

NY HOA & Condo Quick Reference

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A board member's plain-English cheat sheet for the patchwork of statutes governing New York condos, cooperatives, and HOAs — the Not-for-Profit Corporation Law (NPC), Real Property Law (RPL), Real Property Actions Law (RPA), and the Martin Act offering-plan rules under General Business Law (GBS).

NPC — Not-for-Profit Corporation Law

§602

By-laws — required content for every NY nonprofit corporation, which includes most condo and co-op associations.

§603

Meetings of members — annual meeting required, frequency and time set in the bylaws.

§605

Notice of meeting — 10 to 50 days before any members meeting; mailed or delivered to record holders.

§608

Quorum at meeting of members — bylaws set the threshold; statutory default applies when bylaws are silent.

§621

Books and records; right of inspection — members may inspect with a written demand stating purpose.

RPL — Real Property Law (condominium specifics)

§339-u

By-laws — how condo by-laws are adopted and amended.

§339-v

Contents of by-laws — mandatory elements: board structure, meeting rules, voting, common-charge collection.

§339-i

Common interest — each unit's undivided interest in the common elements; drives voting weight and assessment math.

§339-aa

Lien for common charges — lien duration and foreclosure procedure for unpaid assessments.

§339-w

Books of receipts and expenditures — financial records the board must keep and make available to unit owners.

GBS — General Business Law (Martin Act)

§352-e

Real estate syndication offerings — the offering plan that must be filed with the NY Attorney General before sponsor units can be sold.

§352-eee

Conversions to cooperative or condominium ownership — rental-to-co-op conversion requirements (eviction plans).

§352-eeee

Non-eviction conversion plans — the most common path for co-op/condo conversion; protects existing tenants.

Meeting notice & deadlines

Members meeting

10 to 50 days written notice to every record holder (NPC §605). Notice states time, place, and purpose for any vote.

Special meeting

Same 10-to-50-day window as the annual meeting; purpose must be stated and only that purpose can be acted on (NPC

§605).

Board meeting

Notice as set in the bylaws (NPC §711). Most NY associations require at least 48 hours for regular board meetings; emergency exceptions allowed.

Waiver of notice

Notice can be waived in writing before or after the meeting (NPC §606). Attendance alone counts as waiver unless the member objects at the start.

Action without meeting

Members can act by unanimous written consent (NPC §614); directors can act by unanimous written or electronic consent (NPC §708).

Official records

Minutes

Required to record motions, votes, and quorum (NPC §621). Members have inspection rights with written demand stating purpose.

Books of receipts

Condos must keep books of receipts and expenditures available to owners (RPL §339-w); the same fiduciary duty applies to co-ops via NPC §717.

Right of inspection

Members may inspect books and records under NPC §621 with a written demand. Refusal can trigger a court order plus statutory damages.

Annual financial

NPC §519 requires the corporation to make an annual report available; offering-plan-era buildings also have AG disclosure obligations under GBS §352-e.

Quorum & voting

Condo (NPC + RPL)

Members quorum set by bylaws under NPC §608

Directors quorum set by bylaws under NPC §707; majority of directors is the statutory default

Voting weight = common-interest percentage (RPL §339-i) unless bylaws differ

Proxies permitted (NPC §609) with written authorization

Co-op (NPC + share certificate)

Voting is by shares allocated to each unit

Quorum + voting rules in NPC §608, §613; bylaws fill in the specifics

Proxies permitted (NPC §609); cumulative voting only if bylaws allow

Sponsor unit voting limited under NPC §612 once conversion completes

Plain-English summary — not legal advice; confirm against the current statute. SoShiny is the all-in-one portal communities use to run documents, voting, violations, a public website and more. Every feature on every plan: \$20/mo base + \$0.33/unit. soshiny.com