

# THE BRENTWOOD CONDOMINIUM

C/O Garthchester Realty  
440 Mamaroneck Avenue, S-512| Mamaroneck, NY 10528

## POLICIES AND PROCEDURE

### SELLING AND LEASING OF UNITS

Dear Unit Owner:

At a Board of Managers Meeting of The Brentwood Condominium held on November 23, 2015 the following sale/leasing policies and procedures for processing of requests for waivers of the Board of Manager's Right of First Refusal for both selling and leasing of units at THE BRENTWOOD CONDOMINIUM were adopted to be effective immediately:

- Any request for a Waiver of Right of First Refusal for either sale or leasing of a unit must be submitted to the Board of Managers through their managing agent, Garthchester Realty 209 Garth Rd Scarsdale NY 10583, in writing, certified mail, return receipt requested, specifying the name and address of the intended purchaser(s) or tenant(s) and the exact terms of the proposed sale/lease.
- Attached please find an outline of the established procedures for both the Leasing and Sale of a unit at The Brentwood.

Your cooperation in abiding with the established procedures will help expedite the processing of these requests and allow closing dates and move-in dates to be met.

# THE BRENTWOOD CONDOMINIUM

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## IN THE CASE OF A CONTRACT OF SALE

Please provide the following:

- Final copy of the executed Contract of Sale.
- A statement advising the Board of Managers of the exact number and names of those persons who will be occupying the unit.
- At the time a request for a Waiver is made, all monies due and owing the condominium including common charges, assessments and/or other charges outstanding against the unit must be paid in full.
- Each sale request must be accompanied by a (non-refundable) check payable to The Brentwood Condominium in the amount of \$250.00 to obtain the Waiver of Right of First Refusal and a (non-refundable)
- Check payable to Garthchester Realty in the amount of \$250.00 to cover the costs of processing the application.
- In addition a (refundable) \$500.00 Move-In fee payable to The Brentwood and a (refundable) \$500.00 Move-Out fee payable to The Brentwood. Move fees are refunded after moves and inspection of common areas. Please see Moving Procedures enclosed.
- The Managing Agent must be provided with the name and address of the purchaser(s) mortgage company (if any) as they wish it to appear on a Certificate of Insurance which must be requested from and issued by the insurance broker prior to closing.

# THE BRENTWOOD CONDOMINIUM

C/O Garthchester Realty

440 Mamaroneck Avenue, S-512 | Harrison, NY 10528

## Resident Information Sheet- New Owner

Unit# \_\_\_\_\_

Owner #1

Name: \_\_\_\_\_

Address, if not 300 Main st: \_\_\_\_\_

Home Phone: (\_\_\_\_) \_\_\_\_\_ Cell Phone:(\_\_\_\_) \_\_\_\_\_ Email Address: \_\_\_\_\_

Owner #2

Name \_\_\_\_\_

Address, if not 300 Main st: \_\_\_\_\_

Home Phone: (\_\_\_\_) \_\_\_\_\_ Cell Phone:(\_\_\_\_) \_\_\_\_\_ Email Address: \_\_\_\_\_

### Emergency Contact Information:

First Person to Contact:

Full Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Present Address: \_\_\_\_\_

Home Phone:(\_\_\_\_) \_\_\_\_\_ Cell Phone:(\_\_\_\_) \_\_\_\_\_ Email Address: \_\_\_\_\_

Second Person to Contact:

Full Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Present Address: \_\_\_\_\_

Home Phone:(\_\_\_\_) \_\_\_\_\_ Cell Phone:(\_\_\_\_) \_\_\_\_\_ Email Address: \_\_\_\_\_

Who else has the keys to your apartment?

# THE BRENTWOOD CONDOMINIUM

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## IN THE CASE OF A LEASE AGREEMENT

Please provide the following:

- An exact copy of the executed Lease Agreement must be submitted. The Lease Agreement must contain reference to the current By-laws of the Condominium Association and the attached House Rules must be attached to the Lease and acknowledged by the tenants on the last page thereof. All tenants and owners must comply with House Rules. A lease is not complete without these Rules attached.
- A statement advising the Board of Managers of the exact number and names of all persons who will be occupying the unit. Complete the Information sheet enclosed
- At the time a request for a waiver is made, all monies due and owing the Condominium, including common charges, assessments and/or other charges outstanding against the unit must be paid in full.
- Each lease request must be accompanied by a (non-refundable) check payable to The Brentwood Condominium in the amount of \$250.00 to obtain Rental Waiver and a (nonrefundable) check payable to Garthchester Realty in the amount of \$250.00 to cover the cost of processing the application.
- The following Move-in/Move-out Procedure must be complied with at the time a request for a waiver is made. Please see Moving Procedures enclosed.

