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## **The 5 Most Frequent Causes of Neighbor Fights in NYC**

*And how to keep the peace in your building*

Unless you're a multi-millionaire who can afford your own island, there's no way to avoid neighbors, especially in New York City. Sometimes this is a blessing in disguise, and other times? Not so much. And of course, some sources of neighborly discord are way more common than others. In the interest of commiserating—and, yes, heading off a future conflict—we're rounding up the most time-honored causes of neighbor fights, and how to resolve them:

### **NOISE**

Far and away, noise has always been—and probably always will be—the biggest source of friction between neighbors in apartment buildings. (This should come as a surprise to approximately no one.) And between the pitter patter of little feet, late night parties or rehearsals, construction work, and pets, there's a seemingly endless smorgasbord of ways neighbors can sonically disrupt one another. The advice? "Take off your heels on wood floors, carpet the bedrooms, and don't make excess noise with your TV, stereo, musical instruments, or wild orgies after 10 pm," advises Thomas Usztoke of Douglas Elliman Property Management.

And if you've got kids, prepare for a certain amount of warfare. "Especially when a quiet elderly person moves out and is replaced by a young family, the new residents are almost always considered a noise problem," says real estate attorney Dean Roberts. To help ease the tension, Roberts recommends taking a plate of brownies and one of your kids downstairs to meet your new neighbors *before* the complaints start rolling in. "That at least sort of pre-empts it, and puts a face on the problem," he says.

"I always tell clients to talk to the doorman," adds DJK Residential Associate Broker Fainna Kagan. "Ask who lives downstairs. If it's another family or someone who owns a pied a terre, they tend to be more understanding." If it's *you* who's making the noise, keep in mind that excessive noise between 10 pm and 7 am is considered a nuisance in NYC, and that following the so-called "80 percent rule" and putting down carpeting to muffle sounds may be your best bet towards heading off a problem.

### **ODORS**

If you're not *hearing* your neighbors, you may well be smelling them, whether they've got a penchant for ultra-fragrant dinners, a hoarding problem, or a pack-a-day smoking habit. "Smoking as a nuisance is much more of an issue than it was even five years ago, because people are less tolerant, and fewer people smoke," says Roberts, noting that residents are often particularly eager to crack down on pot smokers, even though as a legal nuisance, a joint is no different than a Marlboro Red. "I had one co-op board that found out a teenager in the building was smoking marijuana, and it was like they expected a SWAT team to jump in from the roof," he says. (Before you call 911, a reality check: The NYPD probably isn't going to make nabbing your building's resident stoner their top priority.)

That said, since very few New York apartment buildings are strictly smoke-free, it can be tough to clear the air. While odors that make their way into your apartment *are* considered nuisances, "You can't reproduce an odor in court to have someone evaluate it," says real estate attorney Steve Wagner. One exception: Wagner once had a case where an elderly couple wasn't cleaning up after their cats, and their apartments carpets were absorbing (and disseminating) a stench that bothered the rest of the building. "We subpoenaed the rug and had it brought to court, and the case settled after the judge took one whiff," Wagner says. (In this case, the couple agreed to have the apartment cleaned.)

For stench that are truly foul—the kind caused by hoarding or other unsanitary conditions, for instance—the key is to prove that it's affecting other residents in the building, says Wagner, citing a case where a building evicted a hoarder on the testimony of a neighboring child who could no longer bring friends to the building thanks to the smell. "The court doesn't have the power to compel somebody to get psychiatric help, but they can bring in adult protective services to do an evaluation and start separate proceedings," notes Wagner.

Sometimes, smells are also a renovation issue, as apartment alterations can inadvertently open up new pathways for smoke and other scents to get into your apartment. "In one case, the super came in and sealed everything up, and it solved the problem," says Wagner. But if the problem is simply a neighbor who won't stop smoking, says Citi Habitats broker Candace Medina, there's not much more to be done other than reporting the problem to management, and having them ask the person to smoke out the windows. "You can't really ask them to stop unless the building is non-smoking," says Medina. Or, as we like to suggest for weed enthusiasts, switch to a vaporizer.

## **CONSTRUCTION**

While it's easy to get caught up in your *own* headaches during a renovation, keep in mind that your kitchen overhaul is likely causing hassles for your neighbors, too, and have some sympathy when you find yourself on the other side of the issue. "No, your alteration from a decade ago wasn't any quieter than the one you're currently complaining about," as Usztoke puts it.

Aside from the obvious noise issues, construction can also cause damage hallways and common areas (though your contractor's insurance should cover this), and neighbors aren't always thrilled about the commotion of handymen and contractors coming and going throughout the day. Aside from making sure your work only takes place during the appropriate hours, says Kagan, the best defense against complaints is a good offense.

"Before you begin work, give all the neighbors a bottle of wine and let them know you apologize in advance for any noise," she says. And if *you're* the one being bothered by a neighbor's construction work, this is a case where problems should probably be outsourced to the building's management, rather than handled with a knock on the neighbor's door, since most buildings will have strict rules about noise and hours, and won't hesitate to enforce them. "Often, the super will come up and 4 pm or 5 pm and remind the crew that it's time to get out," says Kagan.

## **LEAKS**

If water is making its way into your apartment thanks to a careless neighbor, this is another situation where you should take the problem straight to the top. "Call management and say you have a leak," says Roberts. "They need to know because there will be structural issues." If you'd like to be more diplomatic, you can also head upstairs and let your neighbor know in person that the tub seems to have overflowed and its contents are seeping through your ceiling.

Water damage from a neighbor's burst pipe or bathroom overflow is unfortunately all too common—so much so, says Roberts, that it's the prime reason so many buildings demand residents have apartment insurance. But on the bright side, he notes, "they tend to get dealt with pretty quickly because they're source-specific."

## COMMON AREAS

"By definition, these are grounds for warfare," says Roberts. While many common rooms like hallways and laundry rooms are relatively benign, he notes, "Every common area that has utility, like a backyard or rooftop terrace, tends to have issues." (In the course of reporting this story we *did* hear about one incident in which a building had to tell a resident to stop strolling to the laundry room in nothing but his underwear.)

For recreational areas like roof decks and playgrounds, the best course of action is a building-wide set of rules about when and how the areas can be used (though of course, there's no guarantee people will follow them). "I've worked with co-ops that set up committees to manage it," says Roberts. "The hall monitors, for lack of a better term." Even if you've got a *private* backyard, you may well find your upstairs neighbors trash and cigarette butts floating down into your yard, notes Medina. "I've heard of glasses dropped down into a garden, too," she says.

Another classic common area issue: families who leave strollers, shoes, and other kid paraphernalia cluttering the hallways. Besides being an annoyance and eyesore for the neighbors, buildings consider this a fire hazard. In one such case, says **CORE agent Kerry Elizabeth Lynn**, building management forced one errant family to pay for in-building storage, after flyers about keeping the hallways clear went ignored. "Eventually, they had to give in, because none of the neighbors would talk to them," she said.

Ultimately, for repeated infraction, you may be left with no choice but to tattle. "Nobody wants to be the building complainer, but you also don't want to put up with abuse," says Medina. "And sometimes, if there's no other recourse and the neighbors are *really* unpleasant, people just move."