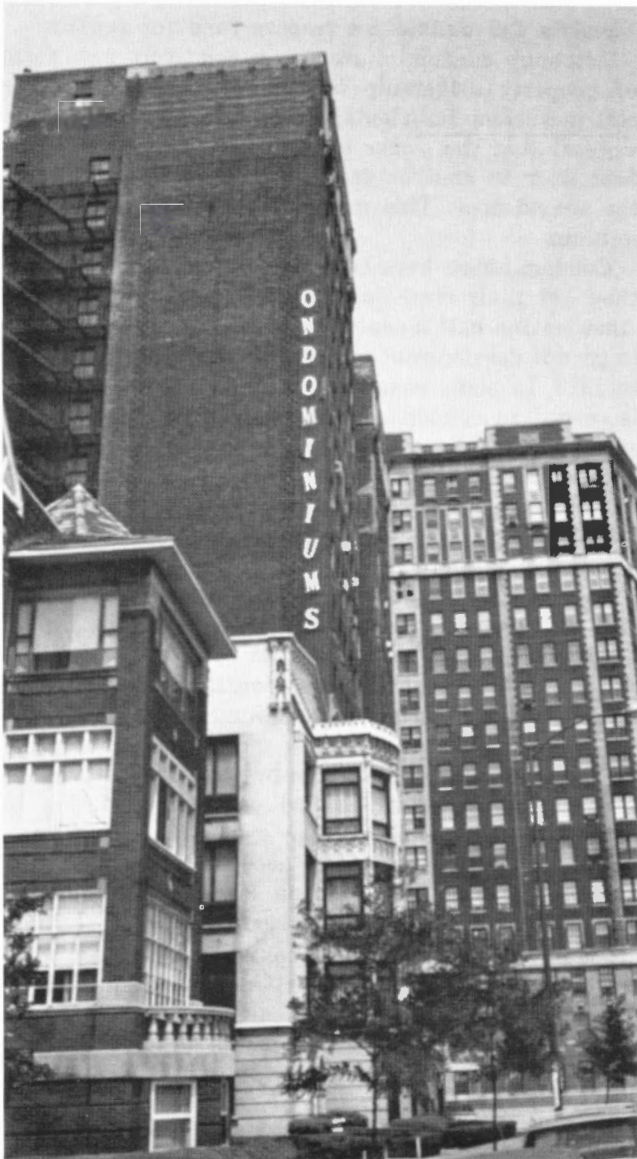


Daniel Lauber

Condominium conversions— the number prompts controls to protect the poor and elderly



Photograph by Robert Frausto, American Planning Association

Mr. Lauber is President of Planning/Communications, a consulting firm in Evanston, Illinois. Copyright © 1980 by Daniel Lauber. All rights reserved.

Condominium conversion continues to be the hottest real estate game in years to hit communities with tight housing markets—places like Chicago, Washington, D.C., Seattle, the California coastal cities, Houston, Cleveland, Atlanta, Boston, and dozens more.

The media call it “condomania”; realtors and developers view it as an opportunity to generate instant and huge profits while ridding themselves of apartment buildings that just aren’t as profitable as they used to be.

Home buyers see it as their only chance to own property in an age where inflation and skyrocketing interest rates have pushed the price of the American dream home—the single-family detached house—beyond the reach of most Americans. It offers a chance to take advantage of federal tax laws that promote home ownership as well as providing an opportunity for renters to free themselves of the problems caused by an increasingly inadequate supply of rental housing.

But for an ever-increasing number of tenants of all ages and incomes, conversion poses significant problems. Studies suggest it is depriving many of them of their long-time homes and forcing many to move out of their chosen communities. Supplies of low- and moderate-income rental housing—and in some cities even middle-income housing—are fast disappearing, and with them go many of the people who have contributed to the community for many years and who have provided the diversity for which many communities strive.



Photographs on this page and on pages 205 and 208 by Daniel Foster

Extensive condominium conversions frustrate the efforts of cities to meet the housing needs of their residents, particularly the elderly on fixed incomes and low- and moderate-income households. In many of these cities the conversion of rental units to condominium ownership permanently removes units from the existing, unsubsidized supply of low- and moderate-income housing much faster than new construction and federal subsidies could ever replace them.