# THE BRENTWOOD CONDOMINIUM

C/O Garthchester Realty  
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## Information Sheet- Rental of unit

### Owner's Information

Name: \_\_\_\_\_ Unit# \_\_\_\_\_

Forwarding Address: \_\_\_\_\_

Home/Cell Phone \_\_\_\_\_ Email Address: \_\_\_\_\_

### Lessee #1

Full Name: \_\_\_\_\_ Social Security: \_\_\_\_\_

Present Address: \_\_\_\_\_

Home Phone: (\_\_\_\_) \_\_\_\_\_ Cell Phone: (\_\_\_\_) \_\_\_\_\_ Email Address: \_\_\_\_\_

### Lessee #2

Full Name: \_\_\_\_\_ Social Security: \_\_\_\_\_

Present Address: \_\_\_\_\_

Home Phone: (\_\_\_\_) \_\_\_\_\_ Cell Phone: (\_\_\_\_) \_\_\_\_\_ Email Address: \_\_\_\_\_

### Name of other Occupants:

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

### Emergency Contact Information for Lessee:

Full Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Present Address: \_\_\_\_\_

Home Phone: (\_\_\_\_) \_\_\_\_\_ Cell Phone: (\_\_\_\_) \_\_\_\_\_ Email Address: \_\_\_\_\_

# THE BRENTWOOD CONDOMINIUM

C/O Garthchester Realty  
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THESE HOUSE RULES MAY BE ADDED TO, AMENDED OR REPEALED AT ANY TIME, BY RESOLUTION OF THE BOARD OF DIRECTORS OF THE BRENTWOOD CONDOMINIUM. THESE HOUSE RULES CONFIRM ALL PRIOR RESOLUTIONS OF THE BOARD OF MANAGERS.

I HEREBY ACKNOWLEDGE THAT I HAVE RECEIVED AND READ A COPY OF THE RULES AND REGULATIONS OF THE BRENTWOOD CONDOMINIUM AND I CONSENT AND AGREE TO COMPLY FULLY WITH SUCH RULES AND REGULATIONS.

UNIT # \_\_\_\_\_

NAME \_\_\_\_\_ SIGNATURE \_\_\_\_\_ DATE: \_\_\_\_\_

NAME \_\_\_\_\_ SIGNATURE \_\_\_\_\_ DATE: \_\_\_\_\_

Form **W-9**  
(Rev. December 2014)  
Department of the Treasury  
Internal Revenue Service

# Request for Taxpayer Identification Number and Certification

Give Form to the  
requester. Do not  
send to the IRS.

Print or type See Specific Instructions on page 2.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.	
	2 Business name/disregarded entity name, if different from above	
	3 Check appropriate box for federal tax classification; check only one of the following seven boxes: <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ Note. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner. <input type="checkbox"/> Other (see instructions) ▶ _____	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <i>(Applies to accounts maintained outside the U.S.)</i>
	5 Address (number, street, and apt. or suite no.)	Requester's name and address (optional)
	6 City, state, and ZIP code	
	7 List account number(s) here (optional)	

## Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

Social security number	
or	
Employer identification number	

## Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

Sign Here	Signature of U.S. person ▶	Date ▶

## General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at [www.irs.gov/fw9](http://www.irs.gov/fw9).

### Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)

- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding?* on page 2.

By signing the filled-out form, you:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued).
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
- Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.

