

# Joseph Rand Wins HGAR 2020 Realtor of the Year Award Crystal Hawkins Syska Named 2021 HGAR President

By John Jordan

WHITE PLAINS—The Hudson Gateway Association of Realtors held its two-day virtual Member Appreciation Day and Annual Meeting on Oct. 26-27 that was highlighted by the acknowledgement of Realtor Crystal Hawkins Syska of Keller Williams NY Realty of White Plains as the organization's 2021 President.

The event marked the 104th Annual Meeting of the Realtor organization and its first virtual multi-day program. The program also included a high-energy keynote presentation entitled "So Many Ways to Win" by noted international speaker, sales trainer and consultant Ricky Mendez.

HGAR President Gail Fattizzi spoke of the association's achievements in 2020 that included the launch of OneKey MLS, the merger with the Bronx Manhattan North Association of Realtors, HGAR's School of Real Estate going virtual during the pandemic and adding 40 classes, the launch of HGAR's



From left, HGAR 2021 President Crystal Hawkins Syska and 2020 HGAR President Gail Fattizzi

Leadership Accelerator and the formation of the association's Diversity Task Force. She also highlighted the work of the Global Council, the RPAC Committee, the HG Realtor Foundation and also gave special recognition to Committee Chairs, Regional Directors, Board of Directors, the Executive Committee and HGAR staff for their work during difficult times. She also recognized HGAR's Dorothy Botsoe, who recently was named 2020 Realtor of the Year by the New York State Association of Realtors.

"I think we have so very much to be proud of this year," Fattizzi said. "We have so much to look forward to. I do look at this organization as a world-class organization... It has been such an honor for me to serve as the 2020 President this year. I thank everybody for the opportunity. I am truly grateful for everything I have been able to take on this year and what we have been able to

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## Rep. Lowey Hopeful for New COVID Stimulus, SALT Cap Repeal

By John Jordan

WHITE PLAINS—In an exclusive interview with *Real Estate In-Depth*, Rep. Nita Lowey, who will be retiring this January after serving 16 terms representing New York's 17th Congressional District, said she believes the incoming Biden Administration will work with Congress to pass a new coronavirus aid bill that will provide funding for state and local governments.

Lowey, who has also worked with the Hudson Gateway Association of Realtors to repeal the \$10,000 cap on state and local tax deductions, added that she is hopeful Congress will repeal the SALT Cap that was part of the GOP's "Tax Cut and Jobs Act" legislation of

2017 that was passed by Congress.

In terms of a new COVID aid bill, Rep. Lowey said that after the elections earlier this month, some Republican leaders expressed willingness to negotiate with Democrats. "I am hopeful that they will stay true to their word and help New Yorkers in these difficult, tough economic times," she said.

Rep. Lowey did not hold back in her criticism of the SALT Cap, saying, "Simply put, this tax scam places a target on the backs of New York taxpayers, including many of my constituents and the bottom line is capping the SALT deduction is forcing some to leave New York State, leading to higher taxes or a significant

reduction in vital local services, such as first responders and health care."

Rep. Lowey also believes that the new Biden Administration will be successful in negotiating a new long-term infrastructure bill to help jumpstart the economy.

"With a clear majority in the House and the Senate still to be determined, I am confident the new administration will be able to work with both Democrats and Republicans to negotiate and pass an effective bill," she said.

**Editor's Note:** Please turn to page 3 for this month's "Five Questions with U.S. Rep. Nita Lowey."



U.S. Rep. Nita Lowey.

## NAR Board of Directors Approves Proposal Banning Hate Speech by Realtor Members

By John Jordan

CHICAGO—Chief officials with the Hudson Gateway Association of Realtors and the New York State Association of Realtors hailed the recent vote by the Board of Directors of the National Association of Realtors to strengthen the Code of Ethics and ban harassing or hate speech by its members.

On Nov. 13, the Board of Directors of the National Association of Realtors voted in favor of a motion presented by NAR's Professional Standards Committee making it a violation for Realtors to use harassing or hate speech toward any of the protected classes under Ar-

ticle 10 of NAR's Code of Ethics.

Those include race, color, religion, sex, handicap, familial status, national origin, sexual orientation and gender identity. The Professional Standards Committee recommendations came as NAR works to reaffirm its commitment to fair housing and position its members to lead America's real estate industry in the fight against discrimination and inequality.

"I applaud NAR's Board of Directors and our Professional Standards Committee for their efforts to raise the bar on the professionalism and private speech of



NAR President Vince Malta

America's 1.4 million Realtors," said NAR President Vince Malta, broker at Malta & Co., Inc., of San Francisco. "Combatting and overcoming bigotry and injustice starts with each of us. Realtors today took tangible steps to ensure we are held to the highest possible standard while providing a mechanism of enforcement for

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### SECTION TWO ECONOMIC AND GLOBAL FORECASTS

## Life Sciences Firm to Relocate to Hawthorne

ELMSFORD—Robert Martin Company's expansion into serving the needs of the life sciences/health tech industry with the formation of RMC Bio1 is beginning to pay off.

The firm announced that New York City-based Clarapath will be shifting its corporate headquarters from New York City to a building it owns in Hawthorne. Clarapath, a developer of an integrated robotics platform designed to standardize and digitally transform anatomic pathology, has signed a lease for 7,000 square feet at 12 Skyline Drive in Robert Martin's Mid-Westchester Executive Park in Hawthorne.

Clarapath's fully automated device will act as the eye, hand and brain of a traditional lab technician and provide better quality biopsy slides, faster turnaround times and lower costs for laboratories. The company will utilize the new space for the development and light manufacturing of its technology, Robert Martin officials stated.

"Covid-19 is accelerating a trend we predicted last year, which is the movement of life sciences and health technologies companies 'graduating' out of New York City by expanding into the surrounding suburbs in search of more affordable and flexible spaces," stated RMC Bio1 Managing Director, Laurence Gottlieb. "Robert Martin Company launched RMC Bio1 last year to take advantage of this emerging trend for the benefit of all Westchester County residents, and I am thrilled the first tenant signed after the launch of this new initiative is a shining example of leading-edge medical technology born and raised in New York State with more to come."

Clarapath was founded in 2014 as a "spin-out" from Cold Spring Harbor Laboratory and currently operates at

the New York Genome Center in SoHo at 101 Sixth Ave. The technology being developed, named SectionStar, takes paraffin tissue blocks as inputs and provides glass slides with sliced tissue as outputs. The device is being developed in close concert with Northwell Health, which is also an investor in the company.

"We are extremely excited to make 12 Skyline Drive our new corporate headquarters," said Eric Feinstein, CEO of Clarapath. "Making this move to Hawthorne will improve efficiency and collaboration, while providing a first-class work environment for our employees."

Clarapath is part of RMC Bio1's rede-

velopment of 12 Skyline Drive property, which sits within a highly active "innovation district" encompassing New York Medical College and its successful incubator space BioInc@NYMC, Westchester Medical Center and Regeneron Pharmaceuticals' world headquarters.

## Crystal Hawkins Syska Named 2021 HGAR President

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accomplish."

President-elect Hawkins Syska gave an inspirational speech that called for Realtor members to exhibit both trust and unity to help the association assist consumers in their pursuit of the American Dream. She said, "We are living in the heart of a revolution" and cited a passage from Charles Dickens' "Tale of Two Cities:" that she said describes the current climate although it was penned as a description of the times during the French Revolution.

*"It was the best of times, it was the worst of times, it was the age of wisdom, it was the age of foolishness, it was the epoch of belief, it was the epoch of incredulity, it was the season of Light, it was the season of Darkness, it was the spring of hope, it was the winter of despair, we had everything before us, we had nothing before us, we were all going direct to heaven, we were all going direct the other way - in short, the period was so far like the present period, that some of its noisiest authorities insisted on its being received, for good or for evil."*

Hawkins Syska related that within revolution "comes opportunity, comes hope, comes change, comes a new future."

HGAR also announced that Joseph Rand of Howard Hanna | Rand Realty was named the 2020 HGAR Realtor of the Year, while John Jordan, president of Hudson Valley Editorial Services and editor of HGAR's *Real Estate In-Depth*, was selected as the 2020 HGAR Affiliate of the Year honoree.

The rest of the 2021 slate of HGAR officers include: Anthony A. Domathoti of Exit Realty Premium of the Bronx as President-elect; Treasurer Carmen A. Bauman of Green Grass Real Estate Corp. of Bronxville; Secretary Tony L. D'Anzica of DynaMax Realty NYC, Inc. of New York City; and Immediate Past President Gail Fattizzi of Westchester Real Estate, Inc. of Somers.

Rounding out the Board of Directors are: Previous Past President Ronald Garafalo of John J. Lease Realtors Inc. of Middletown, NY; Regional Director and Chapter Representative Bronx County Vincent Buccieri of Today Realty Corp. of the Bronx; Regional Director and Chapter Representative New York County (i.e., Manhattan) Maurice Owen-Michaane of Capital Realty NY LLC of New Rochelle; Regional Director Putnam County Clayton C. Livingston of Grand Lux Realty, Inc. of Armonk;

Regional Director Orange County Eydie Lopez of Keller Williams Hudson Valley United of Middletown; Regional Director Rockland County Roberta F. Bangs of BHG Rand Realty of New City; Regional Director Westchester County Carol Christiansen of Cafe Realty of Mount Kisco; J. Philip Faranda of J. Philip Real Estate, LLC of Briarcliff Manor, Maryann A. Tercasio of BHG Rand Realty of Central Valley; Ismail S. Kolya of eXp Realty of Yonkers; Joseph Houlihan of Houlihan & O'Malley R. E. Services of Bronxville; Brian A. Phillips of Douglas Elliman Real Estate of the Bronx and Joseph Lippolis of BHHS River Towns Real Estate of Peekskill.

The Oct. 26 program featured four informational presentations on Zoom. The offerings included "Stress Reduction for Realtors and Related Professionals" with Dr. Lata McGinn of Cognitive and Behavioral Consultants; "The Influence of Feng Shui & Other Ancient Wisdoms from Around the World" with Debra Duneier of EcoChi; "A Perfect 10: How to Be Your Virtual Best" with Stacey Ross Cohen of Co-Communications and Dor Lata of On Camera Image Consulting and "Tax Deductions for Real Estate Professionals" with financial analyst Maureen McEnroe.

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# 5 QUESTIONS WITH U.S. Rep. Nita Lowey

By John Jordan

WHITE PLAINS—When the 117th Congress convenes on Jan. 3, 2021, an era in Hudson Valley politics will come to an end.

*Real Estate In-Depth* thought it only appropriate to honor a woman who has spent the past 32 years tirelessly advocating in the halls of Congress for her constituents in the 17th New York Congressional District—U.S. Rep. Nita M. Lowey.

Congresswoman Lowey, who in 2018 became the first woman to chair the House Appropriations Committee, announced last fall that she would retire and not run for re-election to Congress in 2020. Beginning in January 2021, Democrat Mondaire Jones will represent the 17th New York Congressional District, replacing Rep. Lowey, who held the office for 16 terms beginning in 1988.

As the text of our conversation with the Congresswoman below will clearly reveal, Rep. Lowey represented the 17th District, which consists of a portion of Westchester and all of Rockland County, with distinction. She broke glass ceilings and was a strong advocate for human rights, education, health care and so much more.

Lowey in 2001 and 2002 was selected as the first woman and the first New Yorker to chair the Democratic Congressional Campaign Committee. She has been a leading Congressional proponent of educational opportunity, health care quality and biomedical research, improved homeland security preparedness, stricter public safety laws, environmental protection, women's issues, national security and a champion for the United States to play a leading international role and national security.

An outspoken supporter of transportation, nuclear, and infrastructure security, Lowey was appointed to the Select Committee on

Homeland Security and was recognized for her leadership in securing more than \$20 billion for recovery efforts after the terrorist attacks on Sept. 11, 2001. She has also helped to obtain more than \$68 million in federal funds to develop local bioterrorism response plans and to provide local first responders with interoperable communication devices, rescue equipment, and personal protective gear. Under Rep. Lowey's leadership, federal funding for after-school programs has increased from \$1 million in 1996 to \$1 billion today.

Among her many accomplishments, Rep. Lowey, as a candidate for Congress in 1988, pledged to clean up the Long Island Sound and in 1990 she passed legislation establishing a special Environmental Protection Agency office for Long Island Sound and has obtained millions of dollars in federal funding for local clean-up efforts. A co-founder of the Hudson River Caucus, Lowey has also taken a key role in protecting the New York City watershed and in preserving strong environmental laws like the Clean Air Act and the Clean Water Act.

A native of the Bronx, Rep. Lowey graduated from the Bronx High School of Science; and received a Bachelor's Degree from Mount Holyoke College. She served as Assistant Secretary of State for the State of New York before being elected to Congress. She and Stephen Lowey have been married for more than 50 years and have three grown children and eight grandchildren.

Let's find out Rep. Lowey's views on her past work, the upcoming Biden Administration and the chances for repeal of the SALT Cap and for enactment of a much-needed COVID relief package by Congress in the near future.

**Real Estate In-Depth:** You are now into your 16th term representing your constituents in the 17th Congressional District. Looking back, what would you say were your biggest accomplishments? Was there anything you would have liked to accomplish in your time in Congress that for whatever reason was not fulfilled?

**Rep. Lowey:** First of all, becoming the chair of Appropriations (Committee), especially breaking the glass ceiling for women. I also broke the glass ceiling becoming the first woman to chair the Democratic Congressional Campaign Committee in 2001 and 2002. Legislation that actually saved and improved lives here in the Hudson Valley and around the world, such as .08 (blood alcohol content) drunk driving standard; food allergy labeling, which requires the main eight food allergies to be disclosed in plain language; investments in gender equity in federal medical research; record funding and a U.S. strategy for basic education, especially for girls around the world... women's health funding at home and abroad; Title X and international family planning and at every level from pre-school to Head Start through higher education, record levels of support to improve access

and equality.

Some of my most poignant memories were working to rebuild after Sept. 11th. That was really quite an extraordinary opportunity for me and again after Superstorm Sandy. Another was storming the Senate in 1991 to insist that Anita Hill be allowed to testify in Clarence Thomas' nomination hearings (for the U.S. Supreme Court). We were just fighting for what was right at the time and now nearly 30 years later that is seen as a pivotal moment in the fight for women's rights and equality. And then I have to include bringing "Bert" and "Ernie" to testify at a 1995 Labor-HHS hearing to support PBS (funding). I never got so much press in my life than that one. That was for saving PBS.

Before I finish my term in Congress I would like to get all of our appropriation bills passed and negotiate a final coronavirus package as well.

**Real Estate In-Depth:** Post-Election, do you believe that President Biden will be able to finally negotiate a multi-year infrastructure bill with a likely split Congress?

**Rep. Lowey:** Investments in infrastructure are long overdue and the Biden campaign put together a comprehensive plan to build a more resilient and sustainable infrastructure system that is suited to combat the effect of climate change. With a clear majority in the House and the Senate still to be determined, I am confident the new administration will be able to work with both Democrats and Republicans to negotiate and pass an effective bill. I am always an optimist and with President Biden in the White House and hopefully this current President will take a good long vacation.

**Real Estate In-Depth:** One of the more damaging pieces of the Federal Tax Cut and Jobs Act bill was the imposition of the SALT cap. Do you feel that under the new administration there is a good chance of repealing the SALT cap?

