



Tenants Target Sen. Golden to Strengthen Rent Laws

By Bennett Baumer

The statewide campaign to end vacancy decontrol and strengthen the rent laws is quickly coming to a head. On March 20, tenant groups targeted Republican state Senator Martin J. Golden by holding a boisterous rally in front of his district office on Fifth Avenue in Bay Ridge, Brooklyn.

The crowd of about 150 pinned Golden and his staff inside their office all morning and afternoon. Participants reported seeing the senator entering the office earlier in the morning, but they were unable to coax him outside to speak. The rally also featured two marching bands, the Rude Mechanical Orchestra and a group of musicians from Make the Road New York.

"We need [Golden] to cosponsor [the bill]. So far, he hasn't given us any word," said Tom Murata, a Bay Ridge resident since 1981 and a member of Tenants and Neighbors. "If you price the middle class out of Brooklyn, where are we all going to live? In the same basement apartment in Queens?"

Golden, who ran unopposed in 2008, received \$35,000 in contributions from real-estate interests, according to the New York Public Interest Research Group. He is one of the few state senators from New York City who has not endorsed the bill to repeal vacancy decontrol sponsored by Andrea Stewart-Cousins (D-Westchester). The bill so far has 24 cosponsors, but Frank Padavan of Queens is the only Republican. (See box p. 8.)

Golden's office did not return phone calls from *Tenant/Inquilino*.

"Bay Ridge is a place where my daughter can get a decent education and I can afford the rent," said Antonia Pizzichemi, a single mother. "Do we want a chi-chi city?"

The crowd roared, "No!"

Vacancy decontrol enables landlords to take vacant rent-stabilized and rent-controlled apartments out of regulation when the legal registered rent sur-

passes \$2,000 a month. Former Republican Governor George Pataki, a Republican-controlled state Senate, and a compliant Democratic Assembly enacted it in 1997 after heavy landlord lobbying and campaign contributions.

Since then, Tenants and Neighbors estimates, more than 100,000 formerly affordable apartments have been deregulated and have become market rentals due to deregulation and condo/coop conversions. Tenant advocates contend vacancy decontrol has led to increased landlord harassment because it gives owners an economic incentive to evict tenants. The 1997 law also gave owners an automatic 20 percent increase on vacant apartments, and they can also add 1/40 of the cost of any renovations. The state has virtually no way of detecting whether those renovation increases are fraudulent.

"Many of our clients live in rent-regulated apartments, but they are not

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Rally to Repeal Vacancy Decontrol!

Join us at important rallies to repeal vacancy decontrol and preserve affordable housing. We will be gathering in Manhattan, Brooklyn, the Bronx, and Queens, to tell our state Senators that this needs to be their top priority. The future of affordable housing in this city depends on our ability to preserve rent regulations.

Brooklyn Borough Rally
Friday, April 17, 6:30 p.m.

House of the Lord Church
415 Atlantic Ave., at Bond St.
Subway: 2, 3, 4, 5, B, or Q to Atlantic Ave.; D, M, N, or R to Pacific St.; F to Bergen St.; or A,C, or G to Hoyt-Schermerhorn.

Queens Borough Rally
Saturday, April 18, 11 a.m.

Location to be announced soon
Call Met Council offices for more info:
212-979-6238 ext. 200

Manhattan Borough Rally
Wednesday, April 22, 7 p.m.

Church for All Nations
417 W. 57 St., btn 9 and 10 Ave.
Subway: A, B, C, D, or 1 to Columbus Circle, or N, Q, R, or W to 57th St./7th Ave.

Bronx Borough Rally
Thursday, April 23, 7 p.m.

Church of the Mediator
260 West 231st St. at Kingsbridge Ave.
Subway: 1 train to 231st St., walk two blocks west.

The future of rent-regulated housing in New York City depends on ending vacancy decontrol. "Vacancy decontrol" lets landlords take vacant apartments out of rent regulation permanently by bringing the legal rent to \$2,000. The promise of limitless rent increases and minimal tenant rights (including no lease-renewal rights) is a tremendous incentive for landlords to push out long-time tenants. Since vacancy decontrol was enacted 12 years ago, more than 100,000 once-affordable apartments have become deregulated.

Stuy-Town Landlords Get to Appeal J-51 Reregulation Ruling

By Steven Wishnia

Stuyvesant Town's landlords will get to challenge a court ruling that said they can't deregulate apartments while taking city tax breaks to improve the buildings.

On April 6, the state Appellate Division granted Tishman-Speyer permission to appeal its March 5 decision in the case. The move means the case will go to the Court of Appeals, the state's highest court. The Appellate Division had held that as long as the landlord was receiving tax abatements under the city's J-51 program, apartments in Stuyvesant Town/Peter Cooper Village must remain rent-stabilized.

If that decision stands, it might have huge reper-

cussions. Tenant lawyers estimate that Tishman-Speyer, which bought the buildings in 2006 for a record \$5.4 billion and has since aggressively tried to empty apartments and raise the rents to over \$2,000 a month, might have to reimburse tenants for \$200 million in rent overcharges.

Tishman-Speyer is already in financial trouble because it hasn't been able to get tenants out fast enough to collect deregulated rents in most of the complex. It will now have to deposit part of the 4,400 market-rate tenants' rent in an escrow account—the amount above what the legal stabilized rent on their apartments would be.

Citywide, the March 5 decision could affect more than 300,000 apartments. Real-estate interests whined that it would create a costly, bureaucratic nightmare in which they would have to reregulate thousands of apartments. Rent Stabilization Association head Joe Strassburg told the New York Observer that the ruling "represents a seismic and unprecedented shift in the New York rent-regulatory landscape," and Mitch Posilkin, the landlord lobbyist group's general counsel, told the Daily News that it was "an enormous Pandora's box."

The RSA joined Tishman-Speyer in asking the court for a stay, warning

that reregulation would jeopardize the financial health of owners and lenders and reduce the city's real-estate tax revenues.

"A victory for the Stuyvesant Town tenants in this case will not make

the sky fall, or the world come crumbling down," neighborhood City Councilmember Dan Garodnick responded in a statement.

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City Council Renews Rent Laws, Urges Urstadt Repeal

The City Council voted March 24 to declare a continuing housing emergency and extend the city's rent-stabilization law through March 31, 2012.

Though largely a formality, the two votes were essential to continue rent stabilization in the city. As rent regulations are legally considered a temporary emergency measure to deal with a housing shortage, state law requires the Council to certify that such an emergency exists once every three years.

The law lets the city declare a "public emergency requiring the regulation and control of residential rents and evictions" when there is "an acute shortage of dwellings"—if the vacancy rate for rental apartments is below 5 percent. According to figures from the city's Housing and Vacancy Survey cited by Council Speaker Christine Quinn, the citywide vacancy rate is 2.88 percent, down

from 3.09 percent in 2005.

Thus, the Council declared that "such shortage constitutes a threat to the citizens of New York City and creates a special hardship to persons and families of limited and moderate means; that unless residential rents and evictions continue to be regulated and controlled, there will be excessive rent increases and evictions for failing to pay such increases, which will produce serious threats to the public health, safety, and general welfare."

The Council also approved two "home-rule messages" urging the state Legislature to pass bills that would repeal the "Urstadt Law," which makes it illegal for cities with a population of more than 1 million to enact rent regulations stronger than the state's, and to eliminate the vacancy-decontrol provision of the state's rent-regulation system. The Assembly approved both bills in February,

but they are still pending in the state Senate.

