

COOPERATIVE HOUSING BULLETIN

A member service of the National Association of Housing Cooperatives

Spring 2014



Ontario Government and CHF Canada Stop the Stealing of a Cooperative

By David J. Thompson

Author's Note: This article is about a 2012 precedent setting court ruling in Canada against Bridlewood Co-operative Homes, a nonprofit housing cooperative in Ontario. The court ruling was in response to a lawsuit brought by the Superintendent of Financial Services (FSCO) of the Province of Ontario and the Cooperative Housing Federation of Canada (CHF Canada.) However, the court ruling speaks directly to a similar legal status of limited equity housing cooperatives in some states in the US.



After a 17 year fight, the court stopped Bridlewood Cooperative Homes from dissolving for personal gain. The court turned the property over to CHF Canada.

BY SOME ESTIMATES, the members' illegal efforts to dissolve a Canadian housing cooperative would have made them an improper gain of over \$11 million dollars (CDN).

However, the Cooperative Housing Federation of Canada (CHF Canada) and the Superintendent of Financial Services of the Province of Ontario (FSCO) stepped in successfully to put an end to Bridlewood's 17-year effort to steal the cooperative. The office of the FSCO first started monitoring the actions of Bridlewood Co-operative Homes about 2003.

In doing so, the victory in the Ontario Superior Court marked an important legal precedent by defending Canada's non-profit housing cooperatives. All supporters of limited-equity housing cooperatives and land trusts worldwide should take note.

The suit was brought jointly by the Province of Ontario and CHF Canada. Under the Ontario Co-operative Corporations Act, the province's FSCO is required to uphold certain elements of the province's cooperative law.

CHF Canada is pointing to the ruling as a

landmark decision. Nicholas Gazzard, the CEO of CHF Canada called it, "A key victory."

"Most co-ops, virtually all co-ops, accept the fact they get affordable housing out of it, and when they leave, the asset stays with the cooperative." Gazzard knows of only two other times in Canada in his 30 years in cooperative housing where members attempted to dissolve the cooperative and take ownership of the units. Gazzard confirmed, "None of the three efforts succeeded."

Scott Jackson, CHF spokesperson, told the Windsor Star, "Nationally this sets an important legal precedent that ensures other housing developments can be preserved. If people ever try to do this again at another housing co-op, hopefully, they will think twice."

After the court victory on October 19, 2012 (**COURT FILE NO.:** CV-11-9239-00CL), the lawyers for CHF Canada, Klippensteins Barristers and Solicitors of Toronto posted on their web site, "We represented a resident of Bridlewood and the Cooperative Housing Foundation of Canada in their fight against the

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THE NATIONAL ASSOCIATION OF HOUSING COOPERATIVES

About NAHC

The National Association of Housing Cooperatives is a nonprofit national federation of housing cooperatives, other resident-owned or -controlled housing, professionals, organizations, and individuals interested in promoting cooperative housing communities. Incorporated in 1960, NAHC supports the nation's more than a million families living in cooperative housing by representing cooperatives in Washington, DC, and providing education, service, and information to cooperatives.

Mission Statement

NAHC's mission is to support and educate existing and new cooperative housing communities as the best and most economical form of homeownership.

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See the NAHC website – www.NAHC.coop – for addresses of Associations and Committees.

About Bostrom

Bostrom Corp. is the professional services firm managing the National Association of Housing Cooperatives affairs. Mitch Dvorak serves as NAHC Executive Director.

NAHC Bids Farewell to Bill Magee and Meets with Officials during Board Meeting



Gregory Carlson is NAHC president and is the executive director of the Federation of New York Housing Cooperatives and Condominiums and president of Carlson Realty.



Ralph Marcus is NAHC chairman and the CEO and owner of Marcus Management Inc. in Farmington Hills, Michigan.

THE NATIONAL ASSOCIATION OF HOUSING COOPERATIVES (NAHC) officers, with a heavy heart and on behalf of all NAHC Board members, are deeply sorry to learn of the passing of our former Chairman and President, Bill Magee. We extend our deepest sympathy and prayers to Bill's family, friends, and associates.

In continuing to build on Bill's rich legacy, NAHC is going strong. Thusly, NAHC held its first Board meeting of 2014 on March 8 and 9 in Washington, D.C. The NAHC officers met with the National Cooperative Bank (NCB) and talked about the need for smaller valued share loans, the use of credit unions for funding and financing needs, the need for system-wide training opportunities, and other common issues.

The meeting helped strengthen our already good relationship, and as a result of it, NCB graciously agreed to lend us its training room for the Registered Cooperative Manager (RCM) program to video the "Ethics" part of the course for those RCMs who need to recertify. Look for more coming partnerships from NCB.

The NAHC Board and invited guests also met with HUD representatives, Delton Nichols, deputy director of REAC, and Eric Ramsey from Multifamily Asset Management. Both gentlemen offered a short presentation, and there was ample time for questions and answers (Q & A). There was a good exchange of Q & As, as well as a few laughs. The only disappointment was that Nichols could only address REAC, and Ramsey primarily dealt with the update of the 4350.1 handbook. Most of NAHC's anticipated discussion points were about funding and development issues. These issues would need the attention of Benjamin Metcalf, deputy assistant secretary of Multifamily Housing. NAHC's President, Gregory Carlson, emailed the agency requesting Metcalf or a representative from his staff to follow up on these points or meet with us. NAHC will follow up with the membership on any new developments.

In addition to the committees meeting, NAHC's Governmental Relations Representative, Judy Sullivan, spoke about NAHC's three top federal initiatives: FEMA recognizing cooperatives as home owners (NAHC is working on both legislation and regulatory); allowing veterans to purchase cooperative homes with the veteran loan guarantees (legislative action is needed); and reverse share loans for cooperatives (legislation is passed, but it is stuck at

HUD). Sullivan spoke about the need for grassroots to be vocal on NAHC's issues, i.e. getting local veteran's associations to write and support that legislation and members writing to their federal representatives on these issues (NAHC can supply sample letters). NAHC cannot do this alone; we have built up alliances with similar issue organizations, such as the National Cooperative Business Association, the Community Association Institute, and NCB. Recently NAHC joined the Consumer Federation of America (CFA), and it asked us to encourage more housing groups to sign up for membership (at very modest rates). Consequently, CFA will become more focused on housing issues and has very deep resources of which NAHC can take advantage.