**Rep. Lowey:** Well, capping state and local tax deductions at \$10,000 is shameful, particularly when you consider the high tax burden in New York and the fact that Westchester and Rockland families and businesses already send more to the federal government than they get back in federal investments. The Hudson Gateway Association of Realtors hosted several roundtables and spoke at my press conferences in support of my legislation

that Rep. Peter King (R-Long Island) introduced to remove the cap. Simply put, this tax scam places a target on the backs of New York taxpayers, including many of my constituents and the bottom line is capping the SALT deduction is forcing some to leave New York State, leading to higher taxes or a significant reduction in vital local services, such as first responders and health care. So, I will continue to fight for the full restoration of the SALT deduction to protect taxpayers for the remainder of my term and I certainly hope the Biden Administration will work with Congress to do the same.

**Real Estate In-Depth:** Now that the election is over, do you feel there is a greater chance for another coronavirus stimulus bill that would include the necessary state and local government aid? If no such aid is forthcoming, what will the consequences be for the state and Hudson Valley region?

**Rep. Lowey:** President-Elect Biden has already proven that he is taking this crisis seriously by forming the Coronavirus Task Force and since the Senate failed to take up the House-passed Heroes Act, the House then passed an updated Heroes Act last month and Senator Mitch McConnell refused to bring the bill to the floor for consideration and negotiation. Just after the elections, Republicans signaled they would be willing to negotiate a bill, including significant state and local government aid. I am hopeful that they will stay true to their word and help New Yorkers in these difficult, tough economic times.

**Editor's Note:** When asked if no such aid is forthcoming, Rep. Lowey said such inaction would have a tremendous adverse impact on New York and the nation.

**Real Estate In-Depth:** Do you feel that President Elect Biden will approve the New York City congestion pricing plan that has been delayed by the current administration?

**Rep. Lowey:** Well, that is something that New York and the Biden Administration will have to work out. I look forward to see what they decide to do.



## PRESIDENT'S CORNER

By Gail Fattizzi, HGAR President



# Lessons From a Year Of Resilience and Perseverance

If I were to go back two years, to when I accepted the position of HGAR President-Elect, and knew then what I know now about how 2020 was going to play out, maybe I wouldn't be sitting here today as HGAR 2020 President! But in this case, 20/20 hindsight (pun intended!) doesn't change anything and here I am, with the year coming quickly to a close. As challenging as it has been, there were many rewards, and many lessons learned, both personally and professionally, and I'm glad to be where I am.

Of course, I wasn't the only one thrown a curve ball this year. We were all in this together and were all fumbling to figure out our options and how best to proceed. In my role as President, I was fortunate to have plenty of help along the way, from NAR down to NYSAR to the amazing staff here at HGAR, and all the members of our incredible leadership team, the Directors, and all volunteers.

I suspect that when asked about 2020, almost any person on the planet will first mention COVID-19. How could they not? It came in like a tsunami, completely altering the lives of anyone in its path, which is practically the entire world. Hospital workers and most in the medical field were put to the ultimate test of resilience and resourcefulness. Small business owners and entrepreneurs were challenged like never before and many didn't survive; those who did are forever changed, but hopefully at least in some cases for the better. Landlords and tenants, both residential and commercial, struggled to strike a balance to help each other get through this unprecedented time. Vacations and weddings were canceled. Funeral services were severely restricted. Grocery stores and pharmacies were the only places that many of us visited for months, not even seeing our own families or friends. We scrounged for toilet paper, masks, hand sanitizer and Lysol wipes. As non-essential workers in NY, we Realtors struggled to figure out how to do business and serve our clients in a new virtual world. We are all still wondering if anything will ever go back to "normal."

Sounds awful, doesn't it? And for those who lost loved ones, or suffered through the illness and its after-effects, it certainly was. But for the majority of us, thankfully we survived, and we learned from it. I learned how generous and courteous people can be, even strangers. I learned that I truly love my home, that it serves all my needs, and how fortunate I am to have a safe, secure place of my own.

I learned that yes, I can spend 24/7 with the person I love for months on end without getting on each other's nerves and both still be smiling at the end of each day. I was reminded how much my health is truly everything, and that my workouts are a necessity for both my physical and mental well-being. I learned that making calls in the car is sometimes the only way to catch up on the day. I learned that there are literally hundreds of ways to cook chicken and, in a pinch, how to make my own hoisin sauce. I realized that I'm very fortunate to be working in an industry that came roaring right back as soon as the mandated shutdown was lifted. I learned how to make self-videos using my phone, how to upload and share them, and that they didn't have to be perfect, they just had to get the message across. I was reminded that talking to people can't and shouldn't always be replaced by digital communication.

Maybe most importantly, I learned that no matter how tough things may be, how unlikely success may seem, nothing is impossible and I am stronger and more resilient than I thought when I need to be. I can tough it out and make lemons into lemonade if I put my mind to it. But, I can't do it alone. I was vividly reminded that there are always people enduring much tougher circumstances than I am. I learned that COVID-19 will someday be behind us, but the lessons will remain. I learned to be thankful for each moment of every single day, to keep creating new memories to cherish, and to always be grateful for the people, places and things that we sometimes take for granted.

I wish everyone a blessed, safe, healthy and happy Thanksgiving.

## GATEWAY PERSPECTIVES

By Richard Haggerty, HGAR CEO



# Hate Speech Has No Place In the Realtor Vocabulary

At the Board of Directors Meeting of the National Association of Realtors, Inc. this past Friday, (November 13th), the Directors overwhelmingly approved changes to the Realtor Code of Ethics that ban hate speech relating to any of the protected classes included in Article 10 of the Code of Ethics.

The most significant change is the adoption of a new Standard of Practice, 10-5, which states: "REALTORS® must not use harassing speech, hate speech, epithets, or slurs based on race, color, religion, sex, handicap, familial status, national origin, sexual orientation, or gender identity."

I have one word for the adaption of this new policy—BRAVO! Bravo to NAR for taking the lead and drawing a line in the sand against the many times blatant, vitriolic and hate filled posts that appear on social media. Bravo for raising the bar for Realtor conduct when it comes to fair housing and recognizing that words, as well as deeds, matter. Bravo for standing up to the plate and taking action on such an important issue when it would be so easy and safe to say, let's not rock the boat—it's up to others to police this issue. Bravo for leading the fight against discrimination and inequality.

Since the NAR Professional Standards Committee put forth these recommendations, I have watched with great interest the discussions that have ensued. Some have argued that the proposed changes violate the First Amendment of the Constitution that protects free speech. NAR made it very clear that the First Amendment prohibits the government from promulgating laws that would restrict free speech and does not apply to trade organizations creating higher standards for its members.

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## NAR Board of Directors Approves

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those who violate our new policies."

Local, state and national Realtor associations received various complaints about discriminatory speech posted online by Realtors earlier this year, particularly on social media. In subsequent months, NAR's Professional Standards Committee and Interpretations Procedures Advisory Board met to consider the Code of Ethics' applicability to discriminatory speech and conduct beyond a Realtor's real estate duties.

Following months of meetings and deliberations, NAR's Advisory Board recently recommended that its Code of Ethics apply to every action a Realtor takes, whether personal or professional.

Any complaint alleging a violation of Article 10 as illustrated by Standard of Practice 10-5 can now be brought to a hearing panel at a local Realtor association, which will be asked to assess the circumstances of each individual case.

The new Standard of Practice under Article 10 now reads:

*"Standard of Practice 10-5*

*REALTORS® must not use harassing speech, hate speech, epithets, or slurs based on race, color, religion, sex, handicap, familial status, national origin, sexual orientation, or gender identity."*

HGAR Chief Executive Officer Richard Haggerty praised the NAR Board's action, saying, "Bravo for raising the bar for Realtor conduct when it comes to fair housing and recognizing that words, as well as deeds, matter. Bravo for standing up to the plate and taking action on such an important issue when it would be so easy and safe to say, let's not rock the boat—it's up to others to police this issue. Bravo for leading the fight against discrimination and inequality."

Haggerty, who spent 28 years as the professional standards administrator for the association prior to his appointment as CEO eight years ago, noted that any issues involving the new regulation will be treated no different than enforcement of other Articles of the Code and will be the subject of due process and a hearings panel if necessary.

"It's too easy to post hate filled rants denigrating other people on social media with no accountability. As NAR puts it, it's not OK to be a Realtor by day and a keyboard bigot by night," Haggerty said. "I applaud NAR leadership for creating accountability and for not taking the easy path, but rather the right path for our Realtor members and the communities they serve."

**Editor's Note:** For Haggerty's full opinion on the NAR action, see his Gateway Perspectives column above.

NYSAR President Jennifer Stevenson also expressed her support for the changes included in Article 10-5 of the Realtor Code of Ethics, stating that the NAR Board made a "bold statement that hate speech and related actions at any time are now considered a violation of public trust and subject to disciplinary action under the Code of Ethics and may be a determination of membership and reporting to the Department of State."

She added in a videotaped message, "Realtor membership is a privilege not a right. It is wholly appropriate that membership should be based upon a member's words and actions no matter where they occur."

Overall, although the proposal seeks to extend enforcement of the Code beyond its current limits of real estate transactions and real estate-related activities, this added reach will not increase a Realtor or Realtor-Principal's liability under the law, NAR officials stated.

Moving forward, NAR's Professional Standards Committee will continue working to develop case interpretations to assist members and professional standards enforcement volunteers in understanding the Code's applicability.

The NAR Professional Standards Committee met on Oct. 5 to consider recommendations from its Interpretations and Procedures Advisory Board on the Code of Ethics' applicability to discriminatory speech and conduct. The committee approved the Advisory Board's recommendations, and six of them were presented to and approved by the NAR Board of Directors at its Nov. 13 meeting. The changes will be effective immediately. Training schedules and materials will be available in the coming weeks.

## REAL ESTATE IN-DEPTH

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# What Documents are Brokers and Agents Required to Maintain?

## LEGAL CORNER

By John Dolgetta, Esq



It is not uncommon for real estate brokers and agents to make requests, and many times demands, at the closing table for certain documents, such as the lender's Closing Disclosure, the Contract of Sale, and other documents. Brokers and agents claim that the law requires that these documents be provided because they are mandated under the New York State Department of State regulations [see <https://on.ny.gov/3eSar4O>] and other regulations to maintain copies of these documents.

Many times, agents attending a real estate closing demand that the parties and/or the parties' attorneys provide them with copies of the CD, the Contract and even the Lead Paint Disclosure Addendum (which should already be in their possession since they are required by law to have this form signed early on in the process, prior to any closing), or else, as they state, "My broker will not pay me my commission!" This article will attempt to clarify certain misconceptions about what the brokers' and agents' duties are with respect to document retention requirements and which documents they are and are not entitled to.

### Requirements Under Section §175.23 Of the DOS Regulations

According to Section 175.23 ("Records of transactions to be maintained"), subsection (a) requires that "[e]ach licensed broker shall keep and maintain for a period of three years, paper and/or electronic records of each transaction effected through his or her office concerning the sale of real property used or occupied, or intended to be used or occupied, wholly or partly, as the home or residence of one or more persons improved by a one-to-four-family dwelling, or a condominium or cooperative apartment but shall not refer to unimproved real property upon which such dwellings are to be constructed." Therefore, brokers are required to maintain records for a period of not less than three years for all transactions involving one- to four-family homes, condominium units and cooperative apartments, but not those involving vacant lots.

Copies of these documents may be maintained either electronically or physically. If maintained electronically, the brokerage firm must ensure that there is a backup maintained of all such records. Section 175.23(a) provides that the "records" must contain the following information:

- (1) the names and addresses of the seller and the buyer,
- (2) the broker prepared purchase contract or binder, or if the purchase contract is not prepared by the broker, then the purchase price and the amount of deposit (if collected by broker),
- (3) the amount of commission paid to broker,
- (4) the gross profit realized by the broker if purchased by him or her for resale,
- (5) any document required under Article 12-A of the Real Property Law, and
- (6) the listing agreement or commission agreement or buyer-broker agreement.

It is important to note that Section 175.23 (b) provides that "[i]n some transactions, the broker may not be provided a copy of the documents required to be maintained by subdivision (a) of this section. In such instances, the broker will not be found to have violated the requirements of this section." Therefore, contrary to the opinion of many brokers, if the broker is not provided with a copy of some of the records referenced in subsection (a), then the broker, and in turn the salesperson, will not be deemed to have violated Section 175.23.

### Is A Broker Required to Maintain the Contract of Sale?

Many brokers and agents also believe that they are required to maintain a copy of the fully executed contract in connection with a real estate transaction and that attorneys are required to provide them with a copy of it. This, however, is not the case.

Under Section 175.23(a)(2), the broker is only required to maintain "the broker-prepared purchase contract or binder, or if the purchase contract is not prepared by the broker, then the purchase price and the amount of deposit (if collected by broker)." Therefore, while it is commonplace in Upstate New York for brokers and agents to prepare the real estate contract, that is not the case in southern parts of New York State. In southern New York (notably most areas including and south of Orange and Dutchess counties), the real estate contract is prepared by attorneys. Therefore, in these instances, brokers are not required to maintain and are not entitled to receive a copy of the contract.

It is recommended that both real estate agents and attorneys discuss the issue of sharing a copy of the contract at the start of any engagement. Before an attorney shares a copy of the contract of sale with any party, including real estate agents, the attorney must obtain consent from the client to do so. Attorneys can choose to address this issue in their engagement letters and obtain advance consent from the seller or purchaser to provide a copy of the contract to limited parties such as real estate agents, brokers and title agents. Brokers and agents should also inform their client that they are not entitled to receive a copy of the contract unless the client provides his or her attorney with consent to do so.

### Are Attorneys Permitted to Provide Brokers And Agents a Copy of the Contract?

In 2019, the New York State Bar Association's Committee on Professional Ethics issued an important ethics opinion [Ethics Opinion 1161, see <https://bit.ly/2UgTg3d>] clarifying an attorney's obligation with respect to release of the copy of the contract of sale to real estate brokers and agents in connection with a transaction. The committee held that "[w]hen a lawyer rather than a broker prepares a real estate contract, the lawyer may not disclose the contract to the broker without the client's informed consent...."

Rule 1.6(a) of the New York Rules of Professional Conduct (the "Ethics Rules") provides that a lawyer "...shall not knowingly reveal confidential information" without the client's consent. And, while this rule applies specifically to attorneys, it is important to note that brokers and agents, who are also bound by the fiduciary duty

of confidentiality, may not reveal confidential information without first obtaining the client's consent.

Under the Ethics Rules, "confidential information" means "information gained during or relating to the representation of a client, whatever its source, that is (a) protected by the attorney-client privilege, (b) likely to be embarrassing or detrimental to the client if disclosed, or (c) information that the client has requested to be kept confidential." This is one of the most important duties in an attorney-client relationship and is just as important in the agent-client relationship in a real estate transaction. These issues should be discussed in advance, at the beginning of the real estate transaction so that there is no misunderstanding as to the obligations and duties of the parties with respect to releasing and receiving confidential information.

### May an Attorney Simply 'Bury' The Broker's or Agent's Request?

The committee also indicated that the attorney "...may not bury the broker's request." The attorney is required to let the client know that a request had been made by the broker or agent. The attorney is not permitted to simply ignore the broker or deny the broker's request without letting the client know that a request has been made. Similarly, a broker or agent is not permitted to withhold information, such as an offer, without letting the client know in every instance. Under the Ethics Rules, an attorney "...shall promptly inform the client of," among other things, "any decision or circumstance with respect to which the client's informed consent...is required ...."

The Ethics Rules defined "informed consent" as "...the agreement by a person to a proposed course of conduct after the lawyer [or agent] has communicated information adequate for the person to make an informed decision, and after the lawyer [or agent] has explained to the person the material risks of the proposed course of conduct and reasonably available alternatives." The committee points out that the attorney, or alternatively, an agent, must consider the "...facts and circumstances" of each situation in order to "...determine the adequacy of disclosure." The Opinion provides a useful analysis for all fiduciaries, whether attorneys or real estate agents, to utilize when determining the extent of the disclosure in instances requiring informed consent, as well as instances involving the sharing of confidential information.