"It's downright colonial for New York City to not have a right to make its own decisions and for Albany to dictate to us," Council-

member Bill de Blasio (D-Brooklyn) said at a March 12 rally at City Hall.

—Steven Wishnia

Rent Guidelines Board Schedule

Public Meeting
Tuesday, April 21
Department of City Planning
Spector Hall, 22 Reade St.
New York, NY 10007
9:30 a.m.–noon

Public Meeting (Invited Group Testimony)
Thursday, April 30
Department of City Planning
Spector Hall, 22 Reade St.
New York, NY 10007
9:30 a.m.–5:00 p.m.
Apt. Tenants: 9:45–11:45 a.m.
Apt. Owners: 1:00–3:00 p.m.
Hotel Tenants: 3:15–4:00 p.m.
Hotel Owners: 4:00–4:45 p.m.

Public Meeting (Preliminary Vote)
Tuesday, May 5
The Great Hall at Cooper Union
7 East 7th St., corner of 3rd Ave.
(Basement)
New York, NY 10003
5:30–9:30 p.m.

Public Meeting
Thursday, June 4
Department of City Planning
Spector Hall, 22 Reade St.
New York, NY 10007
9:30 a.m.–noon

Public Hearing (Public Testimony)
Monday, June 15
TBA, Bronx, NY
4:00–10:00 p.m.

Public Hearing (Public Testimony)
Wednesday, June 17
The Great Hall at Cooper Union
7 East 7th St., corner of 3rd Ave.
(Basement)
New York, NY 10003
10:00 a.m.–6:00 p.m.

Public Meeting (Final Vote)
Tuesday, June 23
The Great Hall at Cooper Union
7 East 7th St., corner of 3rd Ave.
(Basement)
New York, NY 10003
5:30–9:30 p.m.



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- ✓ how to get repairs
- ✓ the fight to preserve Section 8 and Mitchell-Lama housing
- ✓ the fight for home rule
- ✓ How to Join Met Council
- ✓ Links to other resources
- ✓ Back issues of *Tenant/Inquilino*

and much more!

Get active in the tenant movement! Write to us at active@metcouncil.net

EL INQUILINO HISPANO

Los dueños de Stuy-Town pueden apelar la decisión sobre la reimplementación de la regulación J-51

Por Steven Wishnia

Traducido por Lightning Translations

Los dueños de Stuyvesant Town pueden impugnar una decisión jurídica que dijo que no pueden descontrolar apartamentos mientras gocen de disminuciones de impuestos municipales para mejorar los edificios.

El 6 de abril, la División de Apelaciones estatal concedió permiso a Tishman-Speyer para apelar su decisión sobre el caso del 5 de marzo. Este acontecimiento significa que el caso irá a la Corte de Apelaciones, la corte más alta del estado. La División de Apelaciones había sostenido que mientras el casero recibiera reducciones de impuestos bajo el programa municipal J-51, los apartamentos en Stuyvesant Town/Peter Cooper Village tendrían que mantenerse con alquiler estabilizado.

Si esta decisión prevalece, puede tener repercusiones enormes. Abogados de inquilinos estiman que Tishman-Speyer, que compró los edificios en 2006 por una cantidad récord de \$5.4 mil millones y desde entonces ha intentado agresivamente vaciar apartamen-

tos y elevar los alquileres más allá de \$2,000 al mes, podría tener que rembolsar a los inquilinos \$200 millones en cargos de alquiler excesivos.

Tishman-Speyer ya se encuentra en apuros financieros porque no ha podido desalojar a inquilinos bastante rápido para cobrar alquileres descontrolados en la mayoría del complejo. Ahora tendrá que depositar parte del alquiler de los 4,400 inquilinos que pagan la tasa del mercado en una cuenta bajo control de un tercero (*escrow*): la cantidad en exceso de lo que el alquiler legal estabilizado de sus apartamentos hubiera sido.

En toda la ciudad, la decisión del 5 de marzo puede afectar a más de 300,000 apartamentos. Los intereses de bienes raíces gimieron que crearía una costosa pesadilla burocrática en la que tendrían que poner miles de apartamentos bajo la reimplementación de la regulación. El jefe de la Asociación de Estabilización de Rentas (Rent Stabilization Association, RSA)

Joe Strasburg dijo al New York Observer que la decisión "representa un cambio sísmico y sin precedente en el panorama de regulaciones de alquiler de Nueva York", y Mitch Posilkin, el abogado general del grupo de presión de caseros, dijo al Daily News que fue "una enorme caja de Pandora".

La RSA se unió a Tishman-Speyer para pedir la suspensión del fallo y advirtió que la reimplementación de la regulación pondría en peligro el bienestar financiero de los dueños y prestamistas, además de reducir los ingresos municipales de impuestos en bienes raíces.

"Una victoria para los inquilinos de Stuyvesant Town en este caso no hará caer el cielo ni que el mundo se deshaga en pedazos", respondió el concejal del vecindario Dan Garodnick en una declaración. "Esto es un pleito entre casero e inquilinos que depende de principios básicos de justicia para los contribuyentes y justicia para los inquilinos".

El 9 de marzo, la asambleísta

Linda Rosenthal (demócrata de Manhattan) instó al Departamento de Hacienda y la División de Vivienda y Renovación Comunitaria (Division of Housing and Community Renewal, DHCR) a investigar la posibilidad de volver a controlar los apartamentos. "Debemos asegurar que este patente desacato a la ley no se extienda entre los caseros de todo el estado de Nueva York", escribió, al pedir que las agencias "comiencen inmediatamente una indagación de todos los beneficiarios de J-51 para averiguar si han elevado alquileres ilegalmente y descontrolado sus apartamentos".

Ella también pidió que las dos agencias avisen a los caseros que reciban beneficios J-51 "que les es ilegal elevar alquileres y descontrolar apartamentos", además de informar a todos los inquilinos cuyos caseros reciban beneficios J-51.

Inquilinos en Independence Plaza North (IPN), un comple-

pasa a la página 5

Los Ajustes de la "Junta de Regulación de Renta" de la Ciudad de Nueva York (Orden No. 40)

Para los contratos de apartamentos de Renta Estabilizada que comienzan el 1ro. de octubre de 2007 hasta el 30 de septiembre de 2008.

Renovación de Contrato

Los caseros tienen que ofrecer a los inquilinos de renta estabilizada una renovación de contrato dentro de 90 a 120 días antes de que venza su contrato actual. La renovación de contrato tiene que mantener los mismos términos y condiciones que el contrato que vencerá, excepto cuando refleje un cambio en la ley. Una vez que se haya recibido el ofrecimiento de renovación, los inquilinos tienen 60 días para aceptarlo y escoger si van a renovar el contrato por uno o dos años. El propietario tiene que devolver la copia firmada y fechada al inquilino dentro de 30 días. La nueva renta no entrará en vigencia hasta que empiece el nuevo contrato, o cuando el propietario devuelva la copia firmada (lo que suceda después). Ofrecimientos retrasados: si el casero ofrece la renovación tarde (menos de 90 días antes de que venza el contrato actual), el contrato puede empezar, a la opción del inquilino, o en la fecha que hubiera empezado si se hubiera hecho un ofrecimiento a tiempo, o en el primer pago de renta fechada 90 días después de la fecha del ofrecimiento del contrato. Las pautas de renta usadas para la renovación no pueden ser mayores que los incrementos de la RGB vigentes en la fecha en que el contrato debía empezar (si se lo hubiera ofrecido a tiempo). El inquilino no tiene que pagar el nuevo aumento de renta hasta 90 días después de que se haya hecho el ofrecimiento.