Few local officials know how to deal with this phenomenon, which usually appears in cities with already low rental vacancy rates below 3 percent, and balance the many diverse interests involved. There are, however, legislative remedies available that allow communities to legally restrict the pace of condominium conversions and retain low- and moderate-income housing. A few dozen jurisdictions, principally on the east and west coasts, have already adopted such laws.

Origins

The conversion of a rental apartment building to condominium ownership is much like the subdivision of a plat of land into separate parcels. Instead of dividing land, a conversion divides air space. Instead of one title for the apartment building, conversion generates a separate title for each unit within the building.

Condominium buyers purchase their unit and a proportion of such common elements as the hallways, roof, heating and electrical systems, basement, etc. Each unit owner is a member of the condominium association that governs the common elements, prepares a budget, and levies a monthly assessment on each unit owner to cover maintenance of the common elements and maintain a reserve fund for repairs.

Although condominiums are a relatively new form of property ownership in this country, their roots rest in ancient Babylonia. Documents unearthed there suggest that the owner of a two-story house sold the first floor to another family while retaining title to the second floor. This may have been the first condominium.

Condominiums have been popular in Europe—where they got their start in the Middle Ages—and Latin America for half a century. Brazil enacted legislation to permit development of these “horizontal properties” in 1928. In many countries, even commercial property is owned in condominium status, an approach advocated in some American cities by real estate entrepreneurs.

The condominium concept came to the United States via Puerto Rico where the first condominiums were commercial buildings. In 1961, a delegation from Puerto Rico, which enacted laws permitting condominium ownership in 1951 and 1958, urged the United States Congress to enact Section 234 of the National Housing Act to extend Federal Housing Administration mortgage benefits to condominiums. The FHA proceeded to draft and publish a model horizontal property act to be used as a guide by state legislatures.

By 1968, all 50 states had enacted legislation to create this form of property ownership. Such horizontal property acts were needed because it was generally agreed that common law does not provide for this form of property ownership.

Faced with abuses of the conversion process, some states enacted second generation condominium laws to prevent misrepresentation and fraud. They also offered some protections to tenants to ease the jolt a conversion can cause. Generally, these protections amounted to a longer notice of the developer’s intention to convert so tenants could start to locate replacement housing. The Virginia Condominium Act of 1974 is a model second generation condominium statute.

Still, none of these laws addressed the effects conversions are known to generate today. Nobody anticipated these effects in the 1960s.

Table 1:
Findings of Studies on the Effects of Condominium Conversions

Study	Proportion of Tenants Not Purchasing Converted Units, Displacement Rate	Proportion of Displaced Tenants Who Move From Municipality	Increase in Monthly Carrying Costs of Unit When Converted from Rental to Condominium Ownership, Average*
Condominium Survey Questionnaire Report, Oak Park, Illinois, 1979	90%	Not available	60%
Effects of Condominium Conversions on Tenants, Tenants Organization of Evanston, Illinois, 1978	95%	55-73%	60-100%**
Condominium Conversions in the City of Evanston, Illinois, Evanston Human Relations Commission, 1978	80-88%	Not available	100%
Condominium Conversions in Cambridge, Massachusetts, 1978	80%	29+ %	Not available
Condominium Conversions in San Francisco, California, 1978	75%	Not available	60%
Condominium Housing: A New Home Ownership Alternative for Metropolitan Washington, WASHCOG, 1976	82.3%	Not available	Not available
District of Columbia Housing Market Analysis, 1976	76%	Not available	Not available
HUD Condominium/Cooperative Study, 1975	75-85%	Not available	30-35%
Palo Alto, California, Condominium Conversion Study, 1974	82%	Not available	Not available

* Rent versus condominium ownership payments (mortgage, property tax, monthly assessment)

** Lower figure does not include property tax; higher figure includes property tax

“The first bill I got through the legislature was the condominium act which we thought would be a boon for low- and moderate-income families,” recalls Michael Dukakis, former governor of Massachusetts. “Now we have a conversion problem.” This “conversion problem” brought about a third generation of condominium laws principally enacted at the municipal level, to deal with the effect of conversions on the supply of affordable housing, displacement, inflationary housing costs, and relocation hardships.

