

INDEX

(References are to Chapters and Sections)

ABUSE RELIEF ACT Generally, § 5:8	BIFURCATED ENTITIES Combination condominium and cooperative structure, § 1:10
ADMINISTRATIVE CONTROLS Statutory and Administrative Controls (this index)	BOARDS AND BOARD MEETINGS Unit owners' rights, § 3:17, 3:18
ADMINISTRATIVE FILING Generally, § 4:1-4:11 Amendments of offering documents, § 4:10 Condominium offering plans, § 4:7 Cooperative offering plans, § 4:8 Documentary requirements, § 4:6 Market testing, § 4:3-4:5 Martin Act, over view of procedures under, § 4:1, 4:2 Notice to tenants, § 4:9 Sponsor's testing of the market, § 4:4 Tenant initiatives, § 4:5 Time period of offering, § 4:11	BONDS Default by unit owner, remedies, § 11:2
AGREEMENTS Contracts and Agreements (this index)	BY-LAWS OR HOUSE RULES Cooperatives, § 3:11, 3:14 Management, § 3:5
AMENDMENT OR MODIFICATION Administrative filing, amendments of offering documents, § 4:10	CLOSING AND POST-CLOSING PROCEDURES Generally, § 8:1-8:6 Closing dates, purchase or subscription agreements, § 7:19 Condominium unit closings, § 8:6 Cooperative development closings, § 8:2-8:5 Cooperative unit closings, § 8:4 Corporate requirements, pre-closing, § 8:5, 8:6 Title to building, closing of, § 8:3
ANTITRUST LAWS Generally, § 5:9	COMMERCIAL AND OFFICE DEVELOPMENTS Generally, § 1:9
APPORTIONMENTS Purchase or subscription agreements, § 7:10	CONSENT AND APPROVAL Financing of cooperatives, lender's consent, § 9:10
ARTICLES OF INCORPORATION Cooperatives, § 3:10	CONSTRUCTION CONTRACTS AND WORKS Purchase or subscription agreements, status of construction, § 7:14 State and local construction codes, § 2:5
ASSIGNMENTS Purchase or subscription agreements, § 7:20	CONTINGENCIES Purchase or subscription agreements, § 7:11
ATTORNEY GENERAL Financing, regulatory controls on, § 9:2 Sponsor's obligations, Attorney General's powers, § 5:1	CONTRACTS AND AGREEMENTS Generally, § 7:1-7:29 Construction Contracts and Works (this index)
BANKS AND BANKING Institutional financing, banking laws and legislation governing, § 2:7	

INDEX

(References are to Chapters and Sections)

CONTRACTS AND AGREEMENTS

—Cont'd

Co-owner controls on alienation and use,
§ 7:5

Evaluation of offering plan, § 7:1-7:5

Financial considerations, § 7:2

Initial sale of unit, § 7:6-7:21

Management agreements, § 3:7

Ownership interests, contract transactions,
§ 1:6

Purchase or Subscription Agreements
(this index)

Resale of Units (this index)

Sales contract, generally, § 7:6 et seq.

Sponsors, § 7:4, 7:5

CONVERSION

Tenants' rights, § 6:1-6:3

CONVEYANCES

Deeds and Conveyances (this index)

CO-OWNERSHIP

Joint Tenants and Co-Ownership (this
index)

CORPORATIONS

Exclusive right to purchase, corporate ten-
ants, § 6:10

Ownership, documentation, § 3:9

Pre-closing requirements, § 8:5, 8:6

Shares and Shareholders (this index)

COSTS AND FEES

Default, maintenance fees, § 11:12, 11:13

Sublet fees, § 10:7

DATE

Time or Date (this index)

DEATH

Exclusive right to purchase, deceased ten-
ants, § 6:8

DEEDS AND CONVEYANCES

Individual units, deeds to, § 3:6

Ownership interests, conveyancing and
other transfer transactions, § 1:7

Statutory controls, § 2:8

DEFAULT

Generally, § 11:1-11:14

DEFAULT—Cont'd

Cooperative corporations, remedies unique
to, § 11:5-11:13

Cure by unit lender, § 11:5, 11:11

Judicial proceedings, sale without, § 11:10

Liens

- shares and proprietary lease, lien on,
§ 11:6

- unpaid maintenance, priority of lien for,
§ 11:7

Maintenance fees, § 11:12, 11:13

Proprietary leases, § 11:6, 11:8

Purchase or subscription agreements, rem-
edies on default, § 7:18

Redemption rights, § 11:11

Remedies against unit owners, § 11:2-11:4

Rents collected from subtenants, § 11:3

Security deposit or bond, § 11:2

Sponsors

- non-maintenance obligations and as-
signee's duties, § 11:13

- substitute sponsor, cooperative or condo-
minium association as, § 11:14

Summary proceedings, § 11:9

Termination of proprietary lease, rights as
to, § 11:8

Unit owner's default,, § 11:1 et seq.

