

## WHAT PET OWNERS MUST DO TO GET NEW YORK APARTMENTS

By Constance Rosenbaum | March 29, 2013



Emily Louise Andrews for The New York Times

GERALD ALLARDE OF EAST 30TH STREET TAKES IN THE VIEW WHILE LEO GIVES THE CAMERA AN I-DESERVE-A-BISCUIT LOOK. THE DOG, AN AMERICAN STAFFORDSHIRE TERRIER, MADE THE ALLARDE FAMILY'S APARTMENT HUNT A HEADACHE.

containing reports from veterinarians, dog walkers, neighbors and rescue services detailing their pet's sweet nature and nondestructive tendencies. Some owners have been known to sedate their dogs in preparation for the increasingly required interview before a co-op board.

These strategies may seem surprising, because in many respects, New York pet owners have much to be thankful for.

In 1983 the city passed a law allowing residents in most New York apartments that don't allow pets to keep a pet if it hasn't been concealed over a three-month period and no lawsuit has been filed during that time.

Expanding legal protection for people with physical and emotional disabilities, along with growing awareness of the therapeutic value of pets generally, has also done much to benefit pet owners. As such, the situation is far from the 1960s and '70s, when leases for rent-regulated apartments routinely included the clause "no pets allowed."

Nonetheless, pet owners, especially those with large and less-than-beloved breeds of dog, say it has become ever harder to find a welcoming apartment.

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Even when a building advertises itself as “pet-friendly,” there is no guarantee that a particular pet will be a shoo-in. Condominiums that permit animals may prohibit subrenters with pets. Many pet-friendly co-ops and rental buildings impose restrictions regarding number, size and breed. And since many people are devoted to certain breeds, choosing one half the size is rarely an acceptable compromise.

Economic pressures aggravate the situation. As Paul Buttenhoff, a director of sales and leasing at Platinum Properties, a residential brokerage, put it, tongue only slightly in cheek: “In the winter of 2008-2009, when the market was in free-fall, you could basically move a dinosaur into your apartment because many landlords were desperate to fill vacancies. But when the market heats up, landlords can afford to be more choosy.” And right now, the rental and sales markets are very tight.

On occasion, would-be pet owners try to game the laws protecting people with disabilities. Many Americans, of course, suffer from legitimate physical and emotional ailments that are eased by the presence of an animal. But observers of the city’s real estate world agree that growing litigation on this front includes healthy people seeking to use this route to keep an animal under their roof.

“For example,” said Sherwin Belkin, a partner of Belkin Burden Wenig & Goldman, whose specialty is rental buildings, “they’ll submit a letter on plain paper, not letterhead, that says little more than, ‘This person feels depressed, and a dog will make her feel good.’ A letter like that generally won’t cut it.” His colleague Aaron Shmulewitz, who represents co-ops and condos, added: “The norm is restriction, especially with large dogs and with breeds like Dobermans and Rottweilers. New buildings tout their pet-friendliness, but board approval is generally required for more than two animals.”

Darryl Vernon, a former member of the committee on animal law of the New York City Bar Association, wrote “Companion Animals in New York City Apartments,” the committee’s brochure on pets in housing. “With co-ops and condos, the situation is getting better, but boards enforce what they want to enforce,” he said. “Even many buildings that describe themselves as pet-friendly impose myriad restrictions.” The issues generally involve dogs because, as Mr. Vernon said, “landlords tend not to know about cats, so there’s less litigation.”

Buildings have rules about pets for many reasons. The very young and the very old may be frightened of animals, especially those that look menacing. Owners worry about property damage. Barking and howling can make life miserable for everybody. A jumping dog, no matter how friendly, can be unnerving and dangerous, and few people appreciate a nip in the ankle. Multiple cats can result in unwelcome odors.

New York is home to half a million dogs (according to the Department of Health and Mental Hygiene) and nearly as many cats, and to millions of people with assorted fears, phobias and allergies living just inches from their neighbors. Small wonder that pets in apartments have become an ever more contentious issue. It’s the rare pet owner who doesn’t have a sad and even heartbreaking story about the struggles of finding a place to live.

