

Creative Living

Marie McGee editor/591-2300



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condo queries

Robert M. Meisner

Q. I am a contractor who has agreed to install tile in a home that costs \$1-million and the owners who, by the way are multi-millionaires, do not want to pay me. They say that I have overcharged them and asking suggest that the way they got so rich was because they don't pay anyone. I would like to foreclose on a lien but is there any other action you could suggest?

A. The first thing you should do, of course, is insure that your mechanics lien is properly perfected. I would then, presumably through an attorney, advise the homeowner of your intent to sue for damages, including attorney fees incurred, in having to foreclose on the lien.

I can certainly appreciate your consternation concerning the attitude of the owner who, it would appear, abuses contractors and, presumably, others then makes them sue them for damages. Unfortunately, this type of conduct seems to be surprisingly prevalent in the higher socio-economic classes, who for some reason, think they can get away with it.

You should pursue that homeowner until you obtain a just and equitable resolution, since you may well conclude that you cannot allow people such as the persons you are describing to "beat you out" without pursuing all of your legal remedies.

Q. We are co-owners in a condominium with a board of directors that is apathetic and unwilling to properly pursue the developer for various problems at the condo. Our unit is experiencing roof leaks and basement leaks and the board says that they don't want to spend the money to commence legal proceedings

since they have other tasks at hand. What can we do?

A. Assert your political and legal rights, consider running for the board or organizing a coalition of co-owners who are concerned about the success and vitality of the condominium and the expenditures which will have to be made by the association in the event that they do not recover the cost of the repairs necessary to the common elements, presumably under the responsibility of the developer.

Advise the board of your concern and of their legal liability for failing to properly pursue a developer, assuming that the damages are significant. Also make sure that you personally have notified the developer of the various warranty items which you are claiming are its responsibility, to the extent that they are unrelated to the claims of the association.

Be prepared to pursue the developer individually or collectively with respect to the individual problems concerning your individual unit and/or other units in the condominium. Also, impress upon the board your desire to ensure that the association takes whatever means are necessary to pursue common element claims against the developer.

Robert M. Meisner is a Birmingham attorney specializing in condominiums, real estate and corporate law. You are invited to submit topics which you would like to see discussed in this column, including questions about condominiums, by writing Robert M. Meisner, 30200 Telegraph Road, Suite 407, Birmingham 35260. This column provides general information and should not be construed as legal opinion.

How to avoid decorating mistakes

AP — Furnishing a home is like assembling a jigsaw puzzle; every object needs the right-size niche.

So, before furnishings are brought home, Better Homes and Gardens magazine advises that you make sure they fit.

Plot your purchases by measuring the room, noting door and window openings.

Then, using either a 1/4- or 1/2-inch scale (1 foot equals 1/4 or 1/2 inch), chart the room on a piece of grid paper. Before buying a new item, draw it in where it will be placed, using exact measurements. Leave enough

walk space behind chairs, between sofa and coffee table, etc.

This "plan view" will also help determine if the furniture is scaled correctly to the room.

CHAIR HEIGHTS vary, so do tabletops. It pays to make sure they are compatible.

Allow 10 inches from the top of the chair seat to the bottom of the table or desk top. Remember to include the length of any aprons.

Also, measure the height of the arm of the chair to be sure it clears the bottom of the tabletop.

Do you really need to save cards?

Q. We get so many beautiful, expensive Christmas cards each year I hate to throw them out. Many of them have important information, pictures or sentiments I enjoy keeping. Could other people use them? What do you suggest I do with them?

A. I have several recommendations. First, if you don't already have a three-by-five-inch card file of people with whom you exchange cards, this is a good time to set one up. After reconfirming the correct addresses, pitch the envelopes. If you care to keep track of greeting cards sent and received, the back of these file cards provide the perfect place.

With the pre-Christmas rush, messages are often read too quickly.

This is also a good time to review your cards and letters, condensing a permanent record of important information on appropriate file cards. Since so many people send Christmas form letters, you might also want to make a file folder for this year's letters. Next year you could answer them, pitch them and file the new ones.

Place any photos you want to keep in your picture albums, cutting them to size, if necessary. You could keep one or two particularly sentimental cards if you must, but be highly selective.

Now comes the hard part: "Could

other people use them?" Like other good, conservative savers, you want to make sure nothing goes to waste. Yes, some preschool or kindergarten classes would welcome greeting cards for art projects, however, the schools would be inundated if everyone did this. I suggest you call and ask before dumping unwanted materials on them. If you find a taker, deliver the cards right away.

Some people keep cards, thinking they or their children will "use" them. If you do utilize them, more power to you; however, all too many well-intentioned people have stacks of cards from years past, still untouched.

organizing

Dorothy Lehmkuhl

Remember that the world's greatest waste of time is concocting a usage for something for which you have no use. Unless you have abundant time on your hands (which few of us do) or know the cards will be used, start the New Year by simplifying your life: Let your Christmas cards go.



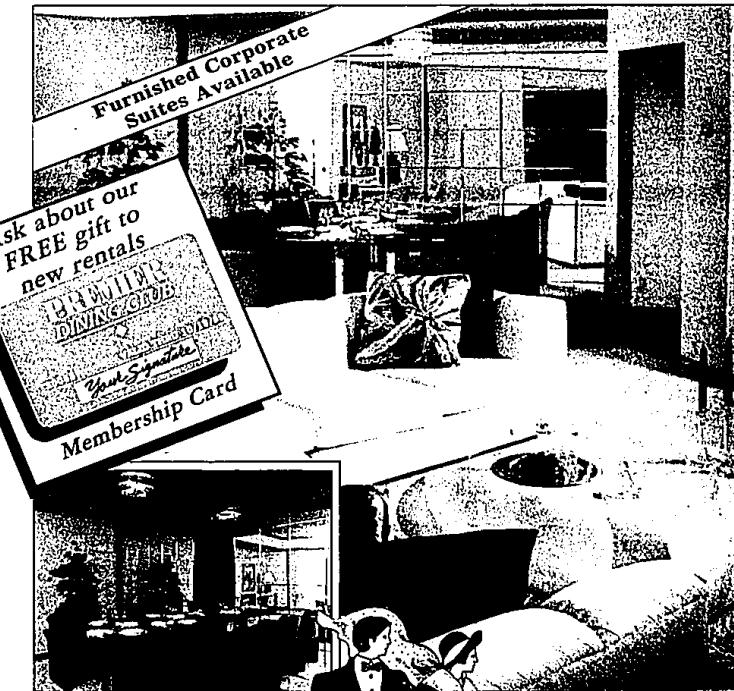
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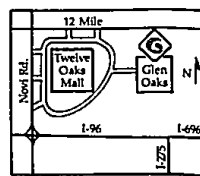
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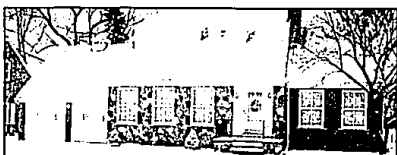
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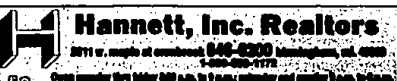
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