

Hello Cooperators and Condo owners. A piece of legislation is coming before the New York City Council that would prevent various classifications of building owners, including Co-op and Condo boards from conducting criminal background checks on prospective owners. Council Member Dinowitz is fully aware of ARC's position, consistent to that raised by numerous others. We submitted testimony to the committee reviewing the legislation, the major elements of which are below:

We strongly oppose this proposed ban on criminal background checks which would affect co-op/condo boards as well as landlords.

While we completely agree that those with criminal records who have served their time and become rehabilitated deserve a second chance and should not be discriminated against, co-op and condo boards require the information to do their due diligence and obtain information that could bear on the safety and well-being of shareholders and residents.

It is completely inappropriate to deprive us of the legal right to obtain information. Co-op boards as a matter of their function conduct a rigorous financial check with respect to applicants to buy shares in their buildings. Such boards should rightfully have the ability to know something as important as whether such applicants have criminal convictions. Boards are comprised of intelligent and respectful people who weigh carefully if the nature of the crime and time in the past would have any bearing on the viability of their application, and act accordingly. As you know, such boards are prohibited from acting in any discriminatory fashion, and that would remain the case should the legislation not pass.

We strongly urge a vote against this bill, or alternatively, that cooperatives and condominiums be carved out of applicability to the legislation as have several other classes.

Submitted by Michael Heller, President