



Democrats Win Majority in State Senate Will It Clear the Way for Pro-Tenant Bills?

By Kenny Schaeffer

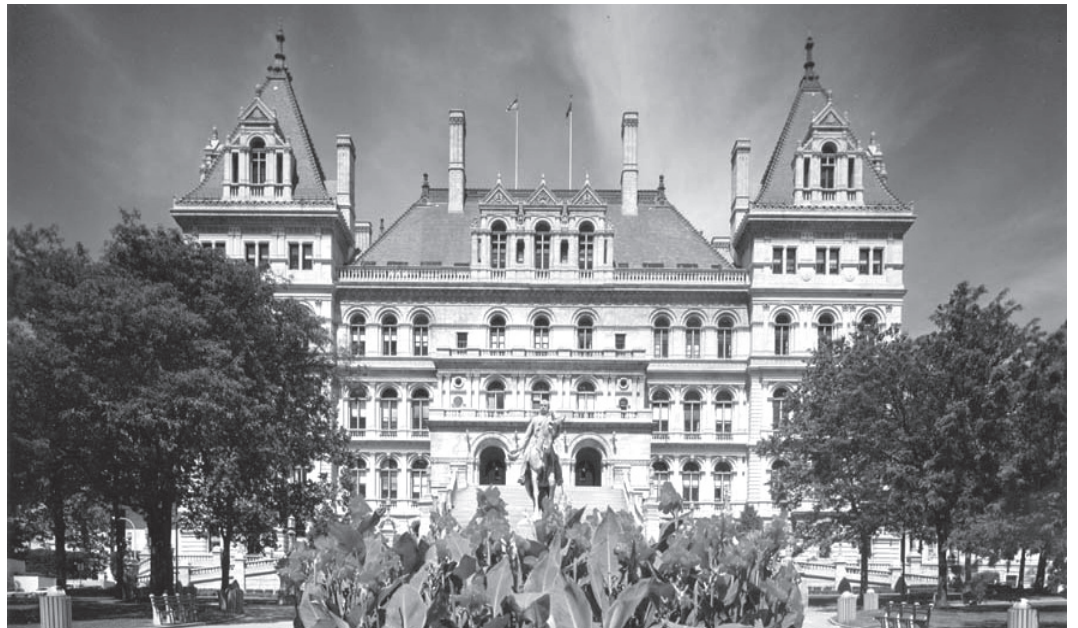
After nearly 50 years of Republican control of the New York state Senate, Democrats and the Working Families Party unseated two long-term incumbents to gain a 32-30 majority on Nov. 4. This should pave the way for long-overdue legislation to address New York City's housing crisis, including measures Met Council and other groups have been working on for years.

At separate election-night victory parties at a downtown bar and the Sheraton Hotel, WFP director Danny Cantor and deputy director Bill Lipton both declared that the first fight under the new regime in Albany "will be over rent regulation."

The top priority for the tenant movement and affordable-housing advocates is a package of bills called the "Real

Rent Reform" agenda. These include repealing vacancy decontrol for the one million rent-stabilized apartments in the city and suburbs; extending protections to the tens of thousands of tenants whose apartments have been taken out of the Mitchell-Lama and Section 8 programs; reforming the New York City Rent Guidelines Board; and restoring the city's home rule over rent laws by repealing the 1971 Urstadt Law. Another hope would be restoring rent controls to units that have been deregulated.

Tenants have long awaited an end to the Republican control of the Senate. Under former Gov. George Pataki and Majority Leader Joseph Bruno (who retired last June amidst a federal corruption probe), the state significantly weakened rent and eviction protections in 1997 and



Will the new Democratic majority in Albany give New York City home rule over rent laws?

in 2003. The Assembly passed several bills related to the "Real Rent Reform" agenda in May, but Bruno blocked them.

The Democrats took the Senate for the first time since 1965 by taking seats on Long Island

and in Queens. In the 15th District (Glendale-Middle Village), pro-tenant City Councilmember Joe Addabbo Jr. won 57 percent of the vote to defeat nine-term incumbent Serphin Maltese. This race was the top priority for many con-

cerned with recapturing the Senate. The Tenants Political Action Committee, labor unions, the National Abortion Rights Action League, Citizens' Union, Planned Parent-

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East Harlem Tenants Win One British 'Predatory Equity' Landlord Collapses

By Jennifer Janisch

The global credit crisis that has shaken the real-estate industry has one tenant organization in East Harlem celebrating victory over a British landlord that is being forced to sell the buildings from which it tried to evict people.

After nearly two years of community organizing, demonstrations, an innovative lawsuit, and international campaigning, Movement for Justice in El Barrio (MJB)—an East Harlem collective of mostly Mexican immigrants—is calling their battle with failed financial-services firm Dawnay, Day "a triumph of David and Goliath proportions."

Dawnay, Day purchased 47 buildings in the neighborhood for a quarter of a billion dollars in March 2007. It was the British firm's first and only foray into the U.S. real-estate

market, following the lead of several large property firms that overleveraged their investments in New York City residential buildings over the last couple of years—and are now paying the price.