Asignación de Subarriendo

Los caseros podrán cobrar un aumento de 10 por ciento durante el término de subarriendo que comience durante este

período de las pautas.

Programa de Exención de Incrementos de Renta para las Personas de Mayor Edad Las personas de mayor edad con renta estabilizada (y los que viven en apartamentos de renta controlada, Mitchell-Lama y cooperativas de dividendos limitados), con 62 años o más, y cuyos ingresos familiares disponibles al año sean de \$27,000 o menos (para 2006) y que paguen (o enfrenten un aumento de renta que les haría pagar) un tercio o más de tal ingreso en renta pueden ser elegibles para una congelación de renta. Solicite a: NYC Dept of the Aging, SCRIE Unit, 2 Lafayette St., NY, NY 10007 o llame al 311 o visite su sitio Web, nyc.gov/

html/dfta/html/scrie_sp/scrie_sp.shtml.

Programa de Exención de Incrementos de Renta para Minusválidos

Inquilinos con renta regulada que reciben ayuda económica elegible relacionada con discapacidad, que tengan ingresos de \$17,580 o menos para individuales y \$25,212 o menos para una pareja y enfrenten rentas iguales o más de un tercio de sus ingresos pueden ser elegibles para un congelamiento de renta. Solicite a: NYC Dept. of Finance, DRIE Exemptions, 59 Maiden Lane - 20th floor, New York, NY 10038. Llame al 311 para una solicitud o vaya al sitio Web en www.nyc.gov/html/dof/html/property/

property_tax_reduc_drie.shtml

Las unidades desvanes

Los aumentos legalizados para unidades de desván son un 2.5 por ciento por un contrato de un año y 5.25 por ciento por dos años. No se permiten incrementos para las unidades de desván vacías.

Hoteles y SROs

4.5% para todas categorías, sin embargo, 0% cuando menos de un 85% de las unidades sean ocupadas por inquilinos permanentes de renta regulada.

Exceso de cobro

Los inquilinos deben estar al tanto de que muchos caseros se aprovecharán de las complejidades de estas pautas y concesiones adicionales, además del poco conocimiento de los inquilinos del historial de renta de sus apartamentos, para cobrar una renta ilegal. Los inquilinos pueden impugnar los aumentos de renta sin autorización en las cortes

o al presentar una impugnación con la agencia estatal de vivienda, la División de Vivienda y Renovación Comunitaria (Division of Housing and Community Renewal, DHCR). El primer paso en el proceso es ponerse en contacto con la DHCR para ver el registro oficial del historial de renta. Vaya a www.dhcr.state.ny.us o llame al 718-739-6400 y pida un historial de renta detallado. Luego, hable con un abogado o defensor experto antes de seguir.

Para las pautas previas, llame a la RGB al 212-385-2934 o vaya al www.housingnyc.com

Tipo de Contrato		Renta Legal Actual	Contrato de 1 Año	Contrato de 2 Años
Renovación del Contrato	Todos	casero abastece la calefacción	4.5%	8.5%
		inquilino paga la calefacción	4%	8%
	Salvo donde el último contrato del apartamento vacío se firmó 6 o más años atrás y la renta es menos de \$1,000	casero abastece la calefacción	45	85
		inquilino paga la calefacción	40	80
Contratos para Apartamentos Vacíos	Más de \$500	Incrementos por desocupación cobrados en los últimos 8 años	16%	20%
		Incrementos por desocupación no cobrados en los últimos 8 años	0.6% por el número de años desde el último incremento por estar vacío, más un 17.25%	0.6% por el número de años desde el último incremento por estar
	Menos de \$300	Incrementos por desocupación cobrados en los últimos 8 años	16% + \$100	20% + \$100
		Incrementos por desocupación no cobrados en los últimos 8 años	0.6% por el número de años desde el último incremento por estar vacío, +16% + \$100	0.6% por el número de años desde el último incremento
	Renta de \$300 a \$500	Incrementos por desocupación cobrados en los últimos 8 años	16% o \$100, lo que sea mayor	20% o \$100, lo que sea mayor
		Incrementos por desocupación no cobrados en los últimos 8 años	0.6% por el número de años desde el último incremento por estar vacío, mas 16%, o \$100, lo que sea mayor	0.6% por el número de años desde el último incremento por estar vacío, mas 20%,

Los inquilinos ponen al senador Golden en la mira para fortalecer las leyes de alquiler

Por Bennett Baumer

Traducido por Lightning Translations

La campaña de todo el estado para poner fin al descontrol de viviendas disponibles y fortalecer las leyes de alquiler está llegando a un punto crítico. El 20 de marzo grupos de inquilinos pusieron al senador republicano Martin J. Golden en la mira al celebrar una manifestación bulliciosa frente a su oficina de distrito en la avenida Quinta en Bay Ridge, Brooklyn.

La multitud de alrededor de 150 personas atrapó a Golden y su personal dentro de su oficina durante toda la mañana y la tarde. Algunos participantes informaron que vieron al senador entrar en la oficina más temprano en la mañana, pero no pudieron vencerlo a salir para hablar con ellos. La manifestación también incluyó dos bandas de marcha, la Orquesta Mecánica Grosera (Rude Mechanical Orchestra) y un grupo de músicos de Hacer el Camino al Andar Nueva York (Make the Road New York).

“Necesitamos que [Golden] copatrocine [el proyecto de ley]. Hasta ahora no nos ha dicho nada”, dijo Tom Murata, un residente de Bay Ridge desde 1981 y miembro de Inquilinos y Vecinos (Tenants and Neighbors). “Si haces demasiado caro para la clase media vivir en Brooklyn, ¿dónde vamos a vivir todos nosotros? ¿En el mismo apartamento en un sótano en Queens?”

Golden, quien se postuló sin oposición en 2008, recibió \$35,000 en contribuciones de intereses de bienes raíces, según el Grupo de Investigaciones de Interés Público de Nueva York (New York Public Interest Research Group). Él es uno de los pocos senadores estatales de la Ciudad de Nueva York que no han respaldado el proyecto de ley para revocar el descontrol de viviendas disponibles, patrocinado por Andrea Stewart-Cousins (demócrata de Westchester). Hasta ahora el proyecto de ley tiene 24 copatrocinadores, pero Frank Padavan de Queens es el único republicano (vea el cuadro en la página 8).

La oficina de Golden no devolvió las llamadas de *Tenant/Inquilino*.

“Bay Ridge es un lugar donde mi hija puede conseguir una educación adecuada y el alquiler está al alcance de mi bolsillo”, dijo Antonia Pizzichemi, una madre soltera. “¿Queremos una ciudad fifi?”

La multitud gritó, “¡No!” El descontrol de viviendas disponibles les hace posible a los caseros remover del sistema de regulación apartamentos disponibles de alquiler estabilizado o controlado cuando el alquiler legal registrado excede \$2,000 al mes. El antiguo gobernador republicano George Pataki, un

senado estatal controlado por los republicanos y una asamblea demócrata complaciente lo aprobaron en 1997 después de intensa presión y copiosas contribuciones de campaña por parte de los caseros.

