



Garthchester Realty

www.GarthchesterRealty.com

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Forest Hills, New York 11375
(718) 544-0800 F:(718) 520-7673

Dear Shareholder:

Enclosed please find the alteration agreement for 30-40 Fleetwood Avenue Apartments Corporation. Please read, sign and return this form to the attention of Rose Marie Sotero at Garthchester Realty along with the following required documents:

1. A description of the work you will be doing, for Board approval.
2. Any plumbing work and electrical work must be done by licensed plumbers and electricians, all necessary permits must be obtained before work may begin, (certificate of insurance must be included).
3. Contractors and/or painters must be **EPA certified** if they will be performing work that disturbs any painted surfaces (more than 6 square feet). A copy of this new rule is attached.
4. General contractor's certificate of insurance.
5. A deposit check in the amount of \$500.00 made out to **30-40 Fleetwood Avenue Apartments Corporation** is required and will be deposited and cashed and returned upon completion of work and submission of Certificate of Compliance from the building department.
6. Application processing fee of \$300.00 payable to **Garthchester Realty**.
7. Indemnification form (must be signed by the shareholder and all contractors, plumbers and electricians).
8. **Contractor, plumber and electrician must carry Contractual Liability. Attached is a list of insurance carriers that sometimes exclude this coverage. The contractor can request their carrier to add the following to their certificate: "No exclusion for contractual liability or injury to employees" in the "Description of Operations" section. Contractor's will not be approved to do work in your unit if they do not have this clause written in their COI.**

Note: All kitchens, bathrooms and any structural work requires a permit from the Mt. Vernon Building Department.

Upon completion of all work, the shareholder is responsible for closing all permits and submitting to Garthchester Realty a copy of the Certificate of Compliance from the building department. Deposit checks will not be returned until all paperwork is completed and submitted.

Before approval may be granted, the alteration agreement must be submitted with **all completed documents listed above.** Once approval is granted, shareholder must notify their neighbors about the renovation in their apartment before renovations start.

Thank you for your attention to this matter.

Very Truly Yours,

Rose Marie Sotero
Assistant to Michelle Asnaran

The information and forms provided on this website are subject to change and may, therefore, not be the most current versions. Accordingly, users of this site are advised to check the date of the forms to make sure it is the most current. Garthchester Realty hereby disclaims responsibility for the reliance by any users of this site on the information contained herein without independent verification of its accuracy.

Please CONFIRM this is the most CURRENT list*

Contractual Liability *

To avoid paying claims for large Labor Law 240 third-party law suits, some insurance companies have removed contractual liability from their policies. In this case, your "Additional Insured" status with the contractor will be meaningless, and the contractor's insurance will not back the contractor's indemnification.

Here are few methods to try to determine if your subcontractor has contractual liability:

1. Ask for a copy of the contractor's/sub-contractor's insurance policy and have your broker review it.
2. Make sure "Contractual Liability" is added to the subcontractors' certificate and request "No exclusion for contractual liability or injury to employees" in the "Description of Operations" section.
3. Request Certificate Addendum Acord 855 NY for coverage details from contractor / sub-contractor

Below is a partial list of insurance carriers that sometimes exclude this coverage:

Acceptance Indemnity Ins. Co.	Max Specialty
Alterra E&S	Maxum Indemnity Co.
American Safety	Mt. Valley Indemnity
Arch Specialty Ins. Co.	National Fire & Marine
Atlantic Casualty	National Contractors Ins. Co.
Berkley Specialty	Northfield
Burlington	North Sea
Century Surety	Nova Casualty
Colonial Co.	Penn Star
Colony	Preferred Contractors Inc.
Endurance	Ranger
Essex	RCA
Evanston	RLI / Mt. Hawley
Everest	Rockingham Insurance Company
First Century	Rutgers/American European Ins. Co.
First Mercury – Cover X	Tower Insurance
Guard Insurance Companies	Tudor
Hermitage	U. S. Liability / U.S. Underwriters / USLI
Hudson	Utica First
Kingstone Insurance	Valley Forge
	Western Heritage

We also recommend you require your subcontractors include a description of the work they plan to do. For example: roofing, excavation, residential carpentry, etc.

