



## Deborah Koplovitz

*Partner*

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Deborah Koplovitz is a partner in Herrick's Litigation Department where she concentrates her practice in real estate litigation and general representation of condominiums, cooperatives and sponsors. Deborah's overarching goal is to work with her clients to create harmonious communities that continue to protect the values and goals of the condominium movement. Clients value her creative problem solving and empathic understanding of the running of their business, as she partners with leadership to find advantageous solutions to any challenges that may arise.

Deborah has handled construction issues and sponsor-defect cases, vendor disputes, corporate governance issues, foreclosure matters, bankruptcy, housing discrimination claims, hoarding cases, alteration disputes, lease and bylaw defaults, and noise complaints, to name a few.

In addition to the specialized areas pertaining to cooperatives and condominiums, Deborah represents lenders in loan default issues and is also a determined advocate for her clients in all areas of commercial litigation, such as legal malpractice prosecution and defense, civil rights issues, partnerships and business disputes, and representation of foreign sovereigns and their heads of state.

She is consistently recognized for her sound judgment and advice in the cooperative and condominium field, and is regularly quoted in *The New York Times*, *Habitat Magazine* and *The New York Cooperator*. She also regularly lectures in the areas pertaining to cooperatives and condominiums.

Additionally, Deborah is also a trained mediator, focusing on community-style mediation.

Prior to joining Herrick, Deborah practiced law at Anderson Kill P.C.

### Nordic Practice

Deborah leads the firm's Nordic Practice, collaborating with corporate, tax, real estate, government relations and litigation attorneys to service Nordic businesses, funds and investors active in the United States. The team guides clients through the complex legal issues and transaction structures inherent in cross-border investments, seamlessly offering services all under one roof for our clients in the Nordics.

### Services

- Litigation
- Real Estate Litigation & Dispute Resolution
- Condominium and Cooperative Law
- Real Estate
- International

- Nordic

### Education

- Brooklyn Law School (J.D., 2005)
  - Fellowship - Dennis J. Block Center for The Study of International Law
  - Carswell Scholar
- Washington University (A.B., *universali cum honore*)
- Eberhard Karls University of Tübingen (1990)

### Languages

- French
- German
- Norwegian

### Memberships & Associations

- New York City Bar Association, Committee Member
- The Brotherhood Synagogue's Interfaith Committee, Member
- Real Estate Board of New York, Member
- Commercial Real Estate Women (CREW), Member

### Publications

#### April 8, 2021

Sponsors and Holders of Unsold Shares: Everything Old Is New Again  
New York Law Journal

#### January 13, 2021

PPP Loans: Does Your Cooperative Qualify This Time?

### Previous Experience

#### PREVIOUS EXPERIENCE

- Defense of boards, their officers and directors in lawsuits claiming breach of fiduciary duty, waste, fraud, negligence, property damage and breach of contract
- Prosecution and defense of employment and housing discrimination claims under New York State, City and Federal laws
- Defense of legal malpractice claims, claims that a plaintiff's federal civil rights have been violated, and in wrongful conviction and false imprisonment cases
- Representation of outdoor advertising companies and buildings in administrative proceedings and in court with respect to alleged violations of the New York City Administrative Code
- Representation of purchasers and sellers of cooperative and condominium apartments and seller of multimillion-dollar commercial property
- Representation of purchaser of condominium unit in dispute against sponsor for return of contract deposit
- Representation of condominium boards in claims against sponsors for construction defects

- Prosecution and defense of shareholder and election disputes
- Representation of foreign heads of state in U.S. contract dispute
- Representation of creditors in bankruptcy proceedings
- Representation of cooperatives and condominiums in the sale/license of hallway space and common areas
- Representation of licensors and licensees for use and access to adjacent property for purposes of Local Law 11 work
- Advise companies on compliance with U.S. Treasury regulations, New York State Attorney General Regulations, New York State Public Service Law, the New York State Public Service Commission Regulations, and the New York City Administrative Code
- Prosecution and defense of foreclosure actions
- Commercial leasing and buyouts

