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Tenant Inquilino

Housing for people, not profit

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Metropolitan Council on Housing
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PERIODICAL

LEAD LAW STRUCK DOWN Judge Says Council Glossed Over Effect on Children

by Jenny Laurie

In a striking victory for advocates of children's health and tenants' rights, Manhattan Supreme Court Justice Louis York struck down New York City's lead-poisoning law, Local Law 38 of 1999, saying that the City Council had failed to consider its environmental impact before passing it.

The New York City Coalition to End Lead Poisoning had filed a lawsuit against Speaker Peter Vallone and the City Council, challenging the new law. The coalition, which includes Met Council, argued that Vallone and the Council leadership pushed the law through, weakening existing rules for cleaning up lead paint, without adequately debating and researching the impact it would have on children.

Vallone jammed the law through the Council in less than a month last year. It superseded Local Law 1, the city's never-enforced 1982 lead-paint law, and was endorsed by landlord groups such as the Rent Stabilization Association, The Council, in a common procedure called a negative declaration, voted that an environmental-impact study was not needed before passing Local Law 38 because the new law would have no significant adverse impact.

But in looking over the transcripts of the Council debate and at the changes caused by the new law, Justice York found that the Council had not, as the law requires, taken a "hard look" at possible environmental damage.

"The Council's entire legislative review process was mostly perfunctory, only occasionally rising to the level of cursory, with the operative word being alacrity rather

than analysis," he wrote.

The court's job in this case, according to York, was to make sure the Council had followed procedures required by the state Environmental Quality Review Act (known as SEQRA), which says that an environmental-impact statement (EIS) must be prepared when the action of a local or state agency will have a significant effect on the environment. (The word "environment" does not just mean the treatment of water or air; it covers our entire living environment.) The judge agreed with NYCCELP that an EIS was necessary, because the new law made a number of serious changes in the ways the city agencies and landlords would repair painted surfaces containing toxic lead.

York held that Local Law 38 changed the pre-existing law, Local Law 1, in a

number of significant ways, and did not include provisions that experts testifying before the Council had urged as nec-

essary.

He noted that the new law did not define lead dust as a hazard; it lowered the age of children protected; and it raised the amount of lead that was needed for paint to be deemed toxic. These issues are important because lead dust is now known to be the greatest cause of harm, because lead exposure is not safe at any age, and because even minute quantities of lead can cause severe health

problems. According to advocates for children's health and tenants' rights, the Council, under Vallone's leadership, wanted to avoid doing an EIS because it might have been used to convince people of the dangers of loosening standards for cleaning the highly toxic paint from apartments. In addition, the Vallone strategy was to introduce the bill, hold the hearing and enact the law very quickly, and an EIS would have slowed the process down, giving advocates opportu-

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'The Council's entire legislative review process was mostly perfunctory, only occasionally rising to the level of cursory.'
—Judge Louis York

Bill to Require City Council Approval of RGB Moves Forward

By Kenny Schaeffer

Aides to City Council Speaker Peter Vallone have agreed to introduction of legislation that would give the Council approval power over appointees to the nine-member Rent Guidelines Board.

The lead sponsors on the bill to create a more diverse and representative RGB are Councilmembers Chris Quinn and Stanley Michels, both Manhattan Democrats. The cosponsors include Steve DiBrienza of Brooklyn, Helen Marshall of Queens, and Bill Perkins, Margarita Lopez, Guillermo Linares, and Phil Reed of Manhattan. Met Council is working with tenants throughout the city to enlist additional sponsors, particularly in the Bronx,

Brooklyn and Queens.

The bill's introduction came after several protests by Met Council and others fighting for affordable housing, including an overnight rally at Gracie Mansion last June and an all-night vigil at City Hall on Oct. 1, the day the rent-increase guidelines approved by the RGB last June went into effect.

The RGB, whose members are now chosen by the mayor, imposes rent hikes on the over one million rent-stabilized households in New York City. Its most recent guidelines are the highest increases allowed in five years: 4% and 6% increases for 1- and 2-year renewals, respectively. The board has also imposed an additional

"poor tax" on low-rent apartments, a permanent rent increase of \$15 or \$20 a month on top of the standard increase, every year since Giuliani became mayor in 1994.

The current RGB contains nine prosperous professional men, of whom seven are white and two Latino in a city where half the population are people of color. The five "public" members, including the chair, are supposed to represent the interests of the public as a whole, not just the wealthiest New Yorkers. But Mayor Giuliani has picked only men from the business and finance world, even though half all renters earn under \$30,000 annually.

The 1969 Rent Stabiliza-

tion Law cites the need for "the intervention of federal, state and local governments in order to prevent...unjust, unreasonable and oppressive rents and rental agreements and to forestall profiteering, speculation and other disruptive practices." [See box.] But

RGB chair Ed Hochman and other public members have repeatedly questioned the wisdom of rent regulations, and expressed theories that the regulations are what caused and perpetuated the city's shortage of af-

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STOP PATAKI! Met Council Launches Postcard Campaign Against Pataki's Proposed DHCR Code Changes

As of press time, Governor George Pataki and his landlord lackeys at the Division of Housing and Community Renewal have still NOT put through their proposals to gut rent regulation by "amending" the state housing code.

