

Nonprofit Housing Developers Help the Elderly To Age in Place

In New York City the poverty rate among the elderly is almost double that of the national average, and the number of seniors in the 75+ and 85+ age groups is expected to continue to grow. Add the baby boomers, who begin to turn 60 in 2006, and there is a significant aging population that needs attention. Lawyers Alliance for New York has two program priority areas that especially benefit low-income seniors: Affordable Housing and Homeless Services, and Elder Services.

Studies show that 80% of seniors want to “age in place” by living in the homes and communities to which they are accustomed. In New York City this preference is not easily fulfilled given escalating real estate costs.

The nonprofit sector has helped to alleviate this situation by participating in a U.S. Department of Housing and Urban Development (HUD) program known as “Supportive Housing for the Elderly,” or Section 202. In existence since 1959, Section 202 provides capital advances to nonprofit organizations for property acquisition, site improvement, conversion, demolition, relocation, and other expenses associated with supportive housing for the elderly. Over time, the loan structure of Section 202 has evolved, and today it offers increasingly beneficial financial arrangements for nonprofits. Lawyers Alliance is ready to provide legal assistance to dozens of organizations working on Section 202 projects in the City.

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Lawyers Alliance for New York Honors Pro Bono Service At the 2005 Cornerstone Awards

On Thursday, November 17, 2005, representatives of the nonprofit and legal communities gathered at the Colgate-Palmolive Company to honor outstanding pro bono service by business lawyers in New York City. The annual Cornerstone Awards hosted by Lawyers Alliance for New York celebrated the extraordinary work done by nine individuals and three institutions, as well as by Lawyers Alliance’s 700 person volunteer network as a whole.

“The Cornerstone Awards represent the very best tradition of the legal profession, volunteer work by lawyers from firms and corporations for clients who could not otherwise afford their services,” said **Christine D. Rogers**, chair of the Board of Directors of Lawyers Alliance and a partner at **Arnold & Porter LLP**. “The 2005 Cornerstone Award winners are in illustrious company. They join the 17 institutions and 80 individuals who have been honored with Cornerstone Awards since 1997,” added Ms. Rogers, in her welcoming remarks at the reception.

Lawyers Alliance Legal Director **Elizabeth Guggenheimer** presented the honorees with their Cornerstone Award red bricks. The honorees drew enthusiastic applause from friends, family members, colleagues, nonprofit clients, and pro bono and firm leaders.

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◀ **Steven Krane of Proskauer Rose LLP with Board Chair Christine D. Rogers**

J.J. Stevenson III, Saralyn M. Cohen, John Madden, and George Wade, all of Shearman & Sterling LLP



Nonprofit Housing Developers Help Elderly To Age in Place

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Refinancing Section 202 Housing

Lawyers Alliance can assist organizations that developed Section 202 housing under less advantageous terms to refinance their loans, so that more money will be available for their programs.

Work completed for **Goddard Riverside Community Center's (Goddard Riverside)**

Phelps House in Manhattan exemplifies how our attorneys can help. Because Goddard Riverside received Section 202 monies for Phelps House in the 1980s, it was required to repay a high interest rate loan. Lawyers Alliance Senior Staff Attorney **Hedwig O'Hara** represented Goddard Riverside and its affiliates in the refinancing of the project through, among other things, the syndication of low-income housing tax credits to MMA Phelps House, LLC. According to Director of Housing **Jerry Mascuch**, by refinancing the debt, Goddard Riverside will be able to generate a revenue stream from the cost savings of almost \$60,000 a year that can be used to pay for enhanced social services to the elderly residents. In addition, the refinancing will provide a one-time sum of about \$6 million, which will be used for major capital improvements.

Developing Section 202 Housing

Lawyers Alliance also works with affordable housing clients to develop Section 202 housing.

One unique nonprofit in the elder housing arena is **Progress of Peoples Development Corp. (POP)**, which has been converting under-utilized property formerly owned by churches into housing for low-income seniors

for more than three decades. Lawyers Alliance has assisted POP with permanent loan closings through HUD for three residences in Brooklyn. In addition, Lawyers Alliance has been assisting the St. Teresa of Avila Senior Housing Development Fund Corporation, an affiliate of POP, on the capital grant closing for a 63-unit elderly housing project in Brooklyn, and will shepherd the project through the permanent loan closing. These four residences will provide more than 200 units of affordable housing for seniors.