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**PURCHASER DISCLOSURE CERTIFICATION  
LEAD-BASED PAINT HAZARD REDUCTION ACT OF 1992**

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The Purchaser of Apartment \_\_\_\_\_, \_\_\_\_\_  
\_\_\_\_\_ (hereinafter referred to as the "Premise")  
located in the cooperative residence known as \_\_\_\_\_  
(hereinafter referred to as "Corporation"), hereby certifies that it has received disclosure  
from the Seller of said Premise pursuant to and in compliance with the Federal Lead-  
Based Paint Hazard Reduction Act of 1992. The Purchaser acknowledges that since the  
Corporation building(s) was constructed prior to 1978, the premises and common areas of  
the building (s) may contain lead-based paint and/or lead-based hazards. The Purchaser  
acknowledges that they have been provided with sufficient opportunity to conduct an  
inspection of the Premises and Corporation building(s) and has either conducted said  
inspection or has knowingly and voluntarily waived same. The Purchaser accepts the  
Premise in its "as-is" condition and acknowledges its responsibility to maintain the  
interior of the Premises, in good repair and shall do all of the painting required in the  
Premises, pursuant to the Proprietary Lease. The Purchaser has received from the  
Corporation the pamphlet entitled, "Protect Your Family from Lead in Your Home".

**LEAD WARNING STATEMENT:** Every purchaser of any interest in residential real  
property on which a residential dwelling was built prior to 1978 is notified that such  
property may present exposure to lead from lead-based paint that may place young  
children at risk of developing lead poisoning. Lead poisoning in young children may  
produce permanent neurological damage, including learning disabilities, reduced  
intelligence quotient, behavioral problems and impaired memory. Lead poisoning also  
poses a particular risk to pregnant women. The Seller of any interest in residential real  
property is required to provide the buyer with any information on lead-based paint  
hazards from risk assessments or inspections in the Seller(s) possession and notify the  
buyers of any known lead-based paint hazards. A risk assessment or inspection for  
possible lead-based paint hazards is recommended prior to purchase.

By: \_\_\_\_\_  
Seller

By: \_\_\_\_\_  
Seller

Sworn to before me this  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

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**SELLER DISCLOSURE CERTIFICATION  
LEAD-BASED PAINT HAZARD REDUCTION ACT OF 1992**

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The Seller of the Apartment \_\_\_\_\_, at \_\_\_\_\_  
\_\_\_\_\_ (hereinafter referred to as the "Premises"), located in the  
cooperative residences known as \_\_\_\_\_,  
(hereinafter referred to as "Corporation"), hereby certifies, represents and warrants that the Seller has fully  
complied with the provisions of the Federal Lead-Based Paint Hazard Reduction Act of 1992 and has  
provided the Purchaser with full disclosure regarding the condition of lead-based paint and/or lead-based  
paint hazards in the Premises.

By: \_\_\_\_\_  
Seller

By: \_\_\_\_\_  
Seller

Sworn to me this  
\_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Notary Public

## **CARBON MONOXIDE DETECTORS REQUIRED UNDER NEW LAW**

Amanda's Law, passed in the 2009 Session of the New York State Legislature, will establish a new requirement for installation of carbon monoxide detectors in homes. Under the new law, one-family homes, two family homes, dwellings located in condominiums or cooperatives, and multiple dwellings must have a carbon monoxide detector installed regardless of the date of construction or sale.

The law was named after Amanda Hansen, a teenager whose life was tragically ended by a carbon monoxide leak from a defective boiler while she was sleeping at a friend's house in January 2009.

The new law requires that the carbon monoxide detector be a device meeting New York State standards, and that it be installed in an operable condition in dwellings where there are appliances or systems that may emit carbon monoxide or have an attached garage.

Prior the Amanda's Law, carbon monoxide detectors were required in one-family dwellings, two family dwellings and dwellings located in condominiums and cooperatives only if they were constructed or offered for sale after July 30, 2002. For multiple dwellings (such as a tenement, hotel, and dormitories) carbon monoxide detectors were required if they were constructed or offered for sale after August 9, 2005.

As a result of Amanda's Law, a carbon monoxide detector will be found in nearly all residential structures in the state. This creates a safer living environment for New York residents and creates a greater awareness of home safety issues that are intensified by seasonal heating issues prevalent in the Northeast.

Amanda's Law takes effect on February 22, 2010.

# WINDOW GUARDS REQUIRED

## *Notice to Tenant/Unit Owner*

You are required by law to have window guards installed in all windows if a child 10 years of age or younger lives in your apartment. Windows giving access to fire escapes are excluded.