Effects of Conversions

Nobody knows exactly how many rental units have been converted to condominiums. This year's census will be the first to even identify condominiums. Record keeping at the local level has often been so lax that some local officials can only say that a “lot of rentals have been converted.”

Citicorp Real Estate, Inc., estimates that over 100,000 units were converted nationwide in 1978, double the 1977 total. Citicorp estimates that 130,000

more units were converted last year. But these figures may be underestimates since they are based on observations that failed to include many cities experiencing a wave of conversions.

But national figures mask the extent of conversions in some local markets. For example, 14.2 percent of the rental units in Evanston, Illinois, had been converted to condominiums by the end of 1979, mostly in the prior two years.

While Evanston leads the nation in conversions, Oak Park, Illinois, is close behind with 13.5 percent of its rental stock converted to condominiums. Oak Park's rental vacancy rate is 0.9 percent.

Chicago isn't far behind, with about 10 percent of its privately owned rentals converted. The city's Department of Planning, City, and Community Development reports that virtually whole census tracts have been converted to condominium. The city's rental vacancy rate, according to the Urban Consortium, is 1.6 percent.

These cities possess many of the characteristics a 1975 Department of Housing and Urban Development

Table 2:
Vacancy Rate Ordinances

<u>Jurisdiction</u>	<u>Threshold Vacancy Rate Below Which Conversions Are Prohibited</u>	<u>Percentage of Tenants Needed to Exempt Building From Prohibition on Conversions</u>
<u>United States</u>		
Claremont, California	3%	No exemption
Hayward, California	5%	Other factors—see text
Los Angeles, California	5% *	See text
Marin County, California	5%	51% agree to exempt Also, see text
Palo Alto, California	3%	67% agree to exempt
Vail, Colorado	5%	Other factors—see text
Washington, D.C.	3% **	51% agree to exempt
<u>Canada—Ontario Province</u>		
Kitchener	3%	80% purchase units Also, see text
Mississauga	3%	80% purchase units
North York, Borough of	5%	No exemption
Ottawa	3%	
Toronto	2.5% ***	

* Los Angeles is divided into 35 planning areas for determining rental vacancy rates.

** High rent buildings are exempted from the vacancy rate provisions of the Washington, D.C. ordinance.

*** Toronto is divided into four quadrants for determining rental vacancy rates.

study ascribes to communities that are prime candidates for widespread condominium conversions: scarce or nonexistent land available for new construction, high single-family home prices, high costs for residentially zoned land, obstacles to new development, and a supply of good quality rental buildings.

The one common thread in virtually every city experiencing a wave of condominium conversions is a low rental vacancy rate reflecting a shortage of rental housing.

Housing experts consider 5 to 8 percent to be a healthy rental vacancy rate. It allows for intracommunity mobility and affordable rents. When the vacancy rate falls below 5 percent, low- and moderate-income households will have difficulty finding replacement housing within the community. Below 3 percent, relocation becomes difficult for any income household.

Today the United States is in the throes of its most serious housing crisis since the end of World War II. Nationally, the rental vacancy rate has fallen below

5 percent for the first time in over 30 years. In cities with traditionally low rates, the crisis is particularly acute. For example, Evanston's already low 1970 rate of 2.1 percent had fallen to 0.5 in 1978.

A 1974 Palo Alto, California, study found that the city's low 1.2 percent vacancy rate led three-fourths of the tenants who purchased their converted units to do so reluctantly. That is, they were afraid that they would be unable to find replacement housing in Palo Alto. In addition, some purchasing tenants indicated that even if they could find an apartment, it too may be converted. Elderly residents were often afraid to move for physical or health reasons. Long-term tenants did not want to move for emotional reasons. Some tenants simply felt hemmed in with no viable alternative other than to purchase their units.

More recent studies in Chicago, Cambridge, Massachusetts, and other localities confirm these findings. These "reluctant purchasers" make up a major part of the artificially created market for converted condo-

miniums.