#### PREVIOUS REPRESENTATIVE CASES

- *Chen v. Ma*, 2013 44457607 (S.D.N.Y. 2013)
- *Green Apple Management Corp. v. Aronis*, 95 A.D. 3d 826 (2nd Dept. 2012)
- *J-Mar Service Center, Inc. v. Mahoney, Connor & Hussey*, 45 A.D. 3d 809 (2nd Dept. 2007)
- *Madison Park Owner LLC v. Schneiderman*, 93 A.D. 3d 555 (1st Dept. 2012)
- *Mazzocchi v. Windsor Owners Corp.*, 2013 WL 5295089 (S.D.N.Y. 2013)
- *Rogowsky v. McGarry*, 55 A.D. 3d 815 (2nd Dept. 2008)
- *Sash v. Rosahn*, 2011 WL 6091571 (2d Cir. 2011)

#### Previous Published Works, Lectures and Press

##### PUBLISHED WORKS

- "Construction During COVID19 Update What to Know During Phase One Reopening" (June 24, 2020)
- "Construction During COVID-19 What New York City Condo and Coop Boards Should Know About Commencing and Continuing Work" *Co-Op, Condo & Real Estate Advisor* (May 01, 2020)
- "When Can COVID-19 Protective Measures Trigger Discrimination Claims?" *Co-Op, Condo & Real Estate Advisor* (April 27, 2020)
- "New Ways to Enforce Coronavirus Safety Measures in Your Condo Coop" *Co-Op, Condo & Real Estate Advisor* (April 03, 2020)
- "Coronavirus Containment: The Board's Role" *Co-Op, Condo & Real Estate Advisor* (March 25, 2020)
- "Tenant-on-Tenant Discrimination in Housing: Co-op and Condo Boards Can Be Liable" *Co-Op, Condo & Real Estate Advisor* (March 15, 2019)
- "Rules and Regulations Since 2018 - New Policies for Co-op and Condo Boards" *Co-Op, Condo & Real Estate Advisor* (February 26, 2019)
- "New Online Bedbug History Report to HPD" *Co-Op, Condo & Real Estate Advisor* (February 25, 2019)
- "New Law for Providing Stove Knob Covers" *Co-Op, Condo & Real Estate Advisor* (February 25, 2019)

- "Multi-Family Conservation Program Compliance Deadline" *Co-Op, Condo & Real Estate Advisor* (February 25, 2019)
- "New Mandatory Gas Piping System Inspection Once Every Five Years" *Co-Op, Condo & Real Estate Advisor* (February 25, 2019)
- "Mandatory Parking Garage Inspections Coming in New York" *Co-Op, Condo & Real Estate Advisor* (February 25, 2019)
- "Rejecting Purchase Applications" *Habitat Magazine* (December 03, 2018)
- "Anderson Kill Launches Co-op and Condo Mediation Center" *Co-Op, Condo & Real Estate Advisor* (October 24, 2018)
- "Rejecting Purchase Applications" *Habitat Magazine* (October 03, 2018)
- "Sexual Harassment in Housing: Co-Op and Condo Boards Can Be Liable " *Co-Op, Condo & Real Estate Advisor* (June 20, 2018)
- "The New York State Court of Appeals Confirms That the Word 'With' Means an Actual Contract Between Two Parties" *Co-Op, Condo & Real Estate Advisor* (June 20, 2018)
- "When sorry just won't cut it ... in and damnum will" *Habitat Magazine* (November 01, 2017)
- "Is Your Status as an Additional Insured ... Secured?" *Co-Op, Condo & Real Estate Advisor* (October 31, 2017)
- "Seeking Indemnification? Avoid Overreach" *Co-Op, Condo & Real Estate Advisor* (October 31, 2017)
- "Careful What You Email - It Could Be a Binding Contract" *Co-Op, Condo & Real Estate Advisor* (September 22, 2017)
- "The perfect condo?" *Queens Ledger* (July 05, 2017)
- "Is Sexual Orientation Protected by Title VII?" *Employment Law Insider & Alert* (May 02, 2017)
- "Want to Put Up a Building in NY? Put Up Money to Cover Construction Defects" *New York Law Journal* (April 05, 2017)
- "Building Defects - Who Pays?" *Habitat Magazine* (November 07, 2016)
- "Avoiding Disability Conflicts While Replacing an Elevator" *Co-Op, Condo & Real Estate Advisor* (November 03, 2016)