The London-based company, which manages over \$10 billion of assets worldwide, has become one of Europe's most high-profile victims of the international financial crisis. It is now under the administration of accounting firm BDO Stoy Hayward and the real-estate advisor DTZ, which is charged with restructuring the company and selling its property holdings.

Neither BDO Stoy Hayward nor DTZ would comment on the status of the transactions. But according to PropertyWeek.com, final bids were submitted on Nov. 7 by Threadneedle, F&C REIT Asset Management, Criterion Capital,

and Exemplar. Two unknown U.S.-based cash buyers are submitting bids as well.

Organizing in the buildings began over five years ago, when they were owned by Steven Kessner, who was once named one of New York's ten worst landlords by the *Village Voice*. Around 15 tenants met in the lobbies of their buildings to discuss ways to confront Kessner and get him to make repairs. They expanded their initiative to his other buildings.

Since they had little experience organizing, the tenants turned to Juan Haro, who once worked as an organizer of restaurant workers, to help them develop a strategy.

"I was inspired by these tenants who wanted to initiate something and really just didn't know how," says Haro, now the coordinator of MJB. "A lot of people

have this stereotype that immigrants live in fear and don't want to take on such a battle, but we found the opposite: Tenants were fed up with the conditions they were living in and ready to take action."

After MJB held protests to draw attention to their campaign against Kessner's negligent management practices in East

Harlem, he sold his 47 buildings to Dawnay, Day. MJB decided to put the British investment bank on notice.

"We held a press conference warning Dawnay, Day, saying 'Welcome to El Barrio. We will not be moved, we are here to stay,'" says Haro. "You may not know

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Washington Heights Organizes Against 'Predatory Equity'

By Steven Wishnia

It's about time we got this many people out," says a woman at a housing forum in Washington Heights. "My landlord took me to court twenty-eight times, trying to get my apartment."

One of about 200 people who packed a high-school auditorium on 165th Street on Oct. 20, she is not the only one in the neighborhood with that kind of problem. As Upper Manhattan is the last part of the borough occupied mainly by working-class people, Latinos, and Afro-Americans, it has been a prime target for predatory private-equity firms seeking to make a quick buck by ousting lower-income tenants.

Of the 90,000 apartments in the city that private-equity firms have acquired, almost 13,000—one out of every seven—are in the congressional district that includes Harlem, East Harlem, Washington Heights, and Inwood, according to the forum's organizers. Upper Manhattan has been a major theater of operations for firms like Pinnacle, Stellar Management, and Vantage.

"The entire community is threatened with displacement as outsiders come in to buy buildings at obscene prices," said Cheryl Pahaham, chair of Community Board 12's housing committee.

Speaking in both Spanish and English, community residents and activists described the new breed of landlords as a nasty hybrid of old-fashioned slumlords, who made money by skimping on repairs in buildings occupied by the black and Latino poor, and new-style gentrifiers, who make money by driving out tenants so they can jack rents up to market rate.

They are "scheming to throw us out by totally vicious, dishonest, and illegal means," said Fany Hernandez of the Unión Comunal de Washington Heights e Inwood, one of the forum's organizers. More than half the households in Washington Heights make less than \$35,000 a year, she said, and more than three-fourths of those spend more than 30 percent of their income on rent. The number of "C violations"—conditions considered immediately hazardous—in neighborhood buildings has

doubled since 1990, she added. Some tenants go for weeks with broken stoves or elevators.

Rena Mercado, a mother of three children, spoke about having to take baths on the fire escape because her landlord wouldn't fix her clogged bathtub for three years. After the electricity went out in the entire building, she organized a tenants association and sued for a rent reduction.

Carmelo Robles, a natty, white-haired man, won a case against his landlord, who removed his apartment's fixtures for a planned renovation in 2001 and then didn't replace them for five years. Gladys Salva, 73, said tenants in her building on Fort Washington Avenue had been on rent strike for three years. The building had more than 400 code violations, and many tenants had been without working bathrooms for almost a year.

"They can push me under the Washington Bridge, but I don't leave Washington Heights, because I live here for 46 years," she declared.

Private-equity firms have bought up 90,000 apartments in the city in the last five years, said Jackie Del Valle of CASA/New Settlement, and their business model depends on harassing tenants so they can collect higher rents on vacant apartments. Traditional landlords expect to make 7 or 8 percent profit on their invest-

ment each year, she explained; private-equity firms, which have paid as much as \$100,000 per unit want to make 20 percent. Tactics they use include cutting services, frivolous eviction lawsuits, and harassment aimed especially at the elderly and undocumented immigrants, she said. In one Bronx building she worked with, a quarter of the tenants moved out after getting threatening letters from the landlord.

Many buildings owned by these firms are heavily leveraged, with their debt sold as mortgage-backed securities. Of the 90,000 apartments these firms own, 60 percent are on a watch list for default, Del Valle said.

Speaking in Spanish, Elpidia de la Cruz, 74, angrily told how she's lived in her apartment for 45 years, but the new landlord has taken her to court several times even when she can prove she's paid her rent, and yells at her when she calls to ask for repairs. Dulce Espinal related a similar story about her landlord, who filed phony nonpayment suits against tenants and would do repairs only if the resident would quit the tenants association.