### Is a Broker or Agent Required to Receive A Copy of the Closing Disclosure at Closing?

Another common misconception is that the brokers and agents are required to receive a copy of the Closing Disclosure at Closing, and that the brokerage firm is required to maintain a copy of the CD under Section 175.23. It is not uncommon for agents at the closing to request a copy of the CD because their brokerage firm requires it as a precondition for the agent to be paid a commission. Again, it should not be a requirement of the brokerage to condition payment of a commission upon receipt of the CD. The only information the broker or agent is required to maintain is listed in Section 175.23.

### Privacy Concerns and The Gramm-Leach-Bliley Act

The same analysis and requirements that apply to the delivery of the contract or other confidential documents also apply to the delivery of the CD. Again, attorneys must obtain the consent of the client before releasing a copy of the CD at closing. Currently, with the introduction of the new Closing Disclosure (which replaced the previous HUD Settlement Statement), this is usually not a controversial issue. Most lenders prepare a separate Seller's CD and Purchaser's CD, which is permitted under the federal Gramm-Leach-Bliley Act ("GLBA") [see <https://bit.ly/3eS0lve>] as implemented by Regulation P [see <https://bit.ly/3lpsjGL>], so as to address privacy concerns related to the release of the borrower's private information. The release of the borrower's personal and financial information is strictly governed by federal and state law. The National Association of Realtors has prepared a useful TRID Closing Disclosure Guide, which provides a detailed explanation of the disclosure requirements relating to the CD [see <https://bit.ly/3loDv6s>].

Ultimately, in the event a client does not want the CD to be shared with the brokers or agents, or in the event there is only one collective CD prepared and the lender restricts sharing same, the agents must refrain from making any further demand. Additionally, if the parties refuse to share the CD, the brokerage firm should not refuse to pay the agent based on receipt of the CD.

### Clarity Adds Comfort

Many misconceptions have developed over the years and have become commonplace, which brokers and agents believe are legal requirements. While many documents under the DOS Regulations and Article 12-A of the Real Property law are required to be maintained for three years, the items addressed in this article are not. This should allow brokers and agents to reduce some of the paperwork they maintain and also reduce the stress level in a transaction when an attorney or client does not want to share certain documents.

*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.*



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# Houlihan Lawrence Data Confirms Dramatic Rise In NYC Residents Looking to Buy in Metro Suburbs

RYE BROOK—It's no secret that the COVID-19 pandemic has been a key factor in why many New York City residents are leaving the city and heading to Westchester County and nearby Fairfield County, CT. Brokerage firm Houlihan Lawrence reports that its data suggests that premise to be true and also indicates where in the region these New York City residents are looking to purchase homes.

Houlihan Lawrence's proprietary data indicates that 37% of its buyers in Westchester in the third quarter originated from New York City, an increase from 26% year-over-year. Year-to-date, 54% of the NYC buyers were from Manhattan, and of those, 18% hail from Brooklyn. In neighboring Putnam County, the percentage of third quarter New York City buyers rose to 33%, nearly twice as many as last year.

The most popular Westchester markets for New York City buyers are the Sound Shore (Rye, Rye Neck, Port Chester, Harrison, Mamaroneck/Larchmont) and Northern Westchester (Bedford, Armonk, Chappaqua, Pound Ridge, North Salem).

"Houlihan Lawrence has been a data-driven company for decades. As the market leader, we participate in a significant number of transactions and power our elite team of agents with the local market insights to help their clients make informed decisions," says Liz Nunan, president & CEO of Houlihan Lawrence. "Our data can also show trends over time offering a unique predictive model of what the future may hold, based on similar market conditions."

In Bedford, the percent of NYC buy-

ers rose from 11% to 43%, a stunning 291% increase year-over-year. Homebuyer interest in Bedford and other Northern Westchester communities is being fueled by city buyers looking for more open space and amenities with less emphasis on proximity to New York



One of the popular locations for New York City residents looking to relocate is the Town of Bedford in Northern Westchester County.

City, brokerage officials stated.

Brendon DeSimone, manager of Houlihan Lawrence's Bedford/Pound Ridge office, said his office has seen incredible interest from New York City buyers in the past six months. "We heard many buyers say that they couldn't imagine bringing their kids back to New York City. Here in Northern Westchester, their kids are hiking, farming, swimming in a pool or even a lake. They appreciate all that we have to offer and realize there is a desirable lifestyle

outside the city," he said.

"People can now work remotely at least half the time or more. They can commute to the city during off hours, attend a few meetings and get back home without the stress of a Monday through Friday daily commute.

They like that option. It's become the best of both worlds," DeSimone added.

Terra Corning, manager of Houlihan Lawrence's Larchmont office, also reported a steady influx of buyers from New York City. "The Brooklyn/Manhattan buyers have always been drawn to us. We seem to have just enough space, and yet not too much space. We are also very much a walking community which includes the neighborhood style elementary schools. And the train is never too far which is great for those optimistic about getting back into the city."

She added that since March, New York City buyers are driving sales in the Sound Shore area. "However, the high end of the market—sales over \$4 million—have largely been local trade up buyers in Larchmont. I think the New York City buyer at the higher end price range is looking for newer construction more easily found in Rye and Greenwich," Corning noted.

Houlihan Lawrence's proprietary data indicates the percentage of residents from New York City buying in the Greenwich, CT market rose from 19% to 34%. Darien, CT also showed a similar increase from 19% to 35%.

## Yonkers IDA Grants Preliminary Approval of Incentives for New \$33M Apartment Building



A rendering of the 126-unit, 56 Prospect St. building in Yonkers.

YONKERS—The Yonkers Industrial Development Agency Board of Directors recently granted preliminary approval of financial incentives for the development of 56 Prospect St., a \$32.6 million, seven-story residential building featuring 126 rental units.

The project, which received preliminary approval at the IDA's Oct. 28 meeting, is estimated to create 250 construction jobs and six permanent full-time jobs.

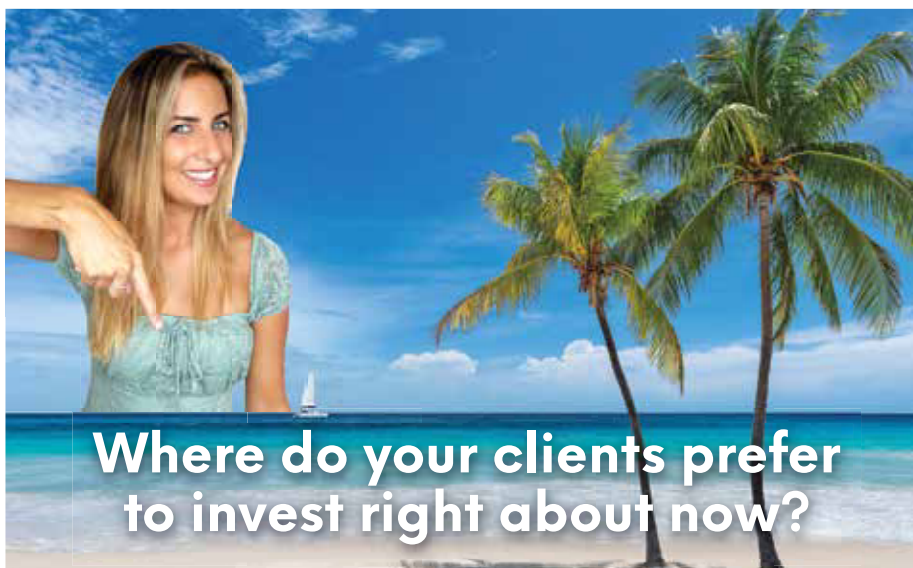
The property will feature 13 units that will be designated as affordable under the city's Affordable Housing Program. The developer of the project is Regency Apartment Ventures, LLC of Melville, NY.

Located on several vacant properties on the corners of Prospect Street, Buena Vista Avenue and Hawthorne Avenue, the project will be comprised of 90 studios, 18 one-bedroom units and

18 two-bedroom units with a rooftop terrace overlooking the Hudson River. The units will have full-sized kitchens, large fully accessible bathrooms and individual laundry facilities.

Other features include a private landscaped courtyard on the first-floor residential level with benches and picnic tables. The building will have an underground parking garage for 130 cars. Security for the building will be provided by a decorative fence around the perimeter and security-controlled access gates. The building will utilize a "green roof" and other sustainable features.

In other business, the Yonkers IDA Board also approved a resolution authorizing grants and loans under the city's State Disaster Emergency (SDE) Award Program. A total of \$442,500 in grants and loans were approved for 28 Yonkers businesses and not-for profits.



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## More Than 50% of The St. Regis Residences Sold

RYE—As construction on the development nears completion, more than 50% of The St. Regis Residences, Rye, condominium residences have been sold.

Recent sales activity has been brisk, with 13 homes sold in the last few months at the 92-unit property. In addition to Rye, buyers are coming from Long Island, Chappaqua, Harrison, Scarsdale, Larchmont, Mamaroneck, Greenwich and Manhattan. Some buyers are also coming from further afield, such as California, Boston and Colorado, the developer Alfred Weissman Real Estate stated.

"We are very pleased with our sales activity over the past several months. At our current pace, we are exceeding our sales targets. Buyers are discovering the incredible luxury lifestyle that we are offering at The St. Regis Residences, Rye which is unmatched anywhere in our market," said Alan Weissman, president of Alfred Weissman Real Estate of Harrison.

He added, "The growing trend of New York City residents leaving the city seeking homes in the northern suburbs has created a tremendous boom to the Westchester residential market."

"We are thrilled with the success that we have achieved thus far in our pre-sales period," said Adrienne Albert, CEO of The Marketing Directors, the development's exclusive marketing and sales firm. "Despite some market uncertainty, buyers are assured of the immense value and unparalleled lifestyle opportunities at The St. Regis Residences, Rye. Given a robust single-family home market in Westchester and Connecticut, many are taking advantage of the opportunity to sell their homes and purchase with us."

Louis and Marcella Pellicano recently



A rendering of The St. Regis Residences, Rye

purchased a new home at The St. Regis Residence, Rye. The Pellicanos, who are moving from Garden City, heard about The St. Regis Residences, Rye from their daughter who lives in Rye. "We were downsizing because we no longer needed a big home. The square footage of our residence at The St. Regis Residences, Rye, really aligns with our lifestyle. We were attracted by the fact that the community was 55 and over, plus we liked the gracious amenities and the idea of being pampered by a full-time St. Regis staff," said Marcella, adding, "It's exactly what we needed. It's wonderful!"

Another plus for the Pellicanos is living in Rye. "It's very walkable and active. It has everything to offer. It is really a plus for us," she said. The Pellicanos have also really enjoyed attending recent social events for new buyers hosted by The St. Regis Residences, Rye. "We've already met some very interesting and lovely people. That makes it easy for us to move from a totally different location. It's very nice," said Marcella.

The St. Regis Residences, Rye will be the world's first St. Regis Residences property to operate without a hotel. Situated on seven acres, The St. Regis

Residences, Rye offers one- to four-bedroom residences in five interconnected buildings. This unique development will feature gated entrances, lushly manicured gardens, a large central courtyard, walking paths, a grand drive court entrance with porte cochère, and an underground, heated parking garage.

Residents of The St. Regis Residences, Rye will experience exceptional, bespoke services provided by a Marriott International-trained St. Regis staff seeing to every detail. These services will

include the signature St. Regis butler service, a 24-hour concierge, full-time property management, valet parking, package and mail delivery, and doorman and porter services. Residences are priced from \$1,065,000, and at least one resident per home must be 55 years of age or better. Occupancy of the first residences is expected in early 2021.

The Sales Gallery, which was previously located onsite at 120 Old Post Road, Rye, was relocated to 38 Purchase Street in Rye.

Three model homes, designed by Rye-based interior designers Dale Blumberg Interiors and Elissa Grayer Interior Design, will be opening before the end of the year.

## Stagg Group Cuts Ribbon On Yonkers Rental Project



PHOTO BY JOHN VECCHIOLA

Yonkers Mayor Mike Spano cut the ceremonial ribbon for the Stagg Group's The Marquee luxury apartment building at 697 Bronx River Road.

Continued on page 8

## Construction Begins on \$126M Affordable Housing Project in S. Bronx

NEW YORK—New York Gov. Andrew M. Cuomo announced on Oct. 30 the start of construction on 1159 River Ave., a \$126-million affordable development that will bring 245 homes to the South Bronx. The 19-story building will offer 148 apartments specifically for individuals and families who have previously been homeless, including those in need of supportive services, state officials said.

"We continue to make unprecedented investments in affordable housing that will help tackle the dual inequality and homelessness crises," Gov. Cuomo said. "New developments like this project demonstrate our ongoing efforts to provide Bronx residents with high-quality, energy-efficient homes with supportive services for the most vulnerable among us."

Of the units set aside, 128 households will have access to on-site services and rental assistance funded through the governor's Empire State Supportive Housing Initiative administered by the New York State Office of Mental Health. The remaining rental units are reserved for low-income individuals and families. There is one apartment for a superintendent.

Supportive services will include linkage to and coordination of services with other community resources, including primary care and mental health services, and direct support in a variety of areas including: goal setting, systems navigation, self-advocacy, educational/vocational/employment information and referrals, nutrition, harm reduction strategies and social supports. The supportive service provider is Community Access, Inc.

The development will meet Enterprise Green Communities Standards

and Energy Star's Multi-Family High Rise standards and will include such energy-efficient features as Energy Star appliances and water conserving low-flow fixtures.



1159 River Ave. rendering

The 19-story building will have art, exercise, laundry and computer rooms. The ground floor will have 20,500 square feet of commercial space.

1159 River Ave. is four blocks from Yankee Stadium in a neighborhood that is near the 6, D and B subway lines; schools; houses of worship; supermarkets; convenience stores; and Mullaly Park which has ballfields, a playground, walking and bicycle paths and sitting areas.

HCR's financing for 1159 River Ave. includes \$25 million in permanent tax-exempt bonds, Low-Income Housing Tax Credits that will generate \$43 million in equity and \$16 million in subsidy. The ESSHI award administered by OMH will provide \$3 million annually for services and operations.

The New York City Department of

Housing Preservation and Development is providing an additional \$26 million of subsidy through its Supportive Housing Loan Program. The development team consists of Community Access,



Inc. and J. Equities II, LLC, an affiliate of affordable housing developer Madd Equities.

HCR Commissioner RuthAnne Viskauskas said, "1159 River Avenue furthers Governor Cuomo's ongoing efforts to reduce homelessness and enhance quality of life in the Bronx by building new affordable housing with on-site supportive services. The 245 households that will live here will benefit from great amenities, excellent transit access, conveniently located stores and schools, and nearby recreational space. We are proud to partner with Community Access on this development to provide modern apartments and vital mental health care services to New Yorkers in need."

Bronx Borough President Ruben

Diaz, Jr., said, "Projects like the 1159 River Avenue are helping Bronx residents live safely in high-quality, affordable homes and achieve independence. Building more supportive housing is critical as we continue our fight against homelessness. I would like to thank Community Access and all the agencies and organizations that made this possible."

Community Access CEO Cal Hedi-gan said, "The COVID-19 pandemic has affirmed what those of us who provide supportive housing have long known: housing is healthcare. Safe, stable housing is necessary for individual well-being, for the well-being of families, and for public health. Community Access is proud to have continued our supportive and affordable housing development work throughout this pandemic, including opening our Bruckner Boulevard project and beginning construction at 1159 River Ave. We applaud Governor Cuomo's commitment to addressing New York's affordable housing crisis."

