

The New York Times

Real Estate Q&A

Expert Advice for Owners and Renters



Roommate Law vs. Co-op Board Rules

By JAY ROMANO

May 21, 2010, 7:13 PM

Q. *I live in a self-managed co-op, and we are getting conflicting information about whether co-ops can prohibit roommates. What is the law?*

A. **Adam Leitman Bailey**, a Manhattan real estate lawyer, says the state's roommate law allows any tenant who has a lease to have a roommate — including the roommate's dependent children — without interference from the landlord. **Mr. Bailey** says that while co-op boards have broad powers to establish building regulations under the “business judgment rule,” the rule does not supersede the law.