There were many issues that the committees and Board dealt with during the Board meeting. It was the first meeting of the newly formed Communication Committee that the Publication, Public Relations, and Website committees are now under. The Board discussed the upcoming annual meeting in St. Thomas, Virgin Islands (October 15 to 18) and the site for the 2015 meeting. NAHC is strengthening its internal documents; there will be a new Code of Ethics and a new Board Member Agreement for all of the NAHC's Board members. A rewrite of the Bylaws also will start taking place shortly.

For almost a year, NAHC has been working on a new website that will be more user friendly. Cooperatives will be able to post their cooperative profiles (like on Facebook and LinkedIn) on a secured NAHC database. Cooperatives will also be able to update their Board members and contact information as it changes. We continue to work on a new share loan and share listing programs.

NAHC is proud to announce a new member benefit. NAHC will now offer its member cooperatives various insurance coverage opportunities. Just before the March Board meeting, NAHC signed an agreement that lawyers vetted with Wells Fargo Insurance Company, allowing cooperatives to buy property, liability, directors', and other insurance at a discounted rate. Please keep an eye open for information on this new NAHC program and its details.

In closing, NAHC has issued its second annual progress report. [Click here](#) to read it. NAHC will keep you updated on any new developments that affect cooperative housing. Thank for your time. **CHB**

loss of 131 units of affordable housing in the Windsor-Essex community (Ontario) when some residents attempted to disband the cooperative for their own personal profit ...”

Were the leaders at Bridlewood to have gotten away with their actions then the entire national inventory of non-profit housing cooperatives across every province in Canada would have been at risk. Those 2,220 nonprofit housing cooperatives operate 91,846 housing units which are home to over a quarter of a million Canadians. There are 44,000 cooperative units in Ontario alone, so the Bridlewood case had tremendous province wide implications.

“This has been a long and costly fight for us, but it’s one that our member co-ops have been determined to win,” said Dale Reagan, managing director of CHF Canada’s Ontario Region. “They see the self-serving track record of Bridlewood’s members as a betrayal of the co-op’s social purpose. This landmark decision means that 131 units of affordable housing have been preserved, and we have avoided the very damaging precedent that would have been set if members had been able to enrich themselves with the public investment in non-profit housing.”

Court records show that on four occasions since 1996 a group of Bridlewood members have attempted to dissolve the cooperative and turn the homes and the cooperative’s assets and value over to themselves as private property. The intent was for the cooperative to illegally vote to sell themselves the homes individually at below-market value, and by having dissolved the cooperative removed all legal restrictions to their private gain. Were they to succeed, millions of dollars were to be gained by the members. And if Bridlewood had succeeded, then it would not be long before the next group of cooperative members would try.

The dissolution leaders took majority control of the cooperative’s board and from then on used the cooperative’s assets to pursue an improper dissolution. Regretfully, Bridlewood’s 17-year effort to obtain private gain was all paid for from the cooperative’s assets. Fortunately, a former member of the board went to CHF Canada as a whistleblower.

In the Beginning

Bridlewood Co-operative Homes was sponsored by United Auto Workers (UAW) Local 444. Led by Charles Brooks, the legendary union leader, the intent was to build a cooperative as a permanently affordable place for working people to live in. The 131 detached homes were first constructed in 1975.

Almost all Canadian housing cooperatives use the non-profit model. Bridlewood was financed as an affordable cooperative in the form of low-interest below-market rate mortgages from the federally chartered Canadian Mortgage and Housing Corporation (CMHC). Since then, Bridlewood obtained further taxpayer-funded assistance through CMHC in the form of an interest reduction on the mortgage and a 10% mortgage forgiveness. Bridlewood only exists due to taxpayer subsidy. Bridlewood seriously misused the intent of government support of a non-profit cooperative.

Under the Co-operative Corporations Act of Ontario (CCA) and under the financing of CMHC, “nonprofit housing

cooperatives registered under that act are forbidden from distributing or paying any of its property to its members during its existence or on its dissolution.” Furthermore, the CCA provides, “on dissolution, the remaining property of a non-profit housing co-op, after payment of liabilities, shall be transferred or distributed among one or more nonprofit housing cooperatives or charitable organizations.” The court agreed that sale by a non-profit cooperative to its members at less than market value would constitute a distribution and be precluded by the Act. Ontario’s FSCO has been constant in opposing the intent of the Bridlewood members.

Cooperative Board Goes Bad

From court records/newspaper reports, we learned this about the Bridlewood board.

The faction wanting to dissolve the cooperative for personal gain acquired control of the majority of board seats and for almost two decades pursued their improper goals.

In 2004, Bridlewood did an early pay off of its CMHC mortgage in an attempt to remove any government lender interference with its projected plans. Bridlewood even paid a heavy pre-payment penalty to rid itself of any CMHC oversight.

From November 10, 2010 to May 11, 2011, Bridlewood made no payments on the second loan, hoping CHF alleges, “to trigger a mass sale of the houses by the lender to recover what was owed. This action would have depressed the market and reduced the price members would have to pay for their houses.”

However, in not paying its mortgage, Bridlewood was placed in receivership through court actions by both FSCO and CHF Canada in 2011. The Court upheld CCA law and refused to allow Bridlewood to sell the homes to the members at below-market value.

Ontario’s FSCO appointed an inspector. In a court document (CV-11-9239-OOCL of April 5, 2012), the inspector noted that, “Bridlewood had used its reserve fund as working capital and consequently had insufficient funds to pay for significant repair costs it was facing. The inspector found that Bridlewood had not attempted to recover the shortfall by increasing occupancy charges which had remained unchanged for several years and that the current occupancy charge was financially unsustainable.” The inspector concluded that the Bridlewood fundamental problem was governance that needed to be addressed by the Court.