Your landlord (unit owner) is required by law to install window guards in your apartment if a child 10 years of age or younger lives in your apartment, OR if you request to have them install window guards at any time (without any reason).

*It is a violation of law to refuse, interfere with installation, or remove window guards where required.*

### CHECK ONE

- CHILDREN 10 YEARS OF AGE OR YOUNGER LIVE IN MY APARTMENT
- NO CHILDREN 10 YEARS OF AGE OR YOUNGER LIVE IN MY APARTMENT
- I WANT WINDOW GUARDS EVEN THOUGH I HAVE NO CHILDREN 10 YEARS OF AGE OR YOUNGER T

Unit Owner/ Tenant (Print) : \_\_\_\_\_

Unit Owner/ Tenant (Signature) \_\_\_\_\_ Date \_\_\_\_\_

Unit Owner/ Tenant's Apt No. \_\_\_\_\_

# MOVING PROCEDURES

Whether moving in or out, all residents/new residents must schedule the date with the Superintendent and confirm the date with The Brentwood management. The procedure is as follows:

## 1. *Determine a Date:*

- a. **At least one week before the move** call the Superintendent to arrange a date. (914)-879-8357. Be sure the Superintendent confirms the date is available. Moves must be completed within the hours of 9AM and 5PM, Monday through Saturday, excluding legal holidays.

## 2. *Notify Management:*

- a. **At least one week before the move**, and after the moving date is confirmed, prepare a written notice to management, which should include:
  - i. Name of Resident/new resident; building; apartment number
  - ii. Contact telephone number of resident/new resident
  - iii. Name, address and telephone number of Moving Company
  - iv. Confirmed date of move
  - v. Forwarding address (Move-Outs only)

## 3. *Security Deposit:*

- a. **If Owner Moving In:**
  - i. Attach a check that will serve as a security deposit for potential damages; the check will be returned after the Superintendent or a representative inspects the premises.
  - ii. The security deposit for a move-in or move-out is \$500.00
- b. **If Renter Moving In**
  - i. Attach a check in the amount of \$500.00 representing the move-in/out security deposit. These monies will be deposited in an interest bearing account and held until the unit is vacated. A W-9 will also need to be completed. In the event damages are incurred during the move-in/out process, additional security will be demanded.

## 4. *Attach Required Mover Documents*

- a. **If Hiring a Move-in Company:**
  - i. It is the responsibility of the resident to send to Garthchester Realty documented proof that the moving company carries current General Liability Insurance and has current Workers Compensation Insurance certificates. **SEE ENCLOSED PAGE FOR INSTRUCTIONS**
- b. **If you are self-moving:**
  - i. Please complete and sign the enclosed indemnification form.

## 5. New (moving in) residents should send the required (2-4 above) in one of the following ways:

- a. **Mail:** Garthchester Realty attn: Steven Hegner, 440 Mamroneck Avenue, S-512, Harrison, NY 10528
- b. **E-Mail:** [Steven@garthchesterrealty.com](mailto:Steven@garthchesterrealty.com)
- c. **Fax:** 914-725-6453
  - i. **Deposit will still need to be either mailed in or dropped off in our office regardless of which method of delivery you choose.**

### On Moving Day:

1. Be sure that onsite staff installs elevator pads and floor protection prior to the start of the move.
2. If, during the move, any damage is done to any part of the building, the cost of repairs will be deducted from your deposit. If the repairs exceeds the amount of your deposit: **Owners:** you will be billed the difference as a line item on your common charge bill.
4. The Brentwood superintendent will conduct a pre- and post-move inspection. If damage is done, photos will be taken and attached to a "deposit forfeiture" letter.
5. **ABSOLUTELY NO MOVING IS PERMITTED THROUGH THE LOBBY ENTRANCE.** All moving must be through the side basement doors. Should any unit owner and/or tenant be found to be moving through or having a delivery through the lobby entrance, a moving fee of \$500.00 will be imposed against their account.
6. In order to obtain reimbursement of your move-in/move-out deposit, you must contact the managing agent, advising them that you have completed your move and request an inspection and return of your deposit. If all is in order, your deposit will be returned.

