

How to Deal with a Disobedient Dog-Owner

THE CHALLENGE

A 250-unit co-op in Westchester that does not allow dogs had a recent sale. The purchaser completed the application and signed off that he did not own a dog. Two months after closing, the purchaser e-mailed me stating he was getting a “support dog.” I immediately e-mailed the board of directors as well as the building’s legal counsel. Research made it clear that the documents were not valid, and the request was denied. Nonetheless, the shareholder brought in the dog.

THE SOLUTION

The board promptly authorized legal action, and a notice to cure was sent to the shareholder. The shareholder refused to remove the dog, and the board proceeded with the process needed to end his lease. Once the

shareholder received this notice, he removed the dog from the unit. If the board, management, and legal counsel had not been diligent in following up on this matter, the dog would have remained in the unit. It would have been a poor precedent.

THE LESSON

Diligence. If you don’t follow up quickly, within 90 days of the building learning of a dog, people can keep the dog legally. Fortunately, we had building staff that reported the dog immediately, and an attorney on retainer who knew what the cooperative could and could not request in these circumstances and what action to take. We also had a proactive board. The combined efforts of all these people resulted in our successfully rectifying the situation. ■



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