But their proposed changes, which would give landlords unprecedented power to evict, overcharge, and withhold services from regulated tenants, can technically be implemented at any time. The fact that Pataki has not yet given the green light signals that he is hearing tenant anger. Most believe that he is waiting for Election Day to pass, so as not to create a backlash against Republicans in State Senate and Assembly races. Therefore, it is now more crucial than ever that tenants voice their opposition to this underhanded raid on the rent laws.

Met Council has created postcards which tenants can sign and send to the Governor. We have gotten over 2,000 signed and sent to Albany so far. Our aim is to send another 4,000 cards to Pataki before January 1, 2001.

We Need Help with the Following:

- ◆ We have been tabling in front of both the Brooklyn and Harlem DHCR. The response has been terrific and we will continue tabling at DHCR well into November. We need help working these tables. We are also looking for volunteers to table in front of the Queens and the



Bronx DHCR.

- ◆ We are asking all of our members to get postcards signed in their building, union, community group, senior center, religious congregation, etc. We need help spreading the word and getting signatures where you live!
- ◆ We are asking all elected officials (City Councilmembers, Assemblymembers, State Senators) to write letters to Pataki denouncing the proposed code changes. Contact your elected officials and ask if they've done this.
- ◆ A demonstration is will be

planned in the near future. Look for further developments in the December issue of *Tenant* or contact Met Council.

If you can help with the campaign to defeat Pataki's

code changes, contact Met Council: (212) 693-0553 x 6 or activemch@aol.com.

We have postcards (see below) and fact sheets waiting for you!

Governor George Pataki
Executive Chamber, State Capitol
Albany, N.Y. 12224

Governor Pataki:
I am aware that you are up for re-election in 2002.

I am a tenant writing to you about the changes proposed by DHCR to the State Housing Code. I am calling upon you to prevent these changes from becoming permanent. As you know, these changes do not merely favor landlords, they undermine the foundation of rent regulation.

As Governor you are responsible for the conduct of the state agencies under your authority. If you allow DHCR to dismantle what is left of our tenant protections, tenants will hold you accountable. Please help us avoid this disaster. Throw out the proposed changes.

(Include your name, address and signature.)

Attention All On-line!

If you have an e-mail address, join the **Met Council "ACTIVE! list."** We'll send you alerts about demonstrations, hearings and other activities. Simply send us a message, subject heading "subscribe", to:

active@metcouncil.net

**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
Met Council
212-693-0553

Scott Sommer hosts Met Council's

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- News from other NY tenant groups
- Fact Sheets & complete Housing Laws
- Bulletin Board & e-mail mailing list
- Rent Control/Rent Stabilization/DHCR information
- Weekly Housing Court Decision summaries



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EL INQUILINO HISPANO

Se anula ley sobre pinturas que contengan plomo

Juez señala que el Concejo encubrió los efectos en los niños

Por Jenny Laurie

Traducido por Lightning Translations

En una victoria contundente para los defensores de la salud infantil y los derechos de inquilinos, el Juez Louis York de la Corte Suprema de Manhattan declaró sin efecto la ley municipal de envenenamiento por ingestión de plomo—Ley Local 38 de 1999—al decir que el Concejo Municipal no había considerado el impacto

ambiental que esta ley produciría al aprobarse.

The New York City Coalition to End Lead Poisoning (La coalición para dar fin al envenenamiento por ingestión de plomo en la Ciudad de Nueva York) había entablado una demanda contra el Vocero Peter Vallone y el Concejo Municipal al recusar la nueva ley. La Coa-

lición, la cual incluye al Met Council, sostuvo que Vallone y la dirección del Concejo hicieron pasar la ley para debilitar las reglas existentes de cómo eliminar la pintura de plomo, sin tener ni debates ni indagaciones adecuados sobre el impacto que la ley tendría en los niños.

El año pasado, Vallone hizo pasarse la ley a través

del Concejo en menos de un mes. La nueva ley sustituyó a la Ley Local 1, ley municipal de pintura de plomo de 1982, la cual nunca estuvo en vigor. La nueva ley fue apoyada por organizaciones de propietarios como la Rent Stabilization Association (Asociación de Estabilización de Renta). El Concejo, en un procedimiento

de rutina conocido como declaración negativa, indicó que no fue necesario un estudio del impacto ambiental antes de aprobar la Ley Local 38, porque la nueva ley no produciría efecto significativo alguno.

Sin embargo, al revisar las transcripciones del debate del Concejo y los

pasa a la página 4

Los Ajustes de la "Junta de Regulación de Renta" de la Ciudad de Nueva York (Orden No. 32)

Para los contratos de apartamentos de Renta Estabilizada que comienzan el 1ro. de octubre de 2000 hasta el 30 de septiembre de 2001, incluyendo las concesiones de Pataki adoptadas por la Legislatura Estatal el 19 de junio de 1997

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 2000. 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 2000. 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.

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 una sobrepaga 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 nueva ley permite también incrementos adicionales para los apartamentos vacíos donde no se habían cobrado incrementos por desocupación por ocho años o más.

Sobrecargos de Renta 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 apartamentos, para cobrar un

inquilino haya tomado posesión del apartamento, puede escoger entre llenar un formulario de queja de sobrecargo 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 sobrecargo de alquiler es muy común. Todos los inquilinos deben luchar contra posibles sobrecargos. 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.