Desde entonces, según estima Inquilinos y Vecinos, más de 100,000 apartamentos anteriormente asequibles han sido descontrolados y se han vuelto propiedad de arriendo a la tasa de mercado a causa de la desregulación y conversiones en condominios y cooperativas. Los defensores de inquilinos sostienen que el descontrol de apartamentos disponibles ha conducido a un aumento de los hostigamientos por parte de los caseros, porque les da un incentivo económico para desalojar a inquilinos. La ley de 1997 también dio a los caseros un aumento de alquiler automático de

20 por ciento para apartamentos disponibles; además, pueden añadir 1/40 del costo de renovaciones al alquiler mensual. El estado virtualmente no tiene manera de detectar si los aumentos de renovación son fraudulentos.

“Muchos de nuestros clientes viven en apartamentos de alquiler regulado, pero no están seguros”, dijo Nina Valmonte, una residente de Bay Ridge quien es directora asociada de comunicación y servicios comunitarios y parroquiales de Caridades Católicas de Brooklyn y Queens. Un programa que ella supervisa ayuda a los inquilinos con becas para pagar alquileres atrasados.

“Una vez que las familias salen de apartamentos que ya no están al alcance de sus bolsillos, no hay muchas opciones”, añadió. “La opción más temida es un albergue”.

No se quede helado: ¡ORGANÍZASE!



La ley requiere que su casero proporcione calefacción y agua caliente a las temperaturas siguientes, desde el 1ro de octubre hasta el 31 de mayo:

Desde las 6 a.m. hasta las 10 p.m.: Si la temperatura afuera es de menos de 55 grados, la temperatura adentro debe ser al menos de 68 grados en todo el apartamento.

Desde las 10 p.m. hasta las 6 a.m.: Si la temperatura afuera es de menos de 40 grados, la temperatura adentro debe ser al menos de 55 grados en todo el apartamento.

Se tiene que proporcionar agua caliente a un mínimo de 120 grados en el grifo las 24 horas del día, todo el año.

Si su casero no mantiene estas temperaturas mínimas, usted debe:

- * Comenzar una “Acción HP” (HP Action) en la Corte de Vivienda. Pida una inspección por orden de la corte y una Orden de Corrección (Order to Correct)
- * Llamar al Buro Central de Quejas (Central Control Bureau) de la ciudad de Nueva York al 311 inmediatamente, para documentar la violación del casero. Llame repetidamente. Se supone que un inspector vendrá eventualmente, aunque a veces no lo haga.
- * Exhortar a los otros inquilinos en el edificio a llamar al Central Complaint. Todos deben llamar repetidamente, al menos una vez al día, todos los días en que tengan problemas con la calefacción.
- * Comprar un buen termómetro para afuera y adentro, para documentar las fechas exactas, las horas, y las temperaturas, tanto afuera como adentro, mientras tenga problemas con la calefacción. Esta documentación es su evidencia
- * Llamar a la División de Vivienda y Renovación Comunal del Estado de Nueva York (DHCR, por sus siglas en inglés) al (718) 739-6400, y pedir que le envíen el formulario de Queja de Calefacción y Agua Caliente. Llene el formulario y consiga la participación de todos los

inquilinos en su edificio que pueden firmarlo. Reclame una orden para restaurar la calefacción y el agua caliente, y que se reduzcan y congelen (¡disculpe lo de “congelen”!) todas las rentas.

- * Necesitarán una fuerte asociación de inquilinos para obligar al casero a proporcionar calefacción y agua caliente. Escriban y llamen al casero para demandar reparaciones y aceite. Prepárense para una huelga de renta (sobre todo con asesoría legal)—de relámpago si es necesario.

Las leyes sobre la calefacción establecen también:

- * Que el Departamento de Reparaciones de Emergencia de la ciudad le proporcione la calefacción si el casero no lo hace. (No se siente en un bloque de hielo—otra vez, ¡disculpe!—mientras espere que lo haga.)
- * Una multa de \$250 to \$500 al casero por cada día que se produzca la violación. (Pero la verdad es que la Corte de Vivienda raras veces impone las multas, y menos aun las cobra).
- * Una multa de \$1,000 al casero si algún aparato de control automático se instala en la caldera para mantener la temperatura por debajo del mínimo legal.
- * Si el tanque de combustible de la caldera está vacío, los inquilinos tienen el derecho de comprar su propio combustible después de haber pasado 24 horas sin calefacción y también sin obtener ninguna respuesta del casero. Esto no se aplica si la caldera está rota y necesita tanto reparación como combustible.

¡Cuidado! ¡proteja su dinero! Si los inquilinos deciden comprar el combustible, hay que seguir los procedimientos legales cuidadosamente. Consiga la ayuda y el consejo de un organizador de inquilinos. La existencia de leyes de calefacción y agua caliente vigentes no garantiza que el gobierno las implemente. No se quede helado por esperar que la ciudad o el estado actúe. ¡Organízes!

¡Manifiéstese para revocar el descontrol de apartamentos disponibles!

Por favor únase a nosotros en manifestaciones importantes para revocar el descontrol de apartamentos disponibles y conservar vivienda asequible. Nos reuniremos en Manhattan, Brooklyn, el Bronx y Queens para decir a nuestros senadores estatales que esto tiene que ser su prioridad número uno.

Manifestación del condado de Brooklyn

El viernes 17 de abril, 6:30 p.m.

Iglesia Casa de Dios (House of the Lord Church)

415 Avenida Atlantic, cerca de la Calle Bond

Metro: 2, 3, 4, 5, B, o Q a la Avenida Atlantic; D, M, N, o R a la Calle Pacific; F a la Calle Bergen; A,C, o G a Hoyt-Schermerhorn.

Manifestación del condado de Queens

El sábado 18 de abril, 11 a.m.

Lugar por anunciarse pronto

Llame a la oficina de Met Council para más información:

212-979-6238, extensión 200

Manifestación del condado de Manhattan

El miércoles 22 de abril, 7 p.m.

Iglesia para Todas las Naciones (Church for All Nations)

417 Oeste de la Calle 57, entre las Avenidas 9 y 10

Metro: A, B, C, D, o 1 a Columbus Circle, o N, Q, R, o W a la Calle 57/Avenida 7

Manifestación del condado del Bronx

El jueves 23 de abril, 7 p.m.

Iglesia del Intercesor (Church of the Mediator)

260 Oeste de la Calle 231 en la Avenida Kingsbridge

Metro: tren 1 a la Calle 231, camine dos cuadras hacia el oeste.

El futuro de la vivienda de alquiler regulado en la Ciudad de Nueva York depende del fin del descontrol de apartamentos disponibles. El “descontrol de viviendas disponibles” permite a los caseros remover para siempre apartamentos disponibles del sistema de regulación al hacer llegar el alquiler legal a \$2,000. La promesa de aumentos de alquiler sin límites y derechos de inquilinos mínimos (incluida la falta del derecho de renovar el contrato) es un enorme incentivo para que los caseros desalojen inquilinos de muchos años. Desde que se aprobó el descontrol de apartamentos disponibles hace 12 años, más de 100,000 apartamentos previamente asequibles han sido descontrolados.

Por favor, únase a nosotros en la manifestación en su condado. El futuro de la vivienda asequible en esta ciudad depende de nuestra capacidad para conservar las regulaciones de alquiler.

Rockefeller's Drug Laws Reformed, Now How About His Rent Laws?

by Kenny Schaeffer

Gov. Nelson Rockefeller left New York State with two destructive legacies: the 1971 vacancy-decontrol law that denied New York City home rule over rent laws, and the 1973 drug laws, which contained some of the harshest mandatory-minimum sentences in the nation. This year, the state Legislature enacted significant reforms in the drug laws, but tenants are still waiting for it to move

on restoring home rule.