For a decade from about 2002-2012, Bridlewood had kept its monthly occupancy charges at a threadbare \$560 a month without ever raising them. Average rents in the area for a similar three-bedroom unit are \$945 a month. The low monthly occupancy charges prevented development of normal reserves for Bridlewood to use for maintenance and replacement. In the Essex Free Press (8-30-12), it was reported, “Residents have said that as much as \$2 million in repairs are needed throughout the 131 units.”

Many of the Bridlewood members ostracized the member (a 27-year resident former board member and a UAW member) who wanted the cooperative to follow cooperative law. Because of the poisoned atmosphere due to his opposition, he finally left the cooperative.

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At one point, the Bridlewood board sued its own lawyer, using, of course, cooperative funds.

The lawyers for Bridlewood asked the court to disallow CHF Canada from having legal standing in the court. The judge ruled that CHF Canada would be allowed to participate in the suit. In each case, the court has ruled that CHF Canada has standing to take action against any housing cooperative about allegations of the breaking of cooperative law in Canada.

In the End

Ontario's FSCO took legal action each time it was required to uphold provincial law on housing cooperatives. CHF Canada felt it critical to file suit in the case. At each legal stage, the Ontario Court struck down every single effort by the members to dissolve the cooperative for personal gain.

In the end, the Court awarded the 131 homes and all of the Bridlewood assets to a non-profit subsidiary of CHF Canada. The Court allowed CHF Canada to own and manage the property and straighten out the many problems that arose from the mismanagement and neglect of almost two decades. Some time downstream Bridlewood may return to being a cooperative, but at least for now, the asset has been saved from its illegal conversion to private ownership.



David J. Thompson is president of Twin Pines Cooperative Foundation (TPCF), an author and a writer of over 400 articles about cooperatives.

However, a number of questions arise:

- Why were the members able to pursue illegal action for 16 years?
- Why did it take over a decade of monitoring and legal action for the FSCO and CHF Canada to finally get the Court to rule?
- Why were the directors of Bridlewood allowed to carry out improper and illegal governance as they did for over a decade?
- Why was Bridlewood allowed to spend probably close to \$500,000 of cooperative assets pursuing what were illegal acts?

Clearly, the actions of the Bridlewood directors were a huge drain on the cooperative, CHF Canada, FSCO, and the Ontario Court system. Policy makers need to look at what changes should be made to shorten the process and limit the costs and in particular look at the improper and illegal actions of directors.

On the other hand, Bridlewood is one of the clearest cases in Canada. It upholds the intent of non-profit housing cooperatives in Canada, stopped private gain from occurring, and affirms the right for CHF Canada to step in and take action to uphold Canadian laws on housing cooperatives.

Non-profit and limited-equity housing cooperatives and land trusts worldwide need to be prepared to defend this particular model. CHF Canada and the Office of Thrift Supervision are to be commended for taking a stand and winning the case.

To research this article, the author obtained records from the Superior Court of Justice, Ontario, Canada, and the Superintendent of Financial Services of Ontario, Canada, newspaper coverage, and CHF press releases. In addition, the author interviewed both Nick Gazzard (CEO) and Scott Jackson (spokesperson) of CHF Canada. **CHB**



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SAVE THE DATE!

NCB Rescues Cooperatives in the Aftermath of Super Storm Sandy

By Mary Alex Blanton

Right: 840 Shore Road in Long Beach, Long Island

Below: Bay Street Landing Owners Corp. in Staten Island



Nearly a year and a half after Super Storm Sandy wreaked havoc on the Tri-State region, the impact of the storm and its aftermath are still being dealt with across the region. Many housing communities are still working to repair the damage caused by this natural disaster. This challenge was even greater for cooperatives in the area. These properties and its residents faced another issue—the cooperative structure

of the communities meant they were ineligible for Federal Emergency Management Agency (FEMA) funding. So these buildings—a major form of housing in the area—faced the task of expensive and unplanned repairs without the financial assistance from federal agencies.

While cooperatives, as outlined in the bylaws, maintain reserve funds, for many communities the capital did not begin to cover the costly repairs needed. A special assessment of unit owners was difficult since in many cases residents were already displaced and or living in buildings with limited operability. Many cooperatives turned to banks for financing the repair costs.

Often cooperatives exploring funding options ran into issues when approaching traditional lending institutions. Given that many banks have traditionally been uncomfortable with the cooperative structure, they were unwilling to provide emergency funding. As a result, several cooperative boards approached National Cooperative Bank (NCB) – a bank chartered by Congress to meet the needs of this community—and the lender was able to provide critical emergency funding to a number of cooperatives in the area. In the time immediately after the storm, the bank's servicing team reached out to every New York area loan customer—approximately 4,000 properties to see if they sustained any damage and if NCB could be of assistance.

For many properties, this call was the lifeline they needed. One community that answered the call was a 71-unit building located at 840 Shore Road in Long

Beach, LI, in a beautiful ocean front area. The cooperative sustained damage to the lobby, garage, and adjoining areas, in addition to the outside mechanical rooms, as a result of the storm. The garage wall helped the building withstand significant water and structural damage. While the cooperative was able to recoup funds from its flood insurer, it did not cover the cost of the repairs resulting from Sandy. The board of directors turned to NCB to secure a \$1.9 million loan to cover all costs and refinance existing debt. In addition, the cooperative secured a second mortgage line of credit for any future needs. Today, renovations of the lobby have begun, and work includes painting the walls and replacing the flooring. The replacement of the burner and all tubing, fixing the elevator to make it functional, and repairs to electric breakers that were water damaged are now complete. The cooperative is currently receiving bids to repair the garage wall, the last step in returning the building to its original condition prior to Sandy.