## LECTURES

- "Repairs, Renovations and Façade Issues - What is Essential and What Isn't" (May 19, 2020)
- "Addressing Residents' Renovation Requests" *CNYC 39th Annual Housing Conference* (November 17, 2019)
- "Anderson Kill's Co-op and Condo Group Presents a Seminar Series Part V: "Licensing Agreements"" (October 17, 2019)
- "Hot Topics in Cooperatives & Condominiums 2019" *New York City Bar* (March 25, 2019)
- "The FHA at 50: Fair Housing from the Civil Rights Era to Today" *Lawline* (November 29, 2018)
- "Labor Law & Real Estate Attorneys Address NYS & NYC Employer Sexual Harassment Laws" *The New York Association of Realty Managers* (September 12, 2018)
- "Anderson Kill's Co-Op and Condo Group Presents a Seminar Series - Part I: "Addressing Intra-Tenant Issues"" (June 20, 2018)

- "The Fair Housing Act: A Primer on Analyzing and Avoiding Discrimination Claims Webinar" *Lawline* (January 29, 2018)
- "Anderson Kill's Co-op and Condo Group Presents a Seminar Series - Part III: 'Aging in Place'" (January 18, 2018)
- "The Fair Housing Amendments Webinar" *Lawline* (September 11, 2017)
- "Anderson Kill Presents a Seminar Entitled "Avoiding Housing Discrimination Claims"" (June 07, 2017)
- "Discrimination Claims and How to Comply With the Law" *Anderson Kill and The Ferrara Management Group* Armonk, NY (November 04, 2016)

## PRESS

- "Coop and Condo Boards Bracing for a COVID19 Halloween," *Habitat Magazine* (October 15, 2020)
- "Licensing Agreements," *Habitat Magazine* (November 19, 2019)
- "Q&A: Withholding My Maintenance Fee After My Apartment Got Flooded," *The Cooperator* (December 01, 2018)
- "Got Your Stove Knobs Covered?," *Habitat Magazine* (November 23, 2018)
- "The Human Factor in Capital-Improvement Budgets," *Habitat Magazine* (August 15, 2018)
- "Westchester May Speed Up Co-op Purchase Applications," *Habitat Magazine* (January 26, 2018)
- "What DIY Improvements Are Allowed or Not Allowed Inside Your Co-op?," *The Cooperator* (January 25, 2018)
- "NORCs on the Rise - A Look at Naturally Occurring Retirement Communities," *The Cooperator New York* (January 18, 2018)
- "The Perfect Fit," *Habitat Magazine* (January 08, 2018)
- "Ensuring Insurance," *Habitat Magazine* (December 01, 2017)
- "Housing Discrimination: What Does the Future Hold and How Can Boards Be Prepared," *The Cooperator New York* (August 31, 2017)
- "Housing Discrimination: Who's Protected? Protected Groups that Buildings Need to Know," *The Cooperator New York* (August 24, 2017)
- "Accommodating the Mentally Disabled Who Have Service Animals - How Can a Building Avoid Potential Discrimination," *The Cooperator New York* (August 03, 2017)
- "Physical Handicap Issues - Housing Discrimination Law and Your Co-op," *The Cooperator* (July 27, 2017)
- "Bills Seek to End Conflicts of Interest on Co-op and Condo Boards," *Habitat Magazine* (June 29, 2017)
- "What You Should Know About Housing Discrimination - A Recent Seminar Highlights the Issue's Complexities," *The Cooperator New York* (June 16, 2017)
- "Dangerous Window Boxes," *The New York Times* (May 13, 2017)
- "Is a 'Tenant Advocate' Coming to the Department of Buildings," *Habitat Magazine* (March 28, 2017)
- "New Bill Seeks to Speed Co-op Purchases," *Habitat Magazine* (January 31, 2017)
- "Has Your Insurance Got You Covered?," *Habitat Magazine* (January 06, 2017)
- "The Human Factor in Capital improvement Budgets," *Habitat Magazine* (November 30, 2016)
- "Unfixing "Fixed" Costs," *Habitat Magazine* (September 22, 2016)

- ["Show Me the Money,"](#) *The Cooperator* (July 06, 2016)
- ["Where a Sidewalk Ends,"](#) *The New York Times* (April 16, 2016)
- ["Repairing Balconies,"](#) *The New York Times* (February 28, 2016)