use third lane, in each direction, from Interstate 87 in Harriman to just west of Middletown, Orange County; improve key interchanges in Orange and Sullivan counties; provide new and expanded park and ride lots at strategic locations in Orange and Sullivan counties and recommend some provisions for future transit.

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White Plains Hospital Opens \$272M Outpatient Facility

Continued from page 1

I am incredibly proud of our staff and for everything they have done to keep our community safe. And while we will never forget the events of the past year, the situation is definitely looking brighter.”

Dr. Philip Ozuah, president & CEO Montefiore Medicine, added, “One year ago we were fighting during the darkest days of a once in a lifetime pandemic. This amazing staff worked through the days and through the nights to care for the gravely ill and for the greatly suffering. Overwhelmed and under siege these remarkable people in this hospital set aside their own personal safety and displayed extraordinary courage to save thousands of lives.”

Fox related just how much has changed in just a year. She noted that a year ago, 80% of the patients at White Plains Hospital were being treated for COVID-19. A year later, only 1% (three patients) suffer from the coronavirus.

Among the dignitaries on hand for the ribbon cutting event included former U.S. Congresswoman Nita Lowey, U.S. Rep. Mondaire Jones and White Plains Mayor Tom Roach.

The new facility, which will see its first patient on June 7 and will open in phases, features state-of-the-art operating rooms, endoscopy, ambulatory and procedure suites, wound care delivered through hyperbaric chambers, advanced imaging, non-invasive diagnostic testing and specialty physician offices. When fully operational, the new CAMS facility will employ more than 300 workers.

“As the past year confirmed, having access to advanced care right here in our community is critical,” Fox said. “This new facility represents an important step forward in expanding access to comprehensive care delivered by top healthcare professionals in diverse specialties. It also furthers our commitment to enhancing the patient experience, providing the latest advancements in treatment and technology to better serve the needs of our community.”

CAMS is the largest dedicated outpatient facility for White Plains Hospital and one of the largest in Westchester County. Connecting to both the main Hospital and Center for Cancer Care, CAMS is the hospital’s 27th outpatient facility. Since 2015, the hospital has renovated or added approximately 622,000 square feet of space at the hospital and its offsite locations. The hospital’s new lobby and inpatient tower, completed in 2015, was a \$100-million venture, while the Center for Cancer Care, which opened in 2016, totaled

\$50 million. Therefore, the three major capital projects since 2015 have totaled more than \$430 million. White Plains Hospital joined the Montefiore Health System in 2015.

The new Center for Advanced Medi-

will be working side by side with area physicians supporting a comprehensive cardiac program and represents just one more example of our commitment to providing local access to world-class physicians and advanced services.”



From left, Dr. Kaare Weber, Chief of Surgery; Josh Caspi, Board Member; Frances Bordonni, SVP Ambulatory & Physician Services and Business Development; Peter Lehrer, Board Member; Leigh Anne McMahon, EVP Patient Care Services and Chief Nursing Officer; Tom Roach, Mayor of White Plains; Dr. Philip Ozuah, President & CEO Montefiore Medicine; Congressman Mondaire Jones; Susan Fox, President & CEO White Plains Hospital; Michael Divney, Board Member; Larry Smith, Chairman of the Board, William Null, Board Member, Joe Guarracino, EVP, Chief Administrative Officer & Chief Financial Officer and Joe Mannino, Vice President, Facilities Management & Construction.

cine & Surgery will feature ambulatory surgery, endoscopy suites, wound care delivered through hyperbaric chambers, and cutting-edge imaging such as the first and only PET (positron emission tomography) MRI scan in Westchester. This technology provides a higher level of detailed views than traditional MRI, allowing for more precise diagnosis and treatment. The center will also feature top physicians in such specialties including: Orthopedics; Urology; Pain Management; Ears, Nose and Throat; Thyroid; Colorectal; Vascular; Plastic; and Bariatric care; as well as a comprehensive new Heart and Vascular Program.

Dr. Ozuah said, “The new Center for Advanced Medicine & Surgery is a tremendous achievement. As a health system, we are focused on advancing our long-held mission of providing exceptional care to our extended communities. White Plains Hospital has quickly become the tertiary hub for advanced care in the Hudson Valley. Later this year, the cardiac surgery team from Montefiore will begin performing cardiac surgery at White Plains Hospital. This new facility will allow for local patient access to these surgeons, who

Features of the new Center for Advanced Medicine & Surgery include a patient drop-off driveway integrated into the building’s design, allowing for convenient drop off. Two pedestrian bridges will connect the outpatient facility to the main hospital and the Longview Parking Garage. The building features a robust IT infrastructure designed to facilitate current and future

medical technology and telemedicine, hospital officials noted. An “intelligent infrastructure” will support automatic building management, energy efficiency through technology and real-time data collection.

Advanced Imaging services will be located on level 2; surgical suites on level 3, endoscopy and procedure suites on level 4; women’s imaging on level 5; non-oncologic infusion suite, pre-procedure testing, urology on level 6; heart and vascular program - cardiology, electrophysiology, vascular surgeons and the future home of cardiothoracic surgeons on level 7; orthopedic surgery, spine surgery and interventional pain management on level 8 and The Carl Weber Center for Wound Care & Hyperbaric Medicine, surgical specialties including: bariatrics, colorectal, ENT, endocrine and plastics on level 9.

White Plains Hospital is a 292-bed not-for-profit health care organization. The hospital’s Centers of Excellence include the Center for Cancer Care, The William & Sylvia Silberstein Neonatal & Maternity Center and The Ruth and Jerome A. Siegel Stroke Center. The Hospital’s Flanzer Emergency Department is the busiest in Westchester County, with more than 64,000 patient visits a year. White Plains Hospital performs emergency and elective angioplasty in its Joan and Alan Herfort, MD, Cardiac Catheterization Laboratory and Marie Promuto Cardiac Catheterization Laboratory. White Plains Hospital has outpatient medical facilities across Westchester, including multispecialty practices in Armonk, New Rochelle, Somers and Yorktown Heights; and Scarsdale Medical Group locations in Harrison and Scarsdale.

Mount Kisco-Based Café Realty Joins McGrath Realty Firm

MOUNT KISCO—Locally-based Café Realty has teamed up with commercial, land development and luxury brokerage, McGrath Realty Inc. After eight years in business the community-focused Café Realty will use their strengths, talents and skills to become the new face of McGrath Realty Inc’s residential services operations, company officials stated.

Café Realty will take on the new name “The Café Residential Team” with long-time partners Carol Christiansen, Elisa Bruno-Midili and Walter Sadowski in leadership positions.

“We were looking to expand yet stay local, independent and community-focused, this is the perfect opportunity to do so,” explained Bruno-Midili. “Our talents are complementary; our service will be unparalleled; we are better together.”

“Both of our companies have passion and integrity for what we do” added Christiansen.

McGrath Realty Inc. is a commercial brokerage firm and specializes in the sale and leasing of office, retail, commercial, industrial and land development properties in the Hudson Valley. The collaboration with Pawling-based McGrath creates a unique and complete full-service brokerage serving residential, commercial, land development, property management and the appraisal sectors of the market. The new office location will be in Downtown Mount Kisco.





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**Mechanical Legion Corp (dba Robison Plumbing) License #1514

**Mechanical Legion Corp (dba Robison Plumbing) License #1514



Rosalie Cook



Laurinda Abed

Joe Cubias, regional vice president of **Weichert, Realtors**, announced that the Monroe office and two top-producing sales associates have been recognized for outstanding achievement in April.

The Monroe office, which is managed by Lydia Hendricks, led the Weichert sales region in dollar volume, listings and revenue units for the month. The region is comprised of locations throughout Rockland, Orange, Dutchess

and Westchester counties, and New York City.

Individually, **Rosalie Cook** led the Weichert sales region in dollar volume, listings and revenue units, and **Laurinda Abed** led the region for the most sales.

National residential brokerage firm franchise network **Berkshire Hathaway HomeServices** recently announced that **Christy Budnick**, president and CEO of Berkshire Hathaway HomeServices Florida Network Realty, has been named chief executive officer of Berkshire Hathaway HomeServices. Budnick replaces Chris Stuart who has accepted an outstanding opportunity in the technology industry.

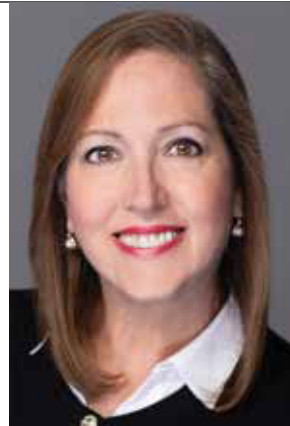
"I am pleased to welcome Christy as CEO of HSF Affiliates," said Gino Blefari, chairman of HSF Affiliates and president and CEO of HomeServices of America. "She is a strong, charismatic and decisive leader who has done an excellent job gaining the trust of both her agents and their buyers and sellers. She brings a tremendous amount of experience, integrity and innovation and I am confident that she will take Berkshire Hathaway HomeServices and Real Living to new levels of success."

Berkshire Hathaway HomeServices boasts more than 50,000 real estate professionals and nearly 1,500 offices throughout the U.S., Canada, Mexico, Europe, and the Middle East. In 2020, the network associates facilitated more than \$138 billion in real estate sales volume.

Most recently, Budnick served as president and CEO of Berkshire Hathaway HomeServices Florida Network Realty, one of the most respected real estate firms throughout Northeast Florida. Budnick brings a unique perspective that combines knowledge and experience in brokerage management and operations to her new role. She began her career working for Bank of America as its vice president of sales and leadership training. She joined Florida Network Realty in 2002 as manager of the Beaches branch office and was promoted to executive vice president of residential real estate before transitioning to president and CEO in 2018. Budnick led the company to new levels of success by creating a one-stop shopping environment for residential real estate clients, offering the core services needed to buy, sell, or finance a home. Under her leadership, the company has experienced year-over-year growth and with a team of more than 475 real estate professionals in nine offices throughout Northeast Florida. The company achieved more than \$1.44 billion in closed sales in 2020 and ranks as one of the Top 25 companies in the Berkshire Hathaway HomeServices network.



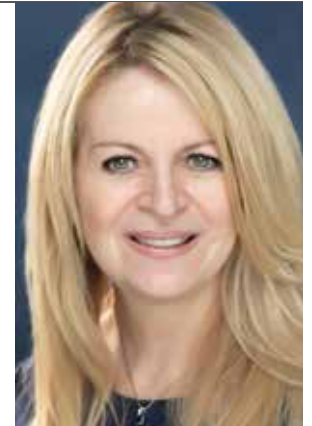
Christy Budnick



Jane Simonson



Joanne Clemente



Mary Krische

Christie's International Real Estate Westchester | Hudson Valley announced recently a number of additions to its New City Sales Gallery operations.