La Apelación de la Renta de Mercado Justa Otro tipo de sobrecargo ocurre 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) es-

tablece 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 32, es la Renta de Mercado Justa de HUD o un 150% 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 "sobrecargo." 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 \$20,000 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 3 por ciento por un contrato de un año y un 5 por ciento por un contrato de dos años. No se permiten in-

crementos para las unidades de desván vacías.

Hoteles y Apartamentos de una Sola Habitación Lo establecido es un 2% 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), sobre la renta legal que se pagaba el 30 de septiembre de 2000. No se permiten incrementos para apartamentos vacíos. Lo incremento estipulado no se puede cobrar a menos que un 70 por ciento de las unidades en el edificio sean ocupadas por inquilinos permanentes de renta estabilizada o controlada, pagando rentas reguladas legales. Además, no se permiten incrementos si el casero ha omitido de darle al nuevo ocupante una copia de los Derechos y Responsabilidades de los Dueños e Inquilinos de Hoteles.

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.

Tipo de Contrato	Renta Legal Actual	Contrato de 1 Año	Contrato de 2 Años	
Renovación del Contrato	Más de \$500	4%	6%	
	\$500 o menos (Alquileres de \$215 o menos se alzan a \$215 después de aplicarse los aumentos)	4% + \$15	6% + \$15	
Contratos para Apartamentos Vacíos	Más de \$500	Incrementos por desocupación cobrados en los últimos 8 años	18%	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 18%	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	18% + \$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, + 18% + \$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	18% 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 18%, 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



Plomo

viene de la página 3

cambios que produjo la nueva ley, el juez York descubrió que el Concejo no había examinado minuciosamente los posibles daños ambientales tal y como exigen las leyes.

“Todo el proceso de revisión legislativa fue rutinario en su mayoría; solamente a veces subió al nivel del superficial, siendo la palabra ‘presteza,’ en lugar de ‘análisis,’ la más acertada,” indicó el juez.

Según York, la función de la corte en este caso fue asegurarse de que el Concejo había cumplido con los procedimientos requeridos por la State Environmental Quality Review Act (Ley Estatal de Revisión de Calidad Ambiental y conocida como SEQRA). Esta ley dice que se debe preparar una declaración sobre el impacto ambiental (EIS por sus siglas en inglés) cada vez que una medida tomada por una agencia local o estatal tendrá consecuencias significativas en el ambiente. (La

palabra “ambiente” no solamente significa el tratamiento de las aguas o del aire; incluye a todos los seres vivos.) El juez estuvo de acuerdo con NYCCELP que una EIS era necesaria, porque la nueva ley hizo varios cambios importantes en los métodos que aplicarían las agencias municipales y los caseros para reparar los superficies pintadas con plomo tóxico.

York sostuvo que la Ley Local 38 cambió la ley ya existente, la Ley Local 1, en varios sentidos, al omitir las normas que los expertos señalaron como necesarias ante el Concejo. El juez afirmó que la nueva ley no definía como un peligro el polvo de plomo; que redujo la edad de los niños protegidos; y que aumentó la cantidad de plomo en pintura requerida para que esta se considere tóxico. Son cuestiones importantes, ya que se sabe que el polvo de plomo es la principal causa de riesgo y que la exposición al plomo es

peligrosa a cualquier edad, y porque hasta cantidades mínimas de plomo pueden causar severos problemas de salud.

Según defensores de la salud

fensores de derechos para cabildear a los miembros del Concejo indecisos.

El fallo del Juez York deja vigente la ley previa, Ley Local 1, a la vez

‘Todo el proceso de revisión legislativa fue rutinario en su mayoría; solamente a veces subió al nivel del superficial’: el Juez Louis York

infantil y los derechos de los inquilinos, el Concejo, bajo la dirección de Vallone, quería evitar la emisión de una EIS porque esta podría usarse para convencer al público del peligro que pudiera provocarse al flexibilizar las normas sobre cómo eliminar la pintura muy tóxica de apartamentos. Además, la estrategia de Vallone fue presentar el proyecto de ley, celebrar las audiencias y promulgar la ley rápidamente; una EIS hubiera retrasado el proceso, dando oportunidades a los de-

que pone a la ciudad en el mismo lugar que esta ocupó hace un año y medio: desacato a la ley por no haber promulgado reglas que permitirían a las agencias municipales poner en vigor la ley. Los defensores de derechos, incluyendo Met Council, se están poniendo en marcha para volver al Concejo Municipal con un nuevo proyecto de ley—un proyecto que abarcará las protecciones que se omitieron a propósito de la ley de Vallone y la RSA sobre pinturas que contengan plomo.

No Se Congele: ¡ORGANIZASE!

La ley requiere que su casero provea calefacción y agua caliente a los niveles 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 dentro 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 dentro debe ser al menos de 55 grados en todo el apartamento.

Agua caliente a un mínimo de 120 grados debe proveerse las 24 horas del día, todo el año.