Nonresident investors comprise the other part of the artificial market. Real estate spokespersons estimate that investors own at least 30 percent of the converted condominiums in Chicago. A recent survey in Montgomery County, Maryland, a Washington, D.C., suburb, found that speculators bought 17 percent of the converted condominium units there.

Hoping to cash in on skyrocketing property values by selling the unit at the most propitious time, these investors typically rent their units (studies find these rents to generally be 175 percent of the preconversion rent) or leave them vacant.

Households that wish to live in and own a condominium comprise the final segment of the converted condominium market. This is the natural market for condominiums which, by itself, would be unable to support the extensive condominium conversions occurring in many cities. Combined with the artificial market, this market has helped create a conversion fever in many cities.

The value of conversions depends on one's point of reference. From the real estate industry's point of view, they are a godsend. They've generated new capital for enterprising real estate salespersons, developers, landlords, title companies, attorneys, banks, mortgage companies, and early purchasers who have been able to resell their units at substantial profits.

While they've been a bonanza for the housing industry, a growing body of evidence suggests that conversions are frustrating local efforts to achieve national, state, and municipal housing goals and objectives.

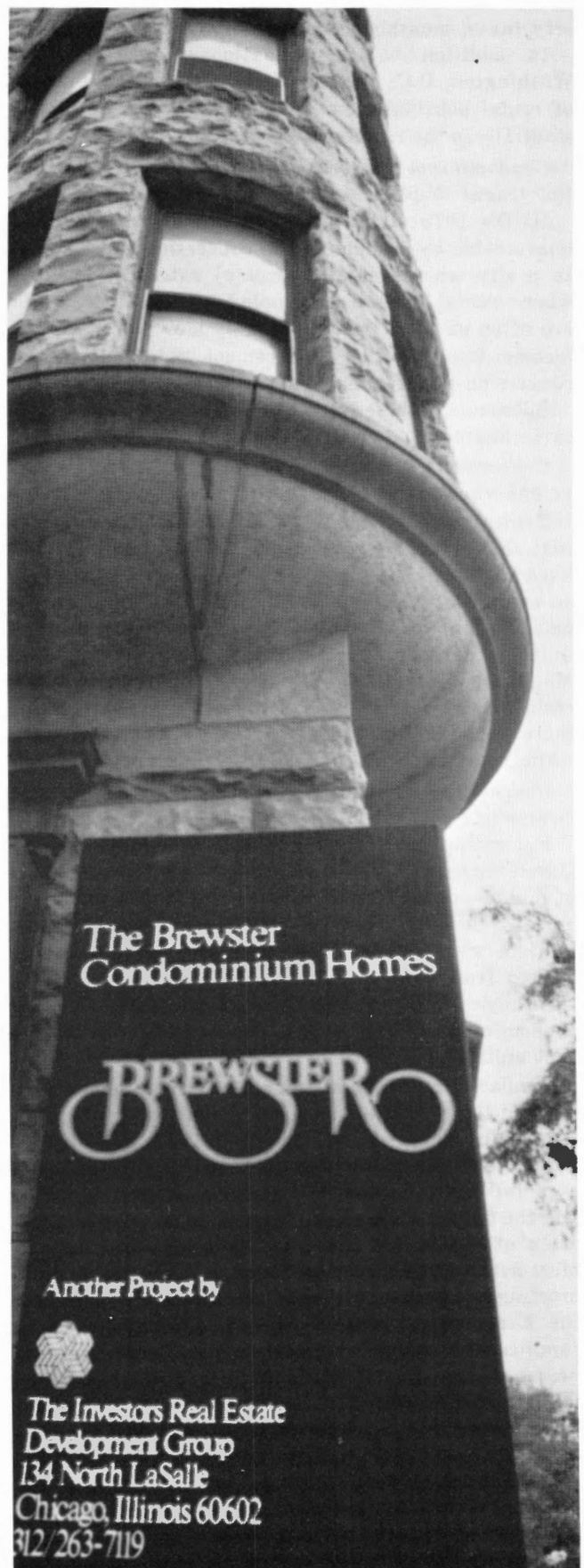
Low- and moderate-income housing, and in some communities even middle-income housing, is fast becoming an endangered species. Much of this housing is rental and much of it is being converted to higher-cost condominiums. Seeking to preserve what low- and moderate-income housing they now have, local officials need to understand exactly how conversions affect this limited supply of affordable housing.

