



NEW YORK STATE SENATOR

Ruben Diaz

What You Should Know

RUBEN DIAZ May 6, 2013

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Open Letter to the Attorney General on behalf of the residents of the Parkchester
Condominiums in the Bronx

May 3, 2013

Office of the Attorney General

The Capitol

Albany, New York 12224-0341

Dear Attorney General:

This is a request, on behalf of my constituents residing in the Parkchester Condominiums in the Bronx, to ascertain the legality or illegality of certain by-laws and enforcement practices of the Parkchester North Condominium in regard to aesthetic control of its residents.

The first inquiry is in regards to a “house rule” which states that “Unit owners shall have rugs covering all floors at all times in order to avoid noise disturbance to neighboring units.” As written, this rule is clearly irrational since it would require rugs on floors including bathroom and kitchen floors which should not have rugs. If the concern is noise, can a Condo Board, under current state law, arbitrarily enforce this rule- and charge outrageous fines on a condo owner’s monthly invoice where there are no complaints about noise? Additionally, is it legal for this condominium board to charge \$25 per day and allow these fines to total \$750 added to the monthly invoice of a resident?

Is there any way to protect residents from discriminatory enforcement of this rule?

My second inquiry is in regard to the legality or illegality of the parking policy of the Parkchester Area Central Parking Lot where residents pay a monthly fee to park their vehicles, and nevertheless, there is no guarantee that a parking space will be available.

Are there no state consumer affairs guidelines that protect these car parkers from having their rates subject to outrageous charges?

Are there no state regulations for public safety at Central Parking that would require the elevator to work so people would not have to share the ramp with vehicles in motion?

Your immediate attention to this matter will be greatly appreciated.

Sincerely,

Senator Ruben Diaz