Leasing Property for Elder Housing

Using church property to provide seniors with an option for affordable housing has also been the goal of **Richmond Senior Services (Richmond)**, a nonprofit organization that provides services to the elderly in Staten Island. Pro bono Attorney **James Powell**, with co-counsel support from Lawyers Alliance Senior Staff Attorney **Linda Manley** and Staff Attorney **Salvatore Gogliormella**, helped Richmond negotiate the terms of a lease for a property owned by the First Presbyterian Church of Staten Island. Lawyers Alliance also advised Richmond on zoning laws and other regulations governing shared living arrangements and the use of common space by residents.

From developing and refinancing affordable housing, to assisting with contracts, leases, employment and other business law questions, Lawyers Alliance can help nonprofits continue their critical work to help the City's elderly "age in place" more comfortably. Please contact Ms. O'Hara at (212) 219-1800 ext. 226 or Ms. Manley at ext. 239 for more information. ■

Studies show that 80% of seniors want to "age in place" by living in the homes and communities to which they are accustomed.

First Year of Elder Services Initiative a Huge Success – Lawyers Alliance Thanks Foundation Donors

In early 2005 Lawyers Alliance for New York launched the Elder Services Initiative to provide legal services to nonprofit organizations that allow seniors to live with dignity and remain in the communities they call home. Since then, Lawyers Alliance has represented more than 40 elder services organizations, helping them to strengthen their operations and deliver effective services to low-income seniors. This initiative is made possible thanks to the leadership of **FJC, a Foundation of Donor Advised Funds;** the **New York Community Trust;** the **Fan Fox and Leslie R. Samuels Foundation;** the **Stella and Charles Guttman Foundation;** and the **Jean and Louis Dreyfus Foundation.** Lawyers Alliance thanks these funders for their generous support. ■

New Staff Attorney at Lawyers Alliance

Lawyers Alliance for New York welcomes **Gail S. Bayarin** to the legal staff. She will focus on representing nonprofits as part of Lawyers Alliance's Affordable Housing and Homeless Services program area, present educational workshops to nonprofits on legal issues, and handle telephone inquiries about nonprofit and housing law issues as part of Lawyers Alliance's Resource Call Hotline. She is a 1998 graduate of Cornell University and a 2003 graduate of the University of Michigan Law School, where she participated in a clinic representing Detroit-based nonprofits engaged in the building and financing of affordable housing. Prior to joining Lawyers Alliance, Ms. Bayarin worked as an associate in the corporate group at Orrick, Herrington & Sutcliffe LLP and, before law school, at PricewaterhouseCoopers LLP.

Among her responsibilities Ms. Bayarin will be carrying on the impressive work of former Skadden Fellow and Staff Attorney **Salvatore Gogliormella**. Following his fellowship Mr. Gogliormella is joining the firm of Paul, Weiss,

Rifkind, Wharton & Garrison LLP as an associate in the real estate department.

"I look forward to blending my education and professional experience with my interest in housing and community development to help Lawyers Alliance," said Ms. Bayarin. ■



**New Lawyers Alliance Staff Attorney
Gail S. Bayarin**

Lawyers Alliance Staff

Chitra Arunasalam
Director of Finance & Administration

Enrique Ball
Director of Development

Gail S. Bayarin
Staff Attorney

Jessica Boxell
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Senior Staff Attorney

Lindsay Stieber
Weil Extern

Sunita Subramanian
Staff Attorney

Welcome, New Externs!

In the workplace, ringing in the New Year frequently means new plans, projects, and people. At Lawyers Alliance for New York, 2006 means the expansion of the externship program to include attorneys from Orrick, Herrington & Sutcliffe LLP. These talented young lawyers will join the externs already representing Cleary Gottlieb Steen & Hamilton LLP, Skadden, Arps, Slate, Meagher & Flom LLP, and Weil, Gotshal & Manges LLP.