Studies undertaken by municipalities and HUD have revealed certain patterns to conversions throughout the country. Their significant findings include:

On the average, conversion to condominium significantly increases monthly housing costs.

Five years ago HUD found that the monthly carrying costs of owning a condominium—the mortgage payment, property tax, and the monthly condominium assessment—were, on the average, 30 to 35 percent greater than the preconversion rent. Since then, studies have found this disparity to have widened.

Two independent Evanston studies in 1978 found ownership costs, on the average, to be twice that of the prior rent. Studies in Newton, Massachusetts (1975); Oak Park, Illinois (1979); and San Francisco (1978) all reveal increases of 60 percent. While condominium owners can benefit from federal income tax savings, they must still be able to cover these higher ownership costs upfront each month. These studies



do not take into account inevitable increases in property taxes, monthly assessments, or rent.

In addition to this inflationary increase, one Washington, D.C., study notes that the reduced supply of rental housing allows landlords to raise rents substantially in the remaining rental units.

Condominium conversions generally cause substantial tenant displacement.

HUD's 1975 study notes that displacement "is an unavoidable by-product of the conversion process. . . . In a city where rental [vacancy] rates are low and where rental units are occupied by the elderly, who are often on fixed incomes, and by low- and moderate-income families, the displacement potential of this conversion process appeared awesome."

Subsequent studies, noted in Table 1, confirm HUD's early findings.

Conversions generally occur in already stable rental neighborhoods.

Typical of study findings are the results in Evanston that showed that tenants in converting buildings had lived in them an average of 7.2 years and in the city an average of 20.57 years. Surveyed Oak Park tenants had lived in the village an average of 18.5 years and in their current apartment for 5.5 years. Only in Mountain View, California, were tenants short-term residents. Mountain View planners found that renters there remained in their apartments 1 to 1.5 years while home owners stayed in their units 4 to 7 years.

Conversions can threaten the very existence of a community's affordable housing stock.

For example, Oak Park's 1979 *Condominium Survey Questionnaire Report* concludes: "Oak Park's supply of middle-, moderate-, and low-income housing is being depleted directly, and perhaps indirectly, due to condominium conversions. Rentals found in this study ranged from \$200 a month to \$375, definitely within the range of low- to middle-income housing. Clearly condominium conversion is not restricted to higher rent units in Oak Park."

Similarly, Evanston's Human Relations Commission reached the following conclusion about the traditionally racially and socioeconomically diverse community: "The continued availability of housing affordable, on a rental basis, by low- and moderate-income families and the fixed-income elderly cannot be assured by operation of the real estate market place. Thus the city must act . . . to prevent condominium conversion from erecting an economic wall that forecloses the entry into the Evanston community of upwardly mobile young families of diverse backgrounds and displacement of present low- and moderate-income families and the fixed-income elderly."

These findings strongly suggest that condominium conversions are making it difficult to achieve local and national housing goals. While cities are trying to use community development block grant funds for new construction of low- and moderate-income housing, and Section 8 monies to subsidize low- and moderate-income

households, condominium conversions are reducing the supply of existing low- and moderate-income units as well as the supply of rentals available for Section 8 subsidies.

In addition, this is an increasingly expensive dilemma. The Condominium Conversion Task Force of Montgomery County, Maryland, found that it costs \$35,000 to \$42,500 per unit to replace existing rentals worth \$8,000 to \$15,000 with new construction. Even the additional tax revenues felt to be generated by conversions in most cities are insufficient to fund replacement housing needs caused by conversions.

Limitations on Conversions

Faced with this dilemma, a rapidly growing number of communities have decided to restrict condominium conversions while rental housing is in short supply.

Recognizing the relationship between low rental vacancy rates, which reflect a shortage of rental housing, and the impacts of condominium conversions during such a housing crisis, at least seven jurisdictions in the United States and five in Canada essentially prohibit conversions during a rental shortage unless it can be demonstrated that a conversion would cause little displacement of tenants.