Securing an apartment can be arduous under the best of circumstances, and pet owners sometimes simply run out of time. This is what happened to Jennifer Tuttle, 33, a producer at CNN. At issue was Buddy, the English bulldog she acquired six years ago from Montel Williams, the talk-show host, who had won Buddy at a charity auction in 2004 but found himself too busy to care for him. At the time Mr. Williams acquired Buddy, he was a puppy; now he is 8 (old for the breed) and weighs 55 pounds.

“When I was living in a rental on the East Side,” Ms. Tuttle said, “the dog was never an issue. But when I wanted to move to the West Side, I ran into problems. I looked at town houses, at walk-ups. Meanwhile, Buddy was getting older and stairs were getting harder for him. And whenever I saw something I liked, the question would be: Do you have a dog? Then they’d ask about the breed and the weight.”

A year ago, Ms. Tuttle found a rental apartment she liked in a pet-friendly co-op on West 85th Street. But when it came time for the board to approve her application, matters became tricky. After considerable back and forth, she was asked to provide a biography for Buddy, which she did, describing him as “a loyal and sincere companion who wears his heart on his sleeve.” Her testimony did little good. Eventually she was told that the building no longer allowed renters to have pets because of an unfortunate incident involving a pair of Great Danes.

Ms. Tuttle then settled on a one-bedroom rental in a small pet-friendly building a few doors away, for which she pays \$2,200 a month. But the four-flight walk-up, including the stoop, proved such a challenge for Buddy that he now spends most days with Ms. Tuttle’s parents in New Jersey, sometimes visiting his owner on weekends. “I miss him tons and tons,” she said. “But this is the sad reality of being a dog owner in New York. He just got too old.”

Restrictions on pets can force a person to pass on an amazing home, as was the case with Thais Alexander, a vice president and corporate counsel for Prudential Capital Group.

Ms. Alexander, 38, had lived in New York (with a detour to North Carolina) since 2001, and by last August was paying nearly \$3,000 for a studio in Hell’s Kitchen when Hope Khouri of Halstead Property showed her a spacious two-bedroom condominium in Harlem, available

as a rental for \$3,200 a month.

"I immediately fell in love with it," Ms. Alexander said. She was enchanted with the 1,000-square-foot private roof deck on which she envisioned barbecues. An ardent cook, she pictured herself at work in the roomy and well-equipped kitchen.

"I told Hope I'd take it in a heartbeat," Ms. Alexander said. "Then she came back and said they didn't allow subtenants to have pets. I was utterly deflated."

The pet in question was Foxy, a 23-pound Shiba Inu, acquired by Ms. Alexander a decade ago as a 2-month-old puppy. "She rarely barks," Ms. Alexander said, "and she's adorable, really more like a cat than a dog. I thought, if they could just meet her, everything would be fine. I even offered to pay additional security. But in any case, giving her up was not an option."

In October, Ms. Alexander settled on a small one-bedroom in an Upper West Side brownstone, a fourth-floor walk-up with a tiny kitchen and no outdoor space, for which she pays nearly as much as she would have for the apartment in Harlem.

"She gave up so much for her dog," Ms. Khouri said. "I never had any pets, and at first I wondered why anyone would choose a pet over a great apartment. But then Thais told me how she'd had her dog for so many years and how the dog had lived with her in other places and been a constant companion. Then I realized, why would she give up something that had become such a part of her life?"

Nick Koutsoulidakis, a computer software developer, can tell a vivid story about his experience with an ever-expanding pet population in his apartment. In 2006, Mr. Koutsoulidakis, now 40, was renting a luxury apartment on East 83rd Street with his three purebred cocker spaniels when two of the dogs mated — and mated again. The result was two litters of puppies.

"It's hard to find homes for puppies, and I didn't want to give them to a shelter," said Mr. Koutsoulidakis, who had been living in the apartment for eight years and paying nearly \$3,000 a month. But when residents complained to the building's management about the proliferating number of dogs, it became clear that Mr. Koutsoulidakis had to find new lodgings.