"The Rockefeller drug-law reform agreed to this year is important and long overdue," said George Albro of the United Auto Workers, a Working Families Party official and a former Legal Aid defense attorney. "Now we need to drop the other Rock—the Urstadt law—and restore New York City's home rule over our housing laws."

The new drug laws—passed by the state Senate on April 2 after a deal among Gov. David Paterson, state Senate Majority Leader Malcolm Smith, and Assembly Speaker Sheldon Silver—will eliminate mandatory prison terms for drug users and some small-scale dealers, giving judges the ability to send them to treatment or other alternatives to incarceration. The law will also provide up to \$80 million to fund these alternatives.

"We can do better than the mass incarceration of people who need treatment, not prison," state Sen. Eric Schneiderman (D-WFP-Manhattan) said during the debate. The new law, he argued, restores individualized justice.

The Drop the Rock coalition, which was instrumental in winning agreement on the reforms following a March 25 protest at Gov. Paterson's Manhattan office, called the new law "a significant step forward" but says it does not go far enough in several areas. Drug charges are still based on the quantity of drugs allegedly

involved and not the individual defendant's role in the activity, it notes. And only first and second offenders are eligible for alternatives to incarceration, even though chronic drug users are often the ones who would benefit most from treatment.

Still, the changes in the Rockefeller drug laws represent the success of a sustained activist campaign. Tenant activists who have long been campaigning for the repeal of the Urstadt law hoped that the Democrats winning a 32-30 majority in the state Senate last November would bear similar fruit. But as key Democrats are now receiving the huge real-estate contributions that used to go almost exclusively to Republicans, getting the Legislature to repair the damage done to rent and eviction protections has been more difficult than people expected.

Urstadt repeal is one of the key demands of the Real Rent Reform (R3) campaign. To get involved, contact Met Council at www.met-council.net or (212) 979-6238.

Are Drug-Related Evictions Fair?

Drug possession and drug-related nonviolent crimes have also become the basis for evicting many families from public and private housing. Advocates agree that it is time to take another look at those policies as well. In 2002 the U. S. Supreme Court, in the case *Department of Housing and Urban Development v. Rucker*, held that local housing authorities have broad discretion to evict families when any member is caught with illegal drugs.

The New York City Housing Authority (NYCHA) does not take this extreme position, says Ellen Davidson of the Legal Aid Society's law-reform unit, but it will generally insist on exclusion of the offending family member. This is still problematic for several reasons, she says. The excluded family member is more likely to sink deeper into antisocial behavior when deprived of his family and his home, and the entire family is still subject to eviction if the excluded member comes back to the project to visit an ailing parent, hang out with friends he grew up with on the project grounds, or celebrate a birthday or holiday.

The NYCHA hearing process goes so quickly that it is usually completed before the criminal proceedings, so a tenant can be evicted even if they are later acquitted or the charges are dropped. Court rules of evidence do not apply to NYCHA hearings, and there is no privilege against self-incrimination. The quick process means it is usually impossible to demonstrate that the offender has been rehabilitated, which would justify their remaining in the household. NYCHA also does not properly distinguish between drug use and drug sales.

"The legislature has correctly understood that not everyone caught up in drugs is a danger to the community," said Davidson, "and that many families will benefit from a second chance. NYCHA should reexamine the way it prosecutes evictions for nonviolent drug offenders, and look at alternatives." —Kenny Schaeffer

Stuy-Town apelación

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jo de 1,300 unidades en Tribeca que fue removido del programa Mitchell-Lama en 2004, ya han usado la decisión para impugnar sus aumentos de renta. Ellos mantienen que los apartamentos debían volverse de alquiler estabilizado porque el complejo recibió reducciones J-51 de 1998 a 2006. El dueño, Laurence Gluck de Stellar Management, sostiene que solamente recibió alrededor de \$7,500 al año y que devolvió el

dinero después de que la ciudad puso fin a las reducciones.

El 3 de abril, la jueza de la Corte Suprema Estatal Marcy Friedman falló que la DHCR debe decidir el asunto en vez de las cortes. Debido a que la evidencia sobre cuándo y cómo la ciudad terminó las reducciones J-51 de IPN era obscura, escribió, el caso era "una cuestión mezclada de hechos y leyes", y la agencia de vivienda tenía la "pericia especial" para evaluar si el complejo debería haberse vuelto de alquiler estabilizado.

Inquilinos de mayor edad y minusválidos

Las personas mayores de 62 años o más, en vivienda de renta regulada, Mitchell-Lama y algunos otros programas, con ingresos disponibles anuales de familia de \$28,000 o menos (el año pasado) y quienes pagan (o enfrentan un aumento de renta que les obligaría a pagar) un tercio o más de estos ingresos en renta pueden llenar los requisitos para una Exención de Incrementos de Renta para las Personas de Mayor Edad (Senior Citizen Rent Exemption, SCRIE). Solicítela a:

The NYC Dept. of the Aging, SCRIE Unit
2 Lafayette Street, NY, NY 10007

Los inquilinos minusválidos que reciben ayuda financiera relacionada con invalidez y tienen ingresos de \$18,396 o menos para individuos y \$26,460 o menos para una pareja y quienes enfrentan rentas iguales a o más de un tercio de sus ingresos pueden llenar los requisitos para la Exención de Incrementos de Renta para Minusválidos (Disability Rent Increase Exemption, DRIE). Solicítela a:

NYC Dept. of Finance, DRIE Exemptions
59 Maiden Lane – 20th Floor, New York, NY 10038

La información sobre DRIE y SCRIE está disponible en el sitio Web de la ciudad, www.nyc.gov, o llame a 311.

Don't Freeze—Organize!



The law requires your landlord provide heat and hot water at the following levels from October 1 through May 31:

From 6 am to 10 pm: If the outside temperature falls below 55 degrees, the inside temperature must be at least 68 degrees everywhere in your apartment.

From 10 pm to 6 am: If the outside temperature falls below 40 degrees, the inside temperature must be at least 55 degrees everywhere in your apartment.

Hot water at a minimum 120 degrees at the tap must be provided 24 hours a day, year round.

If your landlord does not maintain those minimum temperatures, you should:

- * Start an "HP action" in Housing Court. Ask for a court-ordered inspection and an Order to Correct.
- * Call the New York City Central Complaints Bureau at 311 immediately to record the landlord's violation. Call repeatedly. An inspector should eventually come, although sometimes they don't.
- * Get other tenants in your building to call Central Complaint. Everybody should call repeatedly, at least once every day the condition is not corrected.
- * Buy a good indoor/outdoor thermometer and keep a chart of the exact dates, times, and temperature readings, inside and out, so long as the condition is not corrected. The chart is your evidence.
- * Call the New York State Division of Housing and Community Renewal at (718) 739-6400 and ask them to send you their Heat and Hot Water complaint form.

Get as many other apartments as possible in your building to sign on, demanding an order restoring heat and hot water, and a reduction and freeze (pardon the expression!) in all the rents.

You'll need a strong tenant association to force the landlord to provide heat and hot water. Write and call the landlord and demand repairs or fuel.

Prepare to go on rent strike—but get legal advice first.