We are pleased to announce that **Susannah Lipsyte**, who specializes in public finance, will join us for the first four-month Orrick rotation. She will be followed by **Elizabeth Watson** and **Adam Zimmerman**. We heartily welcome our new externs and expect that they will become an integral part of our legal staff as they assist on corporate, real estate, tax, intellectual property, employment, and other transactional and business law matters. ■



Left to right: Adam Zimmerman, Susannah Lipsyte, Elizabeth Watson, and Legal Director Elizabeth Guggenheimer

2005 Cornerstone Awards

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The 2005 Institutional Honorees

Proskauer Rose LLP was recognized for the firm's continuous and meaningful pro bono business law services to nonprofits, including exceptional expertise that Proskauer Rose LLP has provided to Lawyers Alliance's clients in employment law, sophisticated corporate transactions, and nonprofit regulatory and compliance matters.

Shearman & Sterling LLP was honored for the firm's increased and sophisticated pro bono legal services to nonprofits that are improving the quality of life in low-income neighborhoods, including organizations that are stimulating economic development throughout New York City as well as those building a better future for inner city youth, immigrant communities, and the elderly.

Barbara A. Schatz and the Nonprofit Organizations/Small Business Clinic at Columbia Law School received a special award for the exemplary training and guidance that Professor Schatz gives to law students, and the attention and thoroughness she and the students show in providing essential legal assistance to many nonprofit organizations that are building a better New York.

Individual Honorees

Phillip Azzollini, Schulte Roth & Zabel LLP, was recognized for his long term service as pro bono counsel to Figure Skating in Harlem, an innovative organization providing educational and athletic opportunities for girls in the Harlem community.

Carolina A. Fornos, Pillsbury Winthrop Shaw Pittman LLP, was honored for being a tremendous asset to Physicians for Reproductive Choice and Health, which she has helped with intellectual property, governance, employment, and other business law matters.

Marc Hurel, DLA Piper Rudnick Gray Cary US LLP, received an award for helping the Brooklyn Cooperative Federal Credit Union to secure a long-term lease, enabling it to continue to provide essential financial services to people in Bushwick, Brooklyn.

Stephen D. Millas, Orrick, Herrington & Sutcliffe LLP, was honored for using his skills as an attorney specializing in real estate to assist Jovenes 24 Horas A.D., Inc., 116-120 Grove Street Housing Development Corporation, and Jazzmobile so they can operate their programs and fulfill their missions.



Left to Right: Marc Hurel, Carolina Fornos, Christine Rogers, Phillip Azzollini, Miriam McKibben, Michelle Vago, Melissa Rosenberg, Stephen Millas, Barbara Schatz, Saralyn Cohen, Rita Tendolkar, Sheree Reinbach, and Steven Krane

Sheree Reinbach and Miriam McKibben, Arent Fox PLLC, were recognized for expanding the stock of affordable housing by assisting Neighborhood Housing Services of New York City with the sale of nine single and multifamily homes to first-time homeowners in the Bronx.

Melissa G. Rosenberg, Goodwin Procter LLP, received an award for providing timely and quality employment law guidance to an increasing number of nonprofits, including Joseph P. Addabbo Family Health Center, Ifetayo Cultural Arts Facility, Internationals Network for Public Schools, Hudson Guild, Literacy Assistance Center, Neighbors Helping Neighbors, and Recreation Rooms & Settlement.

Rita Tendolkar, Skadden, Arps, Slate, Meagher & Flom LLP, was honored for providing critical legal services to nonprofit organizations working with families and children, including Northside Center for Child Development, El Guapo, and American Woman's Economic Development Corporation.

Michelle Vago, Stroock & Stroock & Lavan LLP, was recognized for bringing her depth of corporate and transactional legal expertise to nonprofits, including Rocking the Boat, Canarsie Adolescent Recreational Program, New York Center for Interpersonal Development, and Council for Unity, Inc.

We at Lawyers Alliance applaud the Cornerstone Award recipients and all of our volunteers for the contributions they have made to a better New York. ■

In Any Language, Accountability and Governance Are Important to All Nonprofits



Sean Delany

In the world of nonprofit organizations, issues surrounding accountability and governance transcend language, culture, and geography. From north to south and east to west, governments strive to develop policies that facilitate the vital work of legitimate nonprofit organizations and expose fraudulent entities to the public.

