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Tenant Inquilino

Housing for people, not profit

Vol 34, No. 9
October 2004

Metropolitan Council on Housing
339 Lafayette St.
New York, NY 10012
PERIODICAL

There's A Place For Us

By Adriene Holder

New York City is a city of renters. Millions of renters. All kinds of renters. Low-income and high-income. Section 8 and Mitchell-Lama. You and me. Sixty-six percent of New Yorkers rent their housing.

Consequently, the city's affordable-housing crisis affects people at virtually every level of the economic and social spectrums. Teachers, nurses, construction workers, office workers, firefighters, police, and countless others can no longer afford to live in the communities they serve. Their children will definitely not be able to afford to live in New York City as adults. More and more families are becoming homeless. Our schools and businesses cannot attract or retain employees. Our diversity and its related cultural benefits are severely diminished. This housing crisis threatens New York's economic recovery and future.

Make no mistake about it. This is the most urgent and serious public policy question facing New York City today. The fundamental issues of housing in New York City will not be resolved by slight changes in housing policy or programs or by individual direct legal representation. These methods are effective up to a point, but will not solve the problem alone.

The affordable-housing crisis can be solved. We must be clear, however, and honest about what it will take, who we have to reach and what each of our roles should be to make it happen.

"What's in it for me?" "Is anything really going to happen?"

Most New Yorkers are resigned or believe it futile to challenge the issues of affordability in housing. Can you blame them? Given that tenants are up against the most powerful economic interest in the city and a state

legislature that has legally tied the hands of our City Council representatives, we must show people that there's a place for us in this process and that a tenant movement can be victorious.

First, we need to bring together a diverse array of New Yorkers. This is our base. People of all backgrounds, from all boroughs; workers and the unemployed; the disabled and the elderly; religious and labor organizations; public-housing residents and Mitchell-Lama tenants; the academics and developers; students and veterans; and the community-based organizations and the housing advocates. We will have to be a multi-issue organizing coalition, but this coalition must prioritize housing as the foremost issue to achieve all its other collective goals. Without the retention and development of affordable hous-



TENANT ARCHIVES

Tenants need to find newly effective ways of organizing.

ing, our fight for better schools and hospitals may be successful, but we will not be able to enjoy the victory, because of our displacement from the very

neighborhoods we improved.

Second, we need to inform, excite, and organize

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West Side Cowardice: Pols Protect Careers, Not Residents

By John Fisher

The Bloomberg administration's plans to develop Manhattan's West Side are like a classic Ponzi scheme. The deception is not only in the Doctoroff junk bonds (which even Wall Street investment banks are avoiding), but also in the idea that the schemes have meaningful opposition. Behind residents' backs, West Side elected officials are promoting the Chelsea/Clinton neighborhoods as a sea of skyscrapers. Despite their public protests, none of these elected officials really oppose the Mayor's plans.

The sell out of the West Side has never been so clear. In September, Christine Quinn and her Manhattan City Council colleagues voted to bulldoze major portions of Chelsea/Clinton for an expanded Central Business

District of office towers.

Things are no better in the state Legislature, where in June Assemblymembers Richard Gottfried and Scott Stringer participated in a mock hearing that denied community groups the opportunity to testify against the proposed doubling of the Javits Convention Center's size, so it would stretch from 34th to 42nd streets. State Senator Tom Duane, long considered a tenant warrior, held a West Side forum but failed to invite the opposition!

You could not escape the commercials or the mangled news coverage this summer. The so-called public debate has been dumbed down to the clash of the New York Jets versus Cablevision, owner of Madison Square Garden. Many think the issue

revolves around the proposed Jets stadium and nothing else.

But the stadium is just a small part of a much larger scheme to re-create over 90 blocks of Chelsea and Clinton/Hell's Kitchen. The Hudson Yards plan (28th to 42nd streets, west of 8th Avenue) calls for 28 million square feet of office towers—the equivalent of 14 Empire State Buildings—and 12.5 million square feet of luxury residential towers, an extension of the No. 7 subway to the Javits Center, and a new boulevard from 33rd to 42nd streets that would displace businesses and residents. The West Chelsea plan (16th to 30th streets, west of 10th Avenue) would create a Miami-like Co-op Coast on the Hudson River.

For those who think a

75,000-seat stadium would create unacceptable traffic on ten Sundays a year, consider the impact of 125,000-150,000 additional people filling up the office towers every day. Add to that about 10-15,000 cars and trucks. And with every new tower, it's only a matter of time until tenants in nearby rent-regulated apartments, public hous-

ing, and low-income co-ops will feel increased displacement pressures. Small neighborhood stores won't stand a chance. Good-bye affordable food, hello more Starbucks. There's no room for low and middle-income residents on the Brave New West Side.

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EDITORIAL

Met Council Endorses Kerry, Barbaro, Five State Senate Candidates

By Kenny Schaeffer

Met Council's board voted Sept. 24 to endorse John Kerry for president on the Working Families Party line, row E, together with five state Senate candidates and Frank Barbaro, running for Congress against incumbent Republican Vito Fossella in the Brooklyn/Staten Island 13th District.

With enormous stakes for federal housing assistance, along with everything from civil liberties to reproductive rights to progressive taxation, John Kerry offers a clear alternative to the right-wing policies of the Bush-Cheney administration. In New York (unlike most other states), candidates can run on more than one party's ticket. Met Council urges you to vote on Row E, the Working Families Party line.

The WFP, a political party created in 1998 by progressive unions and grass-roots organizations, including the United Auto Workers, the Communications Workers of America, ACORN, and Citizen Action, was largely responsible for the state Legislature voting to increase the minimum wage this year, though Gov. Pataki vetoed it. In 2002, the WFP drew enough votes to deprive the discredited Liberal Party of statewide ballot status. This year, it orchestrated the defeat of Albany District Attor-

ney Paul Clyne, a staunch defender of the Rockefeller drug laws, by David Soares. The WFP helped breathe new life into Albany's moribund political culture by assisting Sen. David Paterson's rise as minority leader in the state Senate and the elections of community activists Eric Schneiderman and Liz Krueger.

With word of anticipated changes in the leadership of the state Assembly as well—last spring, the Brennan Center for Justice at New York University said New York had "the most dysfunctional state legislature" in the country—tenants have an enormous stake in the outcome of the state legislative races to be decided Nov. 2. The state drastically weakened the regulations protecting a million rent-stabilized apartments in 1997 and 2003, and the Urstadt law of 1971 deprives the city of home rule over rent regulation. Home rule can only be restored by the state legislature, courageous decisions from the courts, and political activism by tenants between now and the governor's race in 2006. If Urstadt is not repealed by then, the sharp erosion in rent stabilization will continue. And when the rent-stabilization law expires in 2011, its renewal will be decided by the state Senate, which

is now gerrymandered to have a 38-24 Republican majority.

Five state Senate races in New York City will play an important part in this contest, and Met Council endorses Diane Savino, Jeff Klein, Jose Serrano, Liz Krueger, and Eric Schneiderman.