The heat laws also provide for:

- * The city's Emergency Repair Department to supply your heat if the landlord does not. (Try waiting for this one!)
- * A \$250 to \$500 a day fine to the landlord for every day of violation. (But the Housing Court rarely imposes these fines, let alone collects them.)
- * A \$1,000 fine to the landlord if an automatic control device is put on the boiler to keep the temperature below the lawful minimum.

If your boiler's fuel tank is empty, tenants have the right to buy their own fuel after 24 hours of no heat and no response from the landlord. But this provision does not apply if the boiler is broken and needs both repairs and fuel.

Caution! Protect your money! If you decide to buy fuel, you must follow special lawful procedures very carefully. You should get help and advice from a tenant organizer.

Because the heat and hot water laws are in the law books does not mean they are enforced by government. Don't freeze to death waiting for the city or state to act. Organize!

Vacant-Building Protest Uncovers Complex Reality

When the advocacy group Picture the Homeless set out to illustrate the untapped potential of vacant buildings to provide affordable housing, they chose a padlocked structure on the northwest corner of East 116th Street and Madison Avenue in East Harlem. Last month, as 150 protesters marched in circles in front of the building's white, columned facade, activist Sam White made the case to reporters. "There is no reason why buildings that are still standing cannot be occupied," he said.

But the owner of the building says she has a very good reason for not using it: She is waiting for help from God.

1770 Madison Ave. is just one of some 2,200 unused lots and buildings in Manhattan detected in a 2006 survey of vacant property by Borough President Scott Stringer. Stringer concluded that the empty property could accommodate 24,000 housing units. Since then, the borough president, Picture the Homeless, and lawmakers at the city and state level have pushed competing policy ideas to encourage new housing development in empty structures and lots.

But the building at 1770 Madison Ave. illustrates the limitations of these efforts to force private owners to put private property to public use.

A squat, or not

Organizers of the March 19 protest faced problems of their own—but not for lack of ambition or effort. Picture the Homeless, a group run by and for the homeless, wants the city to use the \$575 million or more it spends annually to operate its shelter system to instead create permanent housing for the homeless from the vacant property in its real-estate portfolio.

After at least three years of advocacy, the group this winter decided to take a dramatic step: sending squatters in to occupy a vacant, city-owned building to attract attention from the major media and public officials and pitch their plan, which calls for diverting shelter money to a trust fund to support mutual housing associations that would transform city-owned vacant buildings and vacant lots into affordable housing.

At a packed March 12 strategy session attended by groups ranging from the Association for Inmates' Rights to Queers for Economic Justice, Picture the Homeless planners recruited volunteers to work security, provide legal assistance, initiate a guerrilla media campaign, organize streetside entertainment, and supply food to the squatters. The location of the squat was kept secret.

A week later, at least 150 marchers gathered in a cold rain for the walk to the secret site, 1770 Madison Ave. But when they arrived, there were no squatters to cheer. Picture the Homeless had tried to gather intelligence on the building before sending the squatters in, but police detained the person deployed to do reconnaissance. So when the day of the protest arrived, the squatters did not know what they would find when they entered.

What they found was a roof caving in and a floor ready to collapse, so they evacuated, according to organizer Sam Miller. Picture the Homeless then adjusted its policy pitch to reflect what they had found inside: Rather than demanding that the city simply turn over its vacant properties for housing, the group now insisted that it fix them up first.

The conditions inside were only the first surprise. It also turned out that the property was not city-owned. With no address posted on the building, the confusion was understandable.

Waiting to serve

1770 Madison Avenue used to be a bank: Bankers Trust bought it from the Issud Realty Company in 1923 and held it for 56 years. The lot was exempted from a local urban development plan in the early 1970s. In 1978, Bankers Trust sold it to the International Gospel Helpers Church for \$35,000. The church is still the owner. And, the owner says, the building—no matter what it looks like—is still a church.

"It's not for sale. It's not for rent. It's not for anything," says Madeline Pugh, who goes by Mother Pugh and is the Pentecostal minister who has overseen the International Gospel Helpers Church since it purchased the building. "It's just waiting for God

By Jarrett Murphy

to help us open it up."

Pugh says the church once attracted hundreds of congregants. She is not sure when the building stopped operating, but Department of Buildings records indicate that as early as 1993 an inspector found "severe erosion of roof area to include interior defects due to outside

elements (sic) entering structure." Over 30 years of ownership, the church does not appear to have filed a single permit for plumbing, electrical, or structural work on the building. A number of building-code violations have been entered against the structure. In 2006, an unknown party paid \$500

to settle some of the infractions. Since it is a church, the property does not pay any property taxes.

Pugh, who says she is well-known in the neighborhood, was alerted to the Picture the Homeless protest by a phone call and dispatched two represen-

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NYC Rent Guidelines Board Adjustments (Order No. 40)

for Rent Stabilized Leases commencing Oct. 1, 2008 through Sept. 30, 2009
Order No. 39, covering leases commencing prior to October 1, 2008,
is available at <http://www.metccouncil.net/campaigns/RGB.htm>

Lease Type	Current Legal Rent	One-year Lease	Two-year Lease	
Renewal Leases	All...	landlord supplies heat	4.5%	8.5%
		tenant pays for heat	4%	8%
	Except where last vacancy lease was 6 or more years ago and rent is below \$1000	landlord supplies heat	\$45	\$85
		tenant pays for heat	\$40	\$80
Vacancy leases	More than \$500	Vacancy allowance charged within last 8 years	16%	20%
		No vacancy allowance charged within last 8 years	0.6% times number of years since last vacancy allowance, plus 16%	0.6% times number of years since last vacancy allowance, plus 20%
	Less than \$300	Vacancy allowance charged within last 8 years	16% plus \$100	20% plus \$100
		No vacancy allowance charged within last 8 years	0.6% times number of years since last vacancy allowance, plus 16% plus \$100	0.6% times number of years since last vacancy allowance, plus 20% plus \$100
	Rent \$300 to \$500	Vacancy allowance charged within last 8 years	16% or \$100, whichever is greater	20% or \$100, whichever is greater
		No vacancy allowance charged within last 8 years	0.6% times number of years since last vacancy allowance, plus 16%, or \$100, whichever is greater	0.6% times number of years since last vacancy allowance, plus 20%, or \$100, whichever is greater

Renewal Leases

Landlords must offer a rent-stabilized tenant a renewal lease 90 to 120 days before the expiration of the current lease. The renewal lease must keep the same terms and conditions as the expiring lease, except when reflecting a change in the law. Once the renewal offer is received, the tenant has 60 days to accept it and choose whether to renew the lease for one or two years. The owner must return the signed and dated copy to the tenant in 30 days. The new rent does not go into effect until the start of the new lease term, or when the owner returns the signed copy (whichever is later).

Late offers: If the owner offers the renewal late (fewer than 90 days before the expiration of the current lease), the lease term can begin, at the tenant's option, either on the date it would have begun had a timely offer been made, or on the first rent payment date 90 days after the date of the lease offer. The rent guidelines used for the renewal can be no greater than the RGB increases in effect on the date the lease should have begun (if timely offered). The tenant does not have to pay the new rent increase until 90 days after the offer was made.

Sublease Allowance

Landlords can charge a 10 per-

cent increase during the term of a sublease that commences during this guideline period.

