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**Q & A****The New York Times**

By JAY ROMANO

Q Obviously, co-op boards are not allowed to discriminate against families with children. But can a co-op board reasonably reject an applicant because the number of people in the family is larger than the number of bedrooms?

In other words, if a couple want to move into a one-bedroom apartment with three children, can they be rejected?

A Eric P. Gonchar, a Manhattan co-op lawyer, said that co-op boards can deny a prospective shareholder's application "for any reason or for no reason" as long as there is no discrimination prohibited by law.

Most proprietary leases, he said, specify who can reside in a co-op apartment -- typically, the shareholder, a spouse, their children, grandchildren, parents, grandparents, brothers, sisters and domestic employees and, if the shareholder is unmarried, one additional occupant and his or her dependent children.

Although most leases do not specify the number of occupants, some leases impose limits on the number of occupants based on the apartment's size.

"So you would have to check the proprietary lease to determine if there are any limits on the number of occupants," Mr. Gonchar said.

He added that New York State's Multiple Dwelling Law provides that every room in every building built after April 18, 1929, must have at least 400 cubic feet of airspace for each adult and 200 cubic feet of airspace for each child occupying that room.

It also provides that every living room must contain at least 60 square feet of floor space, be at least 6 feet wide at its narrowest part and if used for sleeping, must contain at least 75 square feet of floor space.

So, Mr. Gonchar said, if the size of an apartment is not large enough to accommodate a family of a given size under the Multiple Dwelling Law, the board will be required to reject the family.