To remedy this situation, the forum's organizers drew up an eight-page agenda for "comprehensive housing reform." It includes more than 50 proposals, including repeal of the Urstadt Law and vacancy decontrol; re-

quiring landlords to justify increases to more than \$2,000 a month to the state; increased funding for public housing and low-and moderate-income housing; and restrictions on private-equity firms, such as banning them from promising investment returns on rent-regulated housing that exceed the annual rent guidelines.

Their demands that local politicians actively support that agenda drew varying responses from the elected officials who showed up. "You expect me to say yes when I haven't even read the document?" City Councilmember Robert Jackson snapped, saying that he'd just been handed the eight-page flyer. "Do you want a yes answer or do you want a realistic answer?" Pahaham replied the agenda had been mailed out two weeks ago, but it was possible Jackson hadn't gotten it.

Assemblymember Adriano Espaillat gave an unequivocal yes. Councilmember Miguel Martinez said he'd support the agenda, but because the Council doesn't have jurisdiction over rent laws, "don't put us against the wall."

"We stayed here during the bad times," said CB 12 chair Manny Velazquez. "They know we are not rich, they know that our community is beautiful, and they want to take it away. Somos dueños de la comunidad (we are the owners of the community)."

Scott Sommer hosts Met Council's

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EL INQUILINO HISPANO

Demócratas ganan la mayoría en el senado estatal ¿Esto abrirá paso para proyectos de ley a favor de los inquilinos?

Por Kenny Schaeffer
Traducido por Lightning Translations

Después de casi 50 años de control por parte de los republicanos en el senado estatal de Nueva York, el 4 de noviembre los demócratas y el Partido de Familias Trabajadoras (Working Families Party, WFP) destituyeron a dos miembros veteranos del senado para ganar una mayoría de 32 a 30. A lo mejor, esto preparará el terreno para legislaciones que puedan enfrentar la crisis de vivienda en la Ciudad de Nueva York, retrasadas por mucho tiempo y que incluyan medidas en las cuales el Met Council y otros grupos han trabajado por años.

En sendas fiestas de victoria en un bar del centro de la ciudad y el Sheraton Hotel, tanto el director del WFP Danny Cantor como el director asistente Bill Lipton aseveraron que la primera batalla bajo el nuevo régimen "será sobre la regulación de rentas".

Encabezando las prioridades para el movimiento de inquilinos y defensores de vivienda asequible es un conjunto de proyectos de ley llamado el programa de "Reforma de Rentas Real" (Real Rent Reform). Estos incluyen la revocación del descontrol de viviendas disponibles para el millón de apartamentos de alquiler estabilizado en la ciudad y sus alrededores; otorgar protección a las decenas de miles de inquilinos cuyos apartamentos han sido retirados de los programas Mitchell-Lama y Sección 8; reformar la Junta de Renta Regulada de la Ciudad de Nueva York; y restaurar la autonomía de la ciudad en torno a leyes de alquileres al revocar la Ley Urstadt de 1971. Otro cambio ansiado sería restaurar el control de alquileres en unidades que han sido desreguladas.

Hace mucho tiempo que los

inquilinos han esperado que se ponga fin al control del senado por parte de los republicanos. Bajo el liderazgo del antiguo gobernador George Pataki y el Líder de la Mayoría Joseph Bruno (quien se jubiló en junio pasado en medio de una investigación federal de corrupción), el estado debilitó las protecciones de alquileres y contra el desalojo significativamente en 1997 y en 2003. La asamblea aprobó varios proyectos de ley relacionados al programa "Reforma de Rentas Real" en mayo, pero Bruno los obstruyó.

Los demócratas tomaron control del senado por primera vez desde 1965 al ganar escaños en Long Island y en Queens. En el distrito 15 (Glendale-Middle Village), el concejal municipal Joe Addabbo Jr., un defensor de inquilinos, ganó un 57 por ciento de los sufragios para derrotar a

Serphin Maltese, quien había sido miembro del senado por nueve períodos. Esta contienda fue la prioridad más importante para muchos de los que querían captar el senado otra vez. Los voluntarios del Comité de Acción Política de Inquilinos (Tenants Political Action Committee), sindicatos, la Liga Nacional del Derecho al Aborto (National Abortion Rights Action League), la Unión de Ciudadanos (Citizens' Union), Paternidad Planeada (Planned Parenthood) y la Liga de Votantes Conservacionistas (League of Conservation Voters) inundaron el distrito.

En el condado de Suffolk, el supervisor municipal de Brookhaven Brian Foley ganó una victoria de 17 puntos sobre Caesar Trunzo, miembro republicano del senado por 36 años y líder ayudante de

pasa a la página 4

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%,

Stanley Michels, autor de la ley municipal sobre pintura con plomo, murió a los 75 años

Por Jenny Laurie

Traducido por Lightning Translations

Los inquilinos perdimos uno de nuestros mejores defensores el verano pasado con la muerte del antiguo concejal municipal Stanley Michels el 1° de agosto. Michels, de 75 años, murió después de una larga batalla con un raro tipo de cáncer que se llama angiosarcoma. Michels, quien representó el norte de Manhattan en el Concejo desde 1978 a 2001, abogó por la causa de la prevención del envenenamiento por plomo durante toda su larga carrera. Fue el patrocinador principal de la ley municipal original sobre pintura con plomo, que se aprobó en 1982 como la Ley Local 1, y seguía trabajando con los partidarios hasta que se le forzó a dejar el Concejo bajo la ley de límites de mandato.