Similar to the 840 Owners Corp, another cooperative that turned to NCB to alleviate the cost of repairs from the storm was the Bay Street Landings Owners Corp., a 17-unit cooperative in Staten Island. The building sustained limited damage in comparison to

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Mary Alex Blanton is senior vice president and the director of strategic marketing for NCB and is responsible for managing the bank's line of business and product marketing, corporate communications, and brand.

Ian McPherson: The Cooperative Community Should Be Expansive and Expanding

AUTHOR'S NOTE: In April 2009, European Research Institute for Cooperatives and Social Enterprise (Euricse) invited Professor Ian MacPherson, director of the British Columbia Institute for Cooperative Studies at the University of Victoria in Canada, to Trento, Italy, to give a series of 10 seminars. During these seminars, MacPherson discussed themes such as the history of the Canadian and U.S. cooperative movement, the origin and meaning of cooperative values, and the potential of cooperatives in developing countries. The globally recognized Canadian scholar played a fundamental role within the International Co-operative Alliance in defining the Statement of Cooperative Identity for the 21st century. MacPherson was the first professor invited to speak as part of the "Don Lorenzo Guetti" series on cooperatives, an initiative of the University of Trento, the Federazione Trentina delle Cooperazione (Trentino Federation of Cooperatives) and the Promocoop Fund. Euricse spoke with the Canadian professor about the cooperative movement. Regretfully, Dr. MacPherson passed away a few months ago.

What could be the role of the cooperative movement in this socio-economic context characterized by crisis both in Canada and in Europe?

For the last 30 years much of the world has been greatly influenced by the idea that the pursuit of individual benefits will ultimately create a better world for everyone. This form of individualism seemed to work well for some amid the comparatively easy expansion of markets internationally made possible by technology and government policy during the end of the Cold War and afterward. The easy days of internationalism, however, are past, as many countries now are able to compete, meaning that outsiders cannot as easily exploit, and as the limits of conventional energy and other resources become clearer. Much of the wealth that has been created in more recent times has been speculative wealth built on expectations rather than real value. The sudden decline now evident in many parts of the world signals the need to turn to organizations, like cooperatives, that are obviously transparent in their operations, that create



Ian MacPherson (1939 - 2013) had a leading role in creating the Canadian Co-operative Association, was the co-founder of the Canadian Association for the Study of Co-operation, and had a central role in the revision of the co-operative principles in Manchester. Most recently, he was involved in the creation of an institute for co-operatives and peace together with Yehudah Paz in Israel.

real as opposed to inflated value, that reward contribution and not just ownership. I believe that much of the world is also looking for organizational forms that make strong ethical commitments to the environment, communities, and human well-being. Though, as human institutions, cooperatives sometimes fall short in applying their values and principles, their ultimate commitments to such concerns should not be in question. That means that the role of the cooperative movement should be expansive and expanding. In the current crisis, much of which is about confidence, cooperatives should have an immense advantage. And, as in the past, as people and communities suffer, they will once again learn the possibilities and advantages of working together for individual benefit and the common good.

What are the main challenges facing the cooperative movement lately? And what is the role of research and research centers in resolving these problems?

By and large, the cooperative movement around the world has developed pragmatically, responding to needs and pursuing possibilities. The result is that it has grown to an immense size, but it does not project adequately – to its supporters or the outside world – what it is about, how it works, and why it should be supported. The movement needs to develop a much deeper understanding of its own past, its present strengths, its distinctiveness, and its possibilities. Doing so requires partnerships in the pursuit of well-considered examinations of past and present practices of failed efforts and great accomplishments. This should involve researchers within and without the academy, and people actively engaged within cooperatives. I believe that this relatively weak understanding of the nature and preferred modes of operating cooperatives is the movement's main weakness and limitation. The center which is developing at Trento for the study of cooperatives and like organizations is already making an immense contribution to this problem and promises to do much more. Those people at the university and among cooperatives who are responsible for its development are to be congratulated for their foresight and determination. [CHB](#)

► Super Storm Sandy [continued from page 6]

others in the area. The three first floor units all had some minor-to-moderate flooding in the residences. Additionally, six skylights in the roof were entirely blown off their moorings. The board worked with NCB to arrange a \$1.5 million first mortgage to refinance existing debt and cover the cost of these repairs while also replenishing its reserve funds, so they can be better prepared for any unanticipated improvements in the future. To date, all of the issues at the property have been repaired, and life has returned to normal for its residents.

While numerous properties secured financing immediately following Super Storm Sandy, there are still many in need of capital to resolve issues resulting from the natural disaster. Even today, NCB continues to be approached by cooperatives working to arrange loans to handle non-urgent repairs that resulted from the storm. NCB is proud of its role in providing financing to cooperatives throughout the region and particularly gratified to be a vital resource to these cooperatives with critical funds during this challenging time. [CHB](#)

NAHC and NHC Join Forces for Affordable Housing

NAHC AND THE NATIONAL HOUSING CONFERENCE/CENTER FOR HOUSING POLICY have partnered in membership to work together to increase and maintain the number of affordable housing units in the US.

Formed in 1931, the non-profit National Housing Conference (NHC) is dedicated to helping ensure safe, decent, and affordable housing for all in America. As a division of NHC, the Center for Housing Policy specializes in solutions through research, working to broaden understanding of America's affordable housing challenges and examine the impact of policies and programs developed to address these needs. Through evidence-based advocacy for the continuum of housing, NHC develops ideas, resources and policy solutions to shape an improved housing landscape.

NAHC and CAI Help Prevent Harmful Spikes to Flood Insurance Premiums

NAHC AND THE COMMUNITY ASSOCIATIONS INSTITUTE (CAI) have worked together for a joint achievement. On March 13, Congress voted on legislation to halt harmful spikes in flood insurance premiums.