After what his broker, Christopher James of Citi Habitats, described as an exhaustive search, "because when you have pets, you knock out half the places you could consider," Mr. Koutsoulidakis found a large one-bedroom rental near his old apartment, for which he pays upward of \$3,500 a month. The apartment is home to three of Mr. Koutsoulidakis's dogs, including a puppy from one of the litters.

"In my opinion," he said, "people who don't like pets have problems. To me a person who likes pets is a more well-rounded individual. They're not afraid to make a commitment." In any case, he added, "I'm not giving up my dogs." For owners of large breeds with questionable reputations, the search for an apartment can be especially daunting, as it was for Angela Allarde, a business manager at Morgan Stanley, and her husband, Gerald, who works as a technician in the media department at Channel 2. The household included their daughter, Olivia, now 13 months, and — more problematically — Leo, the 60-pound dog acquired by the Allardes in 2010.

The pet rescue place from which they got Leo identified him as an American Staffordshire terrier, but in Ms. Allarde's opinion, "that's another way of saying pit bull."

The couple were seeking something larger than their modest one-bedroom rental in Kips Bay, for which they paid \$2,065 a month. But building after building turned them down.

"We looked at two dozen places, looking nearly every day for a month," Ms. Allarde said. "Buildings would say 'pets allowed,' but then they'd have specific restrictions regarding breed and weight, and the weight limit would be 10 pounds. We'd already told our landlord that we planned to vacate our old place, and I literally thought that we'd be homeless."

She remembers one apartment "where they said, O.K., but they wanted to see a picture. We sent them the nicest possible picture of Leo, lying down with his toys so he didn't look too threatening. But that didn't work. They said, 'We'll take you but not the dog.'"

At another building, described as pet-friendly and open to large breeds, "they wanted pictures from multiple angles and pictures of Leo's whole body. And once they saw them, they said, 'Forget it.'"

Finally Ms. Allarde mastered the visuals, in the form of images showing Leo and Olivia posed side by side, along with artfully cropped photos taken at an angle designed to make Leo look smaller, cuter and less pit-bull-like.

These proved the ticket. In November, with the help of Melissa Taba, a Citi Habitats broker, the family moved into a larger rental apartment on East 30th Street for which they pay \$1,000 more a month than they were paying for their old place. But Ms. Allarde is relieved beyond words. "To give up Leo would have been heartbreaking," she said.

As for the reaction of their fellow tenants, so far so good. “Leo can be kind of jumpy,” Ms. Allarde said. “And he can look scary with his mouth open. But he simply wants to say hi.”

Jeffrey Rosen, a businessman, and Ana Maria Estrada, an actress, pulled out all the stops three years ago in their quest to buy a luxurious three-bedroom co-op on Central Park South. The apartment offered 2,200 square feet of space along with a terrace overlooking the park, but dogs had been barred from the building for decades.

The couple’s offer of \$2.4 million was accepted. However, when the board learned about their 18-pound Lhasa apso, Dakini, an aging dog to which Ms. Estrada was deeply attached, the deal seemed doomed.

“The board was staunch in its no-pet policy,” said Deborah Gimelson, the Brown Harris Stevens broker who represented the seller and who hammered out the deal with Susan Greenfield, a fellow Brown Harris Stevens broker who represented the buyers. “But the couple approached the board president, and it was agreed that they’d pay \$50,000 as a nonrefundable fee to the building and \$25,000 in escrow for any damage the dog might cause.”

The couple also submitted a dossier consisting of a photo, a veterinarian’s report and a colorful description of Dakini, describing her as “spiritual” and detailing her meeting with the Dalai Lama. Dakini, it was further revealed, had also appeared in a television pilot.

At the interview, Dakini charmingly licked the hand of the board president, and the couple closed on the apartment in September 2010. The only provisos in the agreement were that Dakini enter and leave the building via the service elevator and that when she dies, she may not be replaced by another dog.