La ley de 1982 fue promulgada bajo el conocimiento de ese entonces sobre cómo funcionaba el envenenamiento por plomo; se suponía que era una condición causada por la ingestión por pequeños niños de pedacitos de pintura con plomo que se desconchaba. Mientras avanzaba la ciencia y los niños de la ciudad seguían sufriendo daños de por vida (aunque en niveles mucho más bajos), se descubrió que el polvo de pintura con plomo era el realmente culpable. Michels luchó contra los fuertes intereses de bienes raíces en el Concejo, intentando que se aprobara un proyecto de ley que modificara los códigos de vivienda para que éstos requirieran que los caseros minimizaran la presencia de polvo de plomo. En 1999, Michels y otros defensores lucharon y perdieron contra la aprobación de la Ley Local 38, un debilitamiento de la ley original promovido por el liderazgo del Concejo y la industria de bienes raíces. Esta batalla puso a Michels en continuo desacuerdo

con el liderazgo del Concejo, un sacrificio importante ya que el liderazgo controlaba el dinero para los comités y el personal. La evidencia pronto comprobó que esta ley era un fracaso, ya que el ritmo de envenenamiento continuó sin detenerse. El proyecto de ley reformado de Michels finalmente se aprobó como la Ley Local 1 de 2004 bajo el liderazgo del entonces concejal Bill Perkins, con la ayuda del nuevo vocero, Gifford Miller.

Aunque la lucha de Michels contra el envenenamiento de niños por plomo le ganará su lugar en el cielo, también era clave para las vidas de la mayoría de los inquilinos en la ciudad porque como miembro del comité de vivienda del Concejo, luchó habitualmente para reforzar las leyes de alquileres y los códigos de protección de los inquilinos. Durante los años 1990, cuando el liderazgo del Concejo bajo el entonces vocero Peter Vallone se volvió abiertamente a favor de los caseros, Michels luchó sin cesar, a menudo en la minoría, para parar o detener la pérdida de leyes de protección de inquilinos.

Michels, quien había sido un abogado para inquilinos antes de su elección, representó a Washington Heights, Inwood y West Harlem en el Concejo Municipal y era conocido por su excelente personal: su gran jefe de gabinete, Steve Simon, y sus ayudantes de constituyentes, Al Perlin, Martin Smith y otros, versados en los derechos de inquilinos. En Met Council, sabíamos que podíamos referir a los inquilinos a su oficina y nunca oír nada más de ellos; el problema habría sido resuelto. Michels fue uno de los muy pocos funcionarios elegidos con personal que podía ir a la

corte con inquilinos individuales o en grupos. De vez en cuando vimos a Michels mismo en la corte con grupos. Eran escasas las reuniones de vivienda o inquilinos, pequeñas o grandes, por la noche durante la semana o durante el fin de semana, a las que Stanley Michels no acudió.

Muchos residentes de la ciudad, especialmente los en el norte de Manhattan, recuerdan a Michels como paladín del medio ambiente y los parques del área. Como presidente del comité del Concejo para el medio ambiente, promovía una ciudad más "verde", haciendo aprobarse las primeras leyes municipales de reciclaje, la primera prohibición en la ciudad de fumar en los interiores de edificios y la protección de la cuenca del suministro del agua de la ciudad (lo que también le puso en desacuerdo con la indu-

stria de bienes raíces). Los residentes del norte de Manhattan también recuerdan sus esfuerzos para mejorar los parques en sus vecindarios; un paseo en el jardín formal de Fort Tryon Park fue bautizado con su nombre poco antes de su muerte.

Por supuesto, siempre recordamos a Stanley porque, en cualquier momento que lo vieras, fuera en medio de la cámara del Concejo o en una reunión de inquilinos en el norte de Manhattan, siempre te acogía con un enorme y cálido abrazo. Lo recordamos porque todo su conocimiento, integridad política e inteligencia perspicaz estaban envueltos en uno de los mejores sentidos de humor que se podía encontrar en la ciudad de Nueva York.

el senado estatal

viene de la página 4

la mayoría.

En otros comicios claves, los demócratas Craig Johnson en el condado de Nassau y Darrell Aubertine del área Oswego-Watertown, en el norte del estado, fueron reelegidos para períodos enteros; los dos ganaron sus escaños por estrechas márgenes en elecciones especiales. Las senadoras Andrea Stewart-Cousins de Yonkers, Suzi Oppenheimer de Westchester y Toby Ann Stavisky de Queens también derrotaron a retadores republicanos bien financiados con dinero de los intereses de bienes raíces. Sin embargo, el otro republicano de Queens en la mira, Frank Padavan del distrito 11 (Bayside-Queens Village), parecía haber conservado su escaño. Con los votos por ausencia todavía por contar, adelantaba al concejal municipal James Gennaro por menos de 750 sufragios.