Si sus casero no mantiene esas temperaturas mínimas, usted debería:

- * Llamar al Buro Central de Quejas (Central Control Bureau) de la ciudad de Nueva York al (212) 824-4328 inmediatamente, con el propósito de documentar la violación del casero. Llame repetidamente. Un inspector debería de venir eventualmente, aunque a veces no lo hacen.
- * Haga que otros inquilinos en el edificio llamen a Central Complaint. Todos deben llamar repetidamente, al menos una vez al día, y todos los días en que no se enmiende la situación.
- * Consiga un buen termómetro para fuera y adentro, y mantenga una documentación de las fechas exactas, las horas, las temperaturas, tanto afuera como adentro, mientras no se enmiende la situación. Esta documentación es su evidencia
- * Llame a la División de Vivienda y Renovación Comunal del Estado de Nueva York (DHCR, por sus siglas en inglés) al (718) 739-6400, y requiera que le envíen el formulario de queja de calefacción y agua caliente. Llene el formulario con cuanto apartamentos en su edificio puedan firmarlo, demandando una orden para restaurar la calefacción y el agua caliente, y una reducción y



congelamiento (perdón por la expresión!) en todas las rentas.

- * Es importante llamar al Central Complaints y documentar oficialmente la violación del casero, pero no confíe sólo en que la ciudad va a corregir la situación.
- * Ustedes van a necesitar una asociación de inquilinos fuerte para obligar al casero a proveer la calefacción y el agua caliente. Escriban al casero para demandar las reparaciones y aceite. Preparense para ir a huelga de renta; si es necesario, en forma rápida.

La ley sobre la calefacción establece también:

- * Que el Departamento de Reparaciones de Emergencia de la ciudad le provea la calefacción si el casero no lo hace.
- * Una multa de \$250 al casero por cada día que se produzca la violación. (Sin embargo, la Corte de Vivienda raras veces impone estas multas, por no hablar de que no las colecta).
- * Una multa de \$1,000 al casero Si algún aparato de control automático se instala en la “boila” para mantener la temperatura por debajo del mínimo legal.
- * Si el tanque de combustible de la “boila” está vacío, los inquilinos tienen el derecho de comprar su propio combustible después de haber pasado 24 horas sin calefacción, y sin obtener respuesta del casero. Esto no se aplica si la “boila” esta rota y necesita tanto reparación como combustible.

Cuidado! proteja su dinero! Si ustedes deciden comprar el combustible, deben seguir los procedimientos legales cuidadosamente. Deben requerir la ayuda y el consejo de un organizador de inquilinos.

El hecho de que las leyes de calefacción y agua caliente están en los libros no significa que el gobierno la implementa. No se congele esperando por la ciudad o el estado para actuar. Organízase!

Algunos de los cambios propuestos por la DHCR al Código de Estabilización de Renta

Exceso de cobro

La DHCR dará a los inquilinos en apartamentos recientemente desregulados sólo 90 días para entablar una queja por exceso de cobro. Para apartamentos vacíos de renta estabilizada, el alquiler legal dejará de ser lo determinado por el alquiler registrado con la DHCR; en cambio, será el “alquiler acordado” por el casero y el inquilino. Es decir, el alquiler que invente el casero en el momento, saliendo con la suya.

Recargos

Caseros podrán cobrar “recargos” por casi todo lo que quieran (gas, uso de electricidad, cable e Internet, lavadoras, etc.) sin regulación alguna. Se permitirá que los caseros cobren en un año la cantidad de incrementos de 20% por apartamentos vacíos que puedan conseguir. Actualmente, el Código de Estabilización de Renta prohíbe que los caseros cobren más de un incremento por apartamento vacío dentro de un ciclo anual de la Junta de Regulación de Renta (es decir, si un inquilino es desalojado o se muda del apartamento en medio del contrato, el casero sólo puede cobrar al nuevo inquilino un incremento por apartamento vacío, y no puede cobrarse a inquilinos que vengán posteriormente en el curso del mismo año).

Desalojo

La DHCR hará más fácil el desalojo de inquilinos basado en “uso personal” del casero, por extender esto a parientes políticos del casero. El desalojo basado en “residencia no principal” se hará más fácil. Se ampliará los desalojos basados en “descontrol de rentas

altas y altos ingresos.” “Hostigamiento” al casero por parte del inquilino se hará base del desalojo.

MCIs

La DHCR requerirá a los inquilinos que contraten a ingenieros o arquitectos para refutar los cargos fraudulentos de Mejoras Importantes de Capital (MCIs). La DHCR requerirá lo mismo a los inquilinos que tratan de presentar una demanda de disminución de renta por violaciones de normas en su apartamento o el edificio. Se permitirá a los caseros presentar las peticiones de MCIs sin entregar pruebas completas o los registros relacionados a la MCI. No se requerirá que la DHCR les mande una copia completa de la petición del casero a los inquilinos afectados.

Servicios/Reparaciones

Los caseros podrán cobrar incrementos de alquiler aun cuando no proporcionen servicios básicos a los inquilinos. En caso de que los inquilinos consigan disminuciones de renta, no se requerirá al casero que certifique la manutención de las condiciones, luego que se “restaure” el alquiler.

¿Afectarán a los inquilinos de renta controlada los cambios propuestos por la DHCR?

Probablemente se ha dado cuenta que la mayoría de los cambios están en el “Código de Estabilización de Renta.” Por eso, un inquilino de renta controlada puede preguntarse, “¿Me afectan a mí los cambios?” La respuesta es, “Claro que sí.” Las políticas de la

pasa a la página 6

RGB

continued from page 1

fordable housing. They argue that rent controls primarily benefit people who can afford to pay more, or that the market should be allowed to set housing prices.