Senior Citizen Rent Increase Exemption Program Rent-stabilized seniors (and those living in rent-controlled, Mitchell-Lama, and limited equity coop apartments), 62 or older, whose disposable annual household income is \$28,000 or less (for 2007 tax year) and who pay (or face a rent increase that would cause them to pay) one-third or more of that income in rent may be eligible for a rent freeze. *Apply to:* NYC Dept. for the Aging, SCRIE Unit, 2 Lafayette St., NY, NY 10007 or call 311 or visit their Web site, www.nyc.gov/html/dfta/html/scrie/scrie.shtml.

Disability Rent Increase Exemption Program Rent-regulated tenants receiving eligible disability-related financial assistance who have incomes of \$18,396 or less for individuals and \$26,460 or less for a couple and are facing rents equal to more than one-third of their income may be eligible for a rent freeze. *Apply to:* NYC Dept. of Finance, DRIE Exemptions, 59 Maiden Lane, 20th floor, New York, NY 10038. Call 311 for an application or go to the Web site at www.nyc.gov/html/dof/html/property/property_tax_reduc_drie.shtml.

Loft Units

Legalized loft-unit increases are 2.5 percent for a one-year lease and 5.25 percent for two years. No vacancy allowance is permitted on vacant lofts.

Hotels and SROs

4.5% for all categories, however, 0% when fewer than 85% of units are occupied by permanent, rent-regulated tenants.

Rent Overcharges

Tenants should be aware that many landlords will exploit the complexities of these guidelines and bonuses—and the tenant's unfamiliarity with the apartment's rent history—to charge an illegal rent. Tenants can challenge unauthorized rent increases through the courts or by filing a challenge with the state housing agency, the Division of Housing and Community Renewal (DHCR). The first step in the process is to contact the DHCR to see the official record of the rent history. Go to www.dhcr.state.ny.us or call (718) 739-6400 and ask for a detailed rent history. Then speak to a knowledgeable advocate or a lawyer before proceeding.

For previous guidelines, call the RGB at (212) 385-2934 or go to www.housingnyc.com.

California City Hit Hard by Vacancy Decontrol

More than half of the rent-controlled housing in Santa Monica, California has gone up to market rate since the state imposed vacancy decontrol in 1999, according to a report by the city's Rent Control Board.

The study, issued last month, found that as of the end of 2008, more than 15,000 of the Los Angeles beachfront city's 27,000 rent-controlled housing units had been vacated and rented for market rate since the Costa-Hawkins Rental Housing Act banned local governments from limiting rent increases on vacant housing.

Before the vacancy increases, the study found, 81 percent of those 15,000 apartments had been affordable to very low-income tenants. After the increases, only 13 percent were.

Unlike the New York vacancy-decontrol law, the California law does not completely deregulate vacant apartments, regardless of

price. Instead, it creates a "decontrol-recontrol" system, where the landlord can charge as much as they can get and then that rent is regulated for the new tenant.

Still, the increases affect more than just the poor, commented *Santa Monica Daily Press* reader Steven Reich. "Current rents are around \$1,600, which is not cheap, especially in the current economic climate," he wrote. "Why is it that wages can drop, property values can go down, jobs can be lost, but rents still go up?"

Complaint Numbers

To reach the Department of Housing, Preservation and Development's Central Complaints hotline, call 311.

Also call 311 to reach the Department of Buildings and other city agencies.

Vacant-Building Protest

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tatives to talk to protesters and the police. She insisted that signs the demonstrators had attached to the building be taken down and says she threatened a lawsuit.

"People have been wanting to buy that building for the longest. We're not after that. We're after God's word. We have some fantastic plans that God has already instilled in us," she told *City Limits*. "It's going to be an outreach mission reaching out to people for the salvation of souls" particularly "people who are in a disastrous condition."

"So many people want to be a part of it," she says. Pugh declined to estimate what it would cost to repair the building but says she'll begin work "as soon as the money starts flowing in," adding, "God can do anything but fail."

Prodding through policy

Despite the surprises lurking inside 1770 Madison Ave. and on its deed, Picture the Homeless's Robinson viewed the March 19 event as a success. "I think we were successful at putting a message out there that abandoned buildings in the city are a problem, and this one in particular is a problem. Obviously, they don't have the wherewithal to rehab that building and it's a nuisance to that neighborhood," he says. "We'll continue to hammer home the message. The city needs to help somebody like this lady or this church to at least keep the building in a safe condition. We think the city certainly has the

money to do it."

Picture the Homeless' focus on publicly owned vacant property would sidestep private owners like Pugh and their unique reasons for not doing more with their assets. But it's unclear that the city's empty buildings alone could make a deep enough dent in unmet demand for affordable housing. According to the 2007 Mayor's Management Report (the last MMR to report the statistic) the city has 92 vacant buildings on its books, with 517 apartment units in them. There are currently 35,000 people in city shelters—down from a high in 2003 of (on average) 38,000 per day but still higher than the average daily shelter population in any year before 2002.

While Picture the Homeless has focused on city properties, other recent efforts have concentrated on providing new incentives to private owners of vacant property. Last summer, the state legislature passed and the governor signed a new law that changed the tax status of vacant lots to charge them at a higher rate. According to a spokesman for state Sen. Jose Serrano (D-Bronx), a sponsor of the tax measure, the effect is being phased in over five years, so only 20 percent of the increase is hitting this year.

An example of the effect is seen in the taxes due on one vacant lot on 122nd Street, which increased from \$400 a year in 2008, before the change, to \$2,700 this year. Once the five-year phase-in is

Stuy-Town

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"This is a landlord-tenant dispute that hinges on basic principles of fairness to taxpayers and fairness to tenants."

On March 9, Assemblymember Linda Rosenthal (D-Manhattan) urged the city Department of Finance and the state Division of Housing and Community Renewal to look into reregulating apartments. "We must ensure that this blatant disregard for the law is not pervasive among landlords throughout New York," she wrote, asking the agencies to "commence an investigation immediately into all J-51 tax beneficiaries in order to determine whether they have illegally raised rents and deregulated their apartments."

She also requested that the two agencies warn landlords who receive J-51 benefits "that it is illegal for them to raise rents and deregulate apartments" and inform all tenants in buildings where landlords receive J-51 benefits.

Tenants in Independence Plaza North, a 1,300-unit complex in Tribeca that was taken out of the Mitchell-Lama program in 2004, have already used the decision to contest their rent increases. They argue that the apartments should have become rent-stabilized because the complex received J-51 abatements from 1998 to 2006. The owner, Laurence Gluck of Stellar Management, contends that he only received about \$7,500 a year and paid it back after the city ended the abatements.

On April 3, State Supreme Court Judge Marcy Friedman ruled that the DHCR should decide the issue instead of the courts. Because the evidence about when and how the city terminated IPN's J-51 abatements was murky, she wrote, the case was "a mixed question of fact and law," and the housing agency had the "special expertise" to evaluate whether the complex should have become rent-stabilized.

done, the tax on the lot would be \$12,440 at its current value.

As painful as a \$12,000 leap in taxes over five years might be, it pales compared to the cost of developing a new building. While the tax change imposes a cost on owners for doing nothing, it's still probably cheaper than doing anything else. In other words, the incentive is limited. That's why some have called for further steps to get vacant properties developed.

In January 2008, three bills were introduced in the City Council, calling for an annual report on vacant city property, a registration of all vacant property, and an annual survey of such property. None of the measures has even had a committee hearing yet. A Council spokesperson says the bills are being reviewed by a committee. Councilmember Tony Avella of Queens proposed legislation that would treat vacant property as a public nuisance, but that bill has never been formally introduced

because of concerns that its language might conflict with previous state court decisions.