Se interrumpieron los planes de los demócratas momentáneamente cuando un grupo de cuatro senadores, Carl Krüger de Brook-

lyn, Pedro Espada Jr. y Ruben Diaz Sr. del Bronx y el recientemente elegido Hiram Monserrate de Queens, amenazaron con no votar para hacer a su compañero demócrata Malcolm Smith de Queens el nuevo líder de la mayoría en enero.

Aunque Espada no ha registrado sus informes sobre contribuciones de campaña y ha sido demandado por la Junta de Elecciones (Board of Elections), el grupo de caseros llamado la Asociación de Renta Estabilizada (Rent Stabilization Association, RSA) ha estado muy abierto acerca de vislumbrar el cambio inminente al control por parte de los demócratas y ofrecer grandes contribuciones a quien las acepte. Por otro lado, Monserrate ha tenido una relación estrecha con el Partido de Familias Trabajadoras desde hace mucho tiempo y sostuvo que solamente estaba actuando para aumentar la representación de los latinos

pasa a la página 5

No se quede helado: ¡ORGANÍZASE!



La ley requiere que su casero proporcione calefacción y agua caliente a las temperaturas siguientes, desde el 1° 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 Acción) 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. ¡Organízese!

Housing Activists Rip Bloomberg on Term Limits

By Steven Wishnia

Tenant activists unhappy with Mayor Michael Bloomberg's record on tenant issues are equally displeased with his scheme to override term limits and run for a third term. The City Council, led by Speaker Christine Quinn, approved the plan by a narrow 29-22 vote on Oct. 23, and Bloomberg signed it into law on Nov. 3.

"Personally, I am opposed to term limits," Michael McKee of Tenants PAC wrote in an e-mail in early October. "But this latest cynical maneuver by Bloomberg is an affront to anyone concerned about our democratic institutions and processes. It smells to high heaven."

The move, which allows the May-

or and Councilmembers to serve three terms, nullifies a law passed by a citywide referendum in 1993 that limited them to two terms. A 1996 referendum sustained term limits. Bloomberg and his supporters argued that the mayor's financial expertise was indispensable during the current economic crisis, and that repealing term limits would not automatically give the mayor a third term, but merely offer voters "a choice."

In signing it after a legally required public hearing at City Hall, the mayor got an earful of dissent from people like Patti Hagan of Brooklyn, a leader of residents facing eviction from the site of the Atlantic Yards development,

and Jimmy McMillan of the Rent Is Too Damn High party. A Quinipiac poll found that 89 percent of New Yorkers believed the law should only be changed by another referendum.

"The way this was done was a blow to our local democracy—rooted in an odd combination of megalomania and self-interest, pursued with backroom deals and disingenuous timing, with arm-twisting of not-for-profits and bussed-in homeless people, in obvious contradiction to the fact that the vast majority of New Yorkers wanted this put to a public vote," wrote Brad Lander, director of the Pratt Center for Community Development. "It violated our deep democratic belief that the same rules apply to all of us, that neither elected officials nor billionaires should bend them for their benefit, and that our voices as citizens matter."

Councilmembers Letitia James and Bill de Blasio (both D-Brooklyn) have filed a lawsuit challenging the bill, arguing that as it applies to current elected offi-

cial, the Council voting on it was an illegal conflict of interest under the City Charter.

"Whatever your position on term limits, I do not understand how anyone can think that another four years of a Bloomberg administration will be good for tenants, or for the city," McKee wrote. "The disaster of the Bloomberg administration has to do with larger policy: the continued, calamitous loss of affordable housing to decontrol, buyouts and opt-outs, and the deliberate support for this process of decontrol and conversion to market-rate housing by a billionaire mayor who believes in free-market theology; the stacking of the city rent board with pro-business types fundamentally opposed to rent stabilization and seemingly determined to price rent-regulated tenants out of their homes; and regressive policies designed to punish tenants in city public housing.... Four more years and we will have virtually nothing left."

el senado estatal

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en puestos de liderazgo.

A la hora de entrar en prensa, la pequeña rebelión parecía estar deshaciéndose. Monserrate endosó a Smith el 8 de noviembre. Además, cambiar de partido puede ser políticamente peligroso: la otrora senadora estatal Olga Méndez, quien se unió a los republicanos en 2002, no logró la reelección como republicana. (Méndez, quien representó el distrito de East Harlem/South Bronx, sostuvo que los demócratas no habían hecho lo suficiente para los latinos y que ella tendría más poder como miembro de la mayoría. Sin embargo, cuando hizo que se aprobara en el senado un proyecto de ley para elevar el sueldo mínimo, Pataki lo vetó.)