Savino, political action chair of DC37's Local 371, representing child advocacy workers, is running to replace retiring Democrat Seymour Lachman in a Brooklyn/Staten Island district. Klein, an Assemblymember from Riverdale, is running for the Bronx/Westchester seat vacated by convicted felon Guy Velella. In the Sept. 14 primary, state Senate Majority Leader Joe Bruno tried to retain the seat by running Assemblymember Steven Kaufman in both the Democratic and Republican races. Klein won with over 60 percent. Kaufman lost the Republican primary as well, to a retired city police officer who now has Bruno's support.

In East Harlem and the Bronx, Councilmember Jose Serrano emerged from a crowded primary field to take on incumbent Olga Mendez, who changed her registration from Democratic to Republican in 2002. On Manhattan's East Side, Liz Krueger is running for re-election to the seat she first

won in 2002, in an insurgent campaign that toppled Manhattan GOP chair Roy Goodman.

Eric Schneiderman, representing the Upper West Side, Washington Heights, and the northwest Bronx, won his seat in 1998. He became chair of the Democratic State Senate Campaign Committee (DSCC), running serious challengers in more than a half-dozen districts in 2000. Bruno tried to punish him by cutting his district in half, but Schneiderman held onto the seat. This year, the DSCC has again mounted aggressive challenges in several districts, and hopes to cut the Republican majority down.

Met Council also endorses Frank Barbaro for Congress. He is running against Vito Fossella, the most right-wing member of the city's House delegation. Barbaro served for many years as a pro-tenant Assemblymember, and challenged Ed Koch in the 1981 mayoral primary.

To get involved in these races, contact: Kerry/WFP: (718) 222-3796; Savino: (917) 450-2551; Klein: (718) 792-8500; Krueger: (212) 922-2976; Schneiderman: (917) 215-9159; Serrano: (212) 831-5498; Barbaro: (718) 232-0415; or Met Council at (212) 979-6238.



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Scott Sommer hosts Met Council's

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is published monthly except August by Metropolitan Council on Housing (Met Council, Inc.), 339 Lafayette St., NY, NY 10012 (212) 979-6238

Tenant/Inquilino is distributed to members and to affiliated organizations of Met Council as part of their membership. Subscriptions are \$2.50 per year for members, \$5 for institutions per year.

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Articles, letters, artwork and photographs are welcome. Text furnished on Microsoft Word for Macintosh is preferred. 3.5" MACINTOSH OR IBM FORMATTED DISKETTES ARE PREFERRED.

Periodicals postage paid at New York, NY
Postmaster: Send address changes to:
TENANT/INQUILINO
339 Lafayette St.
New York, NY 10012

Metropolitan Council on Housing, founded in 1958, is incorporated as Met Council, Inc., a membership organization dedicated to decent, affordable, integrated housing.

ISSN-1536-1322 ©2004

EL INQUILINO HISPANO

Hay un lugar para nosotros

Por Adriene Holder
Traducido por Lightning Translations

La ciudad de Nueva York es una ciudad de inquilinos. Millones de inquilinos. Todos tipos de inquilinos. De bajos y altos ingresos. De Sección 8 y Mitchell-Lama. Usted y yo. Sesenta y seis por ciento de los neoyorquinos alquilan su vivienda.

Por lo tanto, la crisis de vivienda asequible de Nueva York afecta a la gente de casi todos los niveles de los rangos económicos y sociales. Profesores, enfermeras, trabajadores de la construcción, empleados de oficina, bomberos, policías y una infinidad de otros ya no pueden pagar los costos para vivir en las comunidades donde sirven. Definitivamente, sus hijos

no tendrán con qué vivir en la ciudad de Nueva York cuando sean adultos. Cada vez más familias se vuelven sin techo. Nuestras escuelas y negocios no pueden atraer ni retener empleados. Nuestra diversidad y beneficios culturales están seriamente disminuidos. Esta crisis de vivienda amenaza la recuperación económica y el futuro de Nueva York.

Que no se equivoque. Esta es la cuestión de política pública más urgente y seria que Nueva York enfrenta hoy en día. Las cuestiones fundamentales de vivienda no se resolverán por leves cambios en la política o los

programas de vivienda, ni por representación legal directa e individual. Estos métodos son eficaces hasta cierto punto, pero solos no resolverán el problema.

La crisis de vivienda asequible sí se puede resolver. Sin embargo, debemos ser claros y honestos sobre lo que es necesario, con quiénes tenemos que comunicarnos y cuáles son los papeles que toquen a cada uno de nosotros para que esta resolución se logre.

“¿Para qué me sirve?” “¿Será que algo realmente ocurra?”

La mayoría de los neoyorquinos son resignados o creen que es vano abordar los problemas de la disponibilidad de vivienda ase-

quible. ¿Se les puede culpar? Dado que los inquilinos están enfrentados al más poderoso interés económico en la ciudad y una legislatura que legalmente mantiene maniatados a nuestros representantes en el Concejo Municipal, tenemos que mostrar a la gente que hay un lugar para nosotros en el proceso y que un movimiento de inquilinos puede triunfar.

Primero, tenemos que juntar una formación diversa de neoyorquinos. Esta es nuestra base. Gente de todos orígenes, de todos los condados; trabajadores y

pasa a la página 4

Los Ajustes de la “Junta de Regulación de Renta” de la Ciudad de Nueva York (Orden No. 36)

Para los contratos de apartamentos de Renta Estabilizada que comienzan el 1ro. de octubre de 2004 hasta el 30 de septiembre de 2005.

Los topes de renta que aparecen en el cuadro son los incrementos máximos que los dueños de edificios pueden cobrar legalmente por los apartamentos de renta estabilizada en la ciudad de Nueva York. Son válidos para todos los contratos que comienzan dentro del período de doce meses a partir del 1ro. de octubre de 2004. Los incrementos de alquiler basados en las pautas para la renovación del contrato de 1 o 2 años pueden cobrarse solamente una vez durante el período cubierto por dichas pautas, y deben ser aplicados a la renta legal estabilizada para el 30 de septiembre de 2004. Las cantidades que aparecen en el cuadro y los incrementos para los apartamentos vacíos no se aplican a los apartamentos que estaban sujetos a renta controlada en aquella fecha. No se permite el recargo también conocido como el «impuesto de pobres.»

Los Contratos para Apartamentos Vacíos o Nuevos En junio de 1997, el gobernador George Pataki, al intentar destruir la regulación de rentas, forzó cambios que les dieron a los caseros un recargo muy grande por los apartamentos vacíos. Una cláusula de la “Reforma al Acta de Regulación de Renta” de 1997 permite que los nuevos alquileres sean incrementados en un porcentaje obligatorio: 20% para un contrato de dos años, y por un contrato de 1 año, 20% de incremento menos la diferencia en el tope de renovación para los contratos de 1 y 2 años. La ley permite también incrementos adicionales para los apartamentos vacíos donde no se habían cobrado incrementos por desocupación por ocho años o más.