Realtor **Jane Simonson**, a Licensed Real Estate Salesperson since 2013, specializes in helping clients buy and sell residential real estate. Prior to pursuing a real estate career, she worked as a graphic designer in a large corporate identity firm and as an interior design consultant who reimagined clients' homes using their own furniture and accessories.



Michael Galkovich



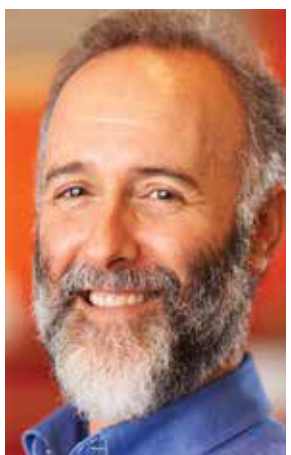
Sharon D'Orazio

Joanne Clemente is a Licensed Real Estate Salesperson who has prior experience as a real estate agent in New York City. She is currently focused on Rockland, Orange and Westchester counties. In 2012, she founded a non-profit organization called Ventures For Good to bring low-cost technology to teachers and students at six elementary schools and one community center in Uganda.

Mary Krische joins Christie's with significant experience and an impressive sales track record in the real estate industry. Throughout her career, Krische has received several top producer awards and recognition for her professionalism and excellence. She is a member of the National Association of Realtors (NAR), New York State Associate of Realtors (NYSAR), Hudson Gateway Association of Realtors (HGAR), and the OneKey MLS. After a successful career in the financial industry and owning her own company for many years, Krische pursued the opportunity for her passion in real estate.

Prior to his career in real estate, Realtor **Michael Galkovich** worked several years in New York as a top producing nationwide loan officer and a branch operations manager at the nationwide firm, Guaranteed Home Mortgage. As a Licensed Real Estate Salesperson, Galkovich specializes in both residential and commercial real estate. His areas of expertise include, but are not limited to, Rockland and Westchester counties, particularly the towns of New City, Nyack, Pomona, Upper Grandview, Piermont, Palisade, Suffern, Montebello, Tuxedo-Park, White Plains, Sleepy Hollow, Tarrytown, Bedford Hills, Mt. Kisco, Purchase, Rye, Pound Ridge Chappaqua, Eastchester and Pelham.

Sharon D'Orazio is a Licensed Real Estate Associate Broker and has been a part of the Rockland County real estate community in multiple facets for more than 20 years. She holds many certifications such as Certified New Construction & Buyer Representative, Certified Staging Specialist, and Senior Real Estate Specialist (SRES). D'Orazio participates in many local charities including People to People, Women Dine for a Cause, Toys for Tots and Hi Tor Animal Shelter.



Alon Chaver



Travis Conway



Jack Markham

OneKey MLS, the largest MLS in New York State, serving more than 45,000 subscribers and one of the top 10 MLSs, has added three leaders to its Board of Managers—**Alon Chaver**, real estate technology leader, investor and consumer expert, **Travis Conway**, Data Aggregation and Utilization specialist, and **Jack Markham**, real estate technology innovator and customer needs specialist. They were chosen to help OneKey MLS deliver breakthrough technology thinking, data science strategies and even more customer-centricity to the New York Metro real estate market.

Chaver, a Silicon Valley entrepreneur and industry tech and brokerage executive, brings contemporary thinking about real estate technology, all with an eye to strengthening the relationship with Brokers and the Agents and Clients they serve. His consumer-facing technology expertise will inform continued improvements of OneKeyMLS.com, one of the most highly trafficked MLS websites.

Conway, CEO, Datascentancy and Gildex Ibox, LLC, brings a rich background in data aggregation and reporting from the military and commercial real estate. Conway will advise OneKey MLS on data strategies to empower Realtors with unique and powerful insights.

Markham, a strategic growth and real estate revenue executive, prides himself on delivering real estate technologies that make a meaningful difference to real estate practitioners.

With the expanded size and scale made possible by the merger of the MLS of Long Island and the Hudson Gateway MLS, OneKey MLS is one of the nation's leading Multiple Listing Services, serving more than 45,000 Realtor subscribers and 4,300 participating offices throughout Long Island, Manhattan and the Hudson Valley.

See more people on page 15



Tulay Erdem

Christie's International Real Estate Westchester | Hudson Valley, reported recently that **Tulay Erdem** has joined the company in its Scarsdale Sales Gallery. A native of Turkey, Erdem and her family moved to Switzerland, where she grew up before moving to California in 2006 and working in property management for several years. She then moved to Mamaroneck, where she resides today. She is fluent in Kurdish, Turkish, German, Swiss German, English and basic French.

Jorge Buelto has joined **Hollingsworth Real Estate Group of White Plains** as a Licensed Real Estate Salesperson.

Buelto is a native New Yorker who earned a Bachelor of Science degree in Mathematics from Lehman College and a Masters of Education Degree from St. John's University. He brings to the real estate industry, experience as a high school educator, mentor, tutor and baseball coach.



Jorge Buelto

Greystone, a leading national commercial real estate finance company, announced recently that **Niraj Patel** has been named Chief Information Officer and head of the firm's technology organization. Jonathan Russell, president and CEO of Greystone's corporate operations IT group, will retire at the end of 2021 and, in the meantime, will help transition the role of leading Greystone's technology group to Patel.

Patel brings more than two decades of IT leadership experience to Greystone and joins Greystone from DMI, a digital services and consulting agency, where he served as Global Head of Artificial Intelligence (AI) and analytics. Prior to DMI, he was the Chief Information Officer of Lending Platforms at IBM Global Business Services. Before joining IBM, Patel worked as the Chief Strategy Officer at Selex ES in New York and has also served as a Group President & Co-Founder of ISGN and CIO of GMAC Commercial Holdings.



HGAR

MAY 2021 UPDATE

HG Realtor Foundation Donates More Than \$4,000 To Three Local Charities

By Mary T. Prenon

WHITE PLAINS—The Hudson Gateway Realtor Foundation recently donated \$4,300 to three local charities in the Hudson Valley. They include: My Sister’s Place in White Plains, Catholic Charities Community Services of Rockland in Haverstraw and the Castle Hill YMCA in the Bronx.

For more than 40 years, My Sisters’ Place has been Westchester’s pioneering leader and resource in the field of domestic violence and human trafficking. MSP provides a continuum of direct services for adult and child victims (shelter, counseling, legal services, and education), effectively responding to the needs of families and individuals in crisis. Each year, the agency reaches more than 15,000 people through direct services, education and outreach.

Catholic Charities Community Services of Rockland provides quality human services to any resident of Rockland County who needs help, non-Catholics and Catholics alike. Their services include homelessness and eviction prevention, a food pantry, nutritional outreach education programs, a community garden, emergency financial assistance, money management work-

shops, emergency warming center, immigration legal services and much more. On average, CCCSR serves more than 4,000 families and over 1,200 individuals each year.

“The support of the Hudson Gateway Realtor Foundation will make a real difference for many of our families struggling to provide basic necessities, such as diapers and baby food, as well as paying their rent,” said Dan Eudene, Executive Director.

The Castle Hill YMCA is the only New York City YMCA to offer an outdoor pool, as well as state-of-the-art exercise equipment, an indoor pool, child care while you work out, and a community committed to helping local residents achieve their goals. Some of its most popular programs include: Summer Camp, After School, Holiday Camps, aquatic and sports programs, Teen Center and Silver Sneakers for seniors. Every Holiday Season, they also run a toy drive for needy children, along with the HGAR Bronx Chapter.

“This grant request will help leverage the current financial aid dollars needed to offset the fees paid by parents, en-

Continued on page 23



PHOTO CREDIT: JOHN VECCHIOLLA

From left, Roberta Bangs, HG Realtor Foundation Committee; Maryann Tercasio, HG Realtor Foundation President; Marie Dely, Case Manager and Daniel Eudene, Executive Director of Catholic Charities Community Services of Rockland.



From left, Vincent Buccieri, HGAR Regional Director, Bronx; Jared Stone, HG Realtor Foundation Committee; Sharlene Brown, Executive Director, YMCA; Eliezer Rodriguez, HGAR Bronx Chapter Liaison and Janine Mosher, HGAR Bronx Chapter.

SPOTLIGHT ON

Vlora Sejdi: Fulfilling The American Dream

By Mary T. Prenon

Vlora Sejdi was just two-and-a-half years old when she came to the U.S. from Kosovo. She spoke no English and had to learn it when she went to school in the Bronx. Today, the mother of two young children is not only a successful real estate agent, but also the 2021 President of the Women’s Council of Realtors (WCR), Empire Local Westchester Chapter.

For the past three years she has served as Director of Sales for the Igor Krasnoperov & Team Success NY with Keller Williams NY Realty in White Plains. “One of the reasons I love real estate so much is that it actually provided security to my family,” she said.

Sejdi remembers how difficult life was years ago when her parents relocated to the U.S. from Eastern Europe. “We were poor, and my father struggled to find work initially. He worked two jobs for most of my childhood, allowing my mother to stay home and focus on us,” she recalled. “In fact, I had no idea I wasn’t in Kosovo until I started elementary school.”

The family settled in an Albanian community in the Bronx and moved quite often. “When I was in middle school, my parents achieved their number one goal – buying a house,” she recalled. It was a small multi-family investment property which became home for Sejdi and her three younger brothers for many years.

Eventually, they moved to Yorktown and for the very first time, Sejdi was able to enjoy her own bedroom. “This showed me that no matter where you came from, or how you started, you can build gen-



Vlora Sejdi

eration wealth through real estate,” she noted.

She found the Westchester suburbs to be quite different from the city, but Sejdi quickly got involved in as many high school activities as she could. “I’m a joiner—I always like to be involved,” she added.

Sejdi was actually able to start college at the age of 16, and graduated from Pace University in Pleasantville, majoring in criminal justice, with a minor in sociology and psychology. “It’s something I wanted to do from an early age,” she admitted. “I often thought about becoming an FBI agent and chasing the bad guys!”