La tan esperada elevación de Malcolm Smith a líder de la mayoría no hará automático el progreso en torno a cuestiones de vivienda. Smith ha emitido mensajes encontrados sobre sus intenciones. Ha declarado su respaldo a la revocación del descontrol de viviendas disponibles y otras medidas, pero rehusó una invitación cuando Met Council y otros partidarios viajaron a Albany en mayo pasado para

asistir a la aprobación de proyectos de ley a favor de inquilinos por la asamblea. Poco después, el director de la RSA Joseph Strasburg dijo al New York Observer que Smith estaba "intentando ser la voz de la razón" para evitar poner en peligro las contribuciones de los intereses de bienes raíces.

El 7 de noviembre, Smith anunció que había escogido a Angelo Aponte para encabezar su equipo de transición y posiblemente volverse en su jefe de gabinete. Como comisionado de vivienda bajo el antiguo gobernador Mario Cuomo, Aponte no fue amigo de los inquilinos, declarando que no creía en las regulaciones de alquileres.

Todo esto significa que el fin del control del senado estatal por parte de los republicanos es solamente el comienzo. Sin embargo, con el Partido de Familias Trabajadoras y otros aliados, como los sindicatos, participando en las coaliciones de Reforma de Rentas Real y Vivienda Aquí y Ahora (Housing Here and Now), las perspectivas de protecciones de alquileres y contra el desalojo son definitivamente más prometedoras.

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!

East Harlem

continued from page 1

this, but you bought buildings where tenants are organized.”

Dawnay, Day representatives clearly stated their intentions to the British press. “East Harlem is the last area of the whole of Manhattan being gentrified. Our intention is to build up,” Phil Blakeley, leader of the firm’s U.S. expansion, told the Times of London. “We are not just looking at New York—that is just a start. Our aim is to have in excess of \$5 billion within a short period—within a few years.”

Blakeley added that he was attracted by the opportunity to raise rents on vacant apartments. “With renovation, a flat could well take \$1,700 a month once re-let on the open market,” he said, adding that long-term tenants could be bought out.

“They were planning to take advantage of New York’s lax rent laws,” Haro says.

Some tenants say that the negligent maintenance continued under the British firm’s management. (Dawnay, Day could not be reached for comment.)

Andres Hernandez lives with his family in a Dawnay, Day building on East 117th Street. He gestures toward a gaping hole in his kitchen wall near the stove in his apartment. He says the superintendent replaced the apartment’s boiler with an electric heater months ago, but has not yet sealed it shut.

“People in the building say they want to force all the Hispanics out, and fill the building with white people,” he says.

Carolina Ortega has lived with her father and her children on East 116th Street for decades. She says Dawnay, Day has tried to force them out by ignoring their pleas for extermination of the rats and roaches that infest their apartment.

“They do things for the new tenants, but not for us,” she says. “We’ve taken them to court two or three times, but we haven’t said anything lately because my father doesn’t want to fight it anymore.”

MJB has filed a lawsuit against Dawnay, Day, claiming the company violated consumer-protection laws by using deceptive business practices. Despite the company’s financial turmoil, the group says it does not plan to drop the suit.

MJB’s attorney, Ed Josephson, recently filed a

motion to obtain Dawnay, Day financial records. He says the company was slapping tenants with suspicious bills, citing charges they did not owe.

“They invent phantom charges to make us leave here,” says Filiberto Hernandez, a mechanic who lives on East 106th Street. “They say the rent arrives late and they overcharge us.”

Tenants say the company offered them buyouts of \$10,000 to vacate their apartments. They have also reported that Dawnay, Day charged them for ordinary maintenance and for washers and dryers that they do not have.

Dawnay, Day isn’t the only private-equity company that overleveraged its investments in rent-stabilized apartment buildings. A recent report by the Association for Neighborhood and Housing Development (ANHD) states that from 2006 to 2007, projected income—not actual income—was used to justify inflated loan amounts for an estimated 90,000 units of affordable rental housing in New York City.

Perhaps the most notable example was Tishman Speyer’s purchase of Stuyvesant Town and Peter Cooper Village from MetLife. The firm bought the 80-acre, 11,200-unit complex of mostly rent-stabilized apartments for a record-breaking \$5.4 billion in 2006. In late September, Standard and Poor’s downgraded ratings on 22 classes of mortgage-backed securities related to these properties. It estimates that the complex is now worth 10 percent less.

In Harlem, Riverton Houses and Savoy Park are on the verge of default as well. Their new owners failed to meet their projections that they could double or triple their income by bringing rents up to market rate. According to the ANHD report, which cites SEC “Free Writing Prospectus” filings, Savoy Park’s landlord had anticipated increasing its net operating income (NOI) from \$7.4 million to \$19 million over a five-year period. The owner of Riverton Houses believed it would increase its NOI from \$5.2 million to \$23.6 million.

Although investors claimed they could turn over the rent-stabilized apartments at a rate of 20 to 30 percent each year, the reality is that tenants won’t move out voluntarily at that rate, as they know

they can’t find equivalent affordable housing. The average annual turnover rate is 3 to 5 percent, making the quick profits these firms envisioned next to impossible.

ANHD deputy director Benjamin Dulchin says that despite frozen credit markets and the bursting of the national housing bubble, he doesn’t see a transformation coming quite yet. “I think these investments will slow, but firms will continue to ar-

gue that these assets are undervalued,” he says. “They’ll say ‘if only we can get rid of these pesky rent-stabilized tenants, we can reap a large profit.’”