Given these beliefs, it is not surprising that they have failed miserably at the job of keeping rents affordable, their mandate under the Rent Stabilization Law. For example, between 1993 and 2000, the city lost more than half of the 415,000 apartments renting for \$500 a month or less.

This failure has resulted in an ever-worsening shortage of affordable housing, especially since the enactment of vacancy decontrol for apartments renting for \$2,000 or more, between 1993 and 1997. As the *New York Times* reported more than a year ago, even the middle class is now unable

to find affordable housing. At the RGB public hearing last June, State Senator Marty Markowitz (D-Brooklyn) testified that when he recently got married and rented an apartment for his family, he had to spend more than half his salary to find a one-bedroom apartment in Brooklyn.

The final straw in forcing the issue of replacing the RGB was the police atmosphere created by public member Ed Weinstein (a top corporate accountant) last June, in response to the heckling which has characterized RGB hearings for decades (and is more restrained than what occurs in the British parliament). Rather than listen to the testimony presented to him regarding the effect of rent increases on low-income New Yorkers, Weinstein took it upon himself to direct police officers to silence certain participants, and they

roughed up several senior citizens in the process.

The bill's opponents will argue, as they have unsuccessfully against similar measures in the past, that the Council cannot modify the mayor's power to appoint RGB members, under the 1969 Rent Stabilization Law. That law was passed by the Council to place post-World War II buildings under rent regulation, as prewar residences were already subject to the Rent Control Law.

Experts in the area of rent regulation agree that since the 1969 law was originally enacted by the Council, the Council retains the power to amend it, notwithstanding several subsequent amendments by the state legislature. The 1971 Rockefeller "Urstadt" law, which bars localities from adopting more "stringent" rent controls than the state, they add, would not prohibit the Council from requiring a

more diverse and representative RGB. Changing the way board members are chosen would not constitute a more "stringent" regulation of rents—although it would probably result in a more sincere and logical one.

The Michels-Quinn RGB bill will be one of Met Council's main legislative priorities as we head into the 2001 municipal elections, along with housing-code enforcement, distressed buildings and city ownership, restoration of NYC home rule by repeal of the Urstadt law, strengthening rent and eviction

protections, and the creation of new affordable housing.

If your Councilmember is one of the sponsors of this bill, call to thank them for their support, and stay in touch with them to find out what progress it is making. If your Councilmember is not one of the sponsors, call and demand that they sign on!

If you want to work with others on this effort, or for more information, call Met Council organizer Dave Powell, (212) 693-0553, ext.6.

Other Giuliani Agencies Under Cloud Too

The Rent Guidelines Board is not the only Giuliani agency under pressure. The Human Resources Administration has been repeatedly found in violation of federal and local laws requiring public assistance for eligible families. Last month, HRA Commissioner Jason Turner and First Deputy Commissioner Mark Hoover had fines levied against them for misusing their office for the private gain of their consulting firm, the Center for Self-Sufficiency.

Turner and Hoover have espoused the principle of "personal responsibility" regarding the families of New York City, but have not applied it to themselves. They have refused increasing demands for their resignation, including a public stand taken at the steps of City Hall Oct. 24 by over 100 activists from various organizations. The Giuliani administration won a rare victory when the state Court of Appeals reversed a State Supreme Court finding that Turner had unlawfully awarded contracts to a former deputy mayor, in what City Comptroller Alan Hevesi called a "corruption" of the bidding process.

As reported in the October issue of *Tenant/Inquilino*, the Department of Buildings saw five top administrators indicted for corruption, and the Department of Housing Preservation and Develop-

ment continues to neglect enforcement of the housing maintenance code, ignoring 3,000,000 violations on record and

sharply reducing the already inadequate number of inspectors and enforcement attorneys.

—Kenny Scaeffler

NYC Rent Stabilization Law Of 1969 (amended 1991) NYC Administrative Code §26-501

"Findings and declaration of emergency: The council hereby finds that a serious public emergency continues to exist in the housing of a considerable number of persons within the city of New York and will continue to exist...; that such emergency necessitated the intervention of federal, state and local governments in order to prevent speculative, unwarranted and abnormal increases in rents; that there continues to exist an acute shortage of dwellings which creates a special hardship to persons and families occupying rental housing...; that the existing and proposed cuts in federal assistance to housing programs threatens a virtual end to the creation of new housing, thus prolonging the present emergency; that unless residential rents and evictions continue to be regulated and controlled, disruptive practices and abnormal conditions will produce serious threats to the public; that... preventive action by the council continues to be imperative... in order to prevent exactions of un-

just, unreasonable and oppressive rents and rental agreements and to forestall profiteering, speculation and other disruptive practices tending to produce threats to the public health, safety and general welfare....

"The council further finds that...prior to the adoption of local laws... many owners of housing accommodations in multiple dwellings were demanding exorbitant and unconscionable rent increases as a result of the aforesaid emergency...; that such increases and demands were causing severe hardship to tenants of such accommodations and were uprooting longtime city residents from their communities; ...that unless such accommodations are subjected to reasonable rent and eviction limitations, disruptive practices and abnormal conditions will produce serious threats to the public health, safety and general welfare; and that such conditions constitute a grave emergency." [Emphasis added.]



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:

- * Call the New York City Central Complaints Bureau at (212) 824-4328 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 a day, and 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. File it with as many apartments in your building signing on as possible, demanding an order restoring

heat and hot water, and a reduction and freeze (pardon the expression!) in all the rents.