In the United States, and particularly in New York City, Lawyers Alliance for New York continues to be at the forefront of advising groups on the laws governing not-for-profit corporations and tax-exempt entities. Staff and volunteer attorneys help in three key areas of accountability: sound board governance, transparency in financial reporting, and proper personnel management.

As a result of its work with local organizations, Lawyers Alliance has established itself as a leader in the areas of accountability and governance, inspiring visits by several international groups. This fall, Lawyers Alliance hosted a Japanese contingent representing the Coalition for Legislation to Support Citizens' Organizations. Mainly, this contingent was interested in discussing "public trust" because measures to secure that trust have not been fully developed in Japan. Using a translator, a lively discussion ensued between the visitors and Lawyers Alliance staff. Executive Director **Sean Delany** shared his experiences as a former Assistant Attorney General in Charge of the Charities Bureau in the office of the Attorney General of the State of New York, from his current participation on the IRS Tax-Exempt and Government Entities Advisory Committee, and from his work at Lawyers Alliance.

On October 17, 2005 a group representing The Council for the Korean Pact on Anti-Corruption and Transparency, or K-Pact, arrived from Korea to discuss mechanisms that will help "civil society to form an anti-corruption system through alliances among public, political, and private sectors." (K-Pact 2005) During a conversation moderated by Legal Director **Elizabeth Guggenheimer**, Lawyers Alliance staff shared their experiences and knowledge with issues such as transparency, accountability, and governance.

In an increasingly interconnected world, sharing expertise and experience can only serve to strengthen nonprofit organizations, enabling them to build better futures for people in communities everywhere. ■

Annual Giving from Individuals Continues to Make a Real Difference

Lawyers Alliance for New York thanks all those individuals who have provided financial support for our programs during our 2005-2006 fundraising appeal. It is only through your collective help that we can offer our full range of legal and educational services to those nonprofit organizations that are assisting New Yorkers every day in so many vital ways. Those who would still like to contribute may use the enclosed envelope, visit our website, or contact Director of Development **Enrique Ball** at (212) 219-1800 ext. 230. Our next newsletter will contain a list of donors to this annual appeal. ■

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Law Firm Appeal Tapping Generosity of City's Legal Community



Seth Zachary

With **Seth Zachary** of **Paul, Hastings, Janofsky & Walker LLP** at the helm, Lawyers Alliance for New York has kicked off the 2005-2006 Law Firm Appeal to support its legal services to nonprofits serving low-income New Yorkers. More than 60 law firms contributed close to \$500,000 toward the record-breaking 2004 Law Firm Appeal, and this year Mr. Zachary and Lawyers Alliance expect to exceed that amount. Thanks to the generous support of law firms, Lawyers Alliance's staff and more than 700 pro attorneys work together, delivering services to hundreds of nonprofits that are creating housing, training workers, providing child care, and delivering vital social services in neighborhoods all over New York City.

As chair of Lawyers Alliance's 2005 Law Firm Appeal, Seth Zachary is heading this year's efforts to raise funds from law firms throughout New York City's legal community. Mr. Zachary is the chairman of Paul, Hastings, Janofsky & Walker LLP. His tax law practice

focuses on general, corporate, and real estate tax-related problems as well as foreign tax and compensation and employee benefit issues. He represents numerous corporations and investment banks in the federal, state, and local tax area.

Speaking of his decision to head the appeal, Mr. Zachary encouraged law firms to join him in this effort: "Supporting Lawyers Alliance is a win-win proposition for everyone. A successful Law Firm Appeal means that nonprofits doing great work will continue to have access to outstanding pro bono counsel. And law firms and their attorneys will continue to enjoy a steady supply of rewarding pro bono opportunities," said Mr. Zachary. "I can't think of an organization that is more effective in matching business attorneys with nonprofits in need of legal representation."

To donate to the 2005-2006 Law Firm Appeal, please contact **Enrique Ball** at (212) 219-1800 ext. 230 or eball@lany.org. ■

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