Haro says it’s unlikely the tenants will have a cordial relationship with another big investment bank.

“We’re more ready than we were before Dawnay, Day bought these buildings,” he says. “The tenants know their rights and are ready to fight.”

MJB was poised to trav-

el to London to confront Dawnay, Day when they heard the news that the property giant was collapsing. They recently held a march in East Harlem to celebrate their victory.

“We feel it is a great success for us,” Hernandez says. Dawnay, Day “is a powerful, rich company, and it has fallen as a victim of its own devices.”

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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.metcouncil.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%
	<i>Except where last vacancy lease was 6 or more years ago and rent is below \$1000</i>	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.

State Senate

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hood, and the League of Conservation Voters blanketed the district with volunteers.

In Suffolk County, Brookhaven Town Supervisor Brian Foley won a 17-point victory over 36-year Republican incumbent Caesar Trunzo, the assistant majority leader.

In other key races, Democrats Craig Johnson in Nassau County and Darrell Aubertine of the Oswego-Watertown area upstate, who both narrowly won their seats in special elections, were re-elected for full terms. Incumbents Andrea Stewart-Cousins of Yonkers, Suzi Oppenheimer of Westchester, and Toby Ann Stavisky of Queens also defeated Republican challengers well financed with real-estate money. But the other Queens Republican targeted, Frank Padavan of the 11th District (Bayside-Queens Village), appeared to have held his seat. With absentee ballots not yet counted, he led City Councilmember James Gennaro by less than 750 votes.

Democratic plans were temporarily disrupted when a group of four Senators—Carl Kruger of Brooklyn, Pedro Espada Jr. and Ruben Diaz Sr. of the Bronx, and the newly elected Hiram Monserrate of Queens—threatened

that they would not vote for fellow Democrat Malcolm Smith of Queens to be the new majority leader in January.

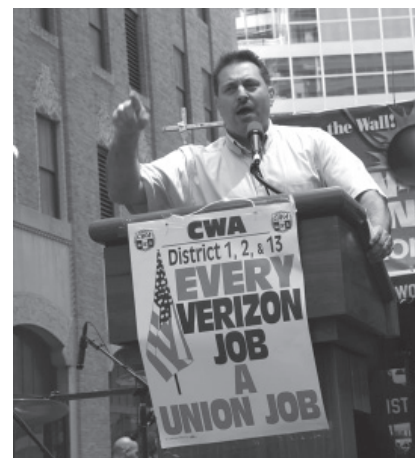
Although Espada has not filed required campaign contribution reports and is being sued by the Board of Elections, the Rent Stabilization Association landlord group has been quite open about seeing the impending change to Democratic control and offering large contributions to anyone who would accept them. Monserrate, on the other hand, has long been close to the Working Families Party, and claimed to be acting only to increase the representation of Latinos in leadership positions.

At press time, the mini-revolt seemed to be crumbling. Monserrate endorsed Smith on Nov. 8. And party-switching could be politically dangerous: Former state Senator Olga Mendez, who joined the GOP in 2002, could not win re-election as a Republican. (Mendez, who represented the East Harlem/South Bronx district, claimed that Democrats hadn't done enough for Latinos and that she would have more clout as a member of the majority. But when she got a bill to raise the minimum wage through the Senate, Pataki vetoed it.)

The long-anticipated elevation of Malcolm Smith to majority leader will not make progress on housing issues automatic. Smith has sent mixed messages about his intentions. He has stated his support for repeal of vacancy decontrol and other measures, but declined an invitation when Met Council and other advocates traveled to Albany last May to witness the passage of pro-tenant bills by the Assembly. Soon afterward, RSA head Joseph Strasburg told the *New York Observer* that Smith was “attempting to be the voice of reason” to avoid jeopardizing contributions from real-estate interests.

On Nov. 7, Smith announced that he had chosen Angelo Aponte to head his transition team and possibly become his chief of staff. As state housing commissioner under former Gov. Mario Cuomo, Aponte was no friend to tenants, stating that he did not believe in rent regulations.

All of this means that the end of Republican control of the state Senate is only the beginning. But with the Working Families Party and other allies, such as the



City Councilmember Joe Addabbo Jr. won a key seat in Queens.

unions participating in the Real Rent Reform Campaign and Housing Here and Now coalitions, the prospects for stronger rent and eviction protections are definitely brighter.

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.



On Long Island, Democrat Brian Foley (left) unseated incumbent Caesar Trunzo (right).

Obama's Win: What About Housing?

Barack Obama's election as president and the increase in Democratic members of Congress will mean a change in housing policy. Rep. Barney Frank (D-Mass) will likely introduce a bill to preserve HUD housing this spring, and Sen. Charles Schumer (D/WFP-NY) will probably introduce the companion bill in the Senate.

Additionally, “the Section Eight Voucher Reform Act (SEVRA) has a good chance to pass,” says Ellen Davidson of the Legal Aid Society's law reform unit. SEVRA, backed by the National Low Income Housing Coalition, will put Section 8 voucher funding on a sounder footing and simplify rent rules, address the process of determining “fair market rents,”

and streamline the inspection process, along with other needed reforms.