H.R. 3370 offers immediate flood insurance rate relief by:

- ▶ Repealing punitive flood insurance rate increases for properties built to code and above 100-year floodplain elevations at time of construction;
- ▶ Reforming National Flood Insurance Program premiums to allow manageable increases so higher flood risk properties pay reasonable premiums to offset program losses; and
- ▶ Reserving against future catastrophic flood losses.

The bill goes next to the President.

Cooperative Study: Minorities View Housing Markets Differently

HIGHER DEMAND for housing has led to increases in house prices. Almost half (49 percent) believe prices in their neighborhood are more expensive than they were a year ago. Perceptions of higher prices are especially strong in the Pacific West (62 percent more expensive) and the Mountain West (60 percent). Hispanics (60 percent) are more likely to see an increase than non-Hispanics [47 percent], and renters [58 percent] see higher house prices than homeowners (47 percent), based on a PLUS Survey sponsored by the American Strategies, Incorporated and the Myers Research & Strategic Services.

Homeownership also affords Americans the opportunity to realize core needs such as financial security, safety, and living in an area of their choosing. Down payment of five percent or less is reasonable compared to 45 percent of Hispanics and 34 percent of whites. Whites are more likely to call for a 10

percent (38 percent) or higher (23 percent) down payment. This research was supported in part by a grant from Measuring the Co-operative Research Network.

State Cooperatives Secure USDA Development Services Grants

U.S. AGRICULTURE SECRETARY Tom Vilsack announced the selection of 34 organizations for grants to help rural cooperatives and small businesses expand and strengthen their capacity to serve rural citizens and communities. The Wisconsin-based Cooperative Development Services, Inc. was among the recipients.

The agency will receive \$200,000 to provide technical assistance to cooperatives while the Cooperative Network which operates in both Wisconsin and Minnesota will receive \$200,000 to provide technical assistance in health care, energy, local foods, and senior housing and to convert businesses to cooperative enterprises.

Funding is being provided through the USDA's Rural Cooperative Development Grant program. The grants are being awarded to non-profit groups and higher education institutions to create and operate centers that help establish, expand, or operate rural businesses, especially cooperatives and mutually-owned businesses.

Senior Transportation Cooperative to Start in Delaware

SENIORS IN SUSSEX COUNTY, Delaware, may have a new way to get to doctors' appointments and the grocery store. A small group is organizing to develop a senior transportation cooperative, to be called ITNSouthernDelaware, based on the volunteer-driven, non-profit business model created by ITNAmerica.

ITNAmerica, based out of Westbrook, Maine, bills itself as a "transportation solution for America's aging population." It provides a franchise-like template to affiliates across the United States that includes a business plan and timeline, budget models and consulting in the areas of staff development and fundraising, custom-built INTRides software, setup of a website and email, marketing support, and training—everything the founding board members in Delaware might need.

The small group of individuals establishing ITNSouthernDelaware expects that seniors will pay a small fee of approximately \$25 to join the cooperative. With a separate deposit of approximately \$25, seniors would open and contribute to an account to be used for transportation services. Such services would be billed at approximately \$1 a mile. Funds could be "gifted" to a senior's account or transferred from one account to another. Drivers would also have an account. Instead of being paid in cash, drivers would receive credited miles (one mile driven equals one mile credited) to be used when drivers themselves needed the services. Both seniors and drivers would be properly vetted before being allowed to join. **CHB**

Executive Arraigned, Suspected in Theft from Dozens of New York Buildings

Alan Gorelick of Saparn Realty was arraigned on felony charges of grand larceny (one count) and criminal possession of a forged instrument (nine counts) in Manhattan Supreme Court earlier this year. He is suspected in theft of more than \$600,000 from a Gravesend, Brooklyn, Mitchell-Lama facility he managed for which he pleaded not guilty.



Harway Terrace, at 2475 West 16th Street in Brooklyn, and Alan Gorelick

Gorelick is also suspected of stealing more than \$2 million from 30 to 40 other buildings, according to court documents. As vice president of Saparn, which he runs with his wife Anita Sapirman, Gorelick is the liaison with the banking community, and he heads the firm's sales and mortgage brokerage departments.

Between 2006 and 2013, Gorelick allegedly diverted \$610,914.94 from Harway Terrace, a two-building cooperative complex with more than 340 apartments at 2475 West 16th Street, and deposited it into Saparn's business account using single signature authority. Gorelick also allegedly gave "doctored" bank statements to the cooperative. If convicted of the top charge, he could serve 15 years in jail. [CHB](#)

Tips for Protecting Cooperative Funds

The alleged misdeeds by Saparn Management in New York were preventable. The steps below address the methods allegedly used.

- 1 Get the right insurance. Do not rely on the management company's fidelity insurance. It only covers management company employees, and it does not cover the company owners. The best coverage is a comprehensive crime policy in the cooperative's name with the management company added as a "management agent endorsement."
- 2 Do not give the management company sole signature power over the reserve account. Require at least one cooperative board member's signature for reserve withdrawals.
- 3 Have a copy of bank statements mailed directly to the cooperative treasurer.
- 4 Set up the treasurer and president with "read only" rights to look at the bank account on line at any time.
- 5 If you are debating whether to save money by getting a review by a CPA rather than an audit, factor in that a review does not include confirmation of bank balances and other assets.

There are many other steps to protect your cooperative's funds. Ask your CPA and attorney for recommendations appropriate to your situation.

Ithaca Community Self-Finances Solar System

A cooperative in Ithaca, New York, has banded together to lower energy costs and reduce its carbon footprint by installing a renewable energy system. The EcoVillage Cohousing Cooperative, which consists of 30 homes, has constructed a 50 kilowatt, ground-mounted array. The unit is the second largest in the county and is expected to supply as much as 60 percent of the community's power needs. It will also save an estimated 250 tons of carbon dioxide annually.



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The solar unit and smart meter system cost \$275,000, and according to *Tompkins Weekly*, was financed “by interest-bearing loans from a subset of residents, which are paid off over time through regular monthly charges for electricity. After rebates and tax incentives, the system will cost just \$88,000. “It is estimated that the solar system will be completely paid off within 15 years. One of the project’s organizers, Jeff Gilmore, told the *Tompkins Weekly*, “It’s also a creative financing model that other cooperatives can use.”