The governor's commitment to providing all New Yorkers with access to safe, affordable housing is reflected in the state's unprecedented \$20 billion, five-year Housing Plan. The plan makes housing accessible and combats homelessness by building or preserving more than 100,000 affordable homes and 6,000 with supportive services.

Designed to provide good quality, affordable homes, 1159 River Avenue is part of the governor's overall strategy to revitalize communities and grow the economy. Since 2011, New York State Homes and Community Renewal has invested more than \$1.3 billion that has created or preserved more than 15,000 affordable homes in the Bronx.

# Curtain Closes on Iconic Westchester Broadway Theatre

By John Jordan

ELMSFORD—Since the pandemic began in March and restrictions were imposed to prevent the spread of the virus, all too frequently news reports have detailed the unfortunate closure of a popular business somewhere in the

of which received rave reviews. In an e-mailed letter to patrons on Nov. 3, the WBT owners noted at its two Elmsford locations, the Westchester Broadway Theatre produced 217 Broadway musicals and plays, approximately 75 chil-

the WBT.

In its e-mail and also in a message on its website, the WBT ownership said the coronavirus' impact on the theatre industry has been devastating.

"As the world has been plunged into the intense emergency of COVID-19, Broadway has announced it will not reopen until June 2021 or later. Dinner-Theatre, because of social distancing requirements, will be the last entertainment category to be given permission. That may not happen until the end of 2021," the WBT ownership stated in

the Nov. 3 e-mail. "Our landlord, Robert-Martin, does not want to continue supporting our lease and we have no alternative but to close WBT after nearly 46 years. Sadly, the interior is to be destroyed and the building turned into a warehouse."

They added that the theatre "had to use all its available funds to desperately try to keep the theatre going. Due to this ongoing situation the theatre is financially unable to offer refunds to those customers with advance tickets but has

Continued on page 16



A photo of the last main stage production—"All Shook Up"—at the Westchester Broadway Theatre in Elmsford.

Hudson Valley. Recently, news came that COVID-19 took another business victim—the storied Westchester Broadway Theatre in Elmsford which had been a staple for many in the region for nearly a half century.

Like other long-standing businesses that have shut their doors for good due to the pandemic, the Westchester Broadway Theatre will be missed by its patrons and employees, as well as the actors and musicians and technical staff that staged so many productions there.

However, it is rare that a businesses' impact could be detailed in such stark numbers as the ownership of the WBT described in a recent e-mail to its patrons.

Tucked in a business park for nearly 46 years, owners Bob Funking, Bill and Von Ann Stutler staged lavish and entertaining Broadway productions, many

dren's shows, presented 1,500 Monday/Tuesday Specials, employed nearly 5,000 actors, musicians, directors, choreographers, set, lights, sound and hair designers.

The theatre also employed over the years 2,000 dining room and kitchen personnel and in total entertained and served lunch and dinner to an estimated 6 million customers.

The ownership added that the theatre hosted many senior citizens groups, those with physical handicaps, produced benefits for children in institutions, Wounded Warrior fund raisers, high school sports award dinners, weddings, memorial services, business sales meetings (IBM, Subaru, Professional Golf) and many more. The Hudson River Clearwater summer scholarship and the White Plains Senior scholarship were awarded each year at

## Stagg Group Cuts Ribbon On Yonkers Rental Project

Continued from page 7

YONKERS—Stagg Group CEO and founder Mark Stagg joined with Yonkers Mayor Mike Spano and members of the Yonkers City Council and Yonkers Industrial Development Agency on Oct. 29 to cut the ceremonial ribbon on the firm's newest luxury apartment building in Yonkers.

Located at 697 Bronx River Road and dubbed "The Marquee," the building includes six studios, 42 one-bedroom, 91 two bedroom and 21 three-bedroom units. A total of 10% of the units fall under the city's affordable housing program.

"We're proud to bring residents to this transit-orientated block; we have two train stations in close proximity to the building," said Stagg. "This is our second building along this corridor, so we have over 210 units of new housing and we are excited about this project because the two- and three-bedroom units will bring a lot of young families to this area."

In addition to a fully equipped gym, The Marquee courtyard includes wide

open green spaces and includes a playground, bocce court and putting green for active lifestyles. The property also features outdoor courtyard lounges, a rooftop lounge and a billiards table and gaming area. The building also offers a full-time concierge

The Marquee was approved by the Yonkers IDA in 2017 for a sales tax exemption, partial mortgage recording tax exemption and a PILOT for the real property tax abatement benefits.

"Yonkers' economic development boom extends to all corners of our city, including the luxury and amenities available at The Marquee," said Yonkers Mayor Mike Spano. "Prime location and accessibility will make this new residential experience desirable for new residents and its growing community to live, work and play."

Since Stagg founded his Bronx-based company in 1996 he has built more than 3,500 units of affordable housing with a portfolio value in excess of \$1.5 billion.

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Gail Fattizzi, HGAR President



Ricky Mendez, HGAR Members Day Keynote Speaker



Joseph Rand, HGAR "Realtor of the Year"



Richard Haggerty, HGAR CEO and Mary Prenon, HGAR Director of Communications

**Christie's International Real Estate Westchester | Hudson Valley**, an exclusive partner of Christie's International Real Estate, announced that **Allyson Sullivan**, a licensed Real Estate Salesperson, has joined the company in the firm's Hudson Valley Sales Gallery.

The addition of Sullivan is part of Christie's ongoing growth and expansion in the region. She specializes in residential and commercial real estate, working with buyers, sellers and renters and has a deep knowledge of the southern tier of New York State, including Rockland, Orange and Westchester counties. She transitioned to real estate following a career in food styling and is a graduate of The Culinary Institute of America.

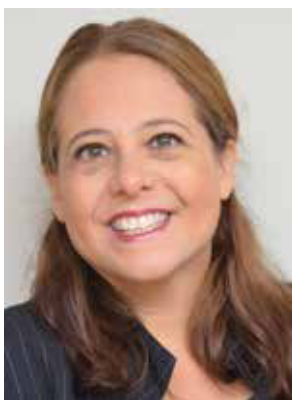


**Allyson Sullivan**

**R2M Realty, Inc.** recently welcomed NY Licensed Salespersons, **Christine Michel**, **Lisa Laskowski** and **Dina Wolleben** to its growing team.



**Christine Michel**



**Lisa Laskowski**



**Dina Wolleben**

Michel is originally from North Rockland and resides with her husband and three children in Blauvelt. She is in her 22nd year in education. She has three Master degrees in education and literacy.

Laskowski was born and raised in New City and has been in sales for more than 20 years. After graduating from Bryant College in Rhode Island, she spent 16 years at Richard Leeds International where she worked her way to Sales Assistant to the VP of Sales.

Wolleben, a life-long resident of Rockland County, has been assisting her buyer and seller clients with their residential and commercial needs since 2016. She was most recently affiliated with Perfect Choice Realty.

**Houlihan Lawrence Commercial** reports that in conjunction with its continued expansion, six new brokers have recently joined its staff. The new brokers are **Eugene Pepe**, **Marc Luchansky**, **Silvio Cangianni**, **Douglas MacDonald**, **Jared Stone** and **Abby Suskin**.



Pepe, a resident of Rye, has been in real estate sales for 15 years with firms such as Friedland Realty, GVA Williams and Goldschmidt & Associates. He has also managed properties, including his family-owned Pepe Motors dealership. His notable transactions include 25,000 square feet to two separate sports facilities, a 15,000-square-foot lease to a luxury auto dealership and a 12,000-square-foot lease to a motorcycle dealer.

Luchansky's expertise includes multi-family, industrial, office and retail. Prior to joining Houlihan, he was a Director at Besen Partners a mid-sized commercial real estate advisory firm headquartered in Manhattan. Before entering the real estate business, Luchansky was a Director of Equity Sales at Buckingham Research, a firm that provided in-depth fundamental research on a variety of industries. He also worked at Neuberger Berman and Paine Webber. He is a resident of Tarrytown. He is part of the Lanza Team at Houlihan Lawrence.

Cangianni has been running Regent Heating and Air Inc. for more than 20 years. Cangianni is an active member in the Rye Tri Club which donates to different charities throughout the year. He is a resident of Mamaroneck and is also part of the Lanza Team.

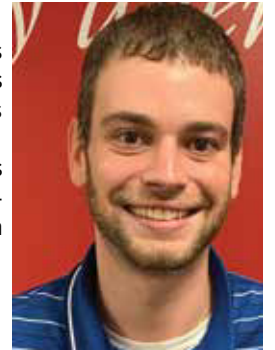
MacDonald is an executive level, consultative salesperson with deep experience working with major Fortune 500 firms. Prior to joining Houlihan Lawrence, he worked in media developing advertising programs for major pharmaceutical and healthcare companies. He was most recently with Volvo Cars in White Plains. His wife has been with Houlihan Lawrence for the last seven years representing residential clients. He and his family reside in Granite Springs. He is part of the Klein Team.

Stone specializes in investment sales and tenant representation. His interest in real estate began while working with high net-worth individuals as a Financial Advisor at Bank of America Merrill Lynch, helping advise his clients on real estate purchases and business dispositions. He earned his Bachelor of Business Administration degree in International Finance and Marketing from The University of Miami. Stone currently lives in White Plains and is part of the Klein Team.

Suskin has vast experience negotiating transactions representing both tenants and landlords. Over the past 20 years, she has completed in excess of 1,000 transactions including office, retail and industrial. Prior to joining Houlihan Lawrence Commercial, Suskin provided strategic transaction services at Jones Lang LaSalle. Additionally, she was the Director of Real Estate for Time Inc. Suskin has a master's degree in Real Estate from The Schack Institute of Real Estate at NYU. She is a resident of Armonk and is part of the Klein Team.

**Keller Williams Hudson Valley Realty** of New City has announced that **Daniel Schuchman** has joined the firm as its new Agent Services Coordinator at its Keller Williams Hudson Valley Realty Market Center.

He earned his Bachelor of Science degree in Business Administration at the State University of New York at Oswego, which led him to spend the last seven years as a corporate travel agent at Flight Centre.



**Daniel Schuchman**

**Christie's International Real Estate Westchester and Hudson Valley**, an exclusive partner of Christie's International Real Estate, recently welcomed **Erin Egan** to the Christie's family of agents based in the New City, New York Sales Gallery. The addition of Egan is part of the ongoing expansion of Christie's International Real Estate Westchester and Hudson Valley in the southern New York region.

Egan is a Licensed Real Estate Associate Broker and has been in the real estate industry since 2009. Before her successful career in real estate, she worked on Wall Street for 13 years running New York City operations for a corporate office rental company. She then successfully transitioned to overseeing a private higher education institution's \$60-million mortgage and loan portfolio as well as its 2,200 unit leased properties. She has extensive experience with high end interior renovations, including but not limited to, organizing scope of work, managing multiple stakeholders, and ensuring end user satisfaction. She has sold and supported more than \$40 million in residential and commercial transactions.

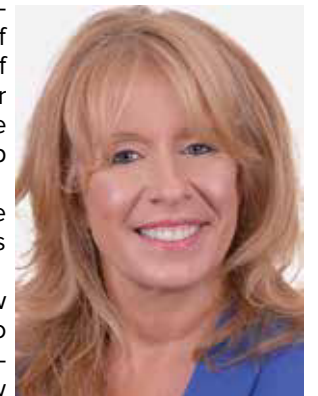


**Erin Egan**

**Houlihan Lawrence** has announced the appointment of **Sharon L. Zanzano** as the new manager of its Yonkers brokerage. Zanzano, who has 19 years of experience in real estate, has spent most of her career as a sales agent in Houlihan Lawrence's Bronxville office, where she received multiple awards for top production.

Zanzano, a lifelong Yonkers resident, is a graduate of Iona College where she earned a Bachelor of Arts Degree in Liberal Arts/Journalism.

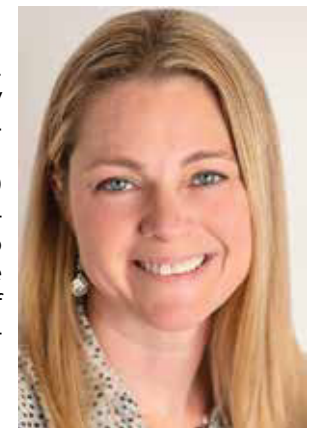
"We are delighted to welcome Sharon as the new manager of our Yonkers office. She brings nearly two decades of success in real estate as well as strong connections to the local Yonkers community to her new role," said Debbie Doern, Regional Vice President of Houlihan Lawrence.



**Sharon L. Zanzano**

**Jessica Power** has recently joined **R2M Realty**. Power grew up in Maine and moved to New York City in 1997. She relocated to Pearl River from Manhattan 14 years ago.

Power started working in the real estate industry 20 years ago in New York City. She specialized in corporate relocation for companies like Disney and PepsiCo just to name a few. She earned her bachelor's degree in Rehabilitation and Counseling from the University of Maine at Farmington and her Master's degree in Education from Hunter College in Manhattan.



**Jessica Power**

Real Estate brokerage firm **Keller Williams Realty – First in New York**, which has offices in Chester and Warwick, plans to launch a luxury home division that will provide the franchise specialized training and world-wide marketing for high-end home sales. said Broker and Operating Principal Chris Scibelli.

Scibelli said that the number of potential luxury homebuyers in the country is on the rise following a steep, multiyear decline. The newly launched Luxury Division will be headed by **Kimberly Corkum**, Associate Broker.

Corkum joined Keller Williams in 2017 with her business partner Patricia Brady. They joined forces by merging their Regal Brand located in Warwick. As she became more involved as part of the Agent Leadership Council, it became apparent to her that the opportunity within the Luxury Market in the Orange County area had been underserved. Corkum will head the Luxury division as its Director of Luxury, according to Kevin Tuhy, CEO of Keller Williams Realty - First In New York.



**Kimberly Corkum**

# HGAR NOVEMBER 2020 UPDATE

## HG Realtor Foundation Donates More Than \$21,000 To Hudson Valley Charities in Fourth Quarter of 2020



From left, Terri Crozier and Antoinette Calderon, HG Realtor Foundation Committee; Chris Greco, founder, Christopher's Voice; Bonnie Koff, chair, HG Realtor Foundation Fundraising Committee; Carol Christiansen and Robert Shandley, HG Realtor Foundation Committee



From left, Maryanne Tercasio, president, Hudson Gateway Realtor Foundation; Matthew Arbolino, executive director, Habitat for Humanity of Greater Newburgh; Kerri Stretch, trustee, HG Realtor Foundation; and Ann Garti, COO, Hudson Gateway Association of Realtors



From left, Terri Crozier, HG Realtor Foundation Committee; Crystal Hawkins Syska, HGAR President-Elect; Anna LaRochelle, associate director, Hillside Food Outreach; James Riina, Hillside Outreach Volunteer and Realtor and Robert Shandley, HG Realtor Foundation Committee

By Mary T. Prenon

WHITE PLAINS—Charities and non-profit organizations from New Rochelle to Newburgh received \$21,500 in donations from the Hudson Gateway Realtor Foundation during the fourth quarter of 2020.

Despite the COVID restrictions that severely curtailed live fundraising

events, the Foundation was able to support almost 15 local organizations this year that are dedicated to helping those in need.