It is important to call Central Complaints and officially record your landlord's violation, but don't rely on the city to do anything about the situation.

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 — fast, if necessary.

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 collect 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!

Tenants Protest Gentrification in Harlem

By Vajra Kilgour

Chanting "I'm a tenant and I vote," "Vivienda decente para la gente" ("Decent housing for the people"), and "No housing, no peace," and carrying signs reading "No lease, no peace" and "Inquilinos unidos jamás serán vencidos" ("Tenants united will never be defeated"), hundreds of tenants marched through Harlem on October 28 to protest gentrification throughout the city. The march ended with a rally in Morningside Park.

Organized by the Citywide Tenants' Coalition, the march began by targeting Harlem USA, the shopping mall at 125th Street and Eighth Avenue. The mall, anchored around a Disney store and an HMV CD store, received \$14 million in government loans and subsidies from the Upper

Manhattan Empowerment Zone—a boon to businesses that provide low-wage service-sector jobs while housing costs are soaring out of sight.

The first speaker at the rally, Ida Pollack from the Queens League of United Tenants, gave perhaps the best thumbnail description of gentrification by describing it as "a big pot of lard for the landlords." Other speakers told stories all too familiar to rent-regulated tenants—of landlord ruses for getting rid of tenants who pay affordable rents and stubborn refusal to maintain or repair buildings.

But in many neighborhoods, there are other issues at stake besides simple greed. Harlem residents and speakers from Chinatown, the Lower East Side, Queens, the Upper West Side, Washington

Heights, and the Bronx reported on the rapid erosion of affordable housing in these neighborhoods. Several of them connected the dots between landlords' greed and racist "ethnic cleansing" and "planned shrinkage" agendas. Representatives of tenants in a broad range of housing—public, private, and subsidized—made it clear that for low- and moderate-income tenants, regardless of color, there is truly nowhere to run.

There were also stories of fighting back successfully, and all of them struck the same note. "Organizing, organizing, organizing and persistence are the key words," said Joyce Cullens from the Bronx. "Go to your local politicians"—a group conspicuously absent from the rally, whose organizers did not invite them to speak—"and be persistent with it. Make them dance to your tune."

Jeanie Dubnau, from the Riverside Edgecombe

Neighborhood Association and an MC of the rally, summed it all up: "Without organizing, there's nothing—sin organización no hay nada."

DHCR

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DHCR se llevan a cabo tanto con los inquilinos de renta controlada como con los de renta estabilizada; por eso, los cambios afectarán a los dos grupos, de una manera casi idéntica. La gran excepción son los casos por exceso de cobro, que son fundamentalmente distintas (y mucho menos comunes) entre los inquilinos de renta controlada que entre los de renta estabilizada.

City Limits

New York's Urban Affairs News Magazine

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NYC Rent Guidelines Board Adjustments (Order No. 32)

for Rent Stabilized Leases commencing Oct. 1, 2000 through Sept. 30, 2001, including the Pataki vacancy bonuses adopted by the State Legislature on June 19, 1997

The above 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, 2000. 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, 2000. The above guidelines and vacancy bonuses do not apply to an apartment which was rent controlled on that date.

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 new 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 between filing an overcharge complaint with the Division of Housing and Community Renewal or challenging the rent in

Lease Type	Current Legal Rent	One-year Lease	Two-year Lease	
Renewal Leases	more than \$500	4%	6%	
	\$500 or less (Rents that are \$215 or less brought up to \$215 after increases applied)	4% plus \$15	6% plus \$15	
Vacancy leases	More than \$500	Vacancy allowance charged within last 8 years	18%	20%
		No vacancy allowance charged within last 8 years	0.6% times number of years since last vacancy allowance, plus 18%	0.6% times number of years since last vacancy allowance, plus 20%
	Less than \$300	Vacancy allowance charged within last 8 years	18% plus \$100	20% plus \$100
		No vacancy allowance charged within last 8 years	0.6% times number of years since last vacancy allowance, plus 18% 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	18% 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 18%, or \$100, whichever is greater	0.6% times number of years since last vacancy allowance, plus 20%, or \$100, whichever is greater

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.

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 annually 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 32, it is HUD Fair Market Rent or 150% above the maximum base rent. 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 \$20,000 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 waived. Obtain the SCRIE application form by calling (212) 442-1000.

Loft Units
Legalized loft unit increases above the base rent are 3 percent for a one-year lease and 5 percent for two years. No vacancy allowance is permitted on vacant lofts.

Hotels and SROs
The guideline is 2 percent 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), above the legal rent paid on September 30, 2000. No vacancy allowance is permitted. The guideline is not collectible unless 70% or more of the units in the building are occupied by permanent rent stabilized or controlled tenants paying legal regulated rents. Further, no increase is allowed when the landlord has failed to provide the new occupant a copy of the Rights and Duties of Hotel Owners and Tenants.

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.



LES Tenants & Gardeners Rally Against Eviction by Developer

By Susan Howard

On Oct. 20, a coalition of housing advocates, garden activists and political officials rallied in front of 181 East Houston St. on Manhattan's Lower East Side. Tenants were evicted from the building in September, after luxury-housing developer Serge Hoyda signed a contract to buy it from the city.