All four proposals emerged while the city's housing market was still strong. That, of course, has changed—the number of building permits issued for new building and major renovations in the first four months of fiscal year 2009 was 35 percent lower than the same period a year earlier.

Mother Pugh understands this as well as anyone—getting money for her long-delayed repairs will be even harder now, with credit hard to come by and public coffers tapped. "This is just one of those things," she says. "You have to be patient and wait on God."

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Senior and Disabled Tenants

Seniors, 62 or older, in rent-regulated, Mitchell-Lama and some other housing programs whose disposable annual household income is \$28,000 or less (for the previous year) and who pay (or face a rent increase that would cause them to pay) one-third or more of that income in rent may be eligible for a Senior Citizen Rent Increase Exemption (SCRIE). Apply to:

The NYC Dept of the Aging
SCRIE Unit
2 Lafayette Street, NY, NY 10007.

Disabled tenants receiving eligible disability-related financial assistance with incomes of \$18,396 or less for individuals and \$26,460 or less for a couple facing rents equal to or more than one-third of their income may be eligible for the Disability Rent Increase Exemption (DRIE). Apply to:

NYC Dept. of Finance
DRIE Exemptions
59 Maiden Lane - 20th floor
New York, NY 10038

DRIE and SCRIE info is available on the city's website www.nyc.gov, or call 311.

GET ACTIVE!

Sign up for Met Council's e-mail alerts and get notices of rallies, hearings, and other important actions for tenants' rights and affordable housing.

www.metcouncil.net

Vacancy Decontrol: Where State Senators Stand

S.2237-A, the bill to repeal vacancy decontrol, needs 32 votes to pass in the state Senate. Twenty-four Senators (23 Democrats and one Republican) are cosponsors. They are:

1. Andrea Stewart-Cousins (D-Westchester)
2. Liz Krueger (D-Manhattan)
3. Eric Adams (D-Brooklyn)
4. Joseph Addabbo (D-Queens)
5. Darrell Aubertine (D-Jefferson/Oswego/St. Lawrence)
6. Neil Breslin (D-Albany)
7. Ruben Diaz, Sr. (D-Bronx)
8. Thomas Duane (D-Manhattan)
9. Ruth Hassell-Thompson (D-Bronx/Westchester)
10. Shirley Huntley (D-Queens)
11. Hiram Monserrate (D-Queens)
12. Velmanette Montgomery (D-Brooklyn)
13. George Onorato (D-Queens)
14. Suzi Oppenheimer (D-Westchester)
15. Frank Padavan (R-Queens)
16. Kevin Parker (D-Brooklyn)
17. Bill Perkins (D-Manhattan)
18. Diane Savino (D-Brooklyn/Staten Island)
19. Eric Schneiderman (D-Manhattan/Bronx)
20. José Marco Serrano (D-Bronx/Manhattan)
21. Daniel Squadron (D-Brooklyn/Manhattan)
22. Toby Ann Stavisky (D-Queens)
23. Antoine Thompson (D-Buffalo)
24. John Sampson (D-Brooklyn)

These nine Democratic Senators have not yet signed on:

1. Martin Dilan (D-Brooklyn)
2. Carl Kruger (D-Brooklyn)
3. Pedro Espada, Jr. (D-Bronx)
4. Jeffrey Klein (D-Bronx/Westchester)
5. Malcolm Smith (D-Queens/Nassau)
6. Craig Johnson (D-Long Island)
7. Brian Foley (D-Long Island)
8. David Valesky (D-Syracuse)
9. William Stachowski (D-Buffalo)

Tenant activists are also seeking support from these two downstate Republicans:

1. Martin Golden (R-Brooklyn)
2. Andrew Lanza (R-Staten Island)

Sen. Golden

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secure,” said Nina Valmonte, a Bay Ridge resident who is associate director of parish and community outreach and services at Catholic Charities of Brooklyn and Queens. One program she oversees gives tenants grants to

pay rent arrears.

“Once families leave apartments they can no longer afford, there are not many options,” she added. “The most dreaded option is a shelter.”



Tenants demonstrating in front of Senator Marty Golden's Bay Ridge office, demand that he sponsor the bill to repeal vacancy decontrol.

WHERE TO GO FOR HELP

LOWER EAST SIDE BRANCH at

Cooper Square Committee
61 E. 4th St. (btwn. 2nd Ave. & Bowery)
Tuesdays 6:30 pm

WEST SIDE TENANTS UNION

4 W. 76 St.; 212-595-1274
Tuesday & Wednesday 6-7 pm

CHELSEA COALITION ON HOUSING

Covers 14th St. to 30th St., 5th Ave. to the Hudson River.
322 W. 17th St. (basement), CH3-0544
Thursdays 7:30 pm

HOUSING CONSERVATION

COORDINATORS
777 10 Ave.; 212-541-5996
Mondays..... 7-9 pm

GOLES (Good Old Lower East Side)

171 Avenue B (between 10 and 11 St.)
by appointments only except for emergencies. 212-533-2541.

NEIGHBORS HELPING NEIGHBORS

Covers Sunset Park and surrounding neighborhoods
443 39 St., Ste. 202, Brooklyn
By appointment only. 718-686-7946, ext. 10

HOUSING COMMITTEE OF RENA

Covers 135th St. to 165th St. from Riverside Dr. to St. Nicholas Ave.,
537 W. 156th St.
Thursdays 8 pm

QUEENS COMMUNITY HOUSE

Forest Hills Community Center,
10825 62nd Dr., Forest Hills
(718) 592-5757, ext. 280
Mondays and Wednesdays ... 9:30-11 am

MIRABAL SISTERS

618 W. 142nd St., 212-234-3002
Saturdays..... 1 - 4 pm

QUEENS COMMUNITY HOUSE

Pomonok Community Center,
6709 Kissena Blvd., Flushing
(718) 591-6060
Fridays 10 am-12 pm

PRATT AREA COMMUNITY COUNCIL

201 DeKalb Ave., Brooklyn,
718-522-2613 ext. 24
3rd Wednesday 6 pm

VILLAGE INDEPENDENT DEMOCRATS

26 Perry St. (basement), 212-741-2994
Wednesdays 6 pm



Have a question about your rights?

*Our phones are open to the public
Mondays, Wednesdays & Fridays from 1:30 to 5 p.m.*

*We can briefly answer your questions, help you with
organizing or refer you to other help.*

212-979-0611

METROPOLITAN COUNCIL

ON HOUSING

Met Council is a citywide tenant union.

*Our phones are open to the public
Mondays, Wednesdays & Fridays from 1:30 to 5 p.m.*

*We can briefly answer your questions, help you with organizing
or refer you to other help.*

212-979-0611

Join Met Council

Membership: Individual, \$25 per year; Low-income, \$15 per year; family (voluntary: 2 sharing an apartment), \$30 per year. Supporting, \$40 per year. Sustaining, min. of \$100 per year (indicate amount of pledge). For affiliation of community or tenant organizations, large buildings, trade unions, etc. call 212-979-6238.

My apartment controlled stabilized unregulated other _____

I am interested in volunteering my time to Met Council. Please call me to schedule times and duties. I can counsel tenants, do office work, lobby public officials, attend rallies/protests.

Name _____

Address _____ Apt. No. _____

City _____ State _____ Zip _____

Home Phone Number _____ Email _____

Send your check or money order with this form to:
Metropolitan Council on Housing, 339 Lafayette St., NY, NY 10012