30-40 Fleetwood Avenue Apartments Corporation Renovation Application

INTRODUCTION

As you are aware 30-40 Fleetwood Avenue Apartments. Corporation is a cooperative corporation. Accordingly, it is imperative that as any shareholders making repairs or renovations in their apartments act in accordance with the 30-40 Fleetwood Avenue House Rules and Proprietary Lease. Please remember the rules and regulations are not meant to be onerous. Rather they are in place to ensure that all repairs and renovations are done to standards, which protect all of the shareholders. What could be worse than an inadequate plumbing or electrical job which causes a flood or fire!

Basically, repairs and renovations fall into two categories -- structural and non-structural.

A general description of structural renovations would include but not be limited to: removal of existing walls, construction of new walls and re: plumbing of bathrooms and kitchens which involves redirecting existing plumbing within the walls. In such cases, detailed architectural plans would need to be submitted to the Board of Directors for review. In addition, the Board would reserve the right to submit such plans to an independent engineer for review. The cost of this review would be borne by the shareholder. In addition, the Board of Directors requires you to complete the informational questionnaire below and submit proof that the contractor(s) are properly insured and licensed to work in Mount Vernon. The Corporation also requires a \$500.00 deposit (payable to the Corporation) that will be returned upon completion of the renovation. This is to cover any damage that might occur in public areas while work is being undertaken.

This form is to be completed and submitted a minimum of four weeks prior to the start of the proposed renovation. Work **cannot** begin until you are notified of Board approval.

Non-structural repairs would include but not be limited to: painting, carpentry (e.g. installation of kitchen cabinets), electrical rewiring or installation of lighting fixtures, plumbing involving installation of new fixtures (toilets, sinks, bathtubs, shower stalls, etc.). In such cases the Board of Directors requires you to submit the attached informational application and include **proof that the contractor(s) are properly insured.**

NAME OF SHAREHOLDER(S) _____

UNIT# _____

DATE PROPOSED RENOVATION IS TO START _____

**30-40 Fleetwood Avenue Apartments Corporation
Renovation Application**

PLEASE DESCRIBE IN EXPLICIT DETAIL AND WITH DIMENSIONS WHAT YOUR
PLANNED RENOVATION/ REPLACEMENT INVOLVES:

NAME, ADDRESS AND PHONE NUMBER OF CONTRACTOR(S):

ALL PLUMBERS AND ELECTRICIANS MUST SUBMIT PROOF OF BEING LICENSED TO PERFORM WORK IN THE CITY OF MOUNT VERNON. IN ADDITION, ALL CONTRACTORS MUST SUBMIT PROOF OF INSURANCE -- WORKERS COMPENSATION AND DISABILITY INSURANCE AS REQUIRED BY LAW AND PUBLIC LIABILITY INSURANCE IN THE LIMITS OF AT LEAST \$1,000,000 FOR INJURY OR DEATH TO ANY ONE PERSON AND \$1,000,000 AGGREGATE FOR ANY SINGLE OCCURRENCE AND SHALL PROVIDE AT LEAST \$500,000 FOR PROPERTY DAMAGE. 30-40 FLEETWOOD AVENUE APARTMENTS CORPORATION & GARTHCHESTER REALTY MUST BE LISTED ON ALL CERTIFICATES OF INSURANCE AS AN ADDITIONAL INSURED AT THE FOLLOWING ADDRESSES:

30-40 Fleetwood Avenue Apts. Corp.
30-40 Fleetwood Avenue
Mount Vernon, NY 10552

Garthchester Realty
209 Garth Road
Scarsdale, NY 10583

PLEASE REMEMBER THE FOLLOWING RULES:

WORK CAN ONLY TAKE PLACE BETWEEN THE HOURS OF 8:30 A.M. AND 5:00 P.M. -- MONDAY THROUGH FRIDAY AND ALL WORKERS WITH MATERIALS MUST ENTER THE BUILDING THROUGH THE SERVICE ENTRANCE.

ALL HALLWAYS BETWEEN YOUR APARTMENT AND THE ELEVATOR MUST BE COVERED BY "BUTCHER PAPER." THIS MUST BE REMOVED AT THE END OF THE DAY AND REPLACED WHEN WORK BEGINS AGAIN. IF NECESSARY, HALLWAYS SHOULD BE SWEEPED CLEAN AND MOPPED BY THE CONTRACTOR OR SHAREHOLDER. IT IS NOT THE SUPER'S RESPONSIBILITY TO DO ANY EXTRA CLEANING.