Habitat for Humanity of Greater Newburgh recently received a check for \$2,500 to help with its work of providing

Continued on page 12

## SPOTLIGHT ON

### Editor of Real Estate in Depth, Named HGAR 2020 Affiliate of the Year

By Mary T. Prenon

Anyone who knows John Jordan also knows that he is the consummate news professional who has served as Editor of *Real Estate In-Depth* for 25 years. Throughout his career he has written for numerous publications including the *New York Times*, *Gannett Suburban Newspapers*, *Westchester County Business Journal*, *Westchester Magazine*, *Construction News*, *Westchester Commerce Magazine*, *Real Estate Forum* and *Globest.com*.

Famous over the years for his many news "scoops," Jordan continues to publish breaking news stories long before the daily newspapers or even daily websites get wind of them. In fact, the only thing Jordan is missing is the quintessential reporter's fedora with the word "Press" tacked on the side.

It's no surprise then—except to Jordan—that he was honored this year with the HGAR "Affiliate of the Year" award. "I really was shocked," admitted Jordan, who was in the HGAR Board Room in White Plains when he was announced as the winner at the Association's first-ever virtual Members Day last month. "At first, I was wondering why they asked me to come into the office, since the event was held on Zoom. But then when Gail Fattizzi (HGAR President) thanked me for my 25 years of service, I thought



John Jordan

Continued on page 15

### 2020 HGAR RPAC HONOR ROLL as recorded by NYSAR to November 2020

Thank you to the following Members who are leading the way in the 2020 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, BHG Rand Realty, New City
- Irene Guanill, Meet the Sellers, Bronx
- Crystal Hawkins Syska, Keller Williams NY Realty, White Plains

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

- Debra Budetti, ERA Insite Realty Services, White Plains
- Leah Caro, Park Sterling Realty, Bronxville
- Carol Christiansen, Café Realty, Mount Kisco
- Katheryn DeClerck, BHG Rand Realty, Goshen
- Ronald Garafalo, John J Lease Realtors, Middletown
- Ann Garti, Hudson Gateway Association of Realtors, Inc.
- Richard Herska, BHG Rand Realty, Nyack
- Pamela Jones, Coldwell Banker Res Brokerage, White Plains
- Barry Kramer, Westchester Choice Realty, Scarsdale
- Clayton Livingston, Grand Lux Realty, Inc., Armonk
- Mark Seiden, 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
- Gary Connolly, Hudson Gateway Association of Realtors, Inc.
- Lawrence Curasi, Curasi Realty, Inc., Montgomery
- Gail Fattizzi, Westchester Real Estate Inc., Somers
- Kerri Stretch, John J Lease Realtors Inc., Middletown
- Maryann Tercasio, Better Homes and Garden Rand Realty, Central Valley

#### Capitol Club \$250-\$499

- Kazuko Boylan, Boylan Real Estate Group, Manhattan
- Regina Clark, Real Estate Circuit Inc., Middletown
- Nancy Curasi, Curasi Realty, Inc., Montgomery
- Tony D'Anzica, Dynamax Realty NYC Inc., Manhattan
- Sarah Hughes, Corcoran Legends Realty, Briarcliff Manor
- Eric Levenson, J. Philip Real Estate, LLC., Briarcliff Manor
- Eydie Lopez, Keller Williams Hudson Valley, Middletown
- Roseann Paggiotta, Houlihan Lawrence, Yonkers
- Thomas Scott, Madison Allied LLC, Rye
- Robert Shandley, BHG Rand Realty, White Plains

#### 99 Dollar Club \$99-\$249

- Mario Aleman, Brittany Alvarez, Julian Berkeley, Sharon Bodnar, Desmond Bonar, Layla Boyles, Janet Brand, Lynette Browne, Elisa Bruno Midili, Randall Calano, Patricia Cassese, Michael Criscuolo, Irene DaSilva, Laurie DiFrancesco, Linda Darer, Kevin Dwyer, Patricia Ephraim, Rita Geissler, Debbie Goldstein, Jeanette Gruber, Isaka Guobadia, Patricia Holmes, Clayton Jeffrey, Bonnie Koff, John Kope, Jeffrey Kuduk, Anthony Lando, Rosa Lulgjuraj, Kathleen Mangan, Iris McLee, Kathy Petreski, Valerie Port, Walter Sadowski, Barbara Shaver, Peggy Shea, Jacqueline Simmons, Cary Sleeper, Judith Speight, Cathleen Stack, Nancy Taylor, Deborah Valentino, Maria Weiss, Joseph Williams

#### Recap of Contributions Year to Date\*\*

**TOTAL: \$154,718 65% towards goal**

**Total with pledges: \$129,148**

With 2,867 contributors 70% towards participation goal.

Goal: \$238,050 from 4,103 contributors for a total of 36% of membership

## BOARDROOM REPORT

**Boards of Directors  
Hudson Gateway Association of Realtors, Inc. (HGAR)  
May 20, 2020 via Zoom**

### HGAR Management, Financial & Membership Reports

President Gail Fattizzi updated the Directors on the status of applications and the interview process for the Leadership Accelerator Program.

CEO Richard Haggerty provided an update on the COVID-19 pandemic and on the plans for reopening the HGAR offices. CEO Haggerty also reported that NYSAR had prepared and sent a letter to the Governor and to all County Executives requesting more clarity on the plans to allow businesses to reopen. CEO Haggerty also indicated that all education courses would be conducted via Zoom until further notice.

Treasurer Anthony Domathoti presented the Treasurer's Report as of May 1, 2020, and after review the Directors approved receipt of the report for filing.

President Fattizzi presented the report of the individuals who were appointed to serve as members of the Leadership/Nominating Committee. The individuals are Ron Garafalo, Immediate Past President (as Chairman), Harding Mason and Katheryn DeClerck (two past Presidents), and Debra Budetti, Angie Primus, Eydie Lopez and Emilce Cacace (four additional members, two of whom are Directors). The Directors approved the members of the Leadership/Nominating Committee. President Fattizzi reported on the individuals who were appointed to serve as members of the Finance Committee. The individuals are Anthony Domathoti, as Chairman (HGAR Treasurer); Brad Brammer as designee of the Education Council; Members at Large, Joe Lippolis, John Barrett, Crystal Hawkins Syska, David Moore, Carmen Bauman, Denise Friend and Gary Leogrande and Gail Fattizzi, as Ex Officio member.

CEO Haggerty made a request of the HGAR Board of Directors to consider a contribution in the amount of \$10,000 to the HGAR Foundation to be used to make donations to local food banks due to the COVID-19 Pandemic. CEO Haggerty indicated that the amount of \$10,000 was the approximate cost savings for travel expenses budgeted and normally incurred by the Association in connection with attendance at the NAR Mid-Year Legislative Meetings in Washington D.C. He noted that the HGAR Executive Committee recommended approval of the donation at its earlier HGAR Executive Committee meeting. The Directors approved this request.

CEO Haggerty requested authorization from the Board of Directors to allow him to request from NAR an extension of the waiver of the DR Dues Formula for an additional two-year period for Manhattan. In light of the COVID-19 Pandemic and the delay of the launch of OneKey MLS, LLC joint venture, which have both hindered expansion

efforts, CEO Haggerty believes that NAR would likely approve the extension. The Directors approved this request.

HGAR CEO Haggerty next discussed the proposed merger between HGAR and the Bronx- Manhattan Association of Realtors, Inc. ("BMNAR"). He indicated that copies of the proposed Agreement of Merger, Plan of Merger, Certificate of Merger, form of Resolution of the Board of Directors approving the merger, and other related merger documents (which contained certain additional revisions from the versions that had been previously provided to the Directors at the April 20, 2020 Meeting) were transmitted by e-mail to all Directors prior to the meeting. Board Counsel John Dolgetta, Esq. reviewed the "redline" revisions made to documents.

President Gail Fattizzi read the Resolution to be approved by the Directors and called for a motion to approve the merger and referral of the merger with BMNAR to the HGAR general membership for approval at a special meeting of the members to be scheduled as soon as practicable (possibly in June or early July). The Directors approved the merger and the referral of the merger to the HGAR general membership for ultimate approval.

CEO Haggerty briefly provided an overview of the proposed revisions to the Bylaws. CEO Haggerty thanked President Gail Fattizzi and all of the members of the Bylaws Task Force, namely Garafalo (Chair), Crystal Hawkins-Syska, Tony D'Anzica, Carmen Bauman, and Michael Shapot for their assistance and hard work. CEO Haggerty then asked Immediate Past President and Chair of the Bylaws Task Force Garafalo, to provide the Directors with a more detailed review of the proposed revisions. Garafalo proceeded with his review of the Bylaws.

An extensive and productive discussion ensued. Directors provided valuable input and suggestions to the Task Force members. Thereafter, in light of the timeframe relating to the merger with BMNAR, CEO Haggerty requested that a subsequent meeting of the Directors be held on May 27, 2020 and the Directors agreed.

President Fattizzi pointed out to the Directors that reports of the various committees and councils (i.e., Education Counsel, Legislative Committee, Professional Standards Committee, RPAC Committee, and Women's Council) had been provided to them via e-mail. Director Bauman provided a brief report from the Fair Housing Committee including implementation of the new Fair Housing disclosure form, notice and recording of fair housing classes as of June 20, 2020. A report containing key dates of the Commercial & Investment Division, Women's Council and HG Foundation was also e-mailed to the Directors.

President Fattizzi indicated that the special meeting of the HGAR Board of Directors would be held on May 27, 2020 via Zoom Meeting at 10 a.m.

Please welcome the following new members in your area:

### Designated Realtor

\*\* Caroline Akt  
Caroline Akt Realty LLC  
6 Roslyn Ridge Road  
Mongaup Valley, NY 12762  
845-250-4356

Jeffrey E. Bergman  
25 Hillside Avenue Office  
White Plains, NY 10601  
914-426-4424

Michael D. Blythe  
Blythe Realty  
320 Jackson Ave  
New Windsor, NY 12553  
845-913-6093

Shane Ray J. Brown  
Lorwin Global LLC  
628 South 5th Avenue  
Mount Vernon, NY 10550  
914-815-3657

Gerard R. Desgranges  
14 Horatio Street  
New York, NY 10014  
917-679-8927

David J. Gold  
55 East 87th Street  
New York, NY 10128  
212-380-8872

Khalid G. Hanaif  
USANY Limited  
1203 Nostrand Avenue  
Brooklyn, NY 11225  
646-606-6609

Brian Lewis  
1601 Bronxdale Avenue  
Bronx, NY 10462  
718-518-8000

Cristina M. Martinez  
Cura Property Group LLC  
1180 Midland Avenue, 5A  
Bronxville, NY 10708  
914-987-8828

Marissa Medina  
39 Edgewater Street  
Pelham Manor, NY 10803  
914-733-3607

Warren S. Mitchell  
Opulence Realty Group  
500 N Franklin Tpke, Ste. 303A  
Ramsey, NJ 07446  
800-558-0475

Hatema Neza  
Bajraktari Realty Group LLC  
617 East 188th St  
Bronx, NY 10458  
718-365-4310

Douglas J. Perslon  
Zillow Inc  
1250 Broadway, 10th Floor  
New York, NY 10001  
206-516-2255

Marc Charles B. Pointdujour  
MCP Home Contractors Inc.  
2723 Avenue D  
Brooklyn, NY 11226  
347-659-7331

Raffi K. Salbashian  
5 Rivington Street, Suite 14  
New York, NY 10002  
914-330-5231

Peter Sclavo  
12 Dorchester Rd  
Eastchester, NY 10709  
646-330-2114

Maximus Wang  
Silverston Group USA Corp.

45 Rockefeller Plaza, Suite 200  
New York, NY 10111  
212-332-4988

\*\* Qizhan J. Yao  
Realmart Realty LLC  
1740 Broadway, 15th Floor  
New York, NY 10019  
888-362-6543

Esther R. Zimet  
EZ Premier Realty LLC  
5800 Arlington Avenue  
Bronx, NY 10471  
917-383-3440

Marcin P. Zola  
9 River Road, Unit 406  
Cos Cob, CT 06807  
631-875-7123

### Affiliate

Giovanni Acevedo  
A & G Plastering & Tiles  
1601 Bronxdale Ave. Suite 201  
Bronx, NY 10462  
718-409-1100

Bruce Azus  
Affiliated Adjustment Group  
3000 Marcus Ave. #3W3  
Lake Success, NY 11042  
516-352-1400

John Cerini  
Bronx Tax Man Corp.  
3600 East Tremont Ave  
Bronx, NY 10465  
718-829-1040

John Cerini  
Capital Shield Agency Inc.  
3600 East Tremont Ave  
Bronx, NY 10465  
718-829-3200

Mark Donato  
Alexander Holdings, LLC  
725 Montauk Hwy  
Copiague, NY 11726  
631-842-4057

Marc Engel  
Alexander Scott Graphics  
875 Sixth Ave. Suite 1700  
New York, NY 10001  
212-736-6100

Christopher Fazio  
Approved Oil Co of Brooklyn  
6717 4th Avenue  
Brooklyn, NY 11220  
718-238-1050

Adam Goodrich  
All State Sprinkler Corp  
1869 White Plains Rd  
Bronx, NY 10462  
718-567-4060

Stephen T. Hicks  
Apartments.com  
3438 Peachtree Rd. NE #1500  
Atlanta, GA 30326  
855-239-7420

Bill Jebaily  
Aggressive Energy  
78 Rapelye St. Suite A  
Brooklyn, NY 11231  
718-836-9222

Ron Marchand  
All City Restoration  
160 Hicks Street  
Westbury, NY 11590  
516-338-9800

## HG Realtor Foundation

Continue from page 11

affordable housing for families in need. By the end of 2020, Habitat Newburgh will have completed more than 100 homes in one of the most distressed urban areas in the U.S.

"The Hudson Gateway Realtor Foundation has been a tremendous supporter of our work for a long time. We have to recognize that considering all the challenges 2020 has brought, this year's contribution is all that more special," said Matthew Arbolino, executive director of Habitat for Humanity of Greater Newburgh. "We can't thank the foundation enough for helping us in our vision of a world where everyone has a decent place to live."

Hillside Food Outreach in Elmsford was granted \$2,000 to continue its support of individuals and families in need of food. Hillside volunteers provide home delivery of healthy and nutritious foods to more than 1,600 men, woman and children, who, for a variety of reasons, are unable to access local pantries in Westchester.

"We serve the elderly who must choose between medicine and food, and families who are struggling to make ends meet. We also feed their children and those with health issues who need better nutrition and healthier food," said Anna LaRochelle, associate director of Hillside Food Outreach. "The donation from the Hudson Gateway Realtor Foundation will be used to purchase healthy food, which is delivered monthly to the individuals we serve."

Feeding Westchester and the Food Bank of the Hudson Valley also received grants for maintaining their warehouses of food for distribution to other local food pantries. Both have experienced huge increases in requests since the start of the pandemic. HG Realtor Foundation volunteers have also been active with the Food Bank of the Hudson Valley throughout the year, helping to sort and pack grocery items.

HGAR Realtor and New Rochelle Police Detective Chris Greco and his

wife, Tracy, also received a donation for their charity, Christopher's Voice. The \$1,000 check from the foundation will help them to continue providing financial assistance and support to struggling families with autistic children, as well as promoting public awareness, training and safety within the first responder community. The charity is named for their son, Christopher, who is now 13, but remains non-verbal.

"We are very humbled and appreciative of this very generous donation during a very difficult time," said Greco, who is also a Realtor with Richard Greco Real Estate in the Bronx. "We will be sure to distribute it to those families impacted by autism that need it the most." Greco was also honored for his charity work with the HGAR "Stephanie Crispinelli Humanitarian Award" in 2018.

Other organizations receiving donations this quarter included: Friends of Karen, providing emotional and financial support for children with life-threatening illness; Meals on Wheels of Rockland; Lifting Up Westchester, offering food and shelter for those in need; Rockland Recovery Homes; Sheltering the Homeless is Our Responsibility (SHORE); The Children's Village, providing housing and education for at-risk youth; and Support Connection, offering support services for women with breast and ovarian cancer.

