

Q&A: Sex Offender in the Building

BY STEPHEN M. LASSER, ESQ. 2017 MARCH

Q&A



Q. I was recently made aware that a sex offender moved into my building. He moved into his girlfriend's apartment. I made the board aware of this—even gave them a printout from criminal justice. We have a lot of children living in our community. Does the board have a legal obligation to advise the shareholders that a sex offender lives in our

building?

—Fearful Resident

A. "A board has a legal obligation to protect the interests of its shareholders including protecting them from foreseeable criminal conduct in the building," says managing partner Stephen Lasser at Lasser Law Group, PLLC, in New York City. "Notifying the shareholders of the sex offender's residence in the building would probably satisfy a board's obligations to its shareholders under the facts here, but it is possible that the board's obligations could be satisfied through other means. Prior to providing notice of the sex offender's residence to the shareholders, the board should immediately research the level of the sex offender's classification by the government to determine the seriousness of the offender's crimes and his propensity for recidivism in order to gauge the appropriate level of urgency needed to address the situation. Depending on the level of the offender's classification, the board might consider notifying the girlfriend of the board's intention to notify the other shareholders of her boyfriend's status as a registered sex offender before notifying the other shareholders. Perhaps the girlfriend would then cause her boyfriend to voluntarily move out of the building. In any event, the board should take prompt action to safeguard its shareholders and residents."

COMMENTS



DOMINIC L. CARINI on WEDNESDAY, JULY 5, 2017 4:02 PM

I am interested in a cooperative apartment that has walls that have been moved. Is a permit and certificates required in NYC?