Exceso de Cobro Los inquilinos deben estar al tanto de que muchos caseros van a aprovecharse de la complejidad de estas regulaciones y subvenciones, así como del poco conocimiento de los inquilinos del historial de renta de sus aparta-

mentos, para cobrar un alquiler ilegal. Una vez que el inquilino haya tomado posesión del apartamento, puede escoger entre llenar un formulario de queja de exceso de cobro de renta con la oficina de la División de Vivienda y Renovación Comunal (DHCR), o disputar la cantidad de la renta en la corte de vivienda de la ciudad para que se determine cuál es el alquiler legal.

Si un posible inquilino da muestras de conocer sus derechos, lo más probable es que el casero no firmará ningún contrato con tal inquilino. Los caseros evitan contratar con inquilinos que les pueden dar problemas. El exceso de cobro de alquiler es muy común. Todos los inquilinos deben luchar contra posibles excesos de cobro. Obtenga y llene un formulario *Form RA-89* con la oficina de DHCR para determinar el alquiler correcto en los archivos oficiales. Llame a la DHCR a (718) 739-6400 para obtener un formulario, o búsquelo en el sitio www.dhcr.state.ny.us.

La Apelación de la Renta de Mercado Justa Otro tipo de

exceso de cobro sucede frecuentemente cuando se vacía un apartamento que previamente estaba sujeto a renta controlada y se alquila con renta estabilizada. La Junta de Regulación de Renta (RGB) establece anualmente lo que ellos llaman el “Tope Especial de la Renta de Mercado Justa,” el cual es empleado por la DHCR para bajar las rentas de mercado injustas de los inquilinos que llenan el formulario llamado “Apelación a la Renta Justa de Mercado” (FMRA). Según la Orden 36, es la Renta de Mercado Justa de HUD o un 50% sobre la renta base máxima. Ningún inquilino de un apartamento de renta estabilizada que fue descontrolado el 1ro de abril de 1984 o después debe dejar de poner a prueba la llamada “Renta Legal Inicial Regulada” (renta de mercado) que los caseros cobran cuando hay descontrol del apartamento. Use el formulario de DHCR *Form RA-89*. Indique claramente que su queja es tanto una queja de “Apelación a la Renta Justa de Mercado” como de “exceso de cobro.” La corte de vivienda no puede tomar decisión sobre una

Apelación de Renta de Mercado. Apartamentos vacíos que antes estaban controlados en edificios que se han convertido en cooperativas o condominios no se vuelven estabilizados y no satisfacen los requisitos para la Apelación de la Renta Justa de Mercado.

Exención de Incrementos para las Personas de Mayor Edad: Las personas de 62 años o más que viven en apartamentos estabilizados y cuyos ingresos familiares anuales son de \$24,000 o menos, y que pagan (o enfrentan un incremento de alquiler que los forzaría a pagar) una renta de un tercio o más de sus ingresos, pueden tener derecho al programa de Exención de Incrementos para las Personas de Mayor Edad (SCRIE, por sus siglas en inglés), si aplican al Departamento de la Ciudad de Nueva York Sobre las Personas de Mayor Edad, cuya dirección es: SCRIE Unit, 2 Lafayette Street, NY, NY 10007. Si el alquiler actual de un inquilino que tiene derecho a este programa sobrepasa un tercio del ingreso, no se lo puede reducir, pero es posible evitar incrementos de alquiler en el

futuro. Obtenga el formulario de SCRIE por llamar al (212) 442-1000.

Unidades de Desván (Lofts) Los incrementos legales sobre la renta base para las unidades de desván son de un 2.5 por ciento por un contrato de un año y un 5.5 por ciento por un contrato de dos años. No se permiten incrementos para las unidades de desván vacías.

Hoteles y Apartamentos de la Sola Habitación

No habrá ningún aumento de la renta este año para los apartamentos de hotel de Clase A, casas de habitaciones, hoteles de clase B (de 30 habitaciones o más), hoteles de una sola habitación, y las casas de habitaciones (Clase B, 6-29 cuartos). No se permiten incrementos para apartamentos vacíos.

La Desregulación de Rentas Altas y Altos Ingresos (1) Los apartamentos que legalmente se alquilan por \$2,000 o más por mes y que se desocuparon entre el 7 de julio de 1993 y el 1ro. de octubre de 1993, o en o desde del 1ro de abril de 1994 son sujetos a la desregulación. (2) La misma desregulación se les aplica, para el mismo período establecido en (1), a los apartamentos que legalmente pagan \$2,000 o más mensualmente aunque no se desocupen, si el ingreso total de la familia es más de \$175,000 en los dos años consecutivos previos. Para cumplir los requisitos de esta segunda forma de desregulación, el casero tiene que enviarle un formulario de certificación de ingreso al inquilino entre el 1ro de enero y el 1ro de mayo, así como someter dicho formulario al DHCR y conseguir su aprobación.

Para pautas previas, llame a la RGB al 212-385-2934 o busque el sitio www.housingnyc.com.

Tipo de Contrato	Renta Legal Actual	Contrato de 1 Año	Contrato de 2 Años	
Renovación del Contrato	Si el dueño paga la calefacción	3.5%	6.5%	
	Si el inquilino paga la calefacción	3%	6%	
Contratos para Apartamentos Vacíos	Más de \$500	Incrementos por desocupación cobrados en los últimos 8 años	17%	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 el 17%	0.6% por el número de años desde el último incremento por estar vacío, más el 20%
	Menos de \$300	Incrementos por desocupación cobrados en los últimos 8 años	17% + \$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, + 17% + \$100	0.6% por el número de años desde el último incremento por estar vacío, + 20% + \$100
	Renta de \$300 a \$500	Incrementos por desocupación cobrados en los últimos 8 años	17% 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 17%, o \$100, lo que sea mayor	0.6% por el número de años desde el último incremento por estar vacío, mas 20%, o \$100, lo que sea mayor

Un lugar

viene de la página 3

desempleados; incapacitados y personas mayores; organizaciones religiosas y laborales; residentes de vivienda pública e inquilinos de Mitchell-Lama; los académicos y urbanizadores; estudiantes y veteranos de guerra; las organizaciones basadas en la comunidad y los defensores de vivienda. Tendremos que ser una coalición de organizaciones que aborde múltiples cuestiones, pero esta coalición tiene que dar prioridad a la vivienda como lo principal para lograr todas las otras metas colectivas de la coalición. Sin la conservación y desarrollo de vivienda, nuestra lucha por mejores escuelas y hospitales puede ser exitosa, pero no podremos gozar la victoria a causa de nuestro desplazamiento de los mismos vecindarios que habremos mejorado.