“The expansion and implementation of the new national housing trust fund should be the No. 1 priority for the new administration,” Linda Couch, deputy director of the Washington-based National Low-Income Housing Coalition, told Multifamily Executive News Service. She said she also expects Obama to push for increased funding for the Section 8 program and to help combat homelessness.

In addition, housing advocates would like to see measures to protect tenants in foreclosed multifamily buildings from eviction.

—Kenny Schaeffer and Steven Wishnia

47 E. Third Street Trial Set

The Housing Court trial on whether the tenants of 47 East Third St. can be evicted en masse was scheduled to start the week of Nov. 9-13.

The trial is the tenants' last chance to save their homes from being confiscated so their landlords, Alistair and Catherine Economakis, can convert the six-story building into a mansion. In June, the state Court of Appeals ruled that the Economakis could claim all 15 apartments for “personal use” without violating the state's rent-stabilization law, because the law did not specifically limit the number of apartments an owner could claim.

That decision returned the case to Housing Court, where the tenants must disprove the Economakis' claim that they intend to use the building as their primary

residence.

The Economakis come from a wealthy real-estate family. If the court rules they can have the entire building, the tenants face homelessness.

“This is the first time a New York landlord has claimed an entire tenement for ‘personal use,’ and the ruling will set a precedent that protects or endangers all city tenants,” the tenants said in a statement. “The building's 15 units are all rent-stabilized. The landlords have already reclaimed six apartments, which they have combined and are living in, next door to the remaining families they now seek to evict.”

For more information, go to www.47e3.org.

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.

NYC Real Estate Industry Cannot Save the City

By Tom Angotti

NYC & Company, the city's official marketing outfit, brags that New York is The Real Estate Capital of the World. It is often said that real estate is to New York what oil is to Houston. The myth abounds that real estate, in league with finance and insurance (the FIRE sector), is our only salvation as a city. And it follows that we need a mayor and City Council that can attract capital so the city can build its way to a better future, create jobs and save us from a depression.

But real estate does very little for the economic welfare of New Yorkers. It's not very good at producing jobs. The whole FIRE sector employs only 13 percent of the workforce, and that is declining. Even though it brings in a large proportion of the capital entering the city, most of that capital goes right out again into the global

financial marketplace. Construction jobs on most major projects disproportionately go to suburban workers, while the home-based construction industry is filled with unregulated outfits that pay less than living wages and ignore worker safety protections. This is not a picture of economic welfare.

New commercial development including shopping centers and supermarkets don't bring money into communities. Their tenants are mostly corporations whose main purpose is to take your money away from you by selling you products produced elsewhere and making their investors rich. And the same holds true for new residential development, where the big investors are syndicates of globalized investors—real-estate investment trusts and equity funds—whose sole purpose is to take money out of real estate. Real

estate was once dominated by local clans like Zeckendorf, Lefrak, and Trump, but the clans have given way to globalized investors who are more interested in short-term profits than long-term investments and more distant from our streets and neighborhoods.

So if New Yorkers are left to depend on global real estate and finance to get us through the very crisis they created, we will end up with less and not more. After the last fiscal crisis in the 1970s, the myth that only real estate could come to the rescue justified the massive abandonment of our neighborhoods.

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Tom Angotti is author of New York For Sale: Community Planning Confronts Global Real Estate

(MIT Press, 2008) and director of the Hunter College Center for Community Planning & Development.

BECOME A WRITING TENANT

Met Council wants to profile you and your neighbors' struggle to obtain affordable quality housing. We want you to write for *Tenant/Inquilino*.

For more information call 212-979-6238

Protesters Demand DHCR Act Against Rent Overcharges

On Oct. 21, about 50 people protested outside the state Division of Housing and Community Renewal offices in downtown Manhattan, demanding that the agency do more to protect tenants.

Organized by the New York is Our Home Coalition, the protest urged the DHCR to reform the Major Capital Improvement rent-increase process, crack down on landlord harassment, stop rent overcharges, and assure safe conditions for all tenants.

"We are particularly concerned about DHCR's lack of commitment to protecting rent-stabilized tenants from rising rents and landlord harassment," said a letter they delivered to Commissioner Deborah VanAmerongen. "DHCR should require all owners of rent-

stabilized units to register the rents. DHCR should automatically send a notice to the owners, and a copy to affected tenants. DHCR should track possible overcharges even when there is no tenant complaint."

The group also wants a specific timeline for implementing the policy changes it recommends, that the DHCR hold public meetings in every borough over the next six months, that VanAmerongen attend a meeting held by the Housing Here and Now coalition, and that the agency establish a permanent tenant advisory panel.



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

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

GOLES (Good Old Lower East Side)
171 Avenue B (between 10 and 11 St.)
by appointments only except for emergencies. 212-533-2541.

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

LOWER MANHATTAN LOFT TENANTS
St. Margaret's House, Pearl & Fulton Sts.,
212-539-3538
Wednesdays 6 pm-7 pm

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

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

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

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

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

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



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

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