Sustainability is an important issue in the Ithaca area. Nearby Cornell University has also instituted a green policy and a number of initiatives with the goal of becoming fully sustainable. [CHB](#)

THE RCM PROGRAM

NAHC

THE NATIONAL ASSOCIATION OF HOUSING COOPERATIVES

The Registered Cooperative Managers (RCM) Program builds upon the work of cooperative housing management and helps the profession achieve ever-increasing higher professional standards, expectations, and rewards. The designation is awarded to managers who meet the RCM standards of excellence, understanding, and achievement in the area of cooperative housing management following participation in a series of courses, then pass certification exams. RCM course topics provide exciting insight into housing cooperatives and help develop skills necessary for a successful career in management. The courses refine the understanding of housing cooperatives, renewed dedication to the principles of cooperative housing, codify the ethics of cooperative housing management, and improve housing management practices.

The Registered Cooperative Manager Certification Program is the only nationally-recognized designation and certification specializing in Cooperative Management recognized by the Registered in Apartment Managers (RAM program). RCM is a sought-after professional designation for cooperative housing managers. You can find the application and more information on www.coophousing.org.

Student Cooperatives are Building Momentum

By Jim Jones

Just down Washtenaw Road, near the University of Michigan campus, there are 550 students who own their own homes. These are the members of the Inter-Cooperative Council (ICC) at U of M. Their story is compelling, and it raises a simple question: is it time to start cooperatives in Ypsilanti?

Before World War II, most students lived in large rooming houses. But in 1932, a group of men in Ann Arbor organized a cooperative, renting a whole house instead of individual rooms. This became a model for others, and rental cooperatives quickly expanded until the beginning of World War II.



Jim Jones has worked for over 40 years with student cooperatives across the United States and Canada, including 15 years as manager for the Inter-Cooperative Council at the University of Michigan.

Below the surface, a cooperative is just a group of people who have banded together to form a democratically-controlled business, which could be a credit union, a food cooperative, a rural electric cooperative – or a housing cooperative. In this case, a student-housing cooperative is “owned and controlled by students, for students.”

Unbelievable, some might say, but true.

Before World War II, most students lived in large rooming houses. But in 1932, a group of men in Ann Arbor organized a cooperative, renting a whole house instead of individual rooms. This became a model for others, and rental cooperatives quickly expanded until the beginning of World War II.

During the War, speculators began to buy the old houses and convert them into apartments, which are easier to manage. Cooperatives began to lose their leases, and to survive, the ICC incorporated and purchased its first property in 1944. The ICC grew over time, tapping into equity to expand. They now own 19 buildings.

The members live and eat together in boarding-house style, much as they did decades ago. They work together to keep the cost low, spending about four hours per week to cook, clean, do minor maintenance, and administer the affairs of the cooperative. In house meetings, they make decisions over daily affairs, and through an elected board of directors, they hire staff, set budgets, and oversee property worth over \$7 million.

Ask members why they live in the cooperatives, and you’ll get a variety of answers. For many, it’s about affordability. The student cooperatives began during the Great Depression when cost was a great concern, as it is now.

As tuition and other costs continue to spiral, saving on housing is one way to keep student debt at a reasonable level, and an average Ann Arbor cooperative space costs roughly 47 percent of a residence hall double.

Another reason is community.

All too often, students only meet in classes, at their part-time jobs, or at parties. Apartments can be isolating, and residence halls rarely gel into genuine communities. At Eastern Michigan University (EMU), the large commuter population adds to a sense of group transience. But in cooperatives, the members live, eat, and work together, developing strong bonds of friendship and a sense of community.

Other cooperative members will talk about control. They actually own their property, and for the first time, there are no parents, landlords, alumni, or university administrators to tell them what to do. It works. For more than 80 years, the cooperatives have successfully proven that students are indeed capable of making good decisions.

Yet another reason is tolerance.

Robert Sandberg, who lived in the cooperatives from 1939-42, said: “Living in the Congress House was one of the most valuable experiences of my life. It taught me that a man’s race, religion, color, or political beliefs were unimportant. The only thing that matters is the kind of individual inside the skin.”

Members are drawn to cooperatives for all these reasons. And for all of these reasons, EMU needs cooperatives. **CHB**

Just Because You Couldn't Doesn't Mean You Can't

By Walt Grassl

Most of us don't like change. We like to be comfortable. We like to play things safe. We avoid risk. We put ourselves in safe little boxes, and then we miss out on opportunities for growth and advancement, both personally and professionally.

It is said we spend 70% of our time in our comfort zone, when we should really spend 80% of our time in our *uncomfortable* zone. Where do you spend your time?

Getting out of your comfort zone is a lot like exercising muscles that have atrophied. As babies, we learn to stand by trying to stand up and then falling down, over and over until we succeed. The same thing happens when we learn to walk. Around the time we learn to ride a bike, things change. We want to enjoy that the mobility of bike riding, but we fear falling and looking bad in front of our family, neighbors, and friends. Usually, with the encouragement of a family member or friend, we overcome the fear—and we learn to ride a bike.

However, as we get older, we often find it easier to say “I can't do it” than to try to learn a new skill or take on a new challenge. We tend to stay in our comfort zones, and our “step-outside-the-comfort-zone” muscles atrophy.

Here are five steps to exercise the “step-outside-the-comfort-zone” muscles.

1 – Vary your routines. One sign of being comfortable is sameness, doing the same thing over and over. Do you take the same route to work every day? Do you find yourself eating in the same restaurants, even ordering the same meals? What would happen if you didn't go to the same place, or if you didn't have “the usual”? Consciously decide to do something different. Break out of your routines. It will probably feel very uncomfortable at first – Great! Experience the newness. Over time, it will feel less and less uncomfortable. The more you do it, the easier it becomes.

