



February 20, 2015

To: Gary Altman, president, East River Housing Corporation  
Jeff Super, chair, East River House Committee

Cc: (Board of Directors) Michele Amar, Lee Berman, Rachel Ehrenpreis, Ellen Gentilviso, Dov Goldman, Larry Goldman, Peter L. Herb, Richard Kenny, John Sotomayor, Richard Valcich; (House Committee) John Field, Carmen Alvello, Ellen Renstrom, Judi Aronowitz, Corinna Durland, Joseph Hanania, Leo Hoenig, Mark Lynch, Jamie Rogers, Sarah Sheahan

Re: Feb. 23 open meeting to discuss the community room

It is my privilege to invite you to Monday's open meeting to discuss the community room's function and renovation, as well as the policies that govern its use. As the decision-makers here at East River, your participation would be especially appreciated. The meeting will begin at 7:00 pm on Monday, February 23.

I would also like to request that the \$325 fee for use of the community room for this meeting be refunded, not just as a matter of policy, but a matter of law.

As you may be aware, cooperators are both stockholders of a corporation and also tenants of that same corporation. Section 216 of the U.S. Code Title 26 defines owners in a cooperative housing corporation as "tenant-stockholders" (<http://www.law.cornell.edu/uscode/text/26/216>). East River's most recent audited financial statement refers to cooperators as "tenant-stockholders" no fewer than 23 times. All cooperators also sign a proprietary lease, which further determines their designation as tenants.

As such, cooperators enjoy the protection of New York's Landlord-Tenant laws. This is a well-known distinction between coops and condos, and one of the primary legal advantages of buying a coop. Section 230 of those laws grants tenants the right to form and participate in "any group, committee or other organization formed to protect the rights of tenants" and "to meet without being required to pay a fee in any location on the premises including a community or social room" (<http://codes.lp.findlaw.com/nycode/RPP/7/230>).

Any clear reading of these laws leads to the conclusion that Cooperatively Yours must not be required to pay a fee to use the community room for discussions of general interest to all cooperators.

I look forward to your participation in our meeting, as well as your answer to the request for a refund.

Cooperatively yours,

A handwritten signature in black ink, appearing to read "Jeremy Sherber".

Jeremy Sherber  
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[hello@cooperativelyyours.org](mailto:hello@cooperativelyyours.org)