Her plans to finish graduate school at John Jay in Manhattan were interrupted

Continued on page 12

2021 HGAR RPAC HONOR ROLL as recorded by NYSAR to June, 2021

Thank you to the following Members who are leading the way in the 2021 RPAC campaign

Platinum R \$10,000

- Dorothy Botsoe, Dorothy Jensen Realty Inc., White Plains
- Anthony Domathoti, Exit Realty Premium, Bronx
- Richard Haggerty, Hudson Gateway Association of Realtors, Inc.
- Nancy Kennedy, Houlihan Lawrence Inc., Croton-on-Hudson
- Michael Schmelzer, Tyrax Realty Management, Inc., Bronx

Crystal R \$2500-\$4,999

- JP Endres, Howard Hanna Rand Realty, New City
- Crystal Hawkins Syska, Keller Williams NY Realty, White Plains

Sterling R \$1,000-\$2,499

- Leah Caro, Park Sterling Realty, Bronxville
- Carol Christiansen, Café Realty, Mount Kisco
- Katheryn DeClerck, Howard Hanna Rand Realty, Goshen
- Ronald Garafalo, John J Lease Realtors, Middletown
- Ann Garti, Hudson Gateway Association of Realtors, Inc.
- Joseph Houlihan, Houlihan & O’Malley, Bronxville
- Clayton Livingston, McGrath Realty Inc. Pawling
- Eli Rodriguez, Hudson Gateway Association of Realtors Inc., Bronx
- Mark Seiden, The Mark Seiden Real Estate Team, Briarcliff Manor

President’s Club \$500-\$999

- Carmen Bauman, Green Grass Real Estate Corp., Bronxville
- Teresa Belmore, Keller Williams NY Realty, White Plains
- Irene Guanill, Century 21 Dawns Gold Realty, Bronx
- Maryann Tercasio, Howard Hanna Rand Realty, Central Valley

Capitol Club \$250-\$499

- Paul Adler, Rand Commercial, Nyack
- Roberta Bangs, Howard Hanna Rand Realty, New City
- Kevin Dwyer, The Dwyer Agency, Mahopac
- Marianne Lepore, Corcoran Legends Realty, Tarrytown
- Eydie Lopez, Keller Williams Realty Hudson Valley United, Middletown
- Robert Shandley, Howard Hanna Rand Realty, White Plains
- Cathleen Stack, HGAR, White Plains

99 Dollar Club \$99-\$249

- Barbara Barber, Claudia Barnes, Diane Blanton, Janet Brand, Lynette Browne, Randall Calano, Michael Criscuolo, Tony D’anzica, Maria Theresa Duguet, Mark Engel, Jeffrey Farnell, Mary Kingsley, Patricia Holmes, Barry Kramer, Harding Mason, Tana McGuire, Elisa Bruno Midili, Joanne Murray Roseann Paggiotta, Mary Prenon, Brian Phillips, Walter Sadowski, Philip Weiden, Maria Weiss, Joey Williams, Kathy Zamechansky,

Recap of Contributions Year to Date**

TOTAL: \$152,305 60% towards goal

With 3,469 contributors 84% towards participation goal.
Goal: \$255,201 from 4,103 contributors for a total of 36% of membership

BOARDROOM REPORT

Boards of Directors
Hudson Gateway Association of Realtors, Inc.
March 17, 2021 via Zoom

HGAR Management, Financial & Membership Reports

President Crystal Hawkins-Syska presented the President's Report, bringing the Directors attention to a press release regarding findings of an undercover investigation relating to housing discrimination and the filing of a lawsuit that occurred on March 15th. She pointed out that the lawsuit alleges that the defendants discriminated against tenants based on Section 8 vouchers. President Hawkins-Syska reiterated her commitment to promoting Fair Housing training.

CEO Richard Haggerty presented the CEO's Report. CEO Haggerty mentioned that since there has been an increase in the COVID-19 infection rate, the reopening plans for the HGAR offices would be delayed.

HGAR Treasurer Bauman presented the Treasurer's Report for February, which was approved for filing by the Directors.

President Hawkins-Syska then requested confirmation by the Directors of members of the Nominating Committee; Gail Fattizzi, Chair, Marcene Hedayati, Leah Caro, Sandra Erickson, J.P. Endres, Rey Hollingsworth Falu and Joseph Houlihan, and after discussion the Directors approved the proposed members of the 2021 HGAR Nominating Committee.

CEO Haggerty then reported on the HGAR Dues Receipts Report.

Director and Chair of the Policies and Procedures Task Force Ron Garafalo, and Treasurer and Member of the Policies and Procedures Task Force Carmen Bauman reported on and presented the new HGAR Policies and Procedures Manual prepared by the Policies and Procedures Task Force. Treasurer Bauman reminded the Directors that all of the Appendices to the Policies and Procedures were emailed to the Directors several days prior to the meeting.

After the review of the Policies and Procedures was completed there was discussion amongst the Directors. It was recommended that a more detailed procedure be included in the Policies and Procedures relating to the filing of a complaint against a Director or Officer in the event of a violation of the Policies and Procedures. President Hawkins-Syska indicated that she would request that the Task Force develop additional language for inclusion in the manual relating to same. It was noted that the Policies and Procedures could be approved as drafted and that any additional changes, including the aforementioned change, could be made at a later date by a majority vote of the Directors. After discussion the Directors approved the HGAR Policies and Procedures as presented.

Director and RPAC Co-chair Carol Christiansen provided an RPAC report.

President Hawkins-Syska pointed out to the Directors that reports of the various Committees and Councils (i.e., HGAR Professional Standards Committee, HGAR Fair Housing Committee, HGAR Legislative Committee, and HGAR RPAC Committee) and a report from the COO Ann Garti relating to the Accelerator Program had been provided to them via e-mail and had also been included in their Directors' packets.

President Hawkins-Syska indicated that the training sessions scheduled with David Severance would follow the close of the business portion of the meeting.

Please welcome the following new members in your area:

Vlora Sejdi: Fulfilling The American Dream

Continued from page 11

when she got married and moved back to the Bronx. "From there, I took a convoluted path to real estate," she recalled. Sejdi worked in the medical field short term, then joined a commercial real estate firm in Manhattan. She started as an agent, and progressed to sales manager and finally to chief operating officer.

After the birth of her daughter, the family moved to Yorktown and Sejdi continued to drive to her job in Soho. "I just wasn't happy with the commute and then I happened to see an ad placed by Keller Williams," she said. "The job description sounded exactly like what I was already doing, so I applied and here I am today."

Keller Williams NY Realty boasts more than 200 agents and Sejdi's Team Success consists of six agents. "Sometimes I go on listing appointments, but I prefer to give the leads and clients to the agents," she said.

For her, the biggest challenge in switching from commercial to residential real estate was the amount of time needed to explain the buying and selling process to clients. "When you're selling commercial, you can just match properties with needs, but when it comes to selling homes, you need to know so much so you can explain things properly," she said. "After all, people are making the biggest financial transactions of their lives, so you have a big responsibility."

Sejdi credits fellow Keller Williams

Realtor Teresa Bellmore for getting her involved with the Women's Council of Realtors. "I think she just told me I was joining," she laughed. "Anyone who knows Teresa knows you don't tell her no!"

She attended her first meeting in 2019 and was hooked. Sejdi previously served as the organization's program director, falling back on her own experience planning Albanian weddings. The WCR is currently working on its first live event since the pandemic at a local brewery.

Like most Realtors, Sejdi is looking forward to stepping away from the Zoom events and being able to network in person. She travels to her office as much as possible because she enjoys the structure—which is sometimes impossible when she's working at home with her daughter Arya, 6, and son Luan, 5. "My son consistently interrupts me when he wants to do something that his babysitter won't let him do. And then there's the time he ran around naked while I was on a Zoom business meeting," she quipped.

Interestingly enough, both of her children's names translate to one of the world's most revered animals. In Albanian, Luan means "lion," and in Hebrew, Arya means "lioness." To Sejdi, the translations are fitting. "My son will always say, 'Momma go sell some houses,' and my daughter aspires to be a mega real estate agent."

Designated Realtor

Anthony S. Davis
259 Route 17K, Ste. 100
Newburgh, NY 12550
845-522-8220

Reinaldo A. Figueroa
SOW Figueroa Group
244 Madison Avenue, Ste. #382
New York, NY 10016
212-982-5008

** Paul Heck
Everyhome Realty Inc
1741 Valley Forge Road
Worcester, PA 19490
215-699-5555

Denise S. Knauer
13 Roberta Drive
Cortlandt Manor, NY 10567
914-939-3075

Robert M. Krieger
Coldwell Banker Reliable
219B W 116th Street
New York, NY 10026
718-921-3100

** Elana Magreli
Movil Realty
5020 Sunrise
Massapequa, NY 11762
516-399-1444

Victor L. Peters Jr.
VP Appraisal Services Inc
4309 Camino de la Rosa
Newbury Park, CA 91320
805-559-7326

Jeffrey R. Schlanger
60 Sutton Pl. South, #16CS
New York, NY 10022
917-536-6970

Yves Vital
Common Ground Multiservice
10 Esquire Road, Ste. 10
New City, NY 10956
914-979-1116

Affiliate

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646-602-4999

Charlie Spataro
National Property Inspections
11 Jamie Court
Suffern, NY 10901
845-558-8918

Realtor

Chinenye Aguoji
Besmatch Real Estate

Lisamarie Alexander
Keller Williams Realty NYC Group

Matt Aponte
Compass, New York

Mingma Augustine
Keller Williams NY Realty

Andreina Baez
Besmatch Real Estate

Jennifer M. Baukol
KZA Realty Group

Alan Bavolar
Realty Promotions Inc.

John Botti
R New York

Justine N. Britten
CRUM

Valone D. Brown
Corcoran Group

Martin M. Buckley
Howard Hanna Rand Realty, Nyack

Andrew Burns
Lena Family Realty LLC

Andrew Bushay
Laujel Realty Corp.

Courtney Cabrera
Keller Williams Realty Partners, Baldwin Place

** Manuel D. Cespedes Medina
Exp Realty, White Plains

Luz Checo
Exit Realty Premium

Anil Chinnan
J Realty Group

Cristine F. Civetta
Park Sterling Realty

Jimmy Colon
Keller Williams Realty, Chester

Leonard M. Colson
SPIRALNY

Matthew Conlan
Compass Greater NY, LLC, Larchmont

Michael R. Covino
Keller Williams NY Realty

Dolby L. Curriel
Motivated Access Realty Corp.

Donna Day-Skaretka
Redfin Real Estate

Jany De Los Santos
Keller Williams Realty Partner, Baldwin Place

Jack DeGiulio
Howard Hanna Rand Realty, White Plains

Robert DeRosa
Nestedge Realty

Lukas DeWitt
Besmatch Real Estate

** Jennifer M. Dineen
Neumann Real Estate

Anamarie DiPietro
Coldwell Banker Realty, Rye

Maureen M. DiRenzo
Weichert Realtors, Monroe

James Dundon
Turn Key Realty Group Inc.