The HG Realtor Foundation will be reviewing new grant applications when it meets again in early 2021. To be considered for a grant, please visit [www.HGRealtorFoundation.com](http://www.HGRealtorFoundation.com) and complete the application.

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

Continued on page 17



**HGAR Classes are Currently Being Offered Via Zoom!**  
 Please contact our Member Success Team with any questions!  
[support@hgar.com](mailto:support@hgar.com) /914-681-0833

## December 2020 Zoom Course Calendar

- December 9-** Instanet Forms & AuthentiSign\* with Katheryn DeClerck  
 HomeSnap Mobile App\* with Katheryn DeClerck
- December 14-** My First Sale: Buyer and Tenant Clients\* with Katheryn DeClerck
- December 15-** CORE Day\* with Dorothy Botsoe
- December 17-** Matrix 1: Introduction to Matrix\* with Ismail Kolya

HGAR 22.5 Hour Virtual Education Card—  
 Buy a Virtual Education Card and Save!  
 Learn more at [HGAR.com](http://HGAR.com)



\*Course qualifies for the Virtual Card

## Back by Popular Demand! RPR Series via Zoom

- November 21-** RPR Not Enough Inventory? Check Out These Tips for Finding New Listings
- November 22-** RPR The Ultimate Realtor App
- December 5-** Pre-listing Checklist: Use RPR to Nail Your Next Listing Presentation
- December 6-** Don't Blend In -Top Tools to Promote Self
- December 12-** RPR: 5 C's of Successful Farming
- December 13-** Using RPR To Ensure a Successful Buyers Tour - Preparation is Key
- December 20-** RPR Open House Tips



**1hr. C/E Weekend Courses! Learn tips & tricks to help your business while earning credit for your renewal!**

# Coming Soon 2021

Zoom Virtual Course - 75 hr. Sales Pre-Licensing Qualifying Course - Evenings  
Starts January 4, 2021 6:00pm-9:00pm

Zoom Virtual Course - 45 hr. Broker Course - Includes Fair Housing & 1 hr. Agency - Daytime  
Starts February 17, 2021 9:30am-3:30pm

Visit [hgar.com/find-a-class/licensing](http://hgar.com/find-a-class/licensing) for more information.

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

### CALENDAR

**DECEMBER**

- |  |  |
|--|--|
| <p><b>December 8</b><br/>                 HG Realtor Foundation Fundraiser "Holiday Musical Celebration,"<br/>                 Zoom Meeting, 5:30PM – 7:00PM</p> <p><b>December 10</b><br/>                 CID- Women in Commercial Real Estate Series: League of Extraordinary Women<br/>                 Zoom Webinar, 10:00AM – 11:30AM</p> <p><b>December 15</b><br/>                 HGAR Board of Directors Meeting<br/>                 In-Person White Plains or Zoom –</p> | <p>2:00PM – 4:00PM<br/> <b>December 24 &amp; 25</b><br/>                 HGAR Offices Closed – Christmas</p> <p><b>December 31</b><br/>                 HGAR Offices Closed – New Year's Eve</p> <p><b>Wishing you a Happy, Healthy &amp; Prosperous New Year!</b></p> |
|--|--|

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## LEGISLATIVE AFFAIRS

By Philip Weiden



## BARRISTER'S BRIEFING

By Brian S. Levine, Esq



### November Election Update

The 2020 Presidential election is in the books. Former Vice President Biden is now President-elect Joseph R. Biden. History is also being made this election as Kamala Harris is the first female Vice President in U.S. history. She currently serves as U.S. Senator from California. Before that she served as the Attorney General for the State of California and prior to that as District Attorney for the City of San Francisco.

Jan. 20, 2021—Inauguration Day—is when the new President and Vice President will take office.

In the House of Representatives, the Democrats will keep the majority, but it will be a much smaller one. There are still some races outstanding that may take several weeks to call. There were a huge number of mail-in ballots because of the pandemic that were critical in many races nationwide.

In the Senate, it appears control will not be decided for now. Two Senate races in Georgia will take place in January due to the fact that no candidate received 50% of the vote which Georgia requires to be elected. If the Democrats win both seats, they will control the Senate 51 to 50 as the Vice President can break ties. The Republicans only need to win one of those two races to maintain Senate control. If they win both seats, they will have a four-seat majority in the chamber.

No statewide offices (e.g. Governor) were up for election this year in New York. Many open State Senate seats have not yet been called. Republicans are leading in many of the races on Long Island but absentee ballots are still outstanding and need to be counted to determine the winners. In a high-profile Senate race in Westchester, Republican Rob Astorino, former Westchester County Executive, holds a lead over incumbent Democrat Peter Harckham with mail-in-ballots to be counted at press time.

In the U.S. House of Representatives, Mondaire Jones has been elected to Congresswoman Nita Lowey's House seat and Congressman Sean Patrick Maloney is leading in a close race for his House seat.

Stay tuned for updates on these election results.

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

### Good Intentions Paving the Way to Hell: Love Letters And Escalation Clauses

The old proverb states, "The road to hell is paved with good intentions." This becomes the challenge to all buyer agents acting in their client's best interests; do the right thing, but don't do it to such an extent to cause harm.

In past years, Realtors encouraged drafting a "love letter" to the homeowner, where the buyer would make an emotional appeal to the homeowner as to why they should sell their home to them. Another strategy was to employ the use of an "escalation clause" where a buyer's offer increased incrementally based upon certain factors, hopefully making the buyer's offer the winning bid. While both these ideas seemed like strong strategies and were supportive of acting in a client's best interests, they are now being questioned for their shortcomings.

#### Love Letters

The idea is that the buyer sends a heartfelt letter to the homeowner explaining why the homeowner should sell their home to them. These letters are more about emotion and less about facts. While these letters sound like a great opportunity to have your client explain why they should be chosen, they have a strong potential of exposing your client to fair housing discrimination (and open the agent to fair housing violations) because they provide the homeowner with personal information and characteristics that might not otherwise be revealed. These factors may knowingly or unconsciously be used to reject your client.

The typical letter may say how the buyer looks forward to their children playing in the back yard, or hanging Christmas decorations on the front porch, or how they look forward to grandma being able to visit and make matzo ball soup in the kitchen. Or maybe they say how it's close to the church they attend, or it's near the military base where someone serves. While all this information creates character, it also lets the homeowner know things that they should not be aware of: religion, familial status, age, race, military status are just a few of the protected classes that may be revealed. Based upon this information, the homeowner may reject the client and, importantly for the Realtor providing this information, the agent may be in violation of fair housing laws (they're not supposed to provide this information).

As a result, NAR, NYSAR and many brokerages discourage the use of "love letters." Best practices dictate that in an effort to protect your client and yourself from fair housing issues you should:

1. Explain the pitfalls of these letters;
2. Remind your client that your duty and their decision to buy should be based upon objective criteria (price, terms, etc.) and not emotion;
3. Refuse to deliver, read, or assist in the writing of these letters; and
4. If you represent the seller who receives a letter, suggest they not read it and/or document all offers received and the seller's reasoning for accepting/rejecting them.

#### Escalation Clauses

An escalation clause is a provision in an offer where the buyer agrees to increase the amount they are willing to pay based upon the highest offer presented. The clause will automatically increase the offer price just above that highest offer to a maximum cap, otherwise, they could pay too much (For example, Buyer A has an escalation clause that states that she "will pay \$500 more than the highest offer up to a cap of \$500,000.") The benefit of an escalation clause is that it reduces the amount a buyer will pay to an amount just above the highest offer and reduces the risk of overpaying for a property. However, this practice is fraught with problems.

First and foremost, Realtors try to draft these clauses themselves. Usually, these clauses end up poorly drafted and expose their clients to liability. But, worse is that the Realtor may be deemed engaging in the "practice of law," which is prohibited by the Code of Ethics and a violation of state law. Obviously, this is bad and could jeopardize the Realtor's reputation or career. Realtors who are not licensed attorneys should never draft escalation clauses.

Second, in controlling the amount a buyer will pay for a property, the buyer may be revealing their maximum offer price. This is the buyer's most prized secret. Armed with this information, the seller can now leverage it, as the Code of Ethics states that offers are not confidential and may be "shopped" by the seller. Therefore, a seller may now reveal how much the buyer is willing to pay in an effort to get another buyer to offer more. As a result, some escalation clauses have a non-disclosure provision. While this may strengthen the privacy of the offer, problems remain: (1) the homeowner may reject the offer with the non-disclosure provision until such time that the provision is removed; (2) depending on how the non-disclosure is drafted, the homeowner may reject the offer and, thereafter, share the offer to other prospective buyers; (3) share the offer with other possible buyers in violation of the provision with the hope that the buyer with the non-disclosure will never know about it being shared.

Third, what happens when more than one escalation clause is presented? By simple operation, both clauses act in tandem and immediately escalate the offer price to the price above the lowest maximum cap. For example, Buyer A has "\$500 above the next highest offer up to a cap of \$550,000." Buyer B has a clause that says "\$500 above the next highest offer up to a cap of \$600,000." If the current asking price is \$200,000, it is instantaneously increased to \$600,000 (Buyer A will pay up to \$550,000 and Buyer B will pay \$500 above that). This may not be the best plan for a buyer and the buyer may be better off negotiating direct with the seller. Exacerbating this problem is the potential for "friendly" escalation clauses that may be fraudulent. These "friendly" clauses are made by fictitious or by friendly buyers who make offers for the sole purpose of triggering the escalation clause.

These "friendly" offers bring us to the final problem: proof of the next highest offer. Often, in an effort to prove that there is another offer that is being outbid, the presenter of the escalation clause will demand a copy of the next highest offer. However,

Continued on page 17

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# Affiliate of the Year

Continued from page 11

that was the reason and had no idea what was coming.”

Born in the Bronx and raised in Queens, Jordan and his family later moved to Westchester, where he graduated from Blessed Sacrament High School in New Rochelle and The College of White Plains at Pace University. A Journalism major, Jordan worked as a sports reporter for the former *Reporter Dispatch* (now the *Journal News*) while in his junior year of college. After graduation, he spent six years at Gannett Suburban Newspapers as a sports reporter and a local government and investigative reporter with *Fairpress*, a weekly newspaper that covered Fairfield County, CT.

Somewhere along the line, he also found time to get married to his wife, Patricia, at the Good Counsel Chapel, which is part of the Pace University campus in White Plains. Then, at the request of his father, he abruptly changed careers and starting working in the family’s flooring construction business. “My dad asked me to come in and work with him, and I tried it out for a while,” said Jordan. “Eventually I had to go back to writing, because that’s what I love.”

He joined the *Westchester County Business Journal*, and stayed during two different ownerships, sometimes working well into the wee hours of the morning. But after six years, Jordan decided it was time to start his own business and in 1995, Hudson Valley Editorial Services was born.

His initial clients were local magazines and newspapers, including the *New York Times*. After a meeting with former Association CEO Gil Mercurio, Jordan found himself at the helm of the long-standing *Westchester Realtor*, in 1995 the predecessor of *Real Estate In-Depth*, which was launched in January 1996.

“At the time, most of the other Realtor organizations were producing Association-related news only, but we felt the newspaper needed more about the real estate industry itself, as well as trends, breaking news, economic development, local, regional and even national news,” explained Jordan.

Now, nearly 25 years later, *Real Estate in Depth* has grown from a circulation of just 3,000 to more than 12,000. “Except for my wife, this is the longest relationship I’ve ever had,” he quipped. “Nobody but the Association of Realtors or my wife would have put up with me for that long!”

In the past 25 years, Jordan has interviewed members of Congress, governors, state senators and assembly members, county executives, and business leaders around the greater New York metro area and beyond. He started the newspaper’s coverage of the annual Lobby Day, when Realtors throughout New York descend on Albany to meet with their local lawmakers on issues of importance to Realtors and homeowners. In 2016, *Real Estate in Depth* also became available online at [www.RealEstateInDepth.com](http://www.RealEstateInDepth.com) and later, the association added a weekly digital newsletter, with the latest top stories.

Most recently, Jordan launched a new print feature, “Five Questions,” consisting of a one-on-one interview with local, regional and national newsmakers. To date, it has included NAR CEO Bob Goldberg, veteran real estate developer Martin Ginsburg, and New Rochelle Mayor Noam Bramson, on handling the initial impact of COVID on his city. In this edition, Jordan interviews outgoing Congresswoman Nita Lowey. (see story on page 3).

Shortly after the onset of the pandemic, Jordan launched the daily “COVID Update,” with the latest news about COVID and the real estate industry, distributed via e-mail.

“I have been very lucky to have two CEOs and Association Presidents who support the newspaper, during boom times and difficult times,” said Jordan. He also credited the late Ed Sumer, former Association Counsel, who contributed monthly articles, as well as current HGAR Counsel John Dolgetta. Columnists John Vrooman and Jennifer Maher have also been long-standing contributors. “We have a great staff and people who believe in the publication and are committed to producing a quality, well-written and informative newspaper,” Jordan added.

Married for 35 years, Jordan and his wife Pat have a 34-year old son, Sean, who is an ER nurse at Garnet Medical Center in Middletown. A known New Jersey Devils hockey fan, Jordan began taking Sean to games since he was 10. “He was into fish at the time—he liked the Miami Dolphins and San Jose Sharks,” he recalled. “When we went to a Devils vs. Sharks game in 1996, I told him if he liked the Devils, I’d take him to those games.”

Years later, Jordan was surprised to see that Sean had saved all of the ticket stubs from the Devils games, as well as the Mets, Yankees and Army football contests. “He took the time to frame them and gave it to me to hang in my ‘man cave’ downstairs. It actually brought me to tears,” said Jordan. Father and son still enjoy going to hockey games and can often talk hockey for hours. “It’s nice to see that my son still wants to hang out with his dad,” he said.

Jordan and his wife live in Middletown with their pack of small dogs and a Quaker parrot that Jordan says “won’t shut up” when he’s trying to conduct phone interviews. “I finally put him in front of the TV to keep him quiet,” he admitted. “Now he’s the only parrot that has his own flat screen TV in the Hudson Valley!”

Even after 25 years, Jordan has no plans to slow down. “I really love what I do because no day is the same. I’m truly blessed,” he said. “My dad always said if you wake up in the morning and love going to work, you’re already beating out about 95% of the population.”

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## West New York Apartment Tower Secures \$140M Refi Loan

WEST NEW YORK, NJ—LIHC Investment Group of Portland, ME and Rockport Mortgage Corporation Gloucester, MA announced recently the closing of a \$140-million FHA Section 223(f) refinancing loan for Parkview Towers, a 688-unit property located here.

The development consists of two 24-story buildings and is owned by LIHC, a real estate investment group committed to the preservation of affordable housing, which has offices in New York City.

All households at Parkview Towers are covered by a Project-Based Section 8 contract that limits how much tenants contribute toward rent to 30% of adjusted gross income. As part of the loan refinancing, LIHC has agreed to enter into a new 20-year Mark-up-to-Market Section 8 Contract, which will ensure the property remains affordable to very low-and low-income families for another 39 years, through 2059.

"Parkview Towers is the largest and likely the most important affordable housing resource in West New York," noted John Dromey, senior vice president and deputy chief underwriter of Rockport Mortgage Corp. "Parkview is an exceptional property in a great location. This loan transaction will allow the property to remain an important affordable housing resource long-term."

"We are pleased to partner with Rockport on this major refinancing effort and to commit Parkview Towers to 39 more years of deep affordability under Section 8," said Andrew Gendron, principal, LIHC Investment Group. "This year we've extended affordability protections for 1,790 units across six properties in New York and New Jersey, providing much-needed peace of mind for vulnerable adults and families, particularly in today's environment."