Voting rights, remedies against unit own-
ers, § 11:4

DISABLED PERSONS

Tenants' rights granted to, § 6:16

DISCHARGE AND RELEASE

Wrap mortgages, § 9:9

DISCLOSURE

Non-purchasing tenants, disclosure require-
ments of, § 6:14

Sponsor's obligation of full disclosure, § 5:1-
5:3

DISCRIMINATION

Sponsor's obligations, discriminatory in-
ducements, § 5:12

Transfer and occupancy restrictions, dis-
criminatory actions, § 10:4

DOCUMENTS

Records and Reports (this index)

DOWN PAYMENTS

Purchase or subscription agreements, § 7:8

INDEX

(References are to Chapters and Sections)

ELECTIONS

Board members, election and removal of, § 3:18

Voting Rights (this index)

EVICTION

Tenants' rights, § 6:2, 6:17, 6:18

EXEMPTIONS AND EXCLUSIONS

Martin Act, exemptions under, § 2:16

FEE CONDOMINIUMS

Generally, § 3:1

FEES

Costs and Fees (this index)

FIDUCIARIES

Majority shareholder-unit owner, fiduciary duty of, § 5:10

FILING

Administrative Filing (this index)

FINANCING

Generally, § 9:1-9:10

Attorney General's regulatory controls, § 9:2

Condominiums, generally, § 9:4-9:6

Cooperatives, § 9:7-9:10

Discharge of wrap mortgage, § 9:9

Financeability of cooperatives, § 9:7

Lending authority, § 9:1

Loan documentation, § 9:5, 9:8

Mortgageability of condominiums, § 9:4

Offering plan, financial considerations, § 7:2

Ownership interests, financing transactions, § 1:8

Purchase or subscription agreements, unit financing, § 7:12

Reduction of maintenance and lender's consent, § 9:10

Secondary markets, § 9:3

Unit mortgage and unpaid common charges, § 9:6

FLOOR PLANS

Condominiums, § 3:4

FRAUD AND DECEIT

Sponsor's obligations, proscriptions against fraud, § 5:4-5:6

HANDICAPPED PERSONS

Tenants' rights granted to, § 6:16

HARASSMENT

Tenants, harassment of, § 5:11

HOUSE RULES

By-Laws or House Rules (this index)

INSPECTIONS

Offering plan, tenants' right to inspect and comment on, § 6:12

INTERSTATE LAND SALES ACT

Generally, § 2:9

JOINT TENANTS AND CO-OWNERSHIP

Alienation and use, co-owner controls on, § 7:5

Exclusive right to purchase, § 6:8

JURISDICTION

Martin Act, jurisdictional reach of, § 2:11-2:16

KNOWLEDGE

Notice and Knowledge (this index)

LEASEHOLD CONDOMINIUMS

Generally, § 3:1, 3:8

LEASES

Interim leases, § 6:20

Proprietary Leases (this index)

Transfer and occupancy restrictions, § 10:6, 10:7

LEGAL STRUCTURES AND RELATIONSHIPS

Generally, § 1:1-1:10

LIENS AND ENCUMBRANCES

Default (this index)

LIMITATIONS AND RESTRICTIONS
Transfer and Occupancy Restrictions
(this index)

MAINTENANCE

Default, § 11:12, 11:13

Financing, reduction of maintenance and lender's consent, § 9:10

INDEX

(References are to Chapters and Sections)

MANAGEMENT

Generally, § 3:1-3:20
Articles of incorporation of cooperative, § 3:10
Board meetings, unit owners, § 3:17
By-laws or house rules, § 3:5, 3:11, 3:14
Condominiums, generally, § 3:1-3:8
Cooperatives, generally, § 3:9-3:14
Corporate documentation for cooperatives, § 3:9
Declaration, condominiums, § 3:3
Election and removal of board members, § 3:18
Fee versus leasehold condominiums, § 3:1
Housing instruments, § 3:12
Inalienable unit owner powers, § 3:19
Individual units, deeds to, § 3:6
Management agreements, § 3:7
Proprietary lease, § 3:13
Records and reports
- access to books and records by unit owners, § 3:16
- corporate documentation for cooperatives, § 3:9
Unit owners' powers
generally, § 3:15-3:20
- access to books and records, § 3:16
- board meetings, § 3:17
- election and removal of board members, § 3:18
- inalienable powers, § 3:19
- voting rights, § 3:15
Voting rights of unit owners, § 3:15