Segundo, tenemos que informar, hacer entusiasmarse y organizar nuestra base en torno de nuestra estrategia. Aunque en el pasado las leyes de renta han

sido una reforma estratégica que apoyó la organización de inquilinos, con el debilitamiento de nuestras protecciones de renta, nuestra base disminuye cada vez más. Tenemos que otorgar más a los inquilinos para empezar a conectarlos al movimiento. Tenemos que establecer un beneficio directo para todos los inquilinos, no solamente los de vivienda de renta regulada o subvencionada. Tenemos muchos principios y propuestas que debemos integrar y sobre los que debemos construir nuestro programa:

- Conservación y fortalecimiento de las leyes de vivienda para proteger la vivienda existente y mejorar la condición del inventario de vivienda. En particular, la revocación de la ley Urstadt, para reestablecer la autonomía de la ciudad.
- Conservación de vivienda subvencionada por los gobiernos federal y estatal.
- Compromiso para asegurar

fondos municipales, estatales, federales y privados para desarrollar opciones de vivienda asequible, tanto para comprar como para alquilar.

- El financiamiento de programas de vivienda para abordar las necesidades de los inquilinos de muy bajos ingresos, de personas mayores e incapacitados,
- Promulgación de una amplia gama de reformas de sentido común en la industria de construcción de vivienda, además del planeamiento urbano de inclusión.
- Establecimiento de un crédito de impuestos municipales para todos los inquilinos, en proporción con la razón de renta e ingresos.
- Establecimiento de un fideicomiso de vivienda, al principio desarrollado por el gobierno, pero duplicado por empresarios del sector privado para ayudar a sus empleados con los costos iniciales y de cierre para comprar sus propios hogares.

Esta última propuesta amerita alguna explicación e historia.

Como trabajadores, muchos de nosotros nos damos cuenta de que los aumentos ganados en negociaciones de salario se pierden en aumentados costos de vivienda. El costo de la renta no solamente es el gasto más grande para los neoyorquinos; también les impide ahorrar dinero o acumular capital. Si se pudiera destinar este dinero a la posesión de un hogar, los trabajadores podrían invertir en sus propias comunidades. El liderazgo de la ciudad y el estado debe establecer un fideicomiso de vivienda que ayude a los empleados con los costos iniciales y de cierre para comprar hogares.

Este es un beneficio de vivienda que el liderazgo del sindicato de los Trabajadores de Hoteles de Boston (Boston Hotel Workers) - Local 26 lanzó durante una campaña de tres años que condujo a las negociaciones de su contrato en 1988. Esta victoria lograda por un sindicato local creó un nuevo modelo para las asociaciones laborales-empresariales en el suministro de posesión de un hogar asequible. Sindicatos como el Local 1199/SEIU, la Federación Unida de Profesores (United Federation of Teachers) y los que representan a los empleados en el sector privado deben organizarse dentro de un nuevo movimiento de inquilinos para duplicar estos esfuerzos.

Por último, necesitamos acción directa. Necesitamos ser escuchados. Todas las personas con quienes necesitamos reunirnos y negociar no escuchan sin razón. Hay que traer consecuencias. El escuchar empieza ahí, y la negociación sigue. La acción directa en masa consigue la audiencia, porque genera cobertura en los medios de comunicación y muestra una presión visible de los votantes. Tiene la ventaja adicional de hacer sentirse poderosas a las personas que participan.

Cada movimiento debe tener múltiples métodos para lograr comunicar su mensaje. Algunos dirán que necesitaremos empezar a intensificar nuestras tácticas y que si no, estamos condenados a fracasar. También es importante entender y dar lugar a los que eligen ser los técnicos del movimiento. Ahí hay un lugar para nosotros también. Esto incluye a los académicos en el campo de vivienda con licencias avanzadas que conocen el financiamiento y las teorías de economía de mercado. Muchas veces, su interés es reducido o no se sienten cómodos con “el activismo” o “las campañas.” Está bien. Se les necesita para analizar los estudios, emitir nuevos informes o decisiones expertas y mantener relevante nuestro programa. Nuestra base tiene que ser diversa tanto en talentos como en antecedentes.

Lo escrito arriba no es nada nuevo para la mayoría de los lectores. Muchos de ustedes son las mismas personas que me han enseñado todo lo que sé sobre la vivienda en la ciudad de Nueva York. Sin embargo, lo que tiene que ser nuevo es una renovada dedicación a la idea de que hay un lugar para nosotros, todos nosotros en el nuevo movimiento de inquilinos, y que de alguna manera y algún día venceremos en la ciudad de Nueva York.

Adriene Holder es representante de los inquilinos en la Junta de Regulación de Renta.

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.

HPD CODE VIOLATIONS ON LINE

Look up your building!

At long last, the HPD violations terminal is available on-line. If you go to the HPD Website listed below and follow the instructions, you should be able to get an up-to-date list of violations on a building.

www.nyc.gov/html/hpd/html/data/hpd-online-portal.html



No se quede helado: ¡ORGANÍZENSE!

La ley requiere que su casero proporciona 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 ingles) al (718) 739-6400, y pedir que le envíen el formulario de Queja de Calefacción y Agua Caliente. Llene el formulario y consigne 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 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. ¡Organízense!

A Place

continued from page 1

our base around our strategy. Although in the past the rent laws have been a strategic reform that supported tenant organizing, with the weakening of our rent protections, our base is steadily eroding. We have to give tenants more to begin to connect them to the movement. We have to establish a direct benefit for all renters, not just those in rent-regulated or subsidized housing. We have many principles and proposals that we should integrate and build our platform upon:

- Preservation and strengthening of the housing laws to protect existing housing and improve the condition of the housing stock. Specifically, the repeal of the Urstadt law, to re-establish home rule for the city.
- Preservation of federally subsidized and state-subsidized housing.
- Commitment to secure city, state, federal, and private funds to develop affordable-housing options to purchase as well as rent.
- Funding housing programs to address the needs of very low-income, elderly, and disabled tenants, as well as the creation of supportive housing for the homeless.
- Enactment of a broad range of common-sense reforms in the housing construction industry, as well as mandatory inclusionary zoning.
- Establishment of a city tax credit for all renters proportional to their rent-to-income ratio.
- Establishment of a housing trust fund, initially developed by the government, but replicated by private-sector employers to assist their workers with initial home-purchase and

closing costs.

This last proposal merits some explanation and history.

As workers, many of us realize that gains won in salary negotiations are being lost to increased housing costs. Rental costs are not just the biggest expense for New Yorkers; they also prevent them from saving money or building up equity. If that money could be directed towards home ownership, workers could invest in their own communities. City and state leadership should set up a housing trust fund that would assist employees with the initial home purchase and closing costs.

This is a housing benefit that the leadership of the Boston Hotel Workers-Local 26 launched during a three-year campaign leading up to contract negotiations in 1988. This victory by a union local created a new paradigm for labor-employer partnerships in the provision of affordable home-ownership. Unions such as Local 1199/SEIU, the United Federation of Teachers, and those who represent private-sector employees should organize within a new tenant movement to replicate these efforts.

