



## The New York Association of Realty Managers

# TUESDAY APRIL 24

Property Managers Building Owners Facility Managers  
Building Engineers Superintendents Resident Managers  
Coop & Condo Building Boards Suppliers Contractors  
Industry Professionals Consultants  
Assistants to the Above

↓↓↓see pricing below NYARM MEMBERS ATTEND FOR FREE see pricing below ↓↓↓

- **HOWARD ROTHSCHILD, ESQ, RAB - Reports on 32BJ Union Negotiated Settlement**
- ▶ **PETER FUNK, ESQ - Events Beyond the Control of a Party to Perform Contract Provisions**  
**Don't be a Building Manager Who Unknowingly Contributes to Another's Performance Failure**

11:00 - 11:30 Networking Exhibits Refreshments

11:30 - 12:30 **Peter Funk, Esq. Funk & Zeifer LLP, Attorneys [www.funkandzeifer.com](http://www.funkandzeifer.com)**

**EVENTS BEYOND THE CONTROL OF A PARTY TO PERFORM CONTRACT PROVISIONS** is called **FORCE MAJEURE** It applies to most construction & supply agreements and often overlooked are the critical elements of the provisions in Energy Procurement & Energy Saving Retrofit Contracts. **Don't be named** as the party who contributes to another's failure.

- 1 Energy Procurement Negotiation and Effective Administration of Force Majeure Provisions During the Contract Term
- 2 FORCE MAJEURE can result in fundamental consequences for the SUPPLIER, BROKER, PURCHASER, CONTRACTOR
- 3 How courts or arbitrators may view the following differently:
  - Weather-related events
  - Natural Disasters – what is a disaster?
  - Impact of general vs specific contract language
  - Un-Bargained for disadvantages/contingencies
  - Newly Enacted Laws negatively affecting or preventing performance
  - Commercial Impracticability - excuse by failure of pre-supposed conditions or impossibility of performance
  - Events Beyond the control of a party – what is “beyond the control?”
  - Economic Events – significant rise & fall of commodities pricing

**12:30 - 1:00 Howard Rothschild, President, Realty Advisory Board on Labor Relations, RAB – REPORTS: On the contract agreement reached last week negotiated between Local 32BJ SEIU & the RAB, who represents the owners of residential buildings, including cooperatives & condominiums in Manhattan, Queens, Brooklyn & Staten Island where 32BJ members work - obviating concerns about the threat of a strike when the present contract expires midnight on April 20<sup>th</sup>.**

1:00 - 2:00 Light Lunch Exhibits Networking

Legal Advice Tables BRING YOUR ISSUES & QUESTIONS to Real Estate Attorneys

- ✓ Achieve, Renew, Complete - **Your Property Management Certification**
- ✓ New York Accredited Realty Manager Certification - NYS & NYC Agency Recognized
- ✓ RAM, CPM, ARM Property Management Certification Renewal Credits  
<http://www.nyarm.com/CERTIFICATIONINFORMATION.pdf>

**Where - 20 W 44th St bet 5/6<sup>th</sup> Aves NYC** General Society of Mechanics & Tradesmen, Ground Floor Library

▶ **Non Members To Attend \$185**

- ▼ **How To Become a Member** [www.nyarm.com](http://www.nyarm.com) call for details
- ▶ **Individual Building Managers \$250** dues & come to **all Conferences free for 1 year**
- ▶ **Management Companies \$700** dues & send up to **eight (8)** to each Conference **FREE 1 year**
- ▶ **Associate Members \$1100** dues includes  Advertising  Exhibits at Conferences  Sponsorships

● **RSVP REQUIRED Call Email or FAX contact info or BUSINESS CARD**

Include: Name Position Phone # Company or Building Name

212 216 0654 [mrussell@nyarm.com](mailto:mrussell@nyarm.com) fax 212 216 0680

<http://www.nyarm.com/contact.htm> [www.nyarm.com](http://www.nyarm.com)



Executive Director #MargieRussell  
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