



ANTITRUST INSTRUCTIONS AND WARNING

In recognition of the fact that the New York Housing Association, as a trade association representing competitors in various areas, may encounter situations that raise possible antitrust issues, participants at this meeting are reminded that they are required to comply with the spirit and specific requirements of the antitrust laws on all activities within the scope of their responsibilities. The general requirements of the antitrust laws prohibit any agreement to restrict trade between competitors. The following prohibitions are included:

1. Agreeing to fix or regulate prices, markups, or the conditions or terms of sale, whether at the wholesale or retail level for suppliers, manufacturers, or retailers;
2. Agreeing to fix or regulate rental fees or the conditions or terms of the lease for manufactured land-lease communities;
3. Agreeing to establish geographic trading areas, allocating markets or customers, or classifying certain customers or tenants as being entitled to preferential treatment;
4. Participating in any plan designed to induce any manufacturer or distributor to sell or refrain from selling, or to induce any manufacturer, supplier, retailer, or community owner to discriminate in favor of or against a particular customer or class of customers;
5. Agreeing to limit or restrict the quantity of supplier products or manufactured homes to be produced;
6. Participating in any plan which has the effect of discriminating against or excluding competitors;
7. Agreeing to establish or limit the terms of credit or financing for manufactured home purchases, the refinancing of home loans, and floor plan lending agreements;
8. Agreeing or participating in any plan to refuse to deal with potential customers or suppliers for economic motivations;
9. Agreeing to standardize services, products, or financing provided to customers; and
10. Agreeing to limit or restrict advertising.

This is only a general outline of some of the areas that illustrate antitrust dangers in discussion among competitors and between sellers and their customers.

In addition to these specific guidelines, participants at this meeting should adhere strictly to the agenda and should not discuss subjects of doubtful legality. During this meeting, there should be no recommendations with respect to "sensitive" antitrust subjects, those that relate to price, products, markets and the selection of customers, tenants or suppliers. Price should not be discussed at all; to the extent prices and costs are to be mentioned, only general reference to past pricing and cost data are permitted. No discussion may occur regarding current or prospective prices and costs. Members should not in any way be coerced into taking part in NYHA activities during this meeting nor should there be any policing of the industry to see how individual members are conducting their businesses.

The chairman of each meeting must be sensitive to the discussion related to antitrust laws and it is his/her responsibility to conduct the meeting in such a manner that these laws are not infringed. If a question arises as to the propriety of the matter under discussion, it is the obligation of the chairman to seek the advice of appropriate counsel.