Stephanie Eagens
Coldwell Banker Realty, Yorktown Heights

Brittney J. Evans
Houlihan Lawrence, Inc., Bedford

Chrystal Farrell
Your American Dream Home Realty

Concetta M. Fazio Frangoules
Compass Greater NY, LLC, Chappaqua

Jose Fernandez
Keller Williams Realty Partner, Baldwin Place

Michele Ferrall
Ginnel Real Estate

Nicole Flores
Exp Realty, Yonkers

Susan Franks
R New York

Jennifer Gabriele
Houlihan Lawrence, Inc., Jefferson Valley

Haralambos A. Gatsos
Howard Hanna Rand Realty, Nyack

Cooper Gianguzzi
Siano & Company Ltd.

Amy Gold
Keller Williams Realty Partners, Baldwin Place

Yoel Gottesman
Exit Realty Venture

Jodi Greebel
Compass Greater NY, LLC, Scarsdale

Andrew P. Grossman
Houlihan Lawrence Commercial, Rye Brook

Joseph Grosz
eRealty Advisors, Inc.

Simone Guidry
Weichert Realtors, Rye

Jared Hagerman
Curasi Realty, Inc., Montgomery

Andrew Harris
Corcoran Country Living

Ammie Hart
Keller Williams NY Realty

Imam Hasan
DKC Realty Group LLC

Islonca Hasso
Keller Williams Realty Group

Eric Helman
Keller Williams Hudson Valley, New City

Ikay Henry
eRealty Advisors, Inc.

Luther M. Hines
BRE Services LLC

NeTonia Holliman
Howard Hanna Rand Realty, Yorktown Heights

Dwana Hughes
Exp Realty, White Plains

Adebowale Ige
Exp Realty, White Plains

Zubaidah Jackson
At Home With Yara Realty

Valerie E. Jewis
Keller Williams Hudson Valley, Middletown

Elvin Jorge
Century 21 Galvez

Avion Julien
U S Realty

Malika Kadir
Howard Hanna Rand Realty, Goshen

** David N. Kasperowicz
Keller Williams Village Square Realty

Joel Klein
Green Triangle Realty

Roman Kolomoyets
YCL Real Estate Consulting

Albert Krasniqi
Exit Realty Private Client

Michael Kushetsky
Cozy Catskill Realty

Lisa LaTorre
Douglas Elliman Real Estate, Bronx

Shane T. Lazo
Keller Williams Hudson Valley, New City

Victoria Le Denn
Berkshire Hathaway Home Services Westchester Properties, Larchmont

Deanna Lee
Exp Realty, Yonkers

Nerette Lewis
Green Team New York Realty

Chaya Liberman
Blue Sky Realty Group LLC

ChangChang Liu
Houlihan Lawrence, Inc., Briarcliff Manor

Lauren Mallett
Claire D. Leone Associates Ltd.

Continued on page 16



HGAR Classes are Currently Being Offered Via Zoom!

Please contact our Member Success Team with any questions!
support@hgar.com /914-681-0833

July 2021

Zoom Course Calendar

- July 6-** 75 Hour Sales Pre-Licensing Qualifying Course with Varied Instructors (Mondays-Thursdays, Daytime)
- July 8-** Building a Better CMA – Applying the Principles of Residential Appraisal to the CMA Process* with John Yoegel
 Handling Multiple Offers in a Hot Sellers Market – Remember Who You Work For* with Katheryn DeClerck
- July 9-** Anatomy of a House III: Plumbing and Electrical Systems* with Josef Fasolino
- July 12-** Human Rights and Fair Housing (CORE Requirement)* with Dorothy Botsoe
- July 13-** Ethical Business Practices (CORE Requirement)* with TBD
- July 14-** Legal Update (CORE Requirement)* with William O’Keefe
 Agency Update (CORE Requirement)* with Carole McCann
 Matrix 1: Introduction to Matrix* with Katheryn DeClerck
- July 15-** Sales Remedial or Gap Course – 30 HOUR with Varied Instructors (Mondays-Thursdays, Daytime)
- July 20-** Sales Remedial or Gap Course – 30 HOUR with Varied Instructors (Tuesdays-Thursdays, Evenings)
- July 21-** CORE Day* with Dorothy Botsoe
 Matrix 2: The Next Step into Matrix* with Katheryn DeClerck
- July 22-** Best Practices for Foreclosure and REO Properties* with Dorothy Botsoe
- July 23-** (Transaction Desk) Instanet Forms & Authentisign* with Katheryn DeClerck
 HomeSnap: How to Provide Exceptional Service w/ Fastest Growing Mobile Platform* with Katheryn DeClerck
- July 27-** Matrix: Adding and Editing Listings* with LaVerne Brown-Williams
- July 28-** Matrix 3: Matrix to the Max* with Katheryn DeClerck
- July 29-** Is That Pony A Pet? Understanding Assistance Animals- (Fair Housing)* with Katheryn DeClerck
 Matrix: Searches* with LaVerne Brown-Williams



HGAR 22.5 Hour Virtual Education Card— Buy a Virtual Education Card and Save!

*Course qualifies for the Virtual Card

For More Class Information (In-Person and Online) and Registration, go to HGAR.com/Education.

CALENDAR

JUNE

- June 21**
86th Annual Golf & Tennis Outing
The Village Club of Sands Point, Sands Point
- June 22**
Women’s Council of Realtors - Realtor Beer Garden Bingo
Wolf & Warrior Brewing Company, White Plains, 5:30PM - 8:00PM
- June 23**
Breakfast with Benefits: “What are the Differences Between Working with a Mortgage Broker vs. Loan Officer?”
Via Zoom, 9:30AM – 10:30AM

JULY

- July 5**
HGAR Offices Closed: Independence Day
- July 12**
Global Business Council Trade Mission with Portugal
Via Zoom, 10:00AM - 11:30AM
- July 13**
HG Realtor Foundation: Pub Night
Rockland
Hotel Nyack, Nyack, 5:30PM – 7:30PM

- July 26**
Global Business Council: Update on Tax Implications of Foreign Investment in U.S. Real Property
Via Zoom, Noon – 1:00PM
- July 29**
CID: HGAR and Hudson Valley EDC Commercial Real Estate Summit
Via Zoom, 8:00AM – 10:30AM



BARRISTER'S BRIEFING

By Brian S. Levine, Esq



Getting Paid, Maybe Not: Understanding Broker And Buyer Agency

Currently, we are seeing an uptick in the use of “broker agency” in our MLS, and there is much confusion in its use and how it applies, so I’m going to breakdown the difference between it and “buyer agency” and the pitfalls that can occur; specifically, not getting paid cooperating compensation (Note: I will not delve into issues of vicarious liability as it relates to representation in this article.)

Buyer’s Agency

We are all pretty familiar with buyer’s agency, so this will be brief. In buyer’s agency, you represent the buyer. Upon first substantive contact you must fill out an Agency Disclosure form indicating that you are acting in the buyer’s best interests. Cooperating compensation is paid through the MLS to all buyer agents and the offered compensation is placed under the prefix “BA.” It is important to note that you cannot change agency unless, after full discussion and disclosure of its impact, you inform your client of the proposed change and obtain their consent to change agency (i.e., buyer agency to dual agency, etc.).

Broker Agency

Broker agency was around before there was buyer agency and it is currently coming back in vogue. It is most often established by a listing agent (Note: there is buyer broker agency as well, but it is rare.) when they list a property and place it on the MLS, offering broker agency cooperating compensation under the prefix “BRA.” In this relationship, the cooperating broker who brings a buyer does not have a direct relationship with the seller, who is the listing broker’s exclusive client, but they take their instructions from and communicate with the listing broker. The offer of broker agency compensation on the MLS creates the broker agency relationship with all participating members. In effect, the listing agent is saying, “Hey, brokers, work with me and my client to find a buyer.” If a cooperating agent has a potential buyer, then they can present the buyer and receive cooperating compensation as a broker’s agent...but there is a catch.

If there is a pre-existing relationship between the cooperating agent and the buyer (buyer agency), because the cooperating agent is now trying to act as a broker’s agent, their fiduciary duty is shifting and they are now trying to represent the

interests of the seller/listing agent’s client, not the buyer. This creates a problem. In this situation, if the buyer agent wishes to switch to a broker’s agent, the cooperating agent would be required to explain the impact of this change, how the buyer is giving up his representation, and then obtain the consent of their client to change representation from buyer agent to seller agent. If authorized by their client, they would also be required to provide a new Agency Disclosure Form to the buyer indicating that they are representing the interests of the seller in this transaction and the buyer is being treated as a customer. Further conflicts may arise in that the agent may already have confidential information about the buyer, so how can that agent effectively change relationships without jeopardizing those confidences?

If there was no pre-existing relationship with the prospective buyer and the cooperating agent (the buyer is a customer), then the cooperating agent simply needs to provide the Agency Disclosure that they are representing the seller at first substantive contact. From there, the broker agent can introduce the buyer to the property and if a transaction is completed, they will receive broker agency compensation. It is important to note that if the cooperating agent successfully engages as a broker agent, the buyer may still engage the services of another agent to represent their interests (a buyer’s agent). However, that buyer’s agent would not receive any compensation under the MLS, as the cooperating compensation is only to broker agents not buyer agents, and the buyer’s agent would have to arrange their own compensation.

Troubleshooting

All agents should religiously check the compensation being offered on the MLS. Do not confuse BA compensation with BRA compensation. If you are working with a buyer as a client and a cooperating broker is offering BRA compensation on the MLS, you must make certain that if you try to switch relationships it is done before an offer is made, after full disclosure is made with the client, and they have consented, preferably in writing, to the switch. Remember: an agent may not place their interest in compensation above the interests of the client.

Unfortunately, if an agent makes an offer on behalf of his buyer client and cooperating compensation is only being offered to broker’s agents, that agent is simply out of luck, unless they can negotiate compensation from the buyer client.

Another practice that helps protect the compensation of the cooperating agent is the execution of the Exclusive Right to Represent Agreement (also known as a Buyer Agency Agreement). With this agreement, the buyer agent is ensuring that they will be compensated, as these standard agreements indicate that the buyer client will compensate the agent for their work and, in turn, if there is other compensation available, the agent will offset that compensation against the amounts owed by the client, with the client consenting to dual compensation. In this fashion, the buyer’s agent can continue to represent the interests of the buyer if the compensation being offered is only broker agency compensation, there is no switching of fi-

Continued on next page

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LEGISLATIVE AFFAIRS

By Philip Weiden



June Legislative Update: State Legislative Session Draws To a Close; Westchester Co-Op Disclosure Bill Set for Vote

The end of the New York State legislative session in Albany is at hand. The real estate industry was fortunate in not having several bills it strenuously opposed come up for a vote.

