

This column highlights promotions, transfers, hirings, awards won and other key personnel moves within the suburban real estate community. Send a brief biographical summary — including the towns of residence and employment and a black-and-white photo, if desired — to: Movers & Shakers, Observer & Eccentric Newspapers, 36251 Schoolcraft, Livonia 48150. Our fax number is (313) 591-7279.

Dembs at NAHB meet



Manny Dembs
Builders.

More than 500 builders gathered to share ideas, learn new marketing and management concepts and attend seminars on creative designs and innovative, cost-effective production techniques.

Schostak adds staff

Schostak Brothers & Co., a diversified, full-service real estate company in Southfield, has added three sales associates to its brokerage department.

Glencarlo D. Pinterpe, a Troy resident, will specialize in the industrial area.

Prior to joining Schostak, Pinterpe was project manager for GCI Construction. He's a Ferris State graduate.

Harry L. Cohn, a Farmington Hills resident, will specialize in the retail area.

Cohn formerly owned a property management/apartment rental company in Chicago. He graduated from the University of Arizona.

Randall S. Thomas, who lives on Commerce Lake, also will specialize in the retail area.

Thomas previously served as director of secondary marketing at Sterling Bank & Trust. He graduated from Michigan State.

CBR awarded

Marilyn Snyder and Carol Copping, agents with the Real Estate One office in Northville, have received the professional designation of Certified Buyer Representative.

Copping has exceeded \$5 million in sales during the past two years combined. Snyder \$3 million during this her first year in the business. Both are on the Real Estate One Relocation Specialist Team.

Peterson named

Kenneth W. Peterson of KW Peterson & Associates, Bloomfield Hills, has been named among the top "Megabrokers of the Midwest" by Unique Homes, a national magazine of luxury real estate.

Peterson, with 28 years of professional experience, specializes in the listing and sales of medium to high-end residential properties with an emphasis on new construction.



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REAL ESTATE

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New president: Gilbert "Buzz" Silverman takes over as president of the Building Industry Association of Southeastern Michigan.

BIA president plans to be liaison

By Doug Funder
Staff Writer

Gilbert "Buzz" Silverman, a third-generation builder, has big plans for the Building Industry Association, one of the largest professional associations of builders in the nation, when he becomes its president next week.

"I think customer satisfaction is the most important thing our association ultimately does," Silverman said. "The bottom line is customer satisfaction through industry advancement, builder education and customer service programs."

BIA, founded in 1928 and currently headquartered in Farmington Hills, has nearly 2,000 members including developers, builders, remodelers, contractors, suppliers and financial institutions.

Silverman, 40, is president and CEO of the Silverman Company, which builds houses starting at about \$150,000 and luxury estates.

"I think there are four areas of industry involvement I have specific experience in through our corporate divisions: land development, multi-family, apartment development, single-family and remodeling or renovation," Silverman said.

"My job is to focus on key issues facing our constituency or members in all four of these areas."

"I would see my role as government liaison for the building industry with the state in the area of environmental issues and low-to-moderate income affordable housing," he said.

The effectiveness of any organization hinges on its leadership. The annual changing of the guard is about to occur with the Building Industry Association of Southeastern Michigan.

"I think the association's role is to facilitate growth of real estate development in the city of Detroit as an industry objective and an independent business objective," he said.

"Nineteen ninety-six should represent the biggest year for housing development in Detroit in something like 25 years between the Empowerment Zone and Mayor Archer's outreach program."

The incoming president also wants to establish a home page on the computer Internet for BIA members to have another communication forum.

Silverman said he's especially honored to succeed his father, Gilbert, was president in 1989, and his grandfather, Nathan, was a builder.

Silverman is married to Jan and has two children, Jessica and Michael. They live in Bloomfield Hills.

"What makes me tick? Balance between business, family, recreation and friends," Silverman said.

"We have an exciting business. I consider myself fortunate to be a housing specialist firm in 1995 and '96 with the lowest unemployment rate in the state of Michigan since I can remember coupled with the lowest mortgage rates."

"Recreation, I play a lot of tennis, and I'm an assistant coach on several teams for my kids," Silverman said. "I have a number of friends around the country, having gone to school out West."

Family is top priority. Although my schedule is extremely busy, we take a number of family vacations throughout the year as well as weekend family outings in order to spend quality time.