These "vacancy rate" ordinances essentially invoke an automatic moratorium on conversions when the city's rental vacancy rate falls below a specific threshold level, usually 3 or 5 percent. A building may be exempted from this moratorium if a certain percentage of tenants either agree to purchase their units or agree to exempt the building from the automatic moratorium.

"Extensive condominium conversions frustrate the efforts of cities to meet the housing needs of their residents..."

Palo Alto, California, pioneered this regulatory method in 1974. It prohibits conversion whenever its vacancy rate, measured twice annually, falls below 3 percent, unless 67 percent of the tenants in a building voluntarily agree to exempt it from the prohibition on conversions.

The director of planning and community environment determines the rental vacancy rate using a sample survey of apartment buildings, postal vacancy surveys, or a count of inactive utility meters. When all three

methods have been used in the same year, they've corroborated one another.

Since enactment of this law, there has been one condominium conversion in Palo Alto. City officials report there has been no discernable decline in the quality of rental property nor disinvestment in them during this time.

Table 2, Vacancy Rate Ordinances, identifies other jurisdictions that have adopted this basic approach.

While some jurisdictions allow exceptions to their automatic moratorium if a certain percentage of tenants agree to exempt the building, others require that a certain percentage agree to purchase their units. The first technique assumes that agreeing tenants either believe they can find replacement housing within the community, are willing to leave the community, or expect to purchase. Consequently, few tenants would be forcibly displaced from the community.

The second technique assumes that if a substantial number of tenants agree to purchase their units there will be little displacement.

Kitchener, Ontario, uses a third technique in which it allows some conversions even if the rental vacancy rate is below the 3 percent threshold if the city's annual goal for new rental construction is met. This method encourages new rental construction by the private sector and assures that conversions do not seriously exacerbate the problems caused by the already tight rental market.

A number of jurisdictions, though, recognize that they have relatively permanent housing emergencies in which the rental vacancy rate is unlikely to rise to a "healthy" level. Consequently, their condominium conversion laws do not refer to rental vacancy rates. Instead, they are designed to assure that a proposed conversion does not generate substantial tenant displacement. For example, San Francisco requires that 40 percent of a building's tenants must sign "intent to purchase" forms supplied by the city's Department of Public Works. Thousand Oaks, California, requires that at least half the tenants in a building agree to the proposed conversion for the city to allow it. Twenty-five percent of the tenants in a Scarborough, Ontario, apartment building would have to indicate their intention to purchase in writing for a conversion to be allowed.

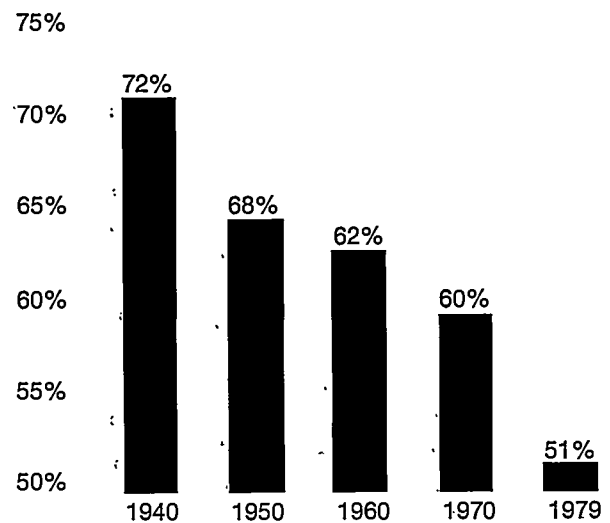
For three years, ending in 1977, New York's Goodman-Dearie Law required that 35 percent of a building's tenants agree to purchase their units within 12 months for the conversion to be allowed. This law did not stop conversions. Coupled with a weak national economy, it did cut the annual number of conversions in half between 1974 and 1977.

New York City requires that 35 percent of a building's tenants agree to purchase their units before a developer can file an eviction plan. No nonpurchasing tenant can be evicted for at least two years. If only 15 percent agree to purchase, nonpurchasing tenants cannot be evicted. This law applies to buildings covered by the city's maze of rent control and rent stabilization laws.