Last, we need direct action. We need to be heard. All the people we need to meet and negotiate with don't listen without a reason. Some kind of consequences must result. Listening begins there, and then negotiation follows. Direct action en masse gets that audience because it generates media coverage and demonstrates visible pressure from constituents. It also has the added advantage of being empowering for the people who participate.

Every movement should have multiple ways of getting its message across. Some might say we will need to start to escalate our tactics, that if we don't, we are

doomed to fail. We must also understand and make room for those of us who choose to serve as technicians to the movement. There is a place for us there too. This includes academics in the housing field who know about finance and market-economy theories. Often, their interest is narrow, or they are not comfortable with "activism" and "campaigns." That's all right. They are needed to review the studies, issue new reports or issue expert decisions, and keep our platform relevant. Our base must be diverse in talents as well backgrounds.

What is written above is not new to most who read this. Many of you are the very people who have taught me all I know about housing in New York City. What needs to be new, however, is a rededication to the idea that there is a place for us, all of us in the new tenant movement—and that somehow and someday, we will win in New York City.

Adriene Holder is a tenant representative on the Rent Guidelines Board.

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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 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!

Missed an issue of TENANT?

Check us out on the Web:

www.metcouncil.net

Banks Low-Rate Tenants' Security Deposits

Astoria Federal Savings Bank will triple the annual interest it pays on accounts holding tenants' security deposits, from 0.4 percent to 1.2 percent, state Attorney General Eliot Spitzer announced Sept. 15.

The bank's decision followed a probe by the attorney general's office into some landlords' practice of putting tenant security deposits in accounts paying interest rates below 0.5 percent a year. State law says such deposits must be kept in accounts that pay the "prevailing rate of interest." Landlords can keep one percent of the amount in an account to cover administrative costs.

Spitzer's investigation found 90 landlords who had placed more than \$6 million in security depos-

its in Astoria Federal Savings, whose 0.4 percent interest rate was one of the lowest in the state.

"Although the amount lost by each individual tenant is small, the amount lost by tenants collectively amounts to millions of dollars," Spitzer said in a statement. This year, the Assembly passed a bill limiting landlords' administrative fees to 20 percent of the interest earned on accounts, up to a maximum of 1 percent of the total deposited; the tenant would keep the rest of the interest earned. This would give landlords a financial incentive to find the highest interest-bearing accounts available, the attorney general argues. The state Senate did not pass the bill.

WBAI Elections—Vote!

By Vajra Kilgour

If you listen to WBAI-FM, you know that it's an incomparable source of information for progressive causes everywhere—including housing, especially on Met Council's show, "Housing Notebook" (for which I am sometimes a substitute host).

A few years ago, when listeners and staff regained control of WBAI-FM after a failed corporate-style takeover, a new system of governance for the station and the Pacifica network was established. Local Station Boards, now elected (with 18 listener and six staff seats), were given unprecedented power. Since the first LSB election, the level of conflict at the station, both within the board and among the board, station staff and management, and listeners, has risen dramatically.

This fall, half of the Local Station Board is up for re-election. The WBAI

Justice & Unity Campaign, a diverse and progressive group with strong community and organizing ties, has eight members on the current LSB. Most of the other 16 members, the board's majority, come from three other slates: List-Prog, People's Radio, and one that essentially represents alternative-health entrepreneur Gary Null (who has championed those involved in the corporatist "coup"); a few more have no formal slate affiliations. This majority has tried to impose draconian budget cuts that would have led to layoffs from the station's already thin staff; refused to dissociate itself from racist statements made by a Null supporter and a List-Prog member; and attempted to remove from the board the prominent African-American theologian and activist Father Lawrence Lucas, the last election's top vote-getter

and a Justice & Unity member, while he was recovering from serious illness and surgery.

Currently, partisans of the local board majority and their allies on the Pacifica national board are trying to remove the network's progressive executive director, Dan Coughlin. Coughlin, who was Pacifica's national news director until he was purged for resisting the corporatist takeover, went on to coordinate the Pacifica Campaign, which played a major role in reclaiming the network.

WBAI general manager Don Rojas has already announced his resignation as of the end of the year. Some members of the board majority have made no secret of their desire to get rid of program director

Bernard White. With this new struggle, the future of



January 2001 protest at WBAI.

WBAI as progressive community radio is newly imperiled.

Met Council on Housing has endorsed the Justice & Unity slate. Its listener candidates are Marian Borenstein, Omowale Clay,

Lisa Davis, Sara Flounders, Cheryl Ife Griffin, Ed Marshall, Nick Martielli, Berta Silva, and Evan Tobias. Margareth Dominique and Vajra Kilgour are the staff candidates (listeners vote for listener candidates; staff members vote for staff candidates).

Information packets about the candidates will be mailed with ballots on October 15 to all eligible voters (paid-up members and volunteers of WBAI as of Aug. 31); completed ballots must be returned by Nov. 15.

You can find the candidates' statements and answers to questionnaires on the Web at www.justice-unity.org (which includes information on the principles and platform of Justice & Unity) and at www.wbai.org.

NYC Rent Guidelines Board Adjustments (Order No. 36)

for Rent Stabilized Leases commencing Oct. 1, 2004 through Sept. 30, 2005

This rent guidelines table shows the maximum increases landlords in New York City can legally charge for rent stabilized apartments on all leases commencing in the twelve-month period beginning October 1, 2004. Increases in rent based on the 1- or 2-year renewal guidelines can be charged only once during the period covered by the guidelines, and must be applied to the legal stabilized rent on September 30, 2004. The above guidelines and vacancy bonuses do not apply to an apartment which was rent controlled on that date. There is no low rent supplement, a.k.a. poor tax, allowed.

Sublease Allowance

Landlords can charge a 10 percent increase during the term of a sublease that commences during this guideline period.

Vacancy Leases

In June 1997, Governor George Pataki, as a part of his efforts to destroy rent regulation, forced changes that gave landlords large vacancy bonuses. Provisions of his Rent Regulation Reform Act of 1997 allow the rents of apartments to rise by a statutory percentage: 20 percent for a 2-year lease, and 20 percent minus the difference between the 1- and 2-year renewal guidelines for 1-year leases. The law also allows additional vacancy increases for apartments which have had no vacancy allowance in eight or more years.

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. The tenant can choose be-

Lease Type	Current Legal Rent	One-year Lease	Two-year Lease	
Renewal Leases	Landlord pays heat	3.5%	6.5%	
	Tenant pays heat	3%	6%	
Vacancy leases	More than \$500	Vacancy allowance charged within last 8 years	17%	20%
		No vacancy allowance charged within last 8 years	0.6% times number of years since last vacancy allowance, plus 17%	0.6% times number of years since last vacancy allowance, plus 20%
	Less than \$300	Vacancy allowance charged within last 8 years	17% plus \$100	20% plus \$100
		No vacancy allowance charged within last 8 years	0.6% times number of years since last vacancy allowance, plus 17% 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	17% 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 17%, or \$100, whichever is greater	0.6% times number of years since last vacancy allowance, plus 20%, or \$100, whichever is greater

tween filing an overcharge complaint with the Division of Housing and Community Renewal or challenging the rent in Housing Court to get a determination of the legal rent.