The refinancing also makes it feasible for the owners to undertake a property-wide renovation campaign, in

excess of \$8.4 million. In-unit upgrades will include new kitchen cabinets with granite countertops, new ranges, re-



Parkview Towers, West New York, NJ

frigerators, and faucets, new bathroom vanities with medicine cabinets, floor tiling and tub surrounds. Modifications will also be made to increase the number of accessible units at the property from 25 to 35. Demand for homes at Parkview remains high, with occupancies averaging more than 98% during the past three years.

"As the first Section 8 housing built in New Jersey, we take great pride in maintaining Parkview Towers as a place that people are proud to call home," said Lisa D'Alessandro, president of Parkview Management Corp. and daughter of James Canino, the original owner and developer of the property. "Ahead of its time in many ways, Parkview has long stood as a source of high-quality, amenity-rich, subsidized housing, and it's always meant much more to me than just an investment. I'm pleased to continue my father's legacy by extending protections for another

39 years so Parkview will continue to serve our tight-knit West New York community."

Parkview Towers is located on a bluff overlooking the Hudson River with stunning views of the Manhattan sky-

line. West New York is an established residential community offering Parkview Towers residents an array of services including shopping, restaurants, parks, schools and places of worship.

The property has excellent access to public transportation with the Port Imperial ferry terminal only a 10-minute walk away, providing access to Manhattan in about 20 minutes. The property provides amenities including laundry, on-site parking and a community room for tenants use. Additionally, the property features security guard service, as well as an extensive security camera network.

Recently, Rockport has provided financing for several other LIHC-owned properties, including a \$74-million FHA 223(f) multifamily loan for Little Italy Restoration Apartments in New York, NY; a \$65-million FHA 223(f) multifamily loan for Renwick Garden Apartments in New York, NY; \$42.5-million FHA 223(f) multifamily loan for Malcolm Towers in Fort Lee, NJ; and a \$27-million FHA 223(f) multifamily loan for Mansion Apartments in Pine Hill, NJ.

## Curtain Closes on Iconic Westchester Broadway Theatre

Continued from page 8

been able to arrange what we believe is a good alternative." They noted that the White Plains Performing Arts Center has offered to try assisting affected WBT ticket holders by honoring outstanding tickets and gift cards for a future WPPAC show. The WPPAC is receiving no remuneration of any kind for performing this service, they noted.

On the WBT's website, Stephen Ferri, White Plains PAC's executive producer, stated, "As someone who grew up seeing and working on shows at WBT, it's with a heavy heart that we say goodbye to our colleague. The work they have done over the years was remarkable. When we heard of this news, we knew we had to do something to not only honor their legacy but also make sure we keep professional theatre alive in Westchester. We are honored to have the torch passed to us at White Plains PAC to take on that task!"

For more information on WPPAC, the details on the exchange program and to take a look at their past productions visit [www.wppac.com/wbt](http://www.wppac.com/wbt). The WPPAC can also be contacted via e-mail at

[boxoffice@wppac.com](mailto:boxoffice@wppac.com) or by phone at 914-328-1600.

The WBT ownership in a message to its patrons and employees stated, "It is with a heavy heart that we leave you but wish you much good will, heartfelt thank you, and of course, good live theatre going in the near future. We will miss you!"

**Editor's Note:** As a patron of the WBT who has seen a host of very entertaining productions at the theatre, perhaps the most enjoyable part of my evening would be to walk down the two entrance hallways to the dining area and stage to see the numerous photographs of past productions taken by my long-time friend and *Real Estate In-Depth* photographer John Vecchiolla. While I will miss going to the WBT to celebrate my wedding anniversary or a holiday, the chance to see John's great photography is perhaps what I will miss the most. A staple of the Hudson Valley's entertainment industry is gone, one can only hope that perhaps the White Plains Performing Arts Center will help fill the void left by the WBT's closure.



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## Good Intentions

Continued from page 14

as noted previously, some offers have a non-disclosure form. The seller may refuse to present that lower offer to the buyer with the escalation clause for fear of violating the non-disclosure agreement. Alternatively, if a “friendly” offer was presented, the buyer with the escalation clause has no way of knowing if it was a legitimate offer.

## Conclusion

While Realtors use their best efforts and are required to act in the best interests of clients in a race to get a buyer for their desired property, the buyer’s agent may have a lapse in judgment. While “love letters” and escalation clauses seem like great shortcuts down a path to success, think before utilizing these tools. Consult with your broker or even speak to an attorney. The primrose path you are on can get scary, dark, and in some cases hotter than hell if it involves your license or litigation.

*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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## SL Green Signs Deal to Sell Manhattan Building for \$953 Million

NEW YORK—SL Green Realty Corp. reported on Nov. 4 that together with its partners, it had entered into a contract to sell 410 Tenth Ave for \$952.5 million to an undisclosed buyer.

The 636,000-square-foot Manhattan office redevelopment property is anchored by Amazon and First Republic Bank. SL Green currently owns 70.9% of the venture. As part of the sale, the venture is retaining a 5% interest through completion of the property's redevelopment. The transaction is expected to close during the fourth quarter of 2020. Multiple published reports state the buyer of the property is The 601W Companies.

"The sale of 410 Tenth Avenue is yet another indication of the Manhattan office market's resiliency and continued global demand for high-quality, trophy assets with credit rated tenants," said Brett Herschenfeld, Managing Director of SL Green. "This transaction is a perfect example of what SL Green has demonstrated successfully so many times—acquiring an undervalued asset in an off-market manner through our deep market relationships, creatively re-developing it to class-A standards, and re-leasing the property to high quality tenants on a long-term basis."

He added, "While the asset was always intended to be held as a long-term investment, the sale will allow the company to achieve extraordinary profits, substantially reduce consolidated indebtedness and generate additional liquidity for share repurchases."

SL Green is currently executing a comprehensive, building-wide redevelopment of the 20-story, future Class-A office building, which is expected to be completed in the third quarter of 2021. Darcy Stacom of CBRE represented SL



The pending deal for 410 Tenth Ave. is one of the largest in the city since the pandemic began this spring.

Green in the transaction.

In May 2019, SL Green acquired a majority and controlling interest in the

building located along the full block front of Tenth Avenue, between 33rd and 34th streets, at the intersection of

Manhattan West and Hudson Yards. In April, First Republic Bank, a leading private bank and wealth management company, signed a new 211,521-square-foot lease at the property. On Dec. 9 Amazon signed a new 335,408-square-foot lease at 410 Tenth Ave., previously known as 460 West 34th St.

As of Sept. 30, 2020, SL Green held interests in 93 buildings totaling 40.6 million square feet. This included ownership interests in 29.2 million square feet of Manhattan buildings and 10.3 million square feet securing debt and preferred equity investments.

## Westchester Awards \$10 Million to 262 Businesses, Nonprofits

WHITE PLAINS—The Westchester County Office of Economic Development announced on Nov. 10 it had awarded a total of \$10 million to 262 county-based small businesses and nonprofits facing challenges as a result of the COVID-19 crisis.

Recipients include businesses in industries such as restaurants/food service; arts, entertainment and recreation; social services; education and more.

The funds are part of Westchester County Business FIRST: Financial Investments for Recovery and a Sustainable Tomorrow, a new grant program designed to offer immediate financial relief to organizations in Westchester County that have been negatively impacted by the pandemic.

"These are difficult times and we recognized the need to be innovative to support our vital small-business and



From left, Westchester County Executive George Latimer; Ellen Prior, associate director, Jazz Forum Arts; Mark Morganelli, founder and executive director, Jazz Forum Arts; and Bridget Gibbons, Westchester County's Director of Economic Development

nonprofit communities," said Westchester County Executive George Latimer. "The tremendous response we received to this grant program is testament to that, and by providing this urgent financial assistance today we can help set the foundation for a sustainable future."

Westchester County Business FIRST: Financial Investments for Recovery and a Sustainable Tomorrow is the second grant opportunity being provided by Westchester County as part of an ongoing effort to support businesses and nonprofits during the COVID-19 pandemic.

Westchester County Executive Latimer was joined at the awards announcement by owners of two recipient businesses and nonprofits: Maryanne Reda and Karen Bertolacci, owners of Clubhouse Social Stars LLC, an after-school social skills program in Hartsdale; and Mark Morganelli, founder and executive director, and Ellen Prior, associate director, of Jazz Forum Arts.

The grant program, launched in September, was open to businesses and nonprofits with 99 or fewer employees. Eligible entities could apply for up to \$49,000 to cover expenses such as rent or mortgage payments, employee salaries or benefits, working capital, equipment and other COVID-19-related

expenses. Applicants needed to meet a number of eligibility requirements and applications were accepted between Sept. 21 and Sept. 30, 2020.

The full list of awardees will be made available once each awardee has signed their grant agreement. The county is working to secure funds for a second round of grants, which is expected to be announced in December. Businesses do not need to submit a second application. The county will authorize additional grant money based on available funds at that time.

The Westchester County Business FIRST grant program is being administered by the County Office of Economic Development through the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act.

"Westchester County values our small businesses and nonprofits and recognizes the many contributions they make here," said Bridget Gibbons, Westchester County's Director of Economic Development. "As 'The Catalyst' for economic growth and vitality, the Office of Economic Development is here to support these organizations and help get our economy back on track."

For more information on available county programs and assistance, visit <https://westchestercatalyst.com/business-first-programs/>.

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# Albano, Ellman Sworn in by Yonkers Mayor to City Planning Positions

YONKERS—Yonkers Mayor Mike Spano announced on Nov. 5 he recently swore in Commissioner Louis J. Albano and Deputy Commissioner Lee J. Ellman to head the city's Department of Planning & Development. The Yonkers City Council confirmed the mayor's appointments at its Council meeting last week.

"Collectively, Lou and Lee bring over 70 years of experience in municipal planning and community development," said Mayor Spano. "Their in-depth knowledge and expertise with urban planning, zoning, and housing in Yonkers and with our surrounding communities make for a seamless transition in continuing the city's ongoing economic development and urban renewal."

Albano and Ellman have taken over their respective positions effective immediately.

Albano has served as the city's Deputy Commissioner of Planning & Develop-



From left, Yonkers Mayor Mike Spano swears in Yonkers Planning & Development Commissioner Louis J. Albano and Deputy Commissioner Lee J. Ellman.

ment since 2013 where he was directly responsible for coordinating and monitoring new and ongoing development projects for the Community Development Block Grant (CDBG) Program; developed plans in accordance with the U.S. Department of Housing and Urban Development; and interpreted and analyzed zoning ordinances, regulations

and renewal plans.

Previously, Albano served in the City of Mount Vernon's Planning and Community Development department in various roles including Commissioner, Executive Director of its' Urban Renewal Agency, and served as Director of Housing and as a Compliance Officer. Albano

replaces former City Planning & Development Commissioner Wilson Kimball, who vacated her position in April 2020.

Ellman transitions into the Deputy Commissioner position after serving as Yonkers' Planning Director since 1992. During his role as Director, Ellman has overseen the City's Planning, Landmarks Preservation, Zoning Boards and Environmental reviews. He has led major Yonkers developments including the Alexander Street Master Plan, the Ravine Avenue Master Plan and Renewal Plan, the Ridge Hill Project Planning Renewal Zoning and Environmental Review and, most recently, the Ludlow Transit Oriented Development Plan.

Ellman holds a Bachelors of Arts from the State University of New York at Albany and a Masters of City and Regional Planning from Rutgers University.

# Westchester CE Latimer Proposes Tax Cut Despite COVID Pandemic

By John Jordan

WHITE PLAINS—With a backdrop of rising coronavirus cases in Westchester County and New York State, Westchester County Executive George Latimer has proposed a tax cut in his 2021 Oper-

ating Budget plan. federal assistance may be forthcoming, which could result in a 20% reduction in state aid as Gov. Andrew Cuomo has previously warned. In 2020, the county engaged in a volunteer separation incentive that resulted in 226 employees leaving county service effective Aug. 1, 2020. Latimer also noted that the county government held vacant a large number of county positions that generated savings.

This 2021 proposed operating budget does not assume any additional extraordinary federal assistance and also anticipates a 20% reduction in its state aid. As a result, the county must rely on drawing all of its projected increase in

and available to residents during the pandemic. The 2021 operating budget does not propose to raise any fees for its parks.

The business community offered support for the proposed county operating plan proposal.

The Business Council of Westchester Executive Vice President/COO John Ravitz said, "With Westchester County facing the most serious fiscal challenge since World War 2, The Business Council of Westchester is confident that the county executive and his team will be adopting a budget that to the degree possible maintains essential services, while at the same time protects the county's bond rating. There are still

many unknowns, not the least of which are the state's own extremely serious budget challenges, which will impact the county's budget. The BCW looks forward to working with the County Executive and the Board of Legislators as they seek to find the best fiscal path in this difficult time, and help send a clear and positive message that Westchester is economically stable and welcomes businesses and investment."

Westchester County Association President and CEO Michael N. Romita added, "Westchester's businesses and nonprofits need the county to maintain financial discipline while continuing to

Continued on page 21



Westchester County Executive George Latimer presents the 2021 County Operating Budget to Westchester County Board of Legislators Chairman Ben Boykin.

ating Budget plan.

The County Executive has proposed a \$1-million tax cut for the second year in a row. The budget, thanks to \$168 million in COVID-19 CARES Act funding and Families First Funding, offset lower sales tax revenues due to the pandemic. The budget maintains all county services. The \$2.091 billion county operating budget is \$15.7 million below the 2020 budget.

Westchester County Executive George Latimer said, "This year has been extraordinarily challenging. Despite these challenges, we as a county have remained resilient and I have no doubt that working together we will emerge from this crisis stronger than before."

Among the highlights of the 2021 Budget include an additional \$5 million for economic development programs, \$5 million for housing assistance programs and \$2 million for food insecurity.

Before entering 2021, the 2020 budget year is slated to end with no layoffs, no furloughs, no service cuts and no borrowing for pension costs. Latimer did acknowledge that no further

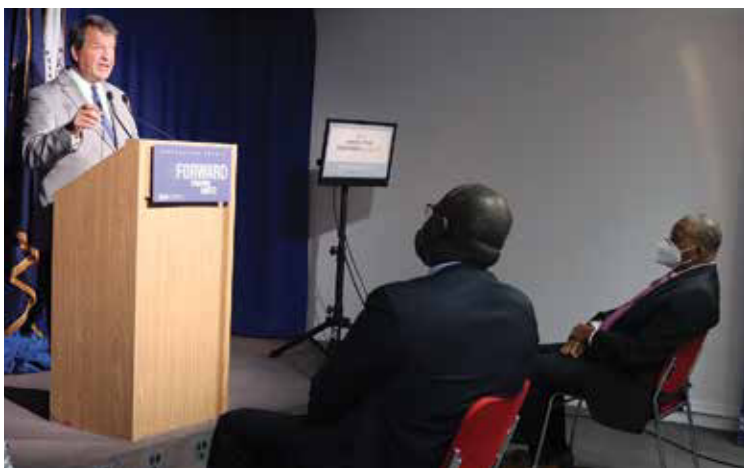
2020 reserves to make up for the funding shortfall.

While the economy has rebounded, Latimer noted that the county is still not back to the level of economic activity it experienced prior to the pandemic. Sales tax collections for this year are anticipated to be \$662 million or \$80 million below the \$742 million budgeted.

For 2021 the county has projected

that sales tax will grow to \$695 million, which is still \$46 million below the 2020 Budget. The county also anticipates reduced revenues in some of its parks in 2021 as certain facilities are still being utilized for COVID purposes.

