



IN THE DARK

*Misguided boards, tangled disputes and more!
Take a prescient look at the world of community
associations in the novel **The Dark Condos.***

BY MARVIN J. NODIFF

ILLUSTRATION BY TIM GABOR

IT WAS SIX O’CLOCK when Joshua arrived home. Nicole was in the kitchen wearing one of his Cardinals’ National League Championship t-shirts from 2013.

“Hope you don’t mind,” Nicole said. “Too bad about the World Series, but you should have stopped pitching to David Ortiz.”

“That’s what I thought. But the other problem was that we stopped hitting. Anyway, after the Boston Marathon bombing, we were all okay with ‘Boston Strong’ winning. They outplayed us and they deserved to win.”

Joshua opened two bottles of Michelob and gave one to Nicole. He reached

Our Signature.’ We looked at their internal office memos and didn’t see any hints they wanted to retaliate against you.

“However, the criminal defense attorney Thomas Finn McCarthy is another matter. I printed out his client list and it reads like a ‘Who’s Who’ of dubious characters.” She had highlighted the corporations and organizations he represented, and their street addresses—at least those that didn’t have post office box numbers.

“As expected, his client list—typically defendants—contains the names of lawsuits. But, there’s a second computer file that lists clients and matters other than litigation, such as drafting documents and

Nicole said, “The people who signed the deeds are fictitious. Suez has left no footprints to show where they are physically located. Even so, one little clue leads to another. Tiny Tom must have scrubbed his electronic records because I found no files under Suez. He probably communicated only in person, but he made one little mistake. He didn’t delete one email from Suez, and I was able to track it back to a server located in one of the condos.”

Joshua asked, “What’s the next step?”

“After we eat, and the sun has set, we need to go downtown and look at these three condos.”

“Okay, then,” Joshua said. “Let’s eat.”

JOSHUA PARKED, AND THEY PEERED AT A FIVE-STORY, RED-BRICK BUILDING. EXCEPT FOR A DIM LAMP ON THE THIRD FLOOR, ON THE EAST, THERE WERE NO LIGHTS IN THE BUILDING.

in his shirt pocket and handed her a small manila envelope.

“Thought you’d like this,” he said.

Nicole looked inside the envelope and smiled. “Bloody sweet. You’re not so bad after all.”

“Let me run upstairs and change clothes, and then we’ll go over your research. Sedona is coming over in a few minutes with dinner.”

The dogs, Joshua, Sedona and a large bag of Chinese takeout all arrived in the kitchen at the same time. While Sedona helped herself to a Michelob, Joshua took a seat at the kitchen table next to a stack of papers.

Nicole leafed through her printouts. “There’s a lot of stuff in the cloud, if you know how to look. We now have more dots, but we don’t have more connections.

“We find Signature Custom Homes went into bankruptcy and went out of business to evade the judgment you got, but the principals emerged with a new company called ‘Communities by Signature.’ They replaced the motto ‘We Build Communities’ with a new slogan, ‘Every Home Has

legal opinions. I searched articles in the *News-Gazette* over the past three years and, unlike his criminal cases, these clients have not received any attention in the media.” She turned the list around for Joshua to see.

There were vending machine manufacturers organizations, payday loan companies, liquor distributors, and pre-paid funeral operators.

“So, Tiny Tom does more than criminal defense. He also does transaction work for businesses and organizations, and they’re not exactly what you’d call pillars of society.” Joshua fixed on a name near the end of the list, then on Nicole’s chart.

“Hey, he represents Suez Properties, LLC. It’s on your chart.”

Nicole pointed to the diagram.

“We found no connection between Suez and Zeus, or between Suez and Hercules. ‘Suez’ is interesting because it’s ‘Zeus’ spelled backwards. Researching the land records on Tapestry, we found warranty deeds in all three condos in the name of Suez, and they contain the condo street addresses.”

“Finally,” Joshua said. “Now we know where they are.”

After dinner, they drove the five miles into the heart of the Loft District. “See if you can park here,” Nicole said. “The condominium is across the street.”

Joshua parked, and they peered at a five-story, red-brick building. Except for a dim lamp on the third floor, on the east, there were no lights in the building.

Nicole said, “This is why I wanted to come down here at night. You can see that this building isn’t occupied. It’s dark.” She retrieved a small flashlight from her pocket and opened the car door.

“Let’s take a closer look.” Joshua and Sedona followed her across the street.