A prospective tenant who expresses knowledge of their rights will probably not be given a lease to sign. Landlords avoid renting to tenants who may be troublesome. Overcharging is very common. Every tenant should challenge possible overcharge. With DHCR, obtain and fill out *Form RA-89* to determine the correct rent from official records. Call DHCR at (718) 739-6400 to obtain the form or go to: www.dhcr.state.ny.us

Fair Market Rent Appeal

Another type of overcharge frequently occurs at the time that a previously rent controlled apartment becomes vacant and is re-rented as a stabilized unit. The Rent Guidelines Board an-

nually sets what they call the "Special Fair Market Rent Guideline" that is used by DHCR to lower unfair market rents for tenants who file the Fair Market Rent Appeal (FMRA). Under Order 36, it is HUD Fair Market Rent or 50% above the maximum base rent., whichever is higher. No stabilized tenant of an apartment that was decontrolled on or after April 1, 1984 should fail to challenge the so-called Initial Legal Regulated Rent (market rent) that landlords charge upon decontrol. Use DHCR *Form RA-89*. Indicate clearly that your complaint is both a complaint of "overcharge" and "Fair Market Rent Appeal." The Housing Court cannot determine a Fair Market Rent Appeal. Formerly controlled vacant apartments in buildings converted to co-ops or condos do not become stabilized and are not eligible for a Fair Market Rent Appeal.

Senior Citizen Rent Increase Exemption

Rent stabilized seniors, 62 years or older, whose disposable annual household income is \$24,000 or less 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) if they apply to the NYC Dept of the Aging, SCRIE Unit at 2 Lafayette Street, NY, NY 10007. If an otherwise eligible tenant's current rent level is already above one-third of income, it cannot be rolled back, but future rent increases may be avoided. Obtain the SCRIE application form by calling (212) 442-1000.

Loft Units

Legalized loft unit increases above the base rent are 2.5 percent for a one-year lease and 5.5 percent for two years. No va-

cancy allowance is permitted on vacant lofts.

Hotels and SROs

The board voted to freeze rents for Class A apartment hotels, lodging houses, Class B hotels (30 rooms or more), single room occupancy (SROs) hotels, and rooming houses (Class B, 6-29 rooms). No vacancy allowance is permitted. Landlords cannot collect an increase over the rent charged on September 30, 2004 between October 1, 2004 and September 30, 2005.

High-rent, High-income Deregulation

(1) Apartments legally renting for \$2,000 or more a month that became vacant from July 7, 1993 through October 1, 1993, or on April 1, 1994 and thereafter are subject to deregulation. (2) The same deregulation applies in the time periods set forth in (1) above to apartments legally renting for \$2,000 or more a month without their becoming vacant if the total household income exceeds \$175,000 in each of the prior two consecutive years. To be eligible for this second form of deregulation, the landlord must send an income certification form to the tenant between January 1 and May 1 and file it with and get the approval of DHCR.

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



West Side Stadium

continued from page 1

Indeed, the plans are so large and so onerous that many opponents, if faced with the choice, would choose a stadium if the rest of it would go away.

That is, unless you hold public office. Just like “Through the Looking Glass” where what’s up is really down, those elected officials claiming to oppose the stadium are really in favor of the broader and more destructive West Side plans.

How the West Side Was Duped

For the last two years, Westsiders have been sheep being led to slaughter, not by the likes of Mike Bloomberg or Deputy Mayor Dan Doctoroff, but by their local elected officials: Christine Quinn, Thomas Duane, Richard Gottfried, and others. It became necessary for them to get the opposition out of the hands of community groups who might think for themselves and who just might hold them accountable. It was no surprise last year when this author received a call from Gottfried’s chief of staff, demanding we drop our opposition to everything but the stadium. That was not acceptable.

Quinn, Duane, Gottfried, and Community Board 4 (whose members are appointed by Manhattan Borough President Virginia Fields) created an opposition group called Hell’s Kitchen/Hudson Yards Alliance (HK/HYA). The result was to weaken legitimate opposition and give the mayor most of what he wanted.

The group received a \$50,000 grant from Deutsche Bank, which has a deal with the Bloomberg administration to finance many of the luxury residential towers. Created behind closed doors, HK/HYA was controlled by the elected officials and one of Hell’s Kitchen’s landlord-developers, Joe Restuccia, who just happens to acquire city-owned buildings in exchange for supporting administration goals.

The HK/HYA plan is very similar to the Mayor’s plan. It has the same amount of office space, the subway extension, the boulevard, and the doubling of the Javits Center. Other than lacking a stadium and putting towers on different corners, you could barely tell the difference.

Dick Gottfried tried to sell their plan at the Regional Plan Association’s April conference (where community groups were not invited). While HK/HYA was selling itself as being against the stadium, they weren’t telling Westsiders what they really supported.

In 2003, CB 4 (run by the same people who run HK/HYA) told City Planning and the mayor they could accept all of Hudson Yards except for the stadium. By giving away everything at the outset, they undermined any meaningful opposition. That left little room for subsequent negotiations, and now they can’t understand why the mayor and Doctoroff are ignoring them.

Now another group, the New York Association for Better Choices, has emerged. It includes HK/HYA, but it is controlled by Cablevision, owners of Madison Square Garden. They also support everything except the stadium. Cablevision’s hijacking of the opposition allows the mayor and the Jets to raise legitimate questions of MSG’s own tax-free status, weakens the opposition, and frames the debate on narrow issues. Cablevision’s goal is not even the stadium, but the retractable roof that makes it competition for MSG. If the roof went away, Cablevision might fold, and then were would we all be?

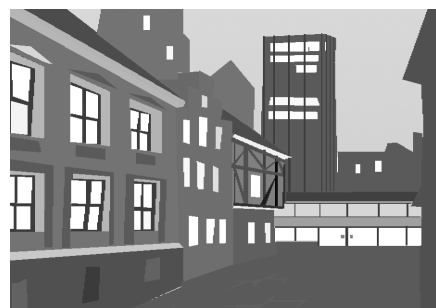
Approval Process— A Stacked Deck

In June, Bloomberg’s Hudson Yards plan started going through the Uniform Land Use Review Procedure (ULURP) with public hearings by CB 4, the borough president, City Planning, and the Council. On Sept. 21, the Manhattan Borough Board approved the plan. The Borough Board is composed of the community boards, the Manhattan Councilmembers, and Borough President Virginia Fields. They voted unanimously with one abstention to bulldoze much of the West Side. While they asked for some affordable housing, that is unlikely to happen. The approved plan would guarantee a wall of luxury high-rises, and would likely result in a net loss of affordable housing. A small percentage of affordable housing is not an excuse for tearing up neighborhoods.