The 2021 operating budget fully funds all county parks and recreational facilities which have remained open



Westchester County Executive George Latimer unveils his proposed 2021 County Operating Budget.



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From left, Lisa Carvelli and Beth Hargraves



From left, Christa Squitieri, Megan Murphy and Christina McPartlan



From left, Maria Carlino, Kiera Haley and Bernadette Haley



From left, Jenifer Moore and Juliet Wile



Thanks to TVB by Pax Romana for hosting Pasta Night.

## Former Macy's Store Qualifies to Host Film and TV Productions

NANUET—Rockland County Executive Ed Day and Director of Economic Development and Tourism Jeremy Schulman announced recently that RTL Nanuet, owners of the former Macy's store located next to the Shops at Nanuet, has been approved to operate as Rockland's 5th NYS Qualified Film Production Facility under the regulations governed by the Empire State Film Production Tax Credit Program.

"As a major economic driver in Rockland, film production has been yielding a steady stream of revenue and jobs," said Rockland County Executive Ed Day. "This is yet another example of how the county works collaboratively with private investors by helping to identify adaptive use opportunities which will attract new business and foster economic growth in Rockland County. For every \$1 spent on film production, \$4.50 is invested in New York State's economy."

"The Rockland County Department of Economic Development and Tourism played a key role in both notifying us of this opportunity and facilitating this process," said David Landes of Royal

Properties, Inc. "This qualification allows us to reposition RTL Nanuet—a 118,000-square-foot facility—more broadly and adds film production to the list of potential uses for the site—a list which already includes options for retail, fulfillment and medical uses."

Rockland's industry advantages include its film buffer zone located within 25 miles of Columbus Circle and its 30% New York State film tax credit. The county has become a much sought-after destination for filming in the metropolitan region. In addition to its scenic Hudson River waterfront, magnificent Palisades and charming villages, Rockland's premium location assets include a former hospital, lab space, and ample parking considered a "gold standard" combination in the industry. Add to that the county's growing list of Qualified Film Production Facilities and its clear why filming is back stronger than ever, county officials stated.

The county's film revenue doubled from 2019 to 2020, generating more than \$275,000 with another \$150,000 estimated for productions underway

on county property including Universal Television's FBI: Most Wanted and NBC's Manifest.

With several film projects already scheduled for 2021, the county expects to triple its revenue by the end of this year. Past productions filmed in the

Stages, a 235,000-square-foot facility located in Orangeburg as another QPF. Situated on 35 corporate acres, the campus joins the county's other QPF's which include 303 Stages in Blauvelt, and Blue Hill Studios and Pearl River Studios in Pearl River.



A rendering of the new At Home retail location at the former Macy's store at the Shops at Nanuet.

## Latimer Proposes Tax Cut

Continued from page 19

invest in the economy. County Executive Latimer's proposed budget lowers the tax levy for the second year in a row while putting money towards rebuilding critical infrastructure, business development and affordable housing. Under challenging circumstances, it has the positive hallmarks of responsive and responsible government. The Westchester County Association will continue to work with the county executive and other local leaders to ensure that Westchester remains poised for smart growth."

On Oct. 15, County Executive Latimer

submitted a 2021 Capital Budget that contained \$231.8 million in new appropriations for capital projects. The Capital Budget includes more than \$112 million for projects that will provide improvements to the environment, including a food scrap recovery facility, 100 Hybrid replacement buses and electric vehicle charging stations. The Capital Budget, which supports more than 2,000 permanent jobs in Westchester, also includes \$80.4 million for the sewer and water districts, \$42 million for parkways, roads and bridges; \$1 million for the refuse district and \$11.6 million for the airport.

county include USA Network's "The Sinner," Amazon Prime Video's "Hunters," and a Stephen King film slated for release next year. Two more popular series just finished filming at the picturesque HNA Palisades Premier Conference Center.

"Rockland County is actively working on private sound stage development to meet the increased demand for enhanced infrastructure within the creative media and film production sector as part of its 'Reel Rockland' campaign," said Economic Development Director Schulman. "Our office works closely with businesses and investors by helping to identify resources and services that will ultimately generate economic growth and encourage the vanguard of industry to plant a permanent flag in Rockland."

The county recently welcomed Skae

"Skae Stages offers a dynamic and unoccupied facility located near the NYS Thruway, Palisades Parkway and Garden State Parkway, which makes the location very easy to get to from the tri-state area," said Christopher J. McGee of Skae Properties, LLC. "An Apple TV+ production is already underway at Skae Stages and we thank the Rockland County Economic Development, Tourism and Film team for their assistance with helping us to become a Qualified Film Production Facility. We look forward to a very successful partnership with Rockland County in the years to come."

In 2019, the Mid-Hudson region was host to 40 film and television projects which represented \$1 billion in spending and more than 57,700 hires, according to Empire State Development.



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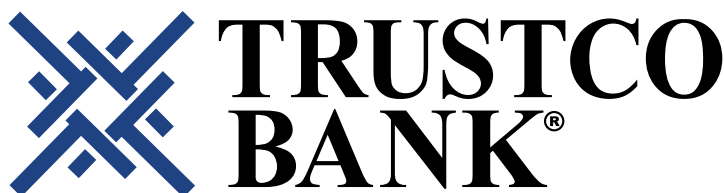
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# The Latest on Phrase Express, Oleophobic Coating, And Reader View/Mode

## TECH TALK

By John Vrooman  
john@johnvrooman.com



Phrase Express (Windows, Mac & iOS) is one of my favorite and most used software applications. I use the application to help me quickly insert commonly used text(s) into e-mails, text messages, documents, online posts, and just about anywhere I need to enter text. Sometimes I use Phrase Express to help me insert as little as a single non-standard keyboard character (an interrobang for example), and other times I use it to insert multiple paragraphs or pages worth of pre-written and reusable template text. I can't offer you a fair (complete) overview of all the program's features here, but I can and do encourage everyone to visit and explore the product's website where complete product details can be found (including an online user's manual).

An added benefit for iOS device users is that there's also a Phrase Express app available that extends much of the product's functionality to iOS devices. Yes, there is a learning curve and quite a bit of functionality available, but you can start simply. Something to keep in mind about the application is that over time, the more you invest in setting things up (adding your reusable texts/templates/etc.) the more useful the application becomes. To learn more, simply visit and explore the product's web page at...[www.phraseexpress.com](http://www.phraseexpress.com) (I think you'll be impressed.)

Additional application help can be found at the product's blog... [www.phraseexpress.com/blog](http://www.phraseexpress.com/blog), and company YouTube Channel... <https://www.youtube.com/c/Bartelsmedia>. If you do some web/YouTube searches using search keywords like "PhraseExpress tutorial" you'll find even more helpful information.

**Bonus:** You can receive a 10% discount (until December 31, 2020) on any paid versions of Phrase Express that's purchased from the [phraseexpress.com](http://phraseexpress.com) website. How? Use the coupon code "realtor2020" (without the quotes) during the check-out process. Yes, a free trial period is available, so you can give the product a try before you buy.

## Oleophobic Coating

Why do touchscreens on new devices feel so smooth and what makes them so fingerprint resistant? The answer to those questions is that new touchscreens commonly have a factory applied "oleophobic coating" on them. Unfortunately,

over time, factory-applied oleophobic coatings wear off with use and repeated cleaning. Fortunately, you can restore, or regain much of that new phone screen performance by applying a new oleophobic coating to the screen, or by attaching a new (tempered glass, recommended) screen protector over your current screen (new screen protectors often have factory-applied oleophobic coatings on them).

If you would like to review an article that takes you through the process of applying a new oleophobic coating, a [howtogeek.com](http://howtogeek.com) article titled "How to Protect and Restore Your Smartphone's Oleophobic Coating" is available for you to review here...

<https://www.howtogeek.com/662731/how-to-protect-and-restore-your-smartphones-oleophobic-coating/>

Factory-applied oleophobic coatings last longer than those that can be applied by consumers using aftermarket products. With this in mind, another option to consider is installing a screen protector over your device's screen (screen protectors often have a factory applied oleophobic coating on them). My experience is that tempered glass screen protectors typically feel closest to a device's original glass screen.

**Tip 1:** If you decide to get a screen protector for a device, to help ease and improve the likelihood of a successful installation, you should look for screen protectors that include an installation alignment guide/frame. To help you find tempered glass screen protectors that include an installation or alignment guide/frame simply visit a search engine and use the following as your search keywords...

[Phone manufacture name] [phone model name] tempered glass installation alignment guide frame

**Tip 2:** If your phone's touchscreen is not entirely flat (and instead curves down around the edges) consider adding the words "dot matrix" to your search criteria. Why? Some screen protectors add a dot matrix pattern around the outer edges to help maintain good outer edge touch screen accuracy and performance. I've used both, typically less expensive poorer fitting screen protectors with dot-matrix edges, and more expensive protectors that form fit better and don't need to have a dot matrix pattern around the edges. Personally, I didn't notice a performance difference between the two and the aesthetic difference between screen protectors with/without a dot matrix pattern on them didn't bother me.

## Reader View, Reader Mode, Article View, Article Mode, Immersive Reader, Etc.

These days, many web browsers have some type of built-in "reader view" or "reader mode" available for you to use. The primary goal of reader views/modes etc. is to provide you with a more enjoyable and efficient reading experience. This goal is achieved by removing ads and other page elements that interrupt, clutter, or surround the page's main text. Unfortunately, the name given to the reader view feature/capability on different browsers, platforms, etc. isn't consistent across devices and platforms.

To help you find and learn about your web browser(s) reader view, reader mode, etc. I've found that doing a web search that includes your web browser's name (Chrome, Safari, Edge, etc.), your computing platform (Windows 10, Mac, iOS, Android, etc.), and additional search keywords/phrases like "reader view," "reader mode," "article view," "article mode," "immersive reader" "add-on," "extension," "enable," "flag" and "setting"...will all help you find links to relevant information.

The following link leads to some articles that address the above for some of the most common web browsers and platforms...

<https://bit.ly/35mwcqe>

**Tip:** Outline.com can be used as a universal (web-based) reader view application. Simply copy the address of a web page that you want to be cleaned up for easier reading, and then paste it into the "Enter Article URL" box that you'll find at [www.outline.com](http://www.outline.com). (This works for most web pages.)

## Reminders

This column (and many earlier ones) are made available for your viewing convenience at...[www.realestateindepth.com/technology](http://www.realestateindepth.com/technology)

If you have any comments, suggestions, tips, or questions, you can e-mail John at [john@johnvrooman.com](mailto:john@johnvrooman.com).

*John Vrooman keeps an eye out for cool new hardware, software, apps, gadgets; SaaS solutions; social media developments, trends as well as 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. He has been authoring this column since August 2000 and welcomes feedback from his readers.*

## Hate Speech

Continued from page 4

Some argued that, while they believed in fair housing, the proposed changes would create a slippery slope as professional standards hearing panels will have to decide what constitutes harassing or hate speech. Before becoming CEO in 2012, I served as the professional standards administrator for the association for 28 years administering more than 550 hearings, and I can tell you that every hearing panel makes decisions as to whether a respondent Realtor's conduct violated the Code of Ethics. That's what hearing panels are trained to do and they follow hearing procedures proscribed by NAR that are meant to ensure due process for all parties. Enforcement of Article 10 and the newly approved Standard of Practice 10-5 will be no different than enforcement of the other Articles of the Code.

After the Directors passed the recommendations of the Professional Standards Committee, NAR President Vince Malta issued a statement saying "Combatting and overcoming bigotry and injustice starts with each of us. Realtors today took tangible steps to ensure we are held to the highest possible standard while providing a mechanism of enforcement for those who violate our new policies."

For me that is exactly what these changes are all about. It's too easy to post hate filled rants denigrating other people on social media with no accountability. As NAR puts it, it's not OK to be a Realtor by day and a keyboard bigot by night. I applaud NAR leadership for creating accountability and for not taking the easy path, but rather the right path for our Realtor members and the communities they serve.

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## PUTNAM POSTING

By Jennifer Maher



# Election 2020: Finding Balance and Acceptance

Marred by doubt, disruption, and obstruction, the Presidential election has been like a death by a thousand cuts. Most of us are in a state of confusion, disbelief, and fear. Yet, this morning, after reading through a ton of articles by economic experts, I felt hopeful about a financial recovery for the first time in nearly eight months. Here is why.

Last week, while the market adjusted its sails in anticipation of a “Blue Wave,” the projected Democratic sweep amounted to more of a conspicuous polling discrepancy than a domination. Nevertheless, the Dow continues to rise—a strong indication that investors are confident in the economy and its recovery, regardless of who is elected. This got me thinking and digging deeper.

While Wall Street typically favors a Republican-led White House, stock prices were moving up when polls indicated that Democrats would hold sway in both the Executive and Legislative Branch. Perhaps it was the hope of a beefy relief package that the market was clamoring for and banking on. Even Republican Senate Majority Leader Mitch McConnell has voiced strong support for the passing of another stimulus bill before the end of the year. According to the *Financial Times*, if you look back through our history, the best period for U.S. stocks has been under a Democratic administration and a split Congress.

From an economic viewpoint, if we follow Wall Street’s instincts and view all potential outcomes of this election as a balance, rather than cause for increased divisiveness, we can heal and prosper. Many people are fearful of the economy under a Biden presidency. Yet, it seems even with the potential of a new Democratic administration, the Republican-led Senate will likely halt any corporate tax increases, a key point of apprehension from Wall Street. With the Federal Reserve continuing to make money, and minimal risk of tax increases and regulatory interference, combined with a Federal Stimulus Package, a rosier economic outlook may begin to bloom.

This is an unpredictable and unsettling time for the country and our county. We, as a community, must challenge ourselves to find common ground and start to make our way out of this mess. The future depends on it.

*Jennifer Maher is chairwoman, the Putnam County Business Council and currently serves as the president of the Putnam/Westchester Chapter of the New York State Commercial Association of Realtors.*

# Putnam Valley Business Network Merges With Putnam County Business Council

MAHOPAC—The Putnam County Business Council and the Putnam Valley Business Network announced early this month the merger of the two organizations. As a committee under the PCBC, the PVBN will lead the Business Council’s new Putnam County Traveling Business Network.

“As an extension of our rebranding efforts over the past year, we are focused on expanding the scope of our services from a solely advocacy-based organization by building our membership base of business leaders,” said Jennifer Maher, Putnam County Business Council Chairwoman. “We have been in discussions with the Putnam Valley Business Network since 2019 and the time is right for us to come together and

pool our talent, strengths and resources to benefit the business community.”

“The Putnam Valley Business Network’s main purpose has always been to promote and support our local businesses,” said Patti Behen, most recent president and board member of PVBN. “Our member base stands to gain significant exposure through our alliance with the Putnam County Business Council.”

On Nov. 12th at 6:30 p.m., the Putnam County Business Council was scheduled to kick off a new virtual (via Zoom) “Traveling Business Network” with co-host Putnam Valley Business Network (PVBN).

“While we are eager to resume in-person networking and educational events, our first priority is the safety of

our members and the community,” said Michael Bucci, vice chairman-elect, PCBC. “That said, our first ‘Traveling Business Network’ event will be virtual.”

The program will showcase Putnam businesses by offering attendees a platform to introduce their company and services. Participants will then break out into smaller groups in private rooms to

connect with new contacts and expand upon conversations.

As health and safety allow, the PCBC and PVBN have plans to do in-person events in the near future with virtual options. To register for upcoming Networking and Educational Events, visit the [putnamcountybusinesscouncil.com](http://putnamcountybusinesscouncil.com) Calendar Events tab.

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