## Information for the Moving Company

Dear Resident,

Please provide a copy of this page to your moving company prior to the scheduled move in/out. Your move in/out request will not be processed if the required certificates of insurance indicated below are not provided, or is completed incorrectly.

To the Mover:

The Brentwood Condominium requires that you provide documents to serve as proof that you hold current General Liability Insurance and Workers Compensation Insurance certificates covering all employees, contractors or subcontractors engaged in the scheduled move in/out. Please ensure this document is faxed to 914-725-6453.

On your Certificate of Liability Insurance, please list the following additional insured under "Description of Operations"

- a. Name of Resident/New Resident, Address and Apt #. \_\_\_\_\_,
- b. The Brentwood Condominium C/O Garthchester Realty.
- c. Garthchester Realty

The Certificate Holder of your Liability insurance and Worker's Compensation insurance should be as follows:

**Certificate Holder:**  
The Brentwood Condominium  
c/o Garthchester Realty  
440 Mamaroneck Avenue  
Harrison, NY 10528

**HOLD HARMLESS AGREEMENT**

The Brentwood Condominium  
C/O Garthchester Realty  
440 Mamaroneck Avenue  
Harrison, NY 10528

Unit Owner/Tenant(s): \_\_\_\_\_ Unit# \_\_\_\_\_

To the fullest extent permitted by law, unit owner/tenant (s) agree to indemnify, defend and hold harmless the Condominium and/or Managing Agent from any and all claims, suits, damages, liabilities, professional fees including attorneys' fees, costs, court costs, expenses and disbursements related to death, personal injuries or property damage (including loss of use thereof) arising out of or in connection with the performance of the work of the contractor and/or hired individuals, its agents, servants, subcontractors or employees, at premises owned by unit owner/tenant (s) and/or the common area of the Condominium

This agreement to indemnify specifically contemplates (1) full indemnity in the event of liability imposed against the Condominium and/or Managing Agent without negligence and solely by reason of statute, operation of law, or otherwise, and (2) partial indemnity in the event of any actual negligence on the part of the Condominium and/or Managing Agent causing or contributing to the underlying claim, in which event, indemnification will be limited to any liability imposed over and above that percentage attributable to actual fault, whether by statute, by operation of law, or otherwise.

\_\_\_\_\_  
Unit Owner/Tenant

\_\_\_\_\_  
Contractor

\_\_\_\_\_  
Date

## INDEMNIFICATION AGREEMENT

Condominium:

The Brentwood Condominium  
300 Main St  
White Plains NY 10601

Owner/Tenant: \_\_\_\_\_

To the fullest extent permitted by law, Unit owner/tenant(s) agree to indemnify, defend and hold harmless the Condominium and/or Managing Agent from any and all claims, suits, damages, liabilities, professional fees including attorneys' fees, costs, court costs, expenses and disbursements related to death, personal injuries or property damage (including loss of use thereof) arising out of or in connection with the performance of the work of the contractor and/or hired individuals, its agents, servants, subcontractors or employees, at premises owned by Unit owner/tenant(s) and/or the common area of the Condominium.

This agreement to indemnify specifically contemplates (1) full indemnity in the event of liability imposed against the Condominium and/or Managing Agent without negligence and solely by reason of statute, operation of law, or otherwise, and (2) partial indemnity in the event of any actual negligence on the part of the Condominium and/or Managing Agent causing or contributing to the underlying claim, in which event, indemnification will be limited to any liability imposed over and above that percentage attributable to actual fault, whether by statute, by operation of law, or otherwise.

\_\_\_\_\_  
Unit owner/tenant

\_\_\_\_\_  
Unit owner/tenant

\_\_\_\_\_  
Date

## Information for the Moving Company

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To the Mover:

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On your Certificate of Liability Insurance, please list the following additional insured under "Description of Operations"

- a. Name of Resident/New Resident, Address and Apt #. \_\_\_\_\_,
- b. The Brentwood Condominium C/O Garthchester Realty.
- c. Garthchester Realty

The Certificate Holder of your Liability insurance and Worker's Compensation insurance should be as follows:

Certificate Holder:  
The Brentwood Condominium  
c/o Garthchester Realty  
440 Mamaroneck Avenue  
Harrison, NY 10528