Councilmember Christine Quinn, breaking her pledge not to accept developer campaign money, also voted to clear out much of her district and ultimately many of her constituents. Going along with Quinn were Councilmembers Alan Gerson, Gale Brewer, Phil Reed, Robert Jackson, Bill Perkins and Eva Moskowitz. Margarita Lopez was counted as an abstention, but said she would have voted for it had she been there. Gifford Miller, as speaker, does not vote with the Borough Board, but he has already signaled strong support for the plan.

And when given an opportunity to pass a resolution against the stadium, they declined to do so. Despite all their complaining, Councilmembers do not want to go on record as actually fighting the stadium.

The net effect of the Borough Board vote is more political than binding. It advances the Hudson Yards plan and tells Manhattan residents that their representatives value developer campaign



donations more than they do their constituents, and they are willing to sell out neighborhoods on a whim.

Quinn is running for Speaker when Miller is term-limited out in 2005. Reportedly, she wants his support, along with that of the construction unions and developers.

There are separate tracks for approving the Javits expansion and the stadium. The Senate and Assembly must agree on a Javits bill, but the only hearing on it was one-sided. While the rationale for doubling the Javits’ size is jobs, the convention industry is shrinking nationally, and the glut of new and expanded convention centers across the country are sitting

empty or selling space at rock-bottom prices. Assemblymembers Gottfried and Stringer—who claim the public view has taken a back seat—participated in the hearing where community opposition testimony was prohibited.

The stadium needs even less approval, as it has to pass only the MTA board, the Public Authorities Board and the MTA Capital Program Review Board. Assembly Speaker Sheldon Silver could veto it, but there’s no vote and no referendum. For that and the Hudson Yards, is Gottfried protecting his flank and the interests of Speaker Silver? Rent-regulated tenants know from hard experi-

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The Brooklyn Arena Complex: A Tenant’s View

By Mark Drury

In the ten months since I have been aware that I live at the center of Bruce Ratner’s economic interests, little has changed here on the ground. Signs of protest mark a number of buildings within and around the proposed site of a 19,000-seat basketball arena and 17 skyscrapers. Freddy’s Bar has become an impromptu community bulletin board. Spray-painted rats have been spotted on the sidewalk. “Develop Don’t Destroy” banners proliferate. “Save my home” signs dot the landscape. Otherwise, children continue to play in Dean Street Playground, and the 800 residents who stand to lose their homes and the small businesses on Sixth and Vanderbilt avenues continue to make our neighborhood vibrant. And even though a second Ratner-owned mall opened across Atlantic Avenue over the summer, there are no bulldozers poised to raze our neighborhood on this side of the rail yards.

Nor has anything happened over the last six months to advance this \$2.6 billion proposal legally. National Basketball Association owners approved the sale of the New Jersey Nets to Ratner after delaying an announcement for months as he scrounged up investors. Beyond that, neither the city nor the state has reached a Memorandum of Understanding to determine whether the community boards and the City Council will have a say in the development of the Atlantic Railyards area. If that doesn’t happen, it is very likely that an unaccountable state public corporation, the Empire State Development Corporation, will rubber-stamp their approval, leaving the courts as the only avenue to stop the proposal.

There have, however, been more subtle shifts. Last December, when people in the neighborhood heard that Ratner wanted to move the Nets to Brooklyn and build a new arena, the community mobilized quickly, forming Develop Don’t Destroy Brooklyn

(www.developdontdestroy.org). At the early DDDb meetings, the most vocal and involved community members were almost exclusively condominium owners and landlords. These people were invested in the neighborhood and committed to fighting for their homes and businesses.

However, last spring Forest City Ratner started to discuss buyouts with property owners. The developer negotiated with his more vocal opponents first, buying out a number of condominium owners in two of the larger residential buildings in the proposal’s footprint. But the vast majority of property owners, many of them long-time Prospect Heights residents, have refused to sell.

Over the last few months, tenants, who have little or no leverage and nothing to gain from buildings being sold to Ratner, have become increasingly engaged in the process of fighting for our neighborhood and have joined forces with property owners. Tenants in rent-stabilized apartments, tenants who have lived in the neighborhood for as long as sixty years, and tenants who simply wish to be informed are now coming together to represent themselves. Some have reported that their landlords suggest that they stand to lose their building for nothing if they do not sell soon. This is both a fallacy and sign that Forest City Ratner is trying to avoid having to take property by eminent domain.

But if I have learned anything in the last six months, it is that eminent domain is as much a threat to Forest City Ratner’s proposal as it is to us. What I have also learned, from tenants and property owners alike, is that Bruce Ratner has yet to buy the neighborhood. Nobody here is giving it to him for free, and many will fight him until he goes away.

Mark Drury is a tenant in Bruce Ratner’s proposed development site in Prospect Heights.

Bush Cuts Section 8 Again

By Steven Wishnia

After announcing on Sept. 27 that it was backing off from a proposal that would have significantly reduced rent subsidies for New Yorkers in the Section 8 voucher program, the Bush administration went ahead and made similar cuts.

The federal Department of Housing and Urban Development drew a storm of protest after it announced plans in August to change the formula used to calculate the "fair market rent" for the Housing Choice Voucher Program, which subsidizes rents for 1.9 million low-income households in privately owned buildings. In the program, commonly known as Section 8, HUD uses local housing costs to set the fair-market rent, tenants pay 30 percent of their income for rent, and the federal government pays the landlord the difference between that and the fair-market rent for the area. The proposed change would have added three counties in northern New Jersey to the data used to set the fair-market rent for New York City, instead of basing the figure on housing costs in the city alone. That would have cut Section 8 subsidies in the city significantly, especially for larger apartments.

On Sept. 27, HUD announced that it would not change the geographical formula for setting Section 8 rents for 2005, that it would only adjust them based on data from the 2000 census. But the actual figures released show dramatic cuts for New York, where 110,000 families are in the program. The fair-market rent for a two-bedroom apartment in the city has been reduced by \$55 a month, from \$1,073 last year to \$1,018. For a one-bedroom apartment, it's been cut from \$944 to \$915; for a three-bedroom home, from \$1,342 to \$1,252; and for a four-bedroom unit, from \$1,504 to \$1,288.

"This action could not have come at a worse time for New York City tenants," Joshua Goldfein of the Legal Aid Society wrote in a Sept. 1 letter to HUD. He called the cuts "a serious distortion of the city's

actual continuing rental market trends," noting that this year the city Rent Guidelines Board allowed increases by 3.5 percent rent for a one-year lease renewal, city property taxes were raised recently, and the federal Bureau of Labor Statistics reported that housing costs rose 4.7 percent in the New York metropolitan area.

"HUD makes no claim that rents in New York have dropped," Goldfein added. "Instead, it argues that previous years' FMRs were overstated." Because the subsidy cuts are highest for large apartments, his letter continued, "families with a greater number of children will bear the brunt of the reductions" and are the tenants most likely to become or stay homeless.