THE CONTRACTOR OR SHAREHOLDER MUST REMOVE ALL CONSTRUCTION DEBRIS. THE CITY OF MOUNT VERNON OR 30-40 FLEETWOOD AVENUE APARTMENTS CORPORATION WILL NOT REMOVE CONSTRUCTION DEBRIS OR APPLIANCES. IT CANNOT BE LEFT IN THE BASEMENT SINCE THIS IS A BUILDING CODE VIOLATION AND MAY INCUR A FINE.

MANAGEMENT, THE BOARD OF DIRECTORS, AND THE SUPER MUST BE INFORMED WHEN ANY CONTRACTOR WILL BE WORKING AT THE PREMISES. IF WATER OR GAS NEEDS TO BE TURNED OFF TO A LINE OF APARTMENTS, THEN WE MUST GIVE SUFFICIENT NOTICE TO ALL RESIDENTS. THIS IS NOT ONLY COMMON COURTESY BUT IT CAN ALSO PREVENT FLOODING OR GAS PROBLEMS.

I HAVE READ THE ABOVE RENOVATION POLICY AND AGREE TO ABIDE BY ALL RULES, REGULATIONS, AND CODES.

THE BOARD OF DIRECTORS APPROVES OF THE RENOVATION AS SPECIFIED IN THE ABOVE REFERENCED APPLICATION.

SHAREHOLDER SIGNATURE

DATE

BOARD OF DIRECTOR

DATE

COMPLETED APPLICATIONS SHOULD BE RETURNED TO:
BOARD OF DIRECTORS
C/O GARTHCHESHER REALTY
209 GARTH ROAD
SCARSDALE, NY 10583
914-725-3600



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
CURRENT DATE

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Insurance Agency Agency Address City, ST zip	CONTACT NAME: FULL NAME OF CONTACT		
	PHONE (A/C, No, Ext): PHONE OF CONTACT E-MAIL ADDRESS: EMAIL ADDRESS OF CONTACT	FAX (A/C, No): FAX OF CONTACT	
INSURED NAME OF INSURED (MUST MATCH SIGNED CONTRACT) FULL CURRENT ADDRESS OF CONTACT	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A : CARRIER 1		NAIC REQ
	INSURER B : CARRIER 2		NAIC REQ
	INSURER C : (etc...)		
	INSURER D :		
INSURER E :			
INSURER F :			

COVERAGES	CERTIFICATE NUMBER:	REVISION NUMBER:
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THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="checked" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	X		\$1,000,000 / \$2,000,000 Minimum	CURRENT	CURRENT	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000
A	AUTOMOBILE LIABILITY <input checked="checked" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS			\$1,000,000 MINIMUM	CURRENT	CURRENT	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="checked" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$	X		IF AVAILABLE	CURRENT	CURRENT	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below <input type="checkbox"/> Y/N <input checked="checked" type="checkbox"/> N/A			STATUTORY LIMITS	CURRENT	CURRENT	<input checked="checked" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Regarding work at 30-40 Fleetwood Avenue Apartments Corporation For Unit Owner / Unit # _____

Property Name/ Location _____

Managing Agent Garthchester Realty

Unit Owner, Property (and its board members), and Managing Agent are listed as Additional Insured

CERTIFICATE HOLDER 30-40 Fleetwood Avenue Apartments Corporation Garthchester Realty 209 Garth Road Scarsdale, NY 10583	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE MUST HAVE A SIGNATURE

**CLIENT / MANAGING AGENT / CONTRACTOR
INDEMNIFICATION AND INSURANCE REQUIREMENT AGREEMENT**

Contractor Name:

Managing Agent Name: Garthchester Realty

Property Name & Address 30-40 Fleetwood Avenue Apartments Corporation

Unit Owner / Unit #

Whereas the "Contractor" seeks to perform certain work pursuant to oral and/or written agreement for listed shareholder/unit-owner within an apartment/unit located at listed "Property", managed by the "Managing Agent"; parties agree to the following:

ACCESS TO PROPERTY LOCATION AND COMMON AREAS

Whereas, Contractor, in order to perform work for shareholder/unit-owner, requires access to various parts of the Property Location, which are the responsibility of the Property Location and Managing Agent, and not the responsibility of shareholder/unit-owner (the "Common Areas"); and, Whereas, Contractor acknowledges the Property Location's and/or Managing Agent's exposure to liability arising out of the Contractor's access to the Common Areas and work at the Property Location; and, Whereas, Contractor agrees that Contractor and/or Contractor's insurance carriers (and NOT Property Location, Managing Agent or their insurance carriers) should be responsible for said liability; Property Location, and Managing Agent agree as follows:

INDEMNIFICATION AGREEMENT

In consideration for access to the Property Location, to the fullest extent allowable by law, Contractor agrees to indemnify, defend and hold harmless the Unit Owner, the Property Location and/or Managing Agent from any liability, loss, or other claim, including but not limited to expenses and reasonable attorneys' fees, related to death, personal injuries or property damage (including, but no limited to loss of use thereof) arising out of or in connection with the performance of the work by the Contractor, its agents, servants, subcontractors or employees, except to the extent of any fault attributed to the Property Location and/or Managing Agent.