2 – Try new hobbies. Ever thought about being a magician? Playing the ukulele? Knitting? Performing standup comedy?

Make a list of 20 things you think would be fun to try, then pick one. Find a class through your local continuing education, YMCA, or parks and recreation department. Sign up, attend the first class, and go in with the idea that you will have fun. If you are really bad at it, so what? At least you tried. Now, try another activity on your list! Chances are you will have fun, develop new skills, and you'll likely make new friends.

3 – Try new things at work. Is your first response when the boss asks for volunteers to avoid eye contact, shrink down in your chair, and try to make yourself really, really, *really* small?

Often times, your organization will be asked to provide people to participate in focus groups or special committees, for example for an open house or for planning a holiday party. Seek out lateral work assignments and volunteer yourself. Make your manager know you are happy to fill those roles that in the past, you and most of your co-workers probably shunned.

4 – Say yes. If your natural inclination is to say ‘no’ to new opportunities, change your mindset. The more you say ‘yes’ to new opportunities, the broader your experiences will be and the less afraid of new things you will become. Want badly to say ‘yes’ and set a high threshold for saying ‘no.’ Use this new mindset at home and at work.

5 – Get back up. Falling down is not failing. We often hear, “it is better to try and fail than to fail to try.” Inventors rarely create their inventions the first time. They try, observe the results, and then try it differently. They repeat it until they get the results they desire. Another saying we often hear is “the only person who doesn't make mistakes is the one that doesn't do anything.”

When you try new things and they don't flow smoothly, don't be discouraged. There are often bumps in the road. What is important is how you handle the bumps in the road. Do you know when to ask for help? Do you figure out what happened and then provide corrective action, so the same problem won't occur again? Each time you go through a learning experience, you become more seasoned and more confident when facing future challenges.



Walt Grassl conquered his crippling fear of public speaking at the age of 50, and through his Internet radio show, “Stand Up and Speak Up,” he helps others. He is also the author of the book “Stand Up and Speak Up.” For more information on Grassl, visit <http://waltgrassl.com/>.

Just Because You Couldn't Doesn't Mean You Can't

When you stay in your comfort zone all the time, you will feel unfulfilled like you aren't getting everything you want out of life. By taking steps in your personal and professional lives to get comfortable being uncomfortable, you will open yourself up to new, challenging opportunities. The more you do it, the easier it becomes. Just because you couldn't do something before, doesn't mean you can't do it now. **CHB**



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A Poem about Board Members

by Alex Swallow

(but thanks very much Kipling)

If you can keep your head when all about you,
Have read the briefings five times to your one,
If you can trust yourself when all men doubt you,
And feel that your duty has been done;
If you can wait and not be tired by waiting,
And plan ahead so your intentions don't surprise,
If you let your brain be constantly creating,
And yet don't look too good, nor talk too wise;

If you can dream- and not make dreams your master,
If you have patience for the long-term game,
If you can meet with Triumph and Disaster,
And treat those two impostors just the same;
If you can bear to hear a new agenda topic,
When your stomach rumbles and you've a train to catch,
If the finance sheets are making you myopic,
But you're determined that they've met their match;

If you can keep your mind fixated,
On those whom you are there to serve,
If you're working harder than anticipated,
And you approach the lot with vim and verve;
If you keep fellow members smiling,
When your own is wearing thin,
And hang in there when the pressure's piling,
And take your setbacks on the chin;

If every time one's added to your number,
You're bothered to make them feel at ease,
If you can drag others from their slumber,
To see the options you must surely seize;
If you can fill the unforgiving meeting,
With two hours worth of good work done,
Yours is the Earth, and everything that's in it,
And- which is more- you'll be a Director, my son!
(or daughter!)

Alex Swallow is chief executive of Small Charities Coalition and founder of Young Charity Trustees.

Leslie Mead named CDF Executive Director

THE COOPERATIVE DEVELOPMENT FOUNDATION'S (CDF)

board of directors has named Leslie S. Mead executive director of the foundation. Mead has 30 years of experience with cooperative organizations, most recently serving as president of The Cooperative Foundation, a private foundation based in St. Paul, Minn. Through her leadership, The Cooperative Foundation was an early supporter in the emerging worker cooperative field. The Cooperative Foundation is also the primary funder of the National Cooperative Education Inventory and Needs Assessment being conducted by Southern New Hampshire University.



Leslie Mead

NeighborWorks Achieving Excellence Program

MARY O'HARA, director of the ROC USA Network, is a recent graduate of the NeighborWorks Achieving Excellence Program, and Marguerite D'Angelo, Massachusetts regional manager of regional manager for CSI Development & Support Services; Warren Kramer, former executive director of the Northcountry Development Foundation; and Paul Bradley, president of ROC USA, are past graduates who have received a combination of consulting, coaching, and peer group collaboration, maximizing their efforts to apply what they have learned in the program to the challenges of their organizations.

This program that has a highly competitive application process is currently receiving applications. At times, it receives nearly twice as many applications as spaces available and expects the competition to be even greater for the next round due to growing word-of-mouth referrals and growing visibility of the program. For additional information about Achieving Excellence, call (800) 438-5547 or (202) 760-4000, or e-mail training@nw.org. **CHB**



Mary O'Hara



Marguerite D'Angelo



Warren Kramer



Paul Bradley

BOARD TRAINING SEMINAR

ROLES, RISKS & REWARDS *The 3Rs for Cooperative Boards*



THE NATIONAL ASSOCIATION OF HOUSING COOPERATIVES

Roles, Risks and Rewards—The 3Rs for Cooperative Boards is a six-hour, in-person, seminar that will build your cooperative knowledge and show you how to work together as a board. The 3Rs seminar assists board members in developing excellence in governance right at their own cooperative!

Who should participate?

Housing cooperative board members, management and anyone interested in cooperative governance.

Download the information sheet and complete the application available on the NAHC website. Contact the NAHC office with any questions via info@nahc.coop or phone at 202.727.0797.

