

# The New York Times

## Real Estate

SUNDAY, MARCH 23, 2008

### Q & A

#### **Can Sponsors Employ Their Own Managers?**

**Q** *In a co-op, must the managing agent for the co-op and sponsor-owned apartments be the same?*

**A** "This is an interesting question because it may seem, in practice, that the law on the issue is ignored," said Andrew Brucker, a Manhattan co-op and condo lawyer. He said that under a section of New York State's General Business Law addressing issues governing the conversion of rental buildings to co-ops, all apartments occupied by nonpurchasing tenants must be managed by the same agent who manages all the other apartments in the building.

Yet many sponsors who own unsold apartments have someone else who deals with those tenants. "The sponsor typically hires someone to collect rents from the tenants, to pay maintenance to the co-op and to deal with any tenant problems they may have," Mr. Brucker said. "Although the law seems to indicate that there can be only one managing agent in a building, this is not the way most buildings with nonpurchasing tenants operate." JAY ROMANO