Hoyda, president of S&H Equities in the affluent suburb of Great Neck, is also responsible for demolishing the Children's Magical Garden at Norfolk & Stanton streets, after he signed a contract to purchase a private parcel of land within the garden.

Seven families were thrown out of their homes at 181 East Houston St. on the rainy evening of Sept. 26. The Department of Buildings issued them a vacate order, declaring the building "structurally unsound," immediately after Hoyda signed a contract to purchase it from the Department of Housing Preservation and Development. Without prior notice, tenants were given one hour to take whatever belongings they could and leave the building. They were taken to the Empire Hotel, a single-room-occupancy hotel on the Bowery, and told that they would be relocated until the building could be repaired.

The building was taken over by the city *in rem* in 1988, seized because the landlord failed to pay taxes. But the city provided little or no repair, and did not find the

building uninhabitable until Hoyda signed a contract to purchase it.

Hoyda is now obligated to pay for the tenants' relocation costs (and any housing costs above their normal rent), and move them back in once renovations are complete, at the same rent they were paying. But he is also quick to add that he will buy them out permanently if they don't want to wait, and cannot predict how long it will take to make the needed repairs. He bought the building one day after the tenants were evicted.

The Giuliani administration has aggressively sought to sell city-owned property to private developers, and buildings are much more profitable when delivered vacant. Hoyda, according to the *New York Post*, donated \$4,000 to Giuliani's Senate campaign last year.

Hoyda also holds a contract to purchase and destroy the

Children's Magical Garden, where he plans to develop luxury housing. The garden is made up of three parcels of land, two city-owned and one privately owned, by

88 Holding Company. Dennis Yeung, president of 88 Holding Company purchased the property in 1984 for \$7,500.

The Children's Garden was cre-

ated in 1985 by Carmen Rubio and Alfredo Feliciano and their neighbors, with the owners' permission. But after Hoyda signed the contract to purchase it, he had a crew come in (without prior notice to children or parents) and erect a fence, knock down the *casita* (little house) where the children kept their toys and art supplies, and chop down the 35-foot pine/Christmas tree.

Supporters of the garden have asked Greening Groups Trust for Public Land and New York Restoration Project to intervene and help purchase the private parcel, but Hoyda wants \$300,000 to walk

away. Community Board 3 has recommended that the city-owned parts be converted to a park.

Speakers at the rally included Hagen Marroni from State Senator Martin Connor's office, City Councilmember Kathryn Freed, and Margaret Hughes, executive director of Good Old Lower East Side Tenants Union. Councilmember Freed, Senator Connor and GOLES have also been trying to work out a resolution for the tenants of 181 E. Houston St. and the Children's Magical Garden.

The rally ended with a march past the garden to the Lillian Wald Houses on Avenue D, where at least 300 public-housing residents are scheduled to be relocated while their apartments are renovated. Tenants and advocates, including Rep. Nydia Velazquez, are asking that residents be trained and employed in the renovations as part of the federally funded construction contract.

Action Alert

Please join us in demanding that Serge Hoyda return 181 East Houston St. and the Children's Magical Garden to the tenants and children of the Lower East Side. Call him at (516) 487-4090; fax, (516) 487-5153; or write to him at: S & H Equities, Inc., 98 Cutter Mill Road, Great Neck, NY 11021 (office) or 83 Nassau Rd., Great Neck, NY 11021 (home).



Marching down Houston St.

ON DAVIS

No 'Six and Change': Democrats Fail to Take State Senate

By Steven Wishnia

It was a disappointing election for tenants, as Democrats failed to dent the Republicans' 35-26 majority in the State Senate.

Needing six seats to take control of the state legislature's upper house and unseat rent-control foe Joseph Bruno as majority leader, Democrats mounted strong challenges to four GOP seats in the metropolitan area. But at press time, they only had a chance at gaining one, as Liz Krueger held a tiny lead over incumbent Roy Goodman in Manhattan's East Side district.

With a 151-vote margin out of nearly 115,000 cast, Krueger, an advocate for tenants and the poor, declared victory shortly after noon on Wednesday, Nov. 8. But the race may not be decided until paper ballots are counted.

Goodman presented himself as pro-tenant, arguing that he was one of two Republicans in the State Senate to vote for renewing rent regulations intact in 1997. But Krueger attacked him for supporting Bruno for majority leader and raising funds for

Republican candidates, thus enabling the State Senate's GOP majority to maim the rent laws in 1997 and threaten to eliminate them entirely when they expire again in 2003.

In eastern Queens, Republican Frank Padavan easily defeated challenger Rory Lancman, winning 62% of the vote. In the north Bronx and Westchester, Guy Vellella—one of three city Republicans to vote against renewing the rent laws in 1997—beat Lorraine Coyle-Koppell. Coyle-Koppell angrily criticized Bronx Democratic leader Roberto Ramirez for not supporting her adequately. "The Bronx County Democratic Party was not helpful," she told the *Daily News*.

Democrat Vincent Gentile won re-election from Bay Ridge and Staten Island. But two Republican rent-control opponents—Serphin Maltese of Queens and John Marchi of Staten Island—faced only Green Party challengers. Westchester Republican Nicholas Spano, who also voted against renewing rent regulations, was re-

-elected. Further upstate, Bruno was unopposed and Senate housing committee chair Vincent Leibell faced only token opposition. Both are ardent foes of rent controls—in Bruno's case, one might say fanatical—and receive substantial contributions from landlord groups.