California Association of Housing Cooperatives

CAHC'S LEADERSHIP FORUM met at Martin Luther King/Marcus Garvey Housing Cooperative on March 29. Cooperative boards of directors discussed ways in which the San Francisco Land Trust and the Mayor's Office of Housing could best serve housing cooperatives. Directors also focused on knowing and understanding legal documents, including bylaws. The San Francisco Land Trust and the Mayor's Office of Housing sponsored the free training. The next town hall meeting is scheduled for May.

Cooperative Housing Association of New England

CHANE IS SUPPORTING the newly formed Massachusetts Association of Housing Cooperatives, created to show a collaborative presence of local Boston area cooperatives in their effort to thwart a bill that if passed would threaten cooperative occupancy policies by eliminating criteria other than personal financial status and that criminal records, previous landlord reports, and other character factors would be outlawed in Massachusetts. The local cooperatives, with the help of CHANE, NAHC, and a lobbyist group, have defeated this legislation since 2008. But this year, the bill has picked up an enormous amount of support as the individual driving the bill has hired his own lobbyists who have been successful in getting the bill in for consideration both in the state of Massachusetts and/or the city of Boston. If passed, the bill (SB596/HB1143, "An Act relative to eligibility for cooperative housing corporations" originally filed as HB1224), would make it illegal for housing cooperatives to use any criteria other than financial to screen applicants for eligibility into their communities.

Council of New York & Condominiums and Cooperatives

CNYC AND SOLAR ONE conducted a workshop, Intro to Green for New York Cooperatives and Condominiums in 2014, on March 18. The workshop explored the many ways that cooperative and condominium boards can turn pressure to "go green" into an opportunity to reduce costs and comply with city codes. This workshop provided an array of quick and easy ways to reduce energy costs, guidance on complying with the city's "Green Laws," detailing the incentives available through the New York State Energy Research and Development Authority's Multifamily Performance Program for comprehensive energy efficiency retrofits, and strategies for engaging shareholders and unit owners in the greening process.

Additionally, CNYC members participated in the Buildings NY show March 19 and 20 where hundreds of products and services for New York buildings were displayed and explained.

CSI Support & Development

CSI SUPPORT & DEVELOPMENT attended the March 2014 National Affordable Housing Management Association (NAHMA) winter meeting in Washington, D.C. NAHMA is a leading voice for affordable housing, advocating on behalf of multifamily property managers and owners whose mission is to provide quality affordable housing. During the meeting, representatives from CSI focused on the current legislative issues. Conference topics included preservation, tax credits, rural housing, 202 refinancing, TRACS, and contract administration. At the close of the NAHMA conference, CSI representatives visited Capitol Hill to further discuss these issues with senators and representatives from the four states that CSI currently offers affordable senior housing: Senator Barbara Mikulski from Maryland, Senator Elizabeth Warren and Representative Michael Capuano of Massachusetts, Senators Debbie Stabenow and Representative Gary Peters from Michigan, and Representatives Henry Waxman and Xavier Becerra of California. The Congress members also received information on CSI's cooperative management system in an effort to inform and help them understand cooperatives.

Construction on the two new CSI cooperatives continues to go well despite the long, harsh winter in both the Michigan and Maryland regions. Wabash Estates Co-op (Maryland) is expected to open this

Continued on page 16 >

summer. The Pontiac, Michigan, site (currently referred to as Colony Lane) will be officially named soon by the interested persons on the waitlist. The name will be pending approval of the CSI Board of Directors. The site in Pontiac is expected to be ready to open sometime this fall. Please see www.csi.coop for more information on these new cooperatives.

Midwest Association of Housing Cooperatives

COOPERATIVE BOARD MEMBERS, professional cooperative managers, and their industry professionals such as lawyers, CPAs, and leaders who service the housing cooperative community will participate in MAHC's annual conference May 18 – 21 at the Hilton New Orleans Riverside.

Participants will choose from 50 plus classes, allowing attendees and speakers from vastly different fields to cross-fertilize and draw inspiration from unlikely places. Workshops include ethics, diversity, cooperative documents, annual meetings, and parliamentary procedures.

On May 17 and 18, maintenance staff and office managers may take the Certified Cooperative Maintenance Manager (CCMM) class, and cooperative directors may choose to participate in the Certified Cooperative Director (CCD) course. This course is designed for all board of directors, committee members, and/or members who want and need the components that drive the operations and oversight of the cooperative corporation.

The CCD course includes the history of cooperatives, corporate law, and ethics in the board room. Additional topics covered will be budgets, audits, financial components, marketing, and managing of the cooperative.

Two months later, members may take the CCMM class in Indianapolis, Indiana, on Saturday, July 19 at the Three Fountains West Inc. on July 19. The CCMM personnel that have the duties of regular maintenance at a cooperative housing property, as well as any cooperative member or other employees who want to know more about the cooperative maintenance process.

This class will not teach what tools participants need to fix a refrigerator, but it will teach them what tools they need to understand what a cooperative is and their role in it. Tools include learning the ethical consideration, maintenance plans, cooperative goals, inventory control, and working with contractors.

New Jersey Federation of Housing Cooperatives

THE FEDERATION will meet on Saturday, April 19 for a mini workshop and to share vendor lists in hopes of approaching vendors for Federation discounts.

Potomac Association of Housing Cooperatives

PAHC'S 38TH ANNUAL CONFERENCE will convene on April 24-26 at the Ramada Plaza Hotel in Nags Head, North Carolina. Five trainers will update members on cooperative matters: Bernard Cook, a D.C. attorney, will discuss fair housing matters; former NAHC Executive Director, Douglas Kleine, conflict of interest and rewarding and motivating volunteers; former NAHC President Vernon Oakes, finance; Al Pierce, Washington Hill Mutual Homes, Inc.'s licensed electrician, Occupational Safety and Health Administration regulations; and Tameesha Hill, Benning Road Cooperative, Inc., Washington, D.C., customer service. **CHB**



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