MARKET TESTING

Administrative filing for, § 4:3-4:5

MARTIN ACT

Generally, § 2:11-2:16
Administrative filing, § 4:1, 4:2
Sponsor's obligations, § 5:4

MODIFICATION OR AMENDMENT

Administrative filing, amendments of offering documents, § 4:10

MORTGAGES

Condominiums, § 9:4, 9:6

NO-BUY PLEDGES

Generally, § 6:21

NOTICE AND KNOWLEDGE

Administrative filing, notice to tenants, § 4:9
Tenants' rights, offering plan, § 6:11

OCCUPANCY RESTRICTIONS

Transfer and Occupancy Restrictions
(this index)

OFFERING PLANS

Administrative filing, § 4:7, 4:8, 4:10, 4:11
Evaluation of, § 7:1-7:5
Martin Act, jurisdictional reach of, § 2:12, 2:13
Tenant's rights, § 6:11, 6:12

OFFICE AND COMMERCIAL DEVELOPMENTS

Generally, § 1:9

OWNERSHIP

Title and Ownership (this index)

PERFORMANCE OF CONTRACT

Resale of units, time for performance, § 7:28

PERSONAL PROPERTY

Ownership interests, § 1:4

PROFESSIONAL APARTMENTS

Exclusive right to purchase, corporate tenants, § 6:10

PROPRIETARY LEASES

Generally, § 3:13
Default, § 11:6, 11:8

PURCHASE OR SUBSCRIPTION AGREEMENTS

Generally, § 7:6-7:21
Apportionments, § 7:10
Assignment rights, § 7:20
Closing date, § 7:19
Condominium legal prerequisites, § 7:15
Construction, status of, § 7:14
Contingencies, § 7:11
Default, remedies on, § 7:18
Down payments, § 7:8
Offering plan, right to receive and review, § 7:7
Project sales, § 7:13
Representations and warranties, § 7:16

INDEX

(References are to Chapters and Sections)

PURCHASE OR SUBSCRIPTION AGREEMENTS—Cont'd

Rescission rights, § 7:21
Risk of loss, § 7:17
Status of unit, § 7:9
Unit financing, § 7:12

REAL PROPERTY

Ownership interests, § 1:4

RECORDS AND REPORTS

Administrative Filing (this index)
Loan documentation, condominiums, § 9:5
Management (this index)

REDEMPTION

Default, redemption rights, § 11:11

RELEASE AND DISCHARGE

Wrap mortgages, § 9:9

REMOVAL OF BOARD MEMBERS

Generally, § 3:18

RENT

Default, rents collected from subtenants, § 11:3
Non-purchasing tenants, rent increases and services, § 6:19

REPRESENTATIONS AND WARRANTIES

New home sales, implied warranty in, § 5:14
Purchase or subscription agreements, § 7:16
Resale of units, § 7:25

RESALE OF UNITS

Generally, § 7:22-7:29
Breach of sales contract, remedies for, § 7:29
Contractual contingencies, § 7:26
Enforceable contracts, § 7:23
Parties and subject matters, § 7:24
Performance, time and legal standard, § 7:28
Representations and warranties, § 7:25
Risk of loss, § 7:27
Sales contract, generally, § 7:22-7:29
Statutory and administrative controls, § 2:15

RESCISSION

Purchase or subscription agreements, § 7:21

RICO

Sponsor's obligations, civil RICO, § 5:6

RISK OF LOSS

Purchase or subscription agreements, § 7:17
Resale of units, § 7:27

SALES AND TRANSFERS

Default, sale without judicial proceedings, § 11:10
New home sales, implied warranty in, § 5:14
Ownership interests, conveyancing and other transfer transactions, § 1:7
Project sales, § 7:13
Public offering or sale, § 2:12
Resales of units, § 2:15
Tenants' exclusive right to purchase, § 6:4-6:10
Transfer and Occupancy Restrictions (this index)

SECONDARY MARKETS

Financing, § 9:3

SECURITIES

Generally, § 2:2, 2:3
Investment entities in real estate as securities, § 2:14

SECURITY

Default by unit owner, remedies, § 11:2

SELF-DEALING

Generally, § 5:7-5:9

SENIOR CITIZENS

Tenants' rights granted to, § 6:16

SHARES AND SHAREHOLDERS

Default, lien on shares, § 11:6
Fiduciary duty of majority shareholder-unit owner, § 5:10

SPONSOR'S OBLIGATIONS

Generally, § 5:1-5:14
Abuse Relief Act, § 5:8
Antitrust laws, § 5:9
Case law applying full disclosure standard, § 5:2

INDEX

(References are to Chapters and Sections)