INSURANCE REQUIREMENT AGREEMENT

While performing work at the Property Location, Contractor shall maintain: workers compensation and employer's liability insurance with statutory limits; and commercial general liability insurance with a minimum limit of \$1,000,000 per occurrence, which shall name Property Location, Managing Agent and Unit Owner as "Additional Insured" and which shall be primary and non-contributory to any other insurance available to the Property Location and/or Managing Agent. If required by Property Location or Managing Agent, Contractor shall also maintain excess/umbrella liability insurance.

Commencement of the work by the Contractor at the Property Location shall be deemed acceptance of this Indemnification and Insurance Requirement Agreement for purposes legally equivalent to full execution of same. These terms supersede any others which may be inconsistent herewith. The term of this Agreement shall be one year, commencing on the contractor Authorized Signature Date (below); and this Agreement shall renew annually for subsequent one year terms until cancelled in writing by either party.

Signature

Printed Name

Date

Agent for Property: _____

Contractor: _____

Unit Owner _____

\$32,500/Day Violation Fine for Lack of Compliance

EPA's NEW Lead-Based Paint Rule Nationally Enforceable April 22, 2010

Beginning April 22, 2010, **ANYONE** who is paid to perform work that disturbs paint greater than six square feet in housing and child-occupied facilities built before 1978 must comply with the EPA's Lead Renovation, Repair and Painting (RRP) Program. Individuals who must comply include: residential rental property owners/managers, general contractors, and special trade contractors including painters, plumbers, carpenters, electricians and sheet rockers. Under this new rule, enforcement actions against **violators can include penalties up to \$32,500 per violation per day**, as well as the potential for costly litigation. This new EPA rule will be potentially litigious and tightly regulated.

Under this rule, each legal entity that performs paint disturbances must have applied to the EPA and been certified prior to April 22, 2010. All Certified firms performing such paint disturbances must ensure:

1. All individuals performing activities that disturb painted surfaces are either certified renovators or have been trained by a certified renovator.
2. A certified renovator is assigned to each renovation and performs all the certified renovator responsibilities.
3. All renovations are performed in accordance with the work practice standards of the Lead-Based Paint RRP Program.
4. The Certified Renovator provides pre-renovation documentation notifying occupants of work to be performed.
5. The program's recordkeeping requirements are met and kept for three years.

All certified firms must also employ a Certified Renovator(s) who has completed an EPA-approved Certified Renovator course (www.RRPTrainer.com). The Certified Renovators are responsible for ensuring overall compliance with the Lead-Based Paint RRP Program requirements at assigned renovation sites. A certified renovator must:

1. Use a test kit acceptable to EPA.
2. Provide on-the-job training to workers.
3. Be physically present at the work site when warning signs are posted, while the work-area containment is being established, and while the work-area cleaning is performed.
4. Regularly direct work being performed by other individuals.
5. Be available, either on-site or by telephone, at all times.
6. Perform project cleaning verification.
7. Have copies of initial course completion certificate present at all times.
8. Prepare required records and maintain for three years.

In order to avoid potential issues with enforcement agencies, litigators or tenants, you must either become EPA compliant by taking the RRP Training course or certify your pre-1978 properties as Lead-Based Paint Free. The EPA has 90 days from the date of receipt of your application before they must reply. The April 22 deadline has already passed, so if you are not already compliant, make sure you become compliant in order to legally perform such work.

About the Author: This article was written by Lee E. Wasserman, President of LEW Corporation. Mr. Wasserman is a well respected national lead-based paint subject matter expert, has been a guest presenter for numerous associations as well as HUD, EPA, ABO, NYARM, FNYHC, NYAHMA... on the RRP rule and has been nationally active with lead based paint evaluations, remediation and training for more than 18 years. Visit LEW Corporation on the web at www.lewcorp.com.