Figure 1:

Rapid Change in Housing Stock Due to Condominium Conversions

Proportion of Total Housing Stock That Is Rental



Where it had taken 30 years for Evanston's rental stock to go from 72 to 62 percent of the city's total housing stock, it took only 10 years to fall another 10 percentage points due to the conversion of 14.2 percent of the city's rental units to condominium, more than any city in the country.

In 1978, the New York state legislature authorized cities in three New York City suburban counties, Westchester, Rockland, and Nassau, to adopt legislation similar to the 35 and 15 percent provisions of New York City law.

Other Considerations

A growing number of communities take other factors into account when reviewing applications to convert a rental building to a condominium. Nearly all these cities are in California or Colorado where state law defines a condominium conversion as a "subdivision" and subjects each conversion to regular subdivision application procedures. These include a public hearing and review by the planning commission with appeal to the elected legislative body. In this process, the application to convert is evaluated in terms of its effects on the ability of the municipality to meet comprehensive plan goals and objectives, many of which urge the preservation of low- and moderate-income housing.



Concord and Walnut Creek, California, will deny a conversion unless it "will not displace a significant percentage of tenants . . . at a time when no equivalent housing is readily available in the city" or if it will "delete low- and moderate-rental units from the city's housing stock at a time when no equivalent housing is readily available in the city." In addition, Concord requires that the conversion must not have an "adverse effect on the diversity of housing types available."

Aspen, Colorado, will deny a conversion if it would reduce the supply of low- and moderate-income housing.

Alameda, California, will deny a conversion if it significantly reduces the number of rental units available in the price range below the median price range of apartments in the city.

Belmont, California, will deny a conversion if it "would be detrimental to the supply of alternative types of housing within the city and . . . would tend to create a shortage of a particular housing type." Similarly, San Jose, California, may deny a conversion if it depletes the rental stock.

In addition to its vacancy rate provisions, Los Angeles will deny a conversion if at least half a building's tenants are low- or moderate-income, and/or over 62 years old, handicapped, disabled, or have two or more minor children in a household. Each of these groups would have great difficulty finding comparable replacement housing.

Four jurisdictions require that at least some units in a conversion be retained as low- or moderate-income housing. For example, Marin County's plan commission policies require that at least 15 percent of the units in a conversion be retained as low- or moderate-income. According to Planning Director Marjorie Macris, the county has denied applications to convert on this basis.

But this approach has also provided leverage to include moderate-income units, Macris reports. "In

one case the developer finally offered to permanently retain 40 percent of the units as moderate income. They'll be sold at a price affordable to a moderate-income family. Resale prices will be restricted to the initial purchase price plus increases due to the consumer price index and whatever improvements are made to the unit.

"This just goes to show how much gravy there is in condominium conversion," Macris continues. "The developer was willing to give in on anything to get this conversion approved." And Marin County was able to permanently assure that a substantial proportion of the units would remain available to moderate-income households without using government subsidies.

Similarly, Vail, Colorado, requires that a "reasonable percentage" of units be retained for low- or moderate-income persons. San Francisco requires that all units that are low- or moderate-income prior to conversion be retained as such, or that the developer construct new low- and moderate-income units elsewhere in town, or make cash payments to the city's housing development fund.

Easing Relocation Pains

To ease the difficulty of finding comparable replacement housing, a growing number of jurisdictions prohibit or delay evictions.

Last year, Massachusetts State Representative John Businger of Brookline coaxed a bill through the Massachusetts House that banned the eviction of tenants due to condominium conversion in his home district. The city's rent controls have curbed attempts by some developers to force tenants out with extremely large rent increases or by reducing services.

In New York City, tenants over age 62 years old and with annual incomes under \$30,000 are granted life leases when their buildings convert. Some cities in Rockland, Nassau, and Westchester counties require a life lease for tenants age 62 or older.

San Francisco provides for a life lease to tenants 62 and older. Rent increases are limited to increases in the housing component of the Bay area cost of living index.