Tenants could take a little more solace from Hillary Clinton's defeat of Rep. Rick Lazio in the US

Senate race. Lazio's main accomplishment in his eight years in the House was a 1998 law that partially deregulated public housing and requires unemployed tenants to do community service to keep their apartments. However, Clinton did not attack him on the issue, perhaps because her husband was the President who signed the bill into law.

Met Council Volunteer Working Group Help Build Met Council!

Met Council holds open-house volunteer nights twice a month at our Fulton St. office. These meetings are task-oriented, focusing on the political work of Met Council via phone banking, mailings and letter-writing campaigns. At the same time, we hope to provide an informal forum for the exchange of ideas.

This will NOT be a housing clinic. If you have a housing problem and want to get counseled in person, visit the clinics listed on the back of this newspaper.

We meet the **first and third Tuesday of every month** from 6-8:30 p.m. (except December 5).

Met Council is located at: 64 Fulton Street, Room 401, Buzzer #9 For more information call (212) 693-0553 x 6.

WANTED



Wanted in New York City:

A mayor who will do the job of enforcing the housing-maintenance code. Millions of violations have been recorded against New York City landlords for conditions like no heat or hot water, rats, lead paint, missing window guards and smoke detectors, broken doors, fallen ceilings, and defective floors, yet the "law and order" administration of Rudolph Giuliani has cut way back on the number of housing inspectors and left more than half of the positions for attorneys in the housing litigation bureau to go unfilled. Experience shows that when fuel costs go up, landlords respond by providing less heat. We need to put a few of them in jail this winter!

If your building lacks heat this winter or has other hazardous conditions, you should do the following:

Call (212) 824-4328, the city's central complaint number. Ask them to send an inspector to record the violation.

Keep a record of days without heat, and the inside and outside temperature.

Take your landlord to Housing Court by bringing an Housing Part (HP) action.

For more information on HP actions call the Met Council Tenant Hotline at (212) 693-0550 M and W; 1:30-5:00 p.m. Met Council also recommends contacting the City Wide Task Force on Housing Court at (212) 982-5512

Lead

continued from page 1

nities to lobby doubting Councilmembers.

Justice York's decision leaves the previous law, Local Law 1, in effect, and also puts the city back where it was a year and a half ago, in contempt of court for not promulgating regulations which would allow city agencies to effectively enforce the law. Advocates, including Met Council, are gearing up to go back to the City Council with a new bill, one that includes the protections that were deliberately left out of the Vallone-RSA lead bill.

New Complaint Numbers

The Department of Housing, Preservation and Development (HPD) has changed its Central Complaints hotline. The new number is:
(212) 824-4328

The Department of Buildings has also condensed its borough phone numbers into one complaints line. The new number is:
(212) 227-7000

METROPOLITAN COUNCIL ON HOUSING

Met Council is a citywide tenant union.

Our phones are open to the public Mondays, Wednesdays and Fridays from 1:30 to 5:00 p.m.

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

212-693-0550

Met Council's Annual Assembly

Tuesday, December 5, 6 p.m.
The Brecht Forum, 122 West 27th St., 10th floor, (212) 242-4201

Join Us for Presentations and Reports on...

Rent Guidelines Board Reform
The Proposed Pataki/DHCR Code Changes
Code Enforcement
Campaign to Build Affordable Housing
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For more information, call (212) 693-0553 x 3 or e-mail activemch@aol.com

Attention All On-line!

If you have an e-mail address, join the Met Council "ACTIVE! list." We'll send you alerts about demonstrations, hearings and other activities.

Simply send us a message, subject heading "subscribe", to: active@metcouncil.net

WHERE TO GO FOR HELP

LOWER EAST SIDE

Cooper Square Committee
61 E. 4th St. (btwn. 2nd Ave. & Bowery)
Tuesdays 6:30 pm
Closed August, reopens September 5.

HOUSING COMMITTEE OF RENA

Covers 135th St. to 165th St. from Riverside Dr. to St. Nicholas Ave., 544 W. 157th St. (basement entrance).
Thursdays 8:00 pm

BENSONHURST TENANT COUNCIL

1708 West 10th St., Brooklyn, 718-372-2413
Monday-Thursday 10 am-5 pm
Call for appointment.

LOWER MANHATTAN

LOFT TENANTS
St. Margaret's House, Pearl & Fulton Sts., 212-539-3538
Wednesdays 5 pm-7 pm

CHELSEA COALITION ON HOUSING

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

VILLAGE INDEPENDENT DEMOCRATS

26 Perry St. (basement), 212-741-2994
Wednesdays 6 pm-7:30 pm

GOLES (Good Old Lower East Side)

525 E. 6th St. (btwn. Aves. A & B) Lower East Side tenants only, 212-533-2541.

WEST SIDE TENANTS UNION

200 W. 72nd St. Room 63; 212-595-1274
Tuesday & Thursday 2-5 pm
Tuesday and Wednesday ... 6-7:45 pm

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 212-693-0550 for information. Mon., Wed. & Fri., 1:30-5:00 pm.

My apartment is 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 _____

Send your check or money order with this form to:
Metropolitan Council on Housing, 64 Fulton St., Rm. 401, NY, NY 10038