

Attorneys**Partner**

- Todd E. Soloway

Partner Todd Soloway Discusses Co-Op and Condo Dangers in December 2008 Issue of *The Cooperator*

The December 2008 issue of *The Cooperator – The Co-op and Condo Monthly* features an article by Lisa Iannucci entitled “Avoiding Toxins in Your Building.” The article notes that toxic substances like lead, asbestos, radon, carbon monoxide and mold are tough to detect, can’t be felt or smelled, and can be hidden away inside walls, seep into basements, or even be imbedded in paint, creating a potentially hazardous situation for building residents.

Pryor Cashman Partner Todd E. Soloway, Chair of the firm’s Real Estate Litigation Group, was interviewed by Iannucci about the responsibilities of co-op and condo board members. According to Soloway, “Co-ops and condos are governed by the ‘business judgment rule’ so you need to err on the side of caution and get tested for these hidden dangers with the balance of not scaring everyone; it’s an issue of responsibility. Obviously if there is sign of contamination, all residents should be notified and an expert should be hired to verify the situation and take remedial steps to fix it. The two most important aspects are communication with your residents and being responsive to the issues.”

When asked how buildings get into trouble when it comes to hidden dangers, Soloway’s response was “Simple - they fail to act. Where I see buildings get into trouble is they let the problems grow and fester and the unit owners get upset and threaten for their inaction.”

To read the entire article, please [click here](#).