

# The New York Times

## ASK REAL ESTATE

### When Birds Nest in Bad Places



Credit - Michael Kolomatsky/The New York Times

**By Ronda Kaysen**

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### **Birds and Air-Conditioners**

*I live in a condominium with beautiful landscaping, trees — and lots of birds. The air-conditioning and heating units in the apartments are vented outdoors through louvers built into the building's brick facade. Birds nest in the spaces between the louvers and the cooling-and-heating units, leaving behind droppings and nesting material. It is messy and a health hazard, but does not damage the appliances. The board says condo owners are responsible for cleaning and removing the nests. But shouldn't this be the board's responsibility, since the nests are in the facade and not in the appliances?*

*Larchmont, N.Y.*

In [“The Best Nest,”](#) a children’s book by P. D. Eastman, Mr. and Mrs. Bird explore all sorts of terrible ideas for places to build a nest — in a shoe, a mailbox, a church bell — only to be promptly evicted each time. The birds that have settled in your building have found an equally logical place to call home, albeit one that is inconvenient for you.

“They’re finding shelter,” said Dan Brady, a project manager at [Bell Bird Control](#), of Fairfield, N.J. “They build their nest and lay their eggs, and nobody can get them.”

A bird’s nest is dirty, attracts bugs and could pose a health hazard if spores from the droppings get sucked into the ventilation system, Mr. Brady said. He suggested using bird netting or mesh cloth to keep the birds out of the louvers. A handyman could reach the louvers from inside your apartment to install the netting.

As for who should foot the bill, check your governing documents. In most cases, unless a building has central air, HVAC equipment is considered part of the individual apartments rather than the building. So repairs and maintenance would be the unit owners’ responsibility, said Lisa A. Smith, a partner at the law firm [Smith, Gambrell & Russell](#) who is based in New York.

“Although in this case the louver is separate and apart from the cooling-heating unit, it will most likely be considered part of the assembly as it is necessary in order to operate the equipment,” Ms. Smith said.

If the problem affects multiple apartments, the board could hire someone to address the issue for the entire building. Individual owners would still be billed for the work, but the cost might be lower if the building can negotiate a bulk rate for everyone.

*Submit your questions to [realestateqa@nytimes.com](mailto:realestateqa@nytimes.com)*

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