Other governments allow lease extensions for certain classes of tenants who would have difficulty finding replacement housing. Skokie, Illinois, and Walnut Creek, California, grant a six-month lease extension to persons over 65, the disabled, and households with two or more minor children. Palo Alto, home of Stanford University, prohibits the eviction for conversion of any college student during a school semester.

Other governments extend leases for all tenants caught in a conversion. New Jersey provides for a three-year lease extension that can be expanded to as long as eight years. Los Angeles gives a 60-day lease extension. Nonpurchasing San Francisco tenants are entitled to a lease extension of up to one year.

In Lower Merion Township, Pennsylvania, the leases of nonpurchasing tenants are automatically extended

one year unless 51 percent of the building's tenants agree to waive this provision.

Because a conversion can force tenants into the housing market involuntarily, some cities require the developer to make direct payment to tenants or to provide other relocation assistance.

Alameda, Evanston, Los Angeles, San Francisco, Seattle, Walnut Creek, Washington, D.C., Hayward, California, and the state of New Jersey require direct payments by the developer to displaced tenants ranging from \$160 in Alameda to \$1,000 in San Francisco.

The California communities of Belmont, Alameda, Los Angeles, and San Mateo all require the developer to help nonpurchasing tenants find replacement housing. In San Francisco, the developer must contract with the city's Central Relocation Services to provide permanent relocation services to tenants.

The District of Columbia has gone one step further by requiring a developer to make housing assistance payments to displaced low-income households for two years so they will not spend more than 25 percent of their monthly income on rent. The city assumes these payments for the next three years.

Legal Validity

None of these laws has ever been overturned in court. In fact, only New York's and Brookline's have even been challenged.

Carefully written restrictions on conversions that assure due process, tie the privilege of conversion to adopted municipal housing goals, state municipal purposes for restricting conversions, and establish that a housing emergency exists do not constitute a taking of property without compensation or a violation of the equal protection clause of the Fourteenth Amendment of the Constitution.

Control of conversion falls within a municipality's police power just as zoning, subdivision, building code, and rent control regulations do. The ability and need of a community to regulate housing was stated clearly by the United States Supreme Court in *Block v. Hirsh*, 256 U.S. 135 (1920): "Housing is a necessity of life. All the elements of a public interest justifying some degree of public control are present."

Public officials often find themselves in a quandary trying to balance conflicting interests involved in condominium conversions. The laws described are the fairest and most effective legal means devised so far to balance these interests. But they are hardly the final word. The regulation of condominium conversions is a rapidly evolving field that can undergo radical change as innovative local officials devise new ways to mitigate the adverse effects of conversions that work against achieving local housing goals and the long-time national goal of a "decent home and a suitable living environment for every American family."

Conversion moratorium

by Daniel Lauber

More than 20 communities have enacted a moratorium on condominium conversions while they study the effects of conversions and determine appropriate legislative responses. Without a temporary halt to conversions, the issue may become moot in some communities as developers rush to convert as many buildings as possible before restrictive legislation can be enacted. These temporary halts to conversion have lasted from as little as two weeks in Evanston, Illinois, (1977) to as long as two years in Washington, D.C., (1974-76).

A moratorium is valid as long as emergency conditions exist, work is progressing on the study of conversions and development of an ordinance to regulate them, and procedural grounds are followed. Moratoriums in Tiburon, California (1975), Montgomery County, Maryland (1979), and Evanston, Illinois (1978-1979), have survived court challenges. An extension of the District of Columbia's 90-day 1979 moratorium was rejected by the court last fall on procedural grounds. The 40-day Chicago moratorium (1979) was rejected because it was vague, arbitrary, and capricious, according to the court.

Jurisdictions known to have enacted a legal moratorium on condominium conversions are listed below by state:

California: Alameda, Concord, Culver City, Fullerton, Mountain View, Palo Alto, San Francisco, San Jose, Santa Barbara, Santa Monica, Tiburon

Illinois: Arlington Heights, Evanston (2), Skokie

Maryland: Montgomery County

Massachusetts: Boston (moratorium on evictions due to conversion)

New Jersey: Atlantic City

Oregon: Eugene

Pennsylvania: Philadelphia

Washington: Edmunds, Lynnwood, Seattle

District of Columbia: 1974-1976, 1979