Nicole shone her flashlight on the directory beside the front door. It listed ten units by number, but no names. She walked to each of the adjacent buildings and scanned the façades. She then examined several buildings directly across the street.

They drove to the other two buildings and found in each case the only light was one dim lamp on the third floor east.

Joshua headed back to the Central West End and stopped at the Coffee Cartel on Maryland. “I need an espresso,” he said.

They found a table on the sidewalk terrace.

Sedona turned to Nicole. "What did we learn from our inspection?"

"No one is living or working in any of the condos. Someone is using all three buildings for some other purpose. They're dark condos."

A rain storm pelted them on the drive home. Sedona realized it was late, said goodbye and left. Joshua put on a pair of shorts and a t-shirt, and Nicole changed into her black tank top.

"It's been a productive day, and we've earned a little break," Nicole said as she freed a joint from the manila envelope. She held it under her nose with both hands and inhaled deeply.

Just like she does with her coffee in the morning. Joshua thought.

"It's pouring on the deck; do you mind if I smoke in here?"

"No, it's just us. I hope this is good stuff. I have a dispute, actually a lawsuit, with this attorney who grows it in his patio garden, for himself and some of his friends. He gave it to me this afternoon, either as a bribe or a peace offering."

Nicole lit the joint, inhaled, and held it for a few seconds. "Oh, yes, this is good," she said, exhaling and passing it to Joshua.

He took a hit and held his breath, then exhaled slowly.

"Look," she said, "I realize that I'm very guarded about myself, but ---"

Joshua interrupted. "Your personal life is just that, it's personal. It's your business."

"The important thing is that you're doing a terrific job tracking down this information. You're making real progress."

"I will say, however, that you keep this wall around yourself. You don't have to tell me anything, but I want you to know that I'm not judgmental. Give me a chance, and I hope you'll learn to trust me."

Nicole said, "Look who's talking. What

have you told me about yourself? How did you get into this mess with the government? Do you have a woman in your life?"

"The answer to both is, I don't know and no, in that order."

"Here's another question: Do you know how much Sedona cares about you?"

"Sedona?"

"Yes, Sedona. My God, you take her for granted. You're completely clueless, you're blind to someone who really wants to help you."

"I don't see it."

"Exactly, that's my point." Nicole paused to take another hit.

"You accuse me of not being open, but you hide your personal life behind a stockade."

Joshua shrugged. "Okay, so I have intensely personal things. Maybe I'm working on them; maybe I'm not. Maybe I will talk about them; maybe I won't. It takes a high comfort level before I could talk about that stuff."

"You just said that you want me to trust you. Isn't that a two-way street?"

Joshua didn't answer.

Nicole continued. "For a big-deal attorney on the outside, you're really shy and introverted on the inside. You have a lot of

stress. I see lots of inner turmoil. Maybe you should learn to trust me, too. It might be good for you."

He reached for the joint. "Is that Mary Jane talking, or is it you?"

"Maybe this thing provides clarity, you know? My work keeps me from developing any personal ties. Anyway, most of the blokes I deal with in Europe are uptight insurance executives or insecure government officials trying to protect their pathetic jobs." She paused, stood and walked around the living room.

"And those projects were all about money. Working with you is different. This isn't about recovering money for an insurance company, it's personal for you, and it's about your professional life. And, I've never worked with someone so closely as I have on this project with you. You give me a lot of freedom to do my job and just be myself."

Joshua remained silent, absorbing what she had said. "Nicole, I apologize if I offended you with too many personal questions."

"No offense taken." **CG**

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WHAT COULD POSSIBLY GO WRONG?

What happens when a board uses a surveillance drone to find rules violations? What happens when condominium board members hit the lottery and win millions of dollars?

Attorney Joshua Fyler learns that a lot can go wrong—and not just for his clients. He's being investigated by the feds. Is he laundering funds through nonexistent—dark—condos? Through serendipitous connections, he gets help from an unlikely European private investigator whose special research techniques are so unique even Joshua doesn't want to know.

The Dark Condos takes readers on an entertaining, smart and quirky ride from a romantic vacation in Brussels that goes south in France; from misguided condo boards to the joys of community living; from tangled disputes to common ground; from failure to balancing work and love; and, finally, to lessons learned from a stranger.

Marvin J. Nodiff, known for his unique, futuristic view of community associations, explores it all in his third novel. *The Dark Condos* and his first two novels—*Special Assessment* and *No Spitting on the Floor*—are available from CAI Press. Members: \$11.95. www.caionline.org/shop.