One particularly onerous bill with the misnomer “Good Cause” eviction, would have locked in a long-term lease and taken away the property owner’s ability to set the terms of the lease. It would also cap rent increases at 3% or the rate of inflation, whichever is less, regardless of increases in property taxes, fuel or any other cost increases related to the property. In essence the bill would have imposed de facto rent control across the state.

Another bill that will not now pass, and was a big win, is the independent contractor status bill. This bill could have potentially reclassified Realtors as employees instead of independent contractors. Luckily compromise versions of this proposal would not affect Realtors’ independent contractor status.

A defeat for our industry on the state level has been the failure, once again, of the New York State Legislature to pass co-op reform. New York State transfer and mortgage recording taxes were also not raised. Overall, our successes lie in helping to prevent bad bills from passing.

On a local level we diligently continued to pursue legislation requiring co-op boards to give a reason in writing stating why someone is being denied. The Westchester County Board of Legislators recently held a public hearing and the vote on the legislation is expected later this month. County Executive George Latimer has indicated he would sign the bill if it passes the Board of Legislators. At the public hearing on the bill, supporters of the bill vastly outnumbered opponents of the legislation.

Under the current law more than 500 purchase rejections have occurred. This is a significantly greater number than opponents of the original bill had predicted. We also do not know how many co-op boards have complied or not complied with the current law, as the declination notification to the human rights commission is self-regulating.

Please call your legislators if you have not already done so and urge them to pass the Westchester co-op disclosure bill. Stay tuned for further updates on this legislation.

Legislative Affairs columnist Philip Weiden is the Government Affairs Director for the Hudson Gateway Association of Realtors.

Weichert, Realtors also announced that the Rockland County Regional Office and a top-producing sales associate were recognized for outstanding achievement in April.

The Rockland County Regional Office, which is managed by Karen McCabe, led the Weichert sales region in sales and dollar volume from Weichert.com transactions for the month. The region is comprised of locations throughout Rockland, Orange, Dutchess and Westchester counties, and New York City.

Individually, **Neelam Malhotra** led the Weichert sales region in dollar volume from Weichert.com transactions.



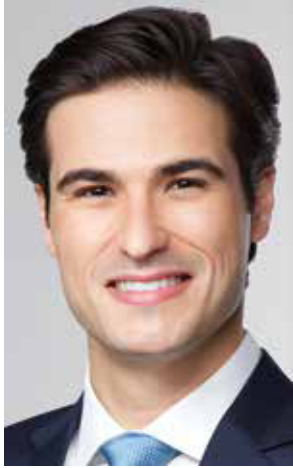
Neelam Malhotra

Karen Soltau has joined **Hollingsworth Real Estate Group** of White Plains as a real estate salesperson. Soltau has experience throughout Westchester and Bronx counties, servicing the local communities by working with local church and community groups.



Karen Soltau

Walker & Dunlop, Inc. announced recently it had hired **Sean Reimer** as a Managing Director and **Michael Stepniewski** as a Senior Director in its Capital Markets group. Based out of the company's New York City office, Reimer and Stepniewski will join the New York City Capital Markets



Michael Stepniewski

Team, which focuses on sourcing and structuring equity capital transactions and debt financing for all commercial real estate asset classes nationally.

Prior to joining Walker & Dunlop, Reimer served as a Principal at Square Mile Capital Management, where he was responsible for sourcing, negotiating and structuring debt and equity transactions across the firm's various investment strategies. During his time at Square Mile, Reimer was responsible for the origination of more than \$8 billion of transactions, including value-add bridge loans, construction loans, stabilized loans, mezzanine debt, preferred equity, and JV equity

across all asset types and major markets in the U.S. In his previous roles, Reimer was a Director at Cantor Fitzgerald in the CMBS lending group, Partner of RL Realty Partners, and Senior Financial Analyst at CBRE.

Prior to joining Walker & Dunlop, Stepniewski served as a Director in the Debt Capital Markets group at Tishman Speyer, where he led the procurement of debt financing for the firm's acquisitions and ground up developments across the United States. Prior to Tishman Speyer, Stepniewski worked on the Capital Markets desk at LoanCore Capital, where he originated, syndicated and securitized nearly \$10 billion of commercial real estate debt. Stepniewski began his career in the new issue CMBS group at Kroll Bond Ratings in New York.



Sean Reimer

Getting Paid, Maybe Not: Understanding Broker And Buyer Agency

Continued from previous page

duciary duties and even if the agent did overlook BRA for BA, they will still get paid.

Conclusion

A Realtor's duty of reasonable care, undivided loyalty, confidentiality, full disclosure, obedience and duty to account are the most important aspects of being a real estate agent. Consumers rely on Realtors for guidance and truth. This means that an agent's compensation is an afterthought for those that are engaged in protecting the rights of consumers. To flip-flop on representation in an effort to make money will not play well with the Department of State or a Professional Standards panel. Realtors must take affirmative steps to ensure that they get fairly compensated for the work they perform and this means making sure what type of compensation is being offered, who they are representing, and what precautions have they taken to guarantee they will be paid.

Brian S. Levine, Esq. is In-House Counsel/Director of Legal Services & Professional Standards Administrator for the Hudson Gateway Association of Realtors.

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DeCicco & Sons Retail Project at Edge-on-Hudson To Break Ground Later This Year in Sleepy Hollow

SLEEPY HOLLOW— A new 30,000-square-foot DeCicco & Sons market is set to begin construction at the Edge-on-Hudson in Sleepy Hollow later this year.

The Village of Sleepy Hollow Planning Board recently approved plans for the market, which will include a second story glass-enclosed beer and wine café, oriented towards the Hudson River.

An adjacent 10,000 square foot retail space also secured municipal approvals, of which 5,000 square feet is earmarked for a pharmacy. With residential sales moving quickly, and apartment rentals also set to come online in the coming months, the development team at Edge-on-Hudson has set its sights on identifying new retail partners, the developer stated.

DeCicco & Sons market and the adjacent building are the first retail structures approved. The developers at Edge-on-Hudson report they have begun initial talks with potential hoteliers and additional retailers.

The design of the new DeCicco & Sons market at Edge-on-Hudson features a brick exterior, a standing seam metal roof, glass and steel cupolas, steel lintels and clearstory windows. The multi-level market includes a mezzanine level beer and wine café and a top-level food court, both reached by a steel and glass enclosed elevator, or from an exterior staircase.

The master developers of Edge-on-Hudson, Biddle Real Estate Ventures and PCD Development, worked with leasing agent David Scotto at RM Friedland to secure the DeCicco & Son's signing and to evaluate upcoming

retail opportunities. In addition to townhomes, loft condominiums and apartments, the approved special permit for Edge-on-Hudson delineates as much as 135,000 square feet of retail space, 35,000 square feet of office space and a 140-room hotel on the waterfront. The



A rendering of the 30,000-square-foot DeCicco & Sons market to be built at the Edge-on-Hudson development in Sleepy Hollow.

hotel will be a first for Sleepy Hollow, and one of the only hotels along the Eastern shore of the Hudson River in proximity to New York City.

BREV founder Peter Chavkin, said, "We couldn't have found a better partner than DeCicco & Sons to bring the first retail amenity to Edge-on-Hudson. In addition to running superb market operations, they have proved to be hands-on, caring corporate citizens within the communities they serve."

John DeCicco Jr., CEO, DeCicco & Sons, said, "We're grateful to have received approval for construction of what

we feel will be one of our finest markets to date in Westchester County. Sleepy Hollow and the new Edge-on-Hudson mixed-use community along the waterfront make for a compelling location and we're excited to be a part of all that's happening in the village."

promote sustainability and recycling, while utilizing green roof technology. Market operations will include a CO₂-based natural refrigeration system, a non-ozone depleting technology that DeCicco & Sons was the first to bring to Westchester County. Heat expelled from the refrigeration system will be recycled for use as radiant heat for the market in cold weather months—also a first in Westchester. Heat will be recycled, as well, from the demand-based cooking systems.

DeCicco & Sons is targeting a 2022 opening at Edge-on-Hudson, with the market set to become DeCicco's 11th in Westchester. The family-owned business currently operates premium markets in Ardsley, Armonk, Harrison, Larchmont, Millwood, Pelham, Somers and Brewster.

Edge-on-Hudson is a mixed-use, transit-oriented community set on nearly 70 acres along the Hudson River waterfront in Sleepy Hollow, NY at the former General Motors minivan assembly plant. Edge-on-Hudson is set to include 1,177 units of housing; a 140-room boutique hotel; 135,000 square feet of retail space and 35,000 square feet of office space, in addition to more than 16 acres of parkland, restoring access to the waterfront in Sleepy Hollow.

The DeCicco & Sons market will utilize a range of cutting-edge "green" initiatives in its construction and operation. Set to be built to LEED certification standards, construction will include reclaimed brick and timber to

New Members

Continued from page 12

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Harmoni VanEtten
Howard Hanna Rand Realty, Central Valley

Samantha L. Veaz
Cronin & Company Real Estate

Domenick Velardi
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Governor Cuomo Lifts Most New York State-Mandated Commercial and Social COVID-19 Restrictions

By John Jordan

NEW YORK—The day everyone was waiting for since last March finally came. Gov. Andrew Cuomo at a press conference at One World Trade Center on June 15 lifted all New York State mandated COVID restrictions effective immediately.

The governor during Day 472 of the pandemic emergency, noted that New York State went from the highest positivity rate on the planet at 48.16% at the height of the pandemic last year to the lowest in the nation at 0.40% as of June 14.

Gov. Cuomo said that because the state has reached the 70% threshold, “We can return to life as we know it.” He later added, “What New York has done is extraordinary. We have literally gone from worst to first.”

The state’s health guidance and New York Forward industry specific guidelines—including social gathering limits, capacity restrictions, social distancing, cleaning and disinfection, health screening, and contact information for tracing—are now optional for retail, food services, offices, gyms and fitness centers, amusement and family entertainment, hair salons, barber shops and personal care services, among other commercial settings.

New York State Association of Realtors Director of Government Affairs Mike Kelly told Real Estate In-Depth that the ban on telemarketing by Realtors remains in effect since Gov. Cuomo has yet to end the state of emergency declaration.

Gov. Cuomo said he was able to lift the state COVID restrictions because the state had reached the 70%



Gov. Andrew Cuomo - FILE PHOTO

threshold of adults over the age of 18 having at least one COVID vaccination. He said the state reached the 70% mark ahead of schedule.

Unvaccinated individuals continue to be responsible for wearing masks, in accordance with federal CDC guidance. The state’s health guidelines continue to be in effect for large-scale indoor event venues, pre-K to grade 12 schools, public transit, homeless shelters, correctional facilities, nursing homes, and health care settings per CDC guidelines.