"My wife organizes everything with our family and really provides me the opportunity — a better way to put it is keeps me involved on a daily basis and is a big supporter of my business activities."

He readily acknowledges that he can't and won't be a one-man operation.

"The staff at BIA are some of the most professional, organized and dedicated people I've come in contact with," he said. "Because of the quality of organization in my company, it made it possible for me to have time available to pursue important outside objectives."

Silverman's colleagues have confidence in his capabilities.

"He's a very hard-working young man, very conscientious," said Janet L. Compo, outgoing BIA president.

"His intelligence is outstanding. I commend him for his abilities, charisma and willingness to serve."

"He's been a very active builder, and that gives a certain insight from a business perspective," said Rex Rosenhaus, a Southfield builder. "When you combine that with his being a volunteer member of our association for so long, you have a nice example of personal essence."

Although busy with several projects including the Preserve in Commerce Township, Lake Walden Village in Independence Township and Indian Lake Village in Lake Orion, Silverman says he's ready to take on BIA leadership responsibilities.

"A key ingredient for me is maintaining and improving the public perception of the building industry," he said. "I think our reputation is good and can always improve."

Other BIA officers for 1996 are:

■ Scott Jacobson, president, S.R. Jacobson Development, Birmingham, first vice president.

■ Mark F. Gulabonski, chief executive officer, Cambridge Homes, Northville, treasurer.

■ Peter Burton, president, Burton/Katman Development, Bingham Farms, secretary.

■ Vice presidents are David Kellott Sr., president, Kellott Construction, Bloomfield Hills; Rex Rosenhaus, vice president, Uniland, Southfield; Stephen Slavik Sr., president, the Slavik Company, Farmington Hills; and Stephen Tagliano, president, Heritage Residential Group, Farmington Hills.

Seller is liable for withholding negative information

REAL ESTATE
QUESTIONS



ROBERT M. MELNER
Attorney

Q. I have heard about a recent case in New Jersey which extended the obligation of disclosure on a seller well beyond what would normally be the case. Do you have any information regarding a case involving an abandoned landfill?

A. Yes. In a recent decision by the New Jersey Supreme Court, the court held that buyers of houses in a new development stated a cause of action against the developer and real estate broker for failing to disclose an abandoned landfill, containing hazardous waste, was located less than 1/2 mile from some of the houses.

In that case, the plaintiffs alleged that the developers were aware of the existence and hazards of the landfill and that they suffered from odors and physical symptoms from exposure to gases caused by decomposition of waste at the landfill.

The court indicated that there is a duty to disclose latent on-site conditions that are known to the seller

and unknown and not readily observable to the buyer. The court extended this to off-site conditions, limiting the duty to disclose to "professional sellers of residential housing."

Thus, the court held that a "builder, developer of residential real estate or a broker representing it" is liable for non-disclosure of off-site physical conditions known to it and unknown and not readily observable by the buyer if the existence of those conditions is of sufficient materiality to effect the habitability, use or enjoyment of the property and, therefore, render the property substantially less desirable or valuable to the objectively reasonable buyer.

The court also held that builders and brokers could face liability on the consumer fraud act, which prohibits both affirmative acts and acts of omission. As to the broker liability, the court seemed to equate the broker liability to that of the seller, since it held that the broker is under an equal duty to disclose.

Q. I am considering a move to the Washington, D.C. area, in particular, Georgetown. Are the houses toward the center of Georgetown normally condominiumized and, if so, what advantages would that give me?

A. Based upon my analysis on a recent visit to the Washington, D.C. area, most of the townhouses that one finds in Georgetown are not formal condominium projects but are rather either individual units and/or are traditional townhouses with a party wall.

While there are certain condominiums or cooperatives in the area, most of the units are not established under any formal statutory regime. Whether or not that is beneficial for you depends upon your desire to have a structured association determining what rights and obligations you have.

Generally speaking, in the context of a townhouse of the type of Georgetown, it may not be necessary to be condominiumized to afford the parties the adequate protections one would normally require.

Robert M. Melner is a Birmingham area attorney concentrating his practice in the areas of condominiums, real estate, corporate law and litigation. You are invited to submit topics which you would like to see discussed in this column, including questions about condominiums, by writing Robert M. Melner, 30200 Telegraph Road, Suite 487, Bingham Farms, Michigan 48025. This column provides general information and should not be construed as legal opinion.