The changes had different effects nationally. Some cities saw cuts; the fair-market rent for a two-bedroom apartment in Boston fell from \$1,419 to \$1,266. For a three-bedroom unit in Atlanta, it was reduced from \$1,259 to \$1,150. In New Haven, Conn., one of the cities that would have been hit hardest by the original proposal, the FMR for one and two-bedroom apartments will rise by two or three dollars a month, but it will fall by 15 percent for a four-bedroom unit. Tenants in Houston and Las Vegas will see more money.

The controversy over this proposal—HUD received more than 350 comments after it was announced in August—is the latest round in the Bush administration's attempts to shrink Section 8. In August, HUD agreed to restore more than \$155 million cut from Section 8 in the fiscal 2005 budget to almost 400 cities, including \$55 million to New York. But the administration has proposed even deeper future reductions, by both simple cuts and formula alterations. Its 2005 budget included plans to slash the program by 40 percent by 2009.

West Side Stadium

continued from page 7

ence how resolute the Assembly really is.

Aside from its impact on the West Side, the cost of entire plan (stadium, Javits, subway, Hudson Yards, etc.) is topping the \$9 billion mark, most of which is public money. Add to that the Olympics' costs and you get near \$12 billion before cost overruns and inflation.

If Quinn and others were really

interested in stopping the stadium, all they need to do is introduce legislation in City Council that would prevent any city money from being used for the stadium. If it's really that simple, why haven't they done so?

John Fisher is the webmaster of www.tenant.net and www.hells-kitchen.net, and is active with the Clinton Special District Coalition.

United States Postal Service
Statement of Ownership, Management, and Circulation

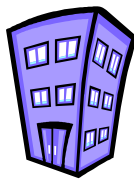
1. Publication Title: **Tenant/Inquilino**
2. Issue Frequency: **Monthly except August**
3. Complete Mailing Address of Headquarters or General Business Office of Publisher (do not leave blank):
339 Lafayette St. NY NY 10012
4. Full Name and Complete Mailing Address of Publisher, Editor, and Managing Editor (do not leave blank):
Met Council, Inc. 339 Lafayette St. NY NY 10012
5. Full Name and Complete Mailing Address of Publisher, Editor, and Managing Editor (do not leave blank):
Steve Wishnia (address above)
6. Owner (Do not leave blank. If the publication is owned by a corporation, give the name and address of the corporation immediately followed by the names and addresses of all stockholders owning or holding 1 percent or more of the total amount of stock. If not owned by a corporation, give the names and addresses of the individual owners. If owned by a partnership or other unincorporated firm, give its name and address as well as those of each individual owner. If the publication is published by a corporation or other organization, give its name and address.)
Full Name: _____ Complete Mailing Address: _____
Full Name: _____ Complete Mailing Address: _____
Full Name: _____ Complete Mailing Address: _____
Full Name: _____ Complete Mailing Address: _____
7. Publication Title: **Tenant/Inquilino**
8. Issue Date for Circulation Data Below: **September 2004**
9. Extent and Nature of Circulation:
a. Total Number of Copies (Net press run): **3875**
b. Paid and/or Requested Circulation:
(1) Paid/Requested Outside-County Mail Subscriptions Based on Form 3841 (include advertisement proof and exchange copies): **528**
(2) Paid in County Subscriptions Based on Form 3841 (include advertisement proof and exchange copies): **2093**
(3) Sales Through Dealers and Carriers, Street Vendors, Counter Sales, and Other Non-USPS Paid Distribution: **0**
(4) Other Classes Mailed Through the USPS: **500**
c. Total Paid and/or Requested Circulation (Sum of 9b(1), (2), (3), and (4)): **3111**
d. Free Distribution by Mail:
(1) Outside-County as Based on Form 3841: **150**
(2) In-County as Based on Form 3841: **171**
(3) Other Classes Mailed Through the USPS: **40**
e. Free Distribution Outside the Mail (Carriers or other means): **200**
f. Total Free Distribution (Sum of 9d(1) through 9d(5)): **561**
g. Total Distribution (Sum of 9c and 9f): **3672**
h. Copies not Distributed: **203**
i. Total (Sum of 9g and 9h): **3875**
10. Payment of Postage and Fees (Indicate by check box) (USPS Form 3841, October 2004)
 Publication required, will be printed in the **October 2004** issue of this publication.
 Publication not required.
11. Signature and Title of Editor, Business Manager, or Owner:
John Fisher Editor
Date: **9-30-04**

Publication Title: Tenant/Inquilino		Issue Date for Circulation Data Below: September 2004	
Extent and Nature of Circulation		Average No. Copies Each Issue During Preceding 12 Months	No. Copies of Single Issue Published Nearest to Filing Date
a. Total Number of Copies (Net press run): 3875 3500			
b. Paid and/or Requested Circulation:			
(1) Paid/Requested Outside-County Mail Subscriptions Based on Form 3841 (include advertisement proof and exchange copies):	528		480
(2) Paid in County Subscriptions Based on Form 3841 (include advertisement proof and exchange copies):	2093		1859
(3) Sales Through Dealers and Carriers, Street Vendors, Counter Sales, and Other Non-USPS Paid Distribution:	0		0
(4) Other Classes Mailed Through the USPS:	500		500
c. Total Paid and/or Requested Circulation (Sum of 9b(1), (2), (3), and (4)):		3111	2839
d. Free Distribution by Mail:			
(1) Outside-County as Based on Form 3841:	150		147
(2) In-County as Based on Form 3841:	171		172
(3) Other Classes Mailed Through the USPS:	40		40
e. Free Distribution Outside the Mail (Carriers or other means):		200	200
f. Total Free Distribution (Sum of 9d(1) through 9d(5)):		561	559
g. Total Distribution (Sum of 9c and 9f):		3672	3398
h. Copies not Distributed:		203	102
i. Total (Sum of 9g and 9h):		3875	3500
10. Payment of Postage and Fees (Indicate by check box) (USPS Form 3841, October 2004)		8976	8976
<input checked="" type="checkbox"/> Publication required, will be printed in the October 2004 issue of this publication.			
<input type="checkbox"/> Publication not required.			
11. Signature and Title of Editor, Business Manager, or Owner:			
John Fisher Editor			
Date: 9-30-04			



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see www.metcouncil.net

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 - CHelsea COALITION ON HOUSING**
Covers 14th St. to 30th St., 5th Ave. to the Hudson River.
322 W. 17th St. (basement), CH3-0544
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 - GOLES (Good Old Lower East Side)**
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 - HOUSING COMMITTEE OF RENA**
Covers 135th St. to 165th St. from Riverside Dr. to St. Nicholas Ave.,
544 W. 157th St. (basement entrance).
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 - LOWER MANHATTAN LOFT TENANTS**
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212-539-3538
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 - VILLAGE INDEPENDENT DEMOCRATS**
26 Perry St. (basement), 212-741-2994
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 - WEST SIDE TENANTS UNION**
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Tuesday & Thursday 2-5 pm
Tuesday & Wednesday 6-7:45 pm



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 is controlled stabilized unregulated other _____

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