

From: MRH123W74@aol.com  
Sent: Thursday, October 07, 2010 10:48 AM  
To: !FHFA REG-COMMENTS  
Subject: Guidance on Private Transfer Fees Covenants (NO 2010- N-11)

123 Apartments Corp.  
123 West 74th Street  
New York, NY 10023

October 7, 2010

Mr. Alfred Pollard, General Counsel  
Federal Housing Finance Agency  
1700 G Street, NW  
Washington, DC 20552

Dear Mr. Pollard: RE: Guidance on Private Transfer Fees Covenants  
(NO 2010-N-11)

I am the president of the 123 Apartments Corp, a private residential cooperative, located at 123 West 74th Street, New York, NY. I am writing to advise you that our residential cooperative strongly disagrees with the above captioned proposal. Such a proposal, if implemented, would be wrong and harmful to housing communities and their residents. The transfer fees we collect are used to fund needed capital improvements to our building and to replace aging building systems. Our building was constructed in 1924.

This "guidance" would inflict financial hardship on our shareholders/unit owners and could result in defaults, displacement of individuals and a poorer quality of life and indeed would lead to deterioration if the physical real estate and deprive existing cooperative shareholders of the ability to sell their units. We urge FHFA to protect the right of housing cooperatives and condominiums to preserve affordability by continuing to collect transfer fees without fear of retribution from this ill advised FHFA guidance that would impose undue and considerable punishment, if you will. The "guidance" would foster denial or severely limit availability of individual co-op unit loans for the purchase of our individual co-op units. It amounts to unacceptable macro-government reaction to address the overall crisis in the banking industry -- a crisis of their own making-- that amounts to "throwing out the baby with the bath water". It would seem, given the foreclosure scandals perpetrated by banks and lending institutions themselves, that this federal level "guidance" fosters more debt for a residential cooperative owners if it were to be unduly pressured by such guidance to cut off the ability, for all intents and purposes, of the cooperative to collect transfer fees. It is, frankly, appalling that this proposal has gotten as far as it has.

Thank for your attention to this matter.

Very truly yours,  
Marsha Hunter  
President