The state’s COVID restrictions remain in effect for large-scale indoor event venues—now defined as indoor venues that hold more than 5,000 attendees. Proof of vaccination can be used to eliminate social distancing and remove masks for fully vaccinated individuals, state officials said. Unvaccinated or

unknown vaccination status individuals who are over the age of four must continue to present proof of a recent negative diagnostic COVID-19 test result and wear masks within the venue. However, social distancing can be reduced or eliminated between tested attendees, allowing venues to reach 100% capacity in all sections.

The governor said that New York

State was “ambushed by COVID” and that during the pandemic life in New York “was like living in a science fiction movie.”

The governor noted that a key to the state’s success was the successful roll out of the COVID vaccines. “We’ve gone on to do more than 20 million vaccines, more per capita than any big state in the United States of America,” he said. “Congratulations to New Yorkers because they are the ones who did it. We’re no longer just surviving—we’re thriving.”

White House COVID-19 Response Coordinator Jeffrey D. Zients said in a prepared statement, “In communities across New York, the deadly Coronavirus is in retreat thanks to the state’s progress on vaccinations. New York went from being one of the hardest-hit states in the country to being one of the leading states in its effort to combat the virus because of a vaccination program that made it easy and convenient for New Yorkers to get vaccinated, state and community leaders who worked hard at the local level, and millions of New Yorkers who rolled up their sleeves to get vaccinated.”

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A.S.A.P. Mortgage Opens New Branch in Orange County



A.S.A.P. Mortgage's new office in Orange County is located at 237 Route 32 in Central Valley.

CENTRAL VALLEY—A.S.A.P. Mortgage Corp. CEO and Founder Irene Amato has announced that the mortgage brokerage firm has opened its newest branch here on Route 32.

A.S.A.P. Mortgage's new Orange County branch at 237 Route 32 opened its doors on June 3 and will offer a full array of mortgage products, the most competitive rates and fees, an expedited mortgage process, and a wholly transparent transaction from start to finish, company officials stated.

"I am thrilled at the opportunity to bring the A.S.A.P. brand to Orange

County," Amato said. "A.S.A.P. Mortgage becomes a real partner in all the communities it serves. We are excited to work with the Orange County Chamber of Commerce and finally deliver our signature unique boutique mortgage experience to the residents on the west side of the Hudson River."

Located just a mile from Woodbury Common Premium Outlets, the new, 2,000-square-foot Orange County branch will be managed by Sandra Salguero. Its staff of four will offer bilingual services in English and Spanish.

The Orange County office is A.S.A.P.

Mortgage's seventh branch. A.S.A.P. Mortgage is headquartered in Peekskill and has branch locations in Cortlandt Manor, Croton-on-Hudson, White Plains,

Fishkill and the Bronx.

The company plans to open an eighth branch in South Florida later this year, according to Amato.

Report: Bronx Hit Hard by COVID-19 Pandemic Begins Long Road to Recovery



NEW YORK—The COVID-19 pandemic hit the Bronx harder than any other borough, according to an economic analysis released on June 8 by New York State Comptroller Thomas P. DiNapoli. As vaccinations rise and restrictions ease, the Bronx has begun to repair the significant economic damage caused by the coronavirus that included a nearly 25% unemployment rate in May of last year when the virus raged in the borough and throughout New York City.

As DiNapoli's report detailed, prior to the start of the pandemic, the Bronx was on an upward trajectory, with steady economic and population growth after years of economic decline. The pandemic, however, has stalled progress in the borough that is home to one-fifth of New Yorkers and has threatened to reverse the gains it has made in recent years.

"More than a year of sustained damage caused by the COVID-19 pandemic has taken a toll on the Bronx, throwing it off its pre-pandemic course," DiNapoli said. "The borough has proven its resilience before, with its recent long period of renewal aided by government efforts to provide basic services and boost economic activity and quality of life in the borough. The road to recovery will take time, and it is crucial that the state and city ensure that the Bronx receives its fair share of assistance to address the serious damage it has sustained."

"Prior to the COVID-19 pandemic, The Bronx had record low unemployment and development was at an all-time high, we were trending in the right direction," said Bronx Borough President Ruben Diaz Jr. "While the pandemic hit our borough hard, we will come back strong and move forward with large infrastructure projects including the Bruckner-Sheridan Interchange, four new Metro-North stations, the renovation of Orchard Beach, and various development projects. I want to thank New York State Comptroller DiNapoli for releasing a comprehensive report shedding light on our borough and working to ensure The Bronx receives our fair share of assistance as we rebuild."

The full economic impact of the pandemic on the Bronx will take years to become known, but many residents are already experiencing hardships, the report stated.

Even before the pandemic hit, there were high levels of evictions and non-payment filings. Bronx residents saw the highest levels of evictions in both 2018 (6,860) and 2019 (5,850) of any borough.

Many borough residents work in essential and face-to-face sectors, which increased their risk of contracting COVID-19 and losing employment to the shutdown. They were far more dependent on the subway system than other New Yorkers. In all but one month (October 2020), the level of ridership

was higher in the Bronx than in all other boroughs.

The sudden and dramatic closure of businesses across New York City hit the leisure and hospitality sector the hardest, as an earlier report from DiNapoli detailed. In the Bronx, it meant the loss of 9,600 jobs—a 45.6% drop—in that sector by the summer of 2020.

The borough also had the highest unemployment rate throughout the pandemic. Unemployment averaged 5.4% in the first three months of 2020, then shot up to a peak of 24.6% in May 2020, before gradually declining to 15% in April 2021. The extension and increases in unemployment payments have been particularly important resources for Bronx residents who remain out of work.

Most businesses in the borough are small, and the measures put in place to combat the health impacts of the COVID-19 virus forced many to close. Some business owners were able to rely on economic relief to stay afloat. Programs such as Paycheck Protection Program (PPP) loans served as vital resources but were slow to reach businesses in the borough. Better targeting of more recent rounds of funding and continued outreach regarding the program have led to an improvement in critical resources reaching those in need. Existing federal, state and city programs to support businesses and individuals should continue to be adjusted for and communicated to those hardest hit, including residents in the Bronx.

Improved outreach and delivery of support programs are welcome signs as the borough sets its sights on recovery, but there is a lot more that needs to be done in order to accomplish a true recovery. The Bronx's continued revitalization and improvement will serve as an important benchmark for measuring the city's success in achieving an equitable recovery for all New Yorkers.

DiNapoli urged city and state leaders to prioritize a recovery in the Bronx by addressing its needs including: continued aggressive borough-wide vaccination efforts; sustained outreach for resources such as food distribution and rent relief; targeted programs aimed at helping those most affected by COVID-19; close tracking of relief dollars to ensure that the Bronx receives its fair share that corresponds to the serious damage it has sustained and continued investment to aid recovery.

Ahead of Pandemic, Bronx Enjoyed Steady Growth

The Bronx is one of New York City's most diverse boroughs with the highest share of minority residents of any borough (more than 90%). Over the past 20 years, the Bronx grew faster than any other borough, driven in large part by immigration. From 2000 through

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Indian Point Energy Center's Sale to Decommissioning Firm Finalized

By John Jordan

BUCHANAN—The nuclear age in Westchester County and the Hudson Valley officially ended late last month with the sale of the Indian Point Energy Center in Buchanan by Entergy Corp. to decommissioning firm Holtec International.

On May 28, Entergy announced it had completed the sale of the Indian Point complex to subsidiaries of Camden, NJ-based Holtec International. The final operating unit at the site, Unit 3, was shut down by Entergy on April 30, 2021, after generating electricity for 45 years. Indian Point Unit 2 was shut down in April 2020, while Indian Point Unit 1 was shut down in 1974. Under this asset transfer deal, the site's ownership and operating licenses have now transferred to Holtec subsidiaries, with Holtec Indian Point, LLC serving as the owner and Holtec Decommissioning International, LLC serving as the license holder and decommissioning operator. Entergy has no residual interest in the IPEC site.

The New York State Public Service Commission approved the Indian Point sale to Holtec on May 19, 2021 after the U.S. Nuclear Regulatory Commission approved the transfer of Indian Point's licenses to Holtec in November 2020. Entergy and Holtec announced the Indian Point sale in April 2019. After facing staunch opposition from New York State and environmentalists and mounting legal costs in its attempt to relicense Indian Point 2 and 3, Entergy announced plans to shutter the nuclear power plants in January 2017 that blindsided many state and municipal officials, regulators and Westchester County business leaders.

"We thank all our employees at Indian Point for operating a safe, secure and reliable plant for more than 20 years

under Entergy's ownership, and we look forward to many of them continuing on with Entergy at new locations," said Entergy chairman and CEO Leo Denault. "With our previously announced agreement for the post-shutdown sale of Palisades nuclear power plant in 2022, we remain on track to complete our exit from nuclear power operations in merchant markets."

In December 2020, Entergy and Holtec International, through their affiliates, jointly submitted a License Trans-

Oyster Creek to ensure maximum worker and environmental safety and well-being of the local communities will be employed at Indian Point to secure the same excellent outcomes that we continue to achieve at other plants in our fleet. We are committed to a continuous engagement with the stakeholders at the local and state levels to ensure a smooth dissemination of information at all times."

While no financial terms of the transaction were disclosed, Entergy in an



Indian Point Energy Center is located on 240 acres on the Hudson River shoreline in Buchanan and is now owned by decommissioning firm Holtec International.

fer Application with the U.S. Nuclear Regulatory Commission requesting approval to transfer the NRC licenses for the Palisades Nuclear Plant in Covert, MI to Holtec following its shutdown and permanent defueling in the spring of 2022.

"Protecting public health and safety and the environment is the foundation upon which the Indian Point decommissioning program will be carried out," said Holtec's president and CEO Dr. Kris Singh. "The cutting-edge technologies that we have employed at Pilgrim and

SEC filing on May 6, 2021, reported, "The Indian Point transaction is expected to result in a \$285 million net loss based on the difference between Entergy's adjusted net investment in the subsidiaries at closing and the sale price net of agreed adjustments. The primary variables in the ultimate loss that Entergy will incur are the values of the nuclear decommissioning trusts and the asset retirement obligations at closing, the financial results from plant operations until the closing, and the level of any unrealized deferred tax balances at closing."