SPONSOR'S OBLIGATIONS—Cont'd

Civil RICO, § 5:6
Common law fraud, § 5:5
Default (this index)
Discriminatory inducements, § 5:12
Fiduciary duty of majority shareholder-unit owner, § 5:10
Fraud, § 5:4-5:6
Full disclosure, § 5:1-5:3
Harassment of tenants, § 5:11
Implied warranty in new home sales, § 5:14
Martin Act prohibitions, § 5:4
Private right of action, § 5:3
Self-dealing, § 5:7-5:9
Statutory standard and Attorney General's powers, § 5:1
Warehousing, § 5:13

STATUTES

Abuse Relief Act, § 5:8
Martin Act (this index)
Non-purchasing tenants, statutory protections for, § 6:13-6:19
Sponsor's obligations, § 5:1
Statutory and Administrative Controls (this index)

STATUTORY AND ADMINISTRATIVE CONTROLS

Generally, § 2:1-2:16
Banking laws and legislation governing institutional financing, § 2:7
Construction codes, § 2:5
Conveyances, § 2:8
Exemptions under Martin Act, § 2:16
Federal securities laws, § 2:3
Interstate Land Sales Act, § 2:9
Investment entities in real estate constituting securities, § 2:132:14
Local legislation, § 2:10
Martin Act, generally, § 2:11 et seq.
Offering in or from state of New York, § 2:13
Public offering or sale, § 2:12
Resales of units, § 2:15
State corporate and condominium laws, § 2:4
State securities laws, § 2:2
Tenant protection laws, § 2:6

SUBSCRIPTION AGREEMENTS

Purchase or Subscription Agreements (this index)

SUBSTITUTE SPONSORS

Default, § 11:14

SUMMARY PROCEEDINGS

Generally, § 11:9

TENANTS' RIGHTS

Generally, § 6:1-6:21
Conversion, effectiveness of, § 6:1-6:3
Corporate tenants and professional apartments, exclusive right to purchase, § 6:10
Co-tenants and co-occupants, exclusive right to purchase, § 6:8
Deceased tenant, estate's right to purchase, § 6:8
Disabled persons, right granted to, § 6:16
Disclosure requirements of non-purchasing tenants, § 6:14
Eviction plans, § 6:3, 6:17
Exclusive right to purchase, § 6:4-6:10
Harassment, § 5:11
Inspection of offering plan, § 6:12
Interim leases, § 6:20
Market testing, tenant initiatives, § 4:5
No-buy pledges, § 6:21
Non-eviction plans, § 6:2, 6:18
Non-purchasing tenants, statutory protections for, § 6:13-6:19
Notice and delivery rules, § 6:11
Offering plan, contents of, § 6:11, 6:12
Protection laws, § 2:6
Red herring stage of offering plan, § 6:11
Rent increases and services, § 6:19
Senior citizens, right granted to, § 6:16
Special categories of tenants, § 6:15
Subtenants, exclusive right to purchase, § 6:7
Time period of exclusive right and renewal, § 6:5

TIME OR DATE

Administrative filing, time period of offering, § 4:11
Purchase or subscription agreements, closing dates, § 7:19
Resale of units, time for performance of sales contract, § 7:28
Tenants' rights, time period of exclusive right and renewal, § 6:5

TIME SHARES

Ownership interests, § 1:3

INDEX

(References are to Chapters and Sections)

TITLE AND OWNERSHIP

Classification of ownership interests, § 1:4-1:8

Closing and Post-Closing Procedures (this index)

Condominiums, § 1:1

Contract transactions, § 1:6

Conveyancing and other transfer transactions, § 1:7

Cooperative apartments, § 1:2

Entity of ownership, cooperatives, § 3:9

Financing transactions, § 1:8

Ownership interests, generally, § 1:1-1:3

Real or personal property, § 1:4

Time shares, § 1:3

Transactional impact of classifications, § 1:5

Unit Owners (this index)

TRANSFER AND OCCUPANCY RESTRICTIONS

Generally, § 10:1-10:8

Discriminatory actions, § 10:4

Governing law, § 10:1

Leasing restrictions, § 10:6, 10:7

Operation of law, transfers by, § 10:3

Resale restrictions, generally, § 10:2-10:5

TRANSFER AND OCCUPANCY RESTRICTIONS—Cont'd

Sublet fees, § 10:7

Use and occupancy restrictions, § 10:8

Validity of restrictions, § 10:2, 10:6, 10:8

TRANSFERS

Sales and Transfers (this index)

Transfer and Occupancy Restrictions (this index)

UNIT OWNERS

Default (this index)

Majority shareholder-unit owner, fiduciary duty of, § 5:10

Management (this index)

VOTING RIGHTS

Default, § 11:4

Unit owners, § 3:15

WAREHOUSING

Sponsor's obligations, § 5:13

WARRANTIES

Representations and Warranties (this index)

WRAP MORTGAGES

Discharge of, § 9:9