

The New York Times

NEW YORK, SUNDAY, SEPTEMBER 17, 2006

Q & A

Even Security Cameras Pose a Legal Risk

Q Our co-op board is considering installing cameras in sections of our basement and lobby. The board gives two reasons: to protect residents' safety and to see who is dumping unwanted furniture, old television sets, etc. Are there any legal problems the board should consider?

A "As long as the cameras are directed at public areas of the building, it is within the discretion of the board to install and monitor them," said Howard Schechter, a Manhattan co-op lawyer.

He added that if the cameras photograph anyone violating the co-op's house rules, the pictures can be used as evidence.

"Care should be taken not to point cameras into an apartment or other areas in which a resident has a reasonable expectation of privacy," Mr. Schechter said.

He noted that while the co-op corporation is generally not responsible if criminal acts occur in its building, it could be liable if such acts occurred in areas that residents believe are being monitored by security cameras. So, he said, the co-op should tell residents whether the cameras are being monitored and if so, when the monitoring is scheduled.