Some of the terms agreed to by Entergy and Holtec with the New York State Public Service Commission include:

- Holtec is required to maintain a minimum balance of no less than \$400 million in the decommissioning trust fund for 10 years;
- Maintain a minimum balance of no less than \$360 million in the decommissioning trust fund at partial site release from the NRC for costs related to waste management and radiological cleanup of the site;
- Require Holtec to return 50% of the money it recovers from the Department of Energy for spent fuel management costs to the decommissioning trust fund;
- Conduct site restoration and remediation under an order on consent with the New York State Department of Environmental Conservation, which will oversee the hazardous materials and residual radiation cleanup at Indian Point, including through the use of an on-site monitor;

• Provide funding towards state and local emergency management and response; and

• Provide financial and project reporting to the state and the public through a website and other channels to ensure transparency regarding project status and costs.

Over the past year, Holtec and Indian Point Energy Center personnel have been working on an integrated transition plan. Among the first steps in the plan is moving the plant's used nuclear fuel from its spent fuel pools to "robust transportable canisters" in a structurally impregnable dry storage system designed by Holtec, and dismantling and packaging the highly activated parts from the nuclear reactors in high capacity containers also engineered by Holtec, thereby removing virtually all of the radiation source from the plant's containment enclosure.

Another critical early undertaking in the IPEC program is to replace the used fuel in each pool in an optimized wet storage configuration such that the plant's fuel pools become independent of their cooling systems in the shortest possible time (after their shutdown) to maintain fuel integrity. Holtec's proprietary pool optimization technology is being employed to achieve this milestone safety metric in less than eight months after the cessation of fission in the reactor, Holtec reported. All of the used nuclear fuel would be placed in HI-STORM dry storage systems in less than 30 months after the plant's shutdown. Holtec added that it has designed and manufactured "robust, high-capacity transport packages" for shipment of radioactive material to minimize the number of off-site shipments alleviating the transport traffic around the plant.

Completion of Indian Point's decommissioning will render the 240-acre site fit for commercial/industrial use except for a small parcel of land where the dry storage casks will reside under rigorous security guarded by personnel from Holtec Security International. Holtec hopes to ship the multi-purpose canisters containing the used nuclear fuel to the company's proposed consolidated interim storage facility called HI-STORE CIS in southeast New Mexico that is undergoing licensing review by the NRC.

Comprehensive Decommissioning International LLC, a Holtec/SNC Lavalin subsidiary, will serve as a general contractor to perform the decommissioning, demolition, and site cleanup services.

The decommissioning project team consists of a blend of HDI and CDI's decommissioning workers with approximately 300 current Indian Point employees. Through National Labor Agreements with several unions, skilled craft labor from the local union halls near Indian Point and local subcontractors will also support the decommissioning project.

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Commercial Real Estate Property Owners; Buy, Sell or Hold After COVID

GUEST COLUMN

By Robert Withers



The past year has been a very turbulent time for commercial property owners. Many lenders are suspending activity or taking very conservative views on ongoing business leaving some investors in a panic, not knowing what their best path will be forward.

While some financial institutions have curtailed loans, revised their parameters, or removed certain lending programs from their offerings, this should be temporary. However, even after this crisis is over, the concern of valuation and risk margin will linger, hindering a full recovery in the industry at least in the short term. Lenders will undoubtedly pull back on the aggressive lending practices they were demonstrating before this crisis hit.

At M1 Capital Corp, we have been receiving calls for several months from people who are understandably worried about the current financial climate. Their questions center around the availability of funding, the value of the properties they hold, and what they should do if tenants don't pay their rent. Often, they aren't sure if they should contact their lenders directly and how to approach them, which can be especially critical when dealing with SPEC construction loans and debt workouts.

Commercial property owners should consider having an advocate who can structure or arrange financing for their properties on their behalf: someone who represents them—not the lenders—and who understands the process-

es and terms required to negotiate with a commercial lender, which is significantly different than a standard residential real estate transaction. This advice also applies to larger investors who have "over-leveraged" their portfolios, landlords burdened with vacancies and businesses of any size who need to refinance their loans. A good advocate can counsel clients on the most important factors to elaborate on when applying for a loan, as well as what information it is best not to mention.

Ways to Take Action

For anyone thinking about acquiring a commercial property asset in this environment, we recommend the following:

- Reviewing the credit quality of the subject property's tenants with your real estate broker.
- Identifying if the tenants have requested a loan via the CARES Act/American Rescue Plan
- Ensuring that retail tenants on commercial and mixed-use properties have solid financials and a "make sense" business model, especially in this economic environment
- Securing any prior property reports including appraisals, environmental and engineering inspections that may be available.
- Having upfront preliminary discussions with a lending professional to understand exactly how financing parameters have been impacted by the

current market including "turn around" time in obtaining a loan.

Those who decide to purchase a commercial property should obtain the best legal representation with in-depth experience in commercial real estate transactions and ensure they are available from contract negotiations thru closing.

If you own an investment property and it has become destabilized and you are concerned about the debt, consider the following questions:

- Who is reviewing the leases and expenses to make sure they are still operable in this environment?
- What terms or "covenants" of my CRE loan may be affected by the property's destabilization?
- Can I ask for a forbearance from my lender?
- Can I apply for a mortgage modification?
- If neither a forbearance nor a modification is available, is a refinance an option?

Commercial real estate can be a

great investment opportunity; however, it is not the same as owning a few single-family or a small multifamily investment property. The operations, management and financing of this asset class is more involved than those of a smaller residential portfolio and any prospective investor needs to become educated in the nuances of its ownership.

Robert Withers, president and CEO of M1 Capital Corp., is a respected real estate finance professional with a 30-year track record of providing creative solutions for commercial real estate industry clients. M1 Capital Corp has offices in White Plains and Manhattan and specializes in acquisition, refinancing outstanding loans, restructuring current debt, and delivering smart, effective solutions through a variety of loan options: commercial, hard money, SBA 504 and 7a programs, as well as SPEC construction financing, multifamily and commercial debt workouts. He can be reached at 866-990-9559 or info@mortgage1.com

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The Latest on: Text Messaging/E-mail Tips, Improved Gmail/Google Photo Integration, Website Monitors, Cairo Desktop and Improving Sound on Android

TECH TALK

By John Vrooman
john@johnvrooman.com



Did you know that in many cases you can send a Smartphone user a text message by e-mail? If this is news to you and you would like to learn more about it, please review the following article that I found at [digitaltrends.com](https://www.digitaltrends.com) titled "How to send a text message from your e-mail account." Here is a link to the article...www.tinyurl.com/y78h4r9v

How to Send or Forward a Text Message to An E-Mail Address

Did you know that in many cases you can send or forward a text message to another person's e-mail address? If this topic interests you and you want to learn more, I would encourage you to review a [digitaltrends.com](https://www.digitaltrends.com) article titled "How to send a text to your e-mail." The article offers simple instructions on the topic that should work for most people. The following link will take you to the article...www.tinyurl.com/62dnamck

Gmail Users Can Save JPG/JPEG File Attachments to Google Photos More Easily

If you use Gmail and have a Google Photos account, you can now save JPEG/JPG files that you receive in Gmail to Google Photos more easily. I recently learned about this recently added feature at the Google Workspace Updates blog. The blog post title is "Save photos from Gmail messages directly to Google Photos with a new "Save to Photos" button." If this topic sounds interesting and you want to learn more, here is a courtesy link to the blog post...www.tinyurl.com/b34s7m3z

Public service announcement: I know this topic and feature will be helpful to a lot of people, so I encourage you to share this tip with other Gmail users who have trouble managing photos that are embedded or attached to Gmail messages.

Website Change Monitoring Tools

Over the years I have covered website/webpage change monitoring tools several times. Since I have not covered this topic lately, I looked around for a recent article on the subject. Fortunately, I found one that covers the topic quite well and identifies some (free- and fee-) based solutions. The title of the article is "14 BEST Website Change Detection & Monitoring Tools (2021)" and you can get to it by visiting the following [guru99.com](https://www.guru99.com) webpage...www.tinyurl.com/48tenwyb

Tip: A benefit of reading this column on a Smartphone, tablet, or computer is that you can visit the links it contains more conveniently. An example of one way that you could use a website monitoring tool/service would be to have it monitor the following webpage and to notify you whenever it detects a change (e.g. when a new column is posted to the page)...www.realestateindepth.com/technology

Cairo Desktop Environment

Sometimes, cleaning and organizing your desk, office, etc. is a form of procrastination. Sometimes, these same activities may be part of a new or renewed effort to get started on a new project or goal. Regardless, another activity that is like those

just mentioned is clearing out and organizing your computer's applications, files, aesthetics, etc. If your computer needs to be cleaned out and organized, you may want to investigate whether an alternative Windows desktop environment (a.k.a. an alternative Windows shell) program might be worth considering at the same time, too. I recently discovered a new Windows 10 desktop/shell environment product that is called Cairo, or Cairo Shell/Desktop. To me, the application looks interesting, and I think it should be of particular interest to those who, 1) have trouble using Windows Explorer to find and manage files, and/or 2) have a computer that is cluttered with icons, shortcuts, program files, downloads, pictures, videos, etc. If you are interested in learning more about Cairo, I would encourage you to visit [YouTube.com](https://www.youtube.com) and watch a few product overview/tutorial videos. The following link leads to a YouTube search results page that contains several Cairo overview videos...www.tinyurl.com/y5x7ep45

If you decide that you want to give the product a try, you can learn more and download the product at the following webpage...<https://cairodesktop.com/>

Want Better Sound and Sound Control?

Periodically, I encounter "low" volume situations (e.g., low volume videos, podcasts, video chats, phone calls, etc.) where even if I turn up my Android phone's volume to its highest/loudest setting, it is still not as loud as desired. To address this situation, I found an app called "Volume booster — Sound Booster & Music Equalizer" by Mobile V5 that helps me obtain some extra volume when needed. The app offers more than just extra volume, too. The app also includes an equalizer and some additional features that you can learn about and review at the products Google Play webpage. Here is the link...www.tinyurl.com/43cxnrm5

Apple's & Google's 2021 Developer Events

Yes, it is that time of the year again when some companies put on events to introduce their latest and greatest products, services, etc. to the world.

If you would like to watch Apple's annual Worldwide Developers Conference (WWDC 2021) keynote address, simply visit the following link that will take you to a webpage at [Apple.com](https://www.apple.com) that hosts a video of their latest event...www.tinyurl.com/wsd4yha

If you would like to watch Google's annual Google I/O event keynote, the following link will take you to a [YouTube.com](https://www.youtube.com) page where you will be able to watch it...www.tinyurl.com/56cs5tv7

Tip: Since these events are long in duration, I suggest watching them on a large screen device along with some popcorn! In some ways, I wish all these companies would just merge so I would not have to choose between them (each company's new products, services, etc. all tend to have features that make choosing between them difficult.)

