

# Home not necessarily your castle

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You know the saying, "Your home is your castle?"

If you live in a condominium, forget about it, advise father and son attorney authors in their book, 'New Neighborhoods, The Consumer's Guide to Condominium, Co-Op and HOA Living.'

A condo in a beach resort destination like Anna Maria Island is no castle in the sand, according to Gary Poliakoff, a Florida city attorney and newspaper columnist, and Ryan Poliakoff, a Cornell law school graduate and president of The Ocean Palms condo association in south Florida.

Offering a big dose of law translated into English, the book also is a bitter reality pill for some who hope to become investors, residents or retirees in a shared ownership community like a condo, co-op or homeowners association.

"There are great benefits to shared ownership, but also some drawbacks, and it's not for everybody," like the musician who practices all hours of the night, the lady with more cats than sense and the socialite whose parties monopolize the pool every week,

Gary Poliakoff said.

"I want it to be a primer for laymen going into a condo," he said, adding that less than 50 years after shared ownership communities were invented, one in five Americans live in one.

Rule number one is worth the \$16.95 book price, despite the fact that it dates back at least 2,000 years.

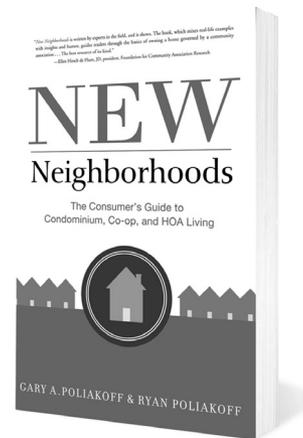
"Be neighborly," Poliakoff advises, citing nightmarish examples of how things can go very wrong without the Golden Rule, from slashed tires to a condo owner killing two board members in Arizona.

Old fashioned neighborliness may solve many condo problems, he said, but for the rest, there are mountains of paper to point the way – federal, state, local and condo laws, which the book covers in detail.

## Coastal condos 101

Condo owners in coastal resort areas often are unpleasantly surprised by several facts of condo life, Poliakoff said.

For example, after a storm, owners must pay insurance deductibles to repair the building as well as their own units. Under economic pressure, some owners may stop paying monthly fees, and



remaining owners must make up their delinquent fees to keep water, garbage and electric service running and insurance premiums paid.

Beware of condos that are owned by investors, not resident owners, and are populated by transient renters, common in resort areas. Banks sometimes balk at making mortgage loans in condos that don't have minimum rental restrictions and are owned mostly by investors, he said.

"There is a constant battle between the two different factions, and depending on the balance, investor owners often try to control the board," minimizing services primarily used by residents, he said.

Units in resort areas often become temporary college

## **CONDO** from Page 15

dormitories during spring break; ask about rules on how long guests can stay and how many are allowed at a time, he advised.

Florida condos also commonly have age restrictions, he said; you may not even be able to buy into the community if you're not old enough.

Shared ownership communities may require owners to do things they wouldn't have otherwise, like install insulation under a new floor on a second story or above to keep from disturbing downstairs neighbors, or refrain from smoking clove cigarettes in a common area if neighbors have to close their windows.

Even socializing has rules. For example, while it may seem natural to discuss condo issues around the pool or by email, board members are not allowed to do so under state open meeting laws because it avoids the openness and free discussion required for good decision making, Poliakoff said.

Reading and following the rules is key to condo living - unless the rules are not recorded in the condo documents, in which case they could well be invalid. It's information like this that the authors provide to anyone savvy enough to read before they buy.

Set for an Aug. 1 release, the book is already available on Amazon.com.

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