Reminders

This column (and many earlier ones) is made available for your viewing convenience at...www.realestateindepth.com/technology

If you have any comments, suggestions, tips, or questions, you can e-mail John at john@johnvrooman.com.

John Vrooman keeps an eye out for cool new hardware, software, apps, gadgets; SaaS solutions; social media developments, trends, and personal/SMB productivity and related solutions. He gathers information for his column from a diverse range of resources and he enjoys sharing his discoveries with others. John has been authoring this column since August 2000 and welcomes feedback from his readers.

Berkeley College to Consolidate its White Plains Campus to New York City

WHITE PLAINS—Berkeley College, a provider of career-focused education since 1931, will consolidate its Downtown White Plains campus at 99 Church St. into its New York City campus by the start of the Fall 2021 semester.

Berkeley joins a growing list of colleges that have either closed or reduced operations in the region due to market forces and the COVID pandemic. Berkeley College has been educating students in New York City since 1936 and in Westchester County since 1945.

A college spokesperson told Real Estate In-Depth that the White Plains campus on Church Street totals 55,000 square feet. The property is owned by Berkeley Realty Company, which is exploring alternative uses for the property.

"The challenges brought on by the pandemic and other factors were the impetus for the consolidation of the campus with our New York City campus," said Michael J. Smith, president of Berkeley College.

"We are grateful for the support so many of the governing officials, business leaders and community organizations have shown us over the years," said Smith. "Berkeley College remains committed to serving the residents and businesses of Westchester County through our New York City campus."

Smith said throughout the country, declining enrollments and an increasing reliance on changing instructional modalities, including remote and hybrid approaches, have reduced the need for physical classrooms and offices. "One centralized campus in Midtown Manhattan will best position the college to serve our students," he said.

Berkeley College is also re-envisioning its New York City campus, with facilities in Midtown Manhattan at 3 East 43rd Street and 12 East 41st Street. Plans are underway to consolidate all classrooms, offices, and operations into the 41st Street building over the next 12 months, the college stated.

The White Plains campus is currently running all classes online this semester as it has done the past three semesters and all of their fall classes are listed as online. Continuing students will be offered the option to complete their studies at the New York City campus, online, or at any of Berkeley College's New Jersey campuses. Alternative arrange-



Berkeley College's White Plains campus is located at 99 Church St. in Downtown White Plains.

ments will be made for the handful of students currently in campus housing.

In addition to transferring students and personnel, the college will be working with federal and state regulators, along with its accrediting agencies, during the transition, college officials noted.

Berkeley College, founded in 1931, is a career-focused institution accredited by the Middle States Commission on Higher Education that offers students Master's, Bachelor's, and Associate's

degree and Certificate programs in more than 20 career fields. The college also offers continuing education programs to enhance career credentials.

Berkeley College currently has campuses in Midtown Manhattan and White Plains NY, as well as in Newark, Paramus, Woodbridge, and Woodland Park, NJ, with more than 4,900 students enrolled. In addition, Berkeley College Online serves a global population.

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Report: Bronx Hit Hard by COVID-19 Pandemic Begins Long Road to Recovery

Continued from page 19

2017, the Bronx's population increased by 10.4% to 1.47 million residents. During that time, the borough's immigrant population rose by 38.8%. From 2017 through 2019 the overall population saw a slight decline from 1.47 to 1.42 million, in line with declines citywide.

The Bronx experienced steady employment and new business growth from 2009 through 2019. Employment in the borough grew by 20% and reached 249,000 jobs in 2019. Although the borough trailed the citywide growth rate of 29.9% for employment, it was the only borough to show no decline in employment during the Great Recession. The steady growth in employment is heavily concentrated in four sectors: health care, social assistance, leisure and hospitality and retail.

Over 70% of Bronx residents work in essential or face-to-face industries, the largest of which include 25.9% in health care and social assistance; 10.2% in retail trade; 9.6% in accommodation and food services; and 7.7% in transportation and warehousing.

The borough is comprised of mostly small businesses and in the 10 years leading up to the pandemic, businesses in the borough increased by 15.3%. This was faster than both the boroughs of Manhattan and Staten Island.

Persistent Challenges and Inequities Threaten Progress

Despite the impressive gains the Bronx experienced, challenges and inequities remain. They have made the borough particularly vulnerable to the negative health and economic outcomes of the pandemic. The pandemic laid bare these stark inequities as minority Bronx residents faced the highest rate of hospitalizations and deaths.

Certain conditions put individuals, and thus communities, at higher risk of contracting COVID-19 and experiencing more severe outcomes. These conditions include poverty, unemployment, crowded housing, underlying health conditions and access to healthcare services. The Bronx had the highest rate, nearly 42%, of residents who faced three or more risk factors. The prevalence of these risk factors reflects residents' relatively poorer access to quality healthcare ahead of the pandemic, which contributed to the borough's relatively high rate of hospitalizations and deaths from the virus.

Income and housing also remain critical challenges facing residents. The Bronx's \$41,400 median household income is well below the citywide median of \$69,400, and its 27.3% poverty rate is far higher than the citywide aver-

age of 16.4%. Housing affordability is a serious issue facing many residents. The borough has the largest share of households who rent (80%) among all counties in the state, 61% of whom are rent-burdened, paying more than 30% of their income towards rent.

Additional findings in the report included:

- As of May 25, 2021, only 44% of the borough's residents were fully vaccinated. 52% of Bronxites had received at least one dose.

- As of 2018, 17.5% of all borough residents, and 23.5% of all Bronx children, were estimated to have limited or uncertain access to adequate food, the highest rate among all boroughs.

- Each Bronx neighborhood had rates similar to, or higher than, the citywide average for diabetes, obesity and hypertension, which are suggested to be associated with more severe cases of COVID-19.

Enrollment in the Bronx for prekindergarten through 12th grade fell by 6.9% in the 2020-2021 school year, compared to 4.9% citywide, with a concentration in younger grades. Pre-K enrollment declined by 22.8%. Student attendance also dropped during the height of the pandemic, but largely returned to pre-pandemic levels by the spring of 2021.

- Only 61.3% of households had reliable Internet compared to a range of 69.5 to 78% across the city. As part of a recent settlement, the city expects fiber-optic infrastructure to reach 500,000 new households citywide, including the Hunts Point, Fordham, Morris Heights, Mount Hope, University Heights, Bedford Park, Jerome Park, Kingsbridge Heights and Norwood neighborhoods in the Bronx.

- As of May 16, 2021, year-to-date major index crime in the Bronx was up 3% when compared to the same period last year, while citywide major index crime fell by 4%. Shootings have increased citywide by 82% and by 152% in the Bronx over the same period.

- PPP loans for independent contractors, sole proprietors and self-employed individuals accounted for 55.5% of all first-draw loans approved for the Bronx and for 19.9% of first-draw loan dollars, both highest among all boroughs.

- Revenue declines during the pandemic resulted in the Metropolitan Transportation Authority (MTA) suspending the start of most new capital projects. This delayed the start of the Penn Station Access project to expand Metro-North Railroad service in the Bronx, but the project received important federal approvals in 2021. The MTA's work to make stations compliant with the Americans with Disabilities Act has also advanced at a slower rate than planned.

HG Realtor Foundation Donates More Than \$4,000 To Three Local Charities

Continued from page 11

abling their children to attend the Summer Day Camp," said Sharlene Brown, executive director of the Castle Hill YMCA.

The Hudson Gateway Realtor Foundation also recently held a volunteer event at Visions in Spring Valley and will be volunteering again at Green Chimneys in Brewster toward the end of the month. Visions assists people of all ages who are blind or visually impaired, while Green Chimneys provides animal-assisted therapy and educational activities for children with special needs.

To be considered for a grant, please visit www.HGRealtorFoundation.com and complete the application.

As concerned members of the communities it works in, the Hudson Gateway Realtor Foundation participates in qualified community-based charities that serve the housing, hunger, health, happiness, and humane needs of citizens everywhere. The focus of the foundation's efforts will be in Manhattan, Bronx, Westchester, Putnam, Rockland and Orange counties.

County Board to Vote on Co-Op Disclosure Bill on June 28

Continued from page 1

Jerome Jeffrey.

Representatives of co-op management, including members of the Building and Realty Institute, testified against the bill, charging that the measure is unnecessary and would result in increased litigation and insurance costs.

Weiden, who also testified at the session, shot down those claims, noting that in Suffolk County, the Village of Hempstead and Rockland County, where co-op disclosure legislation have been enacted, have not seen marked increases in lawsuits or cooperative insurance costs. He added that since Westchester passed legislation in 2018 requiring co-op Boards adhere to a time frame to respond to purchase applications, more than 500 co-op application denials have been referred to the Westchester County Human Rights Commission.

HGAR's Caro noted that under current law, a co-op board is not required to inform a shareholder in the cooperative (the seller) the reason for its denial of a purchase application. She later told legislators, "You will likely hear from (co-op) Board members that they do not discriminate. That's great. Then I argue what is the downside of providing a written reason?"

"As someone who has owned and lived in co-ops for the past 30 years and who has served on co-op Boards, including the position of President of a co-op Board, I fully support the proposed legislation and I applaud the efforts of the Westchester County Board of Legislators to bring about meaningful change to the co-op purchase process," Haggerty testified. "Change can be difficult, but in this case, change is imperative."

A host of HGAR leaders and Westchester Realtors testified of cases where prospective co-op applicants were denied by co-op Boards despite strong credit and financial backgrounds.

"This bill at its heart speaks against inequity, discrimination and to fight back against discrimination in housing," Domathoti said. "I believe this bill creates a tremendous opportunity to make an important stand for fairness in the co-op purchase and sale markets."

He added, "To be clear, housing discrimination is abhorrent and has no place in Westchester. Co-ops still have the right to reject unqualified buyers, but some basic level of transparency and predictability in the process should be part of the mix."

Former HGAR President Kramer, who has been a staunch advocate for cooperative transparency legislation in Westchester and in New York State, said the bill signed into law in December 2018 by Westchester County Executive George Latimer was a "good first step."

"Now is the time to take this even further and make bold and meaningful changes to the way co-ops are sold," he testified. "I've seen the heartbreak when someone is rejected by a co-op Board with no reason given."

Noting that there have been more than 500 rejections sent to the county's Human Rights Commission since 2018, the building and cooperative industry's claim that there was no need for further regulation was simply not true, he said.

Kramer later added, "If co-op rejections occur mainly for financial reasons, then why are co-op Boards so afraid to share this information?"



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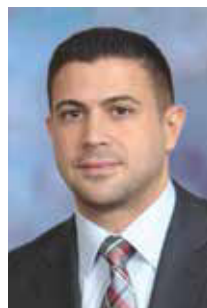
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