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# Tenant Inquilino

Housing for people, not profit

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Metropolitan Council on Housing  
64 Fulton Street  
New York, NY 10038

PERIODICAL

## Tenants Sleep-In at City Hall, Call For RGB Reform, Affordable Housing

By Dave Powell

For many years, the tenant onslaught against the Rent Guidelines Board has been an annual event. Tenant groups mobilize for its public hearing and vote on rent increases for stabilized housing, both of which occur in June. But by the time the RGB's rent increases take affect on Oct. 1, the issue has faded into obscurity, where it usually remains until May. That may be changing.

On Sunday, Oct. 1, over 200 tenants gathered at City Hall's northeast plaza, calling for reforms to the RGB and for city government to address the affordable-housing crisis. The rally fed into an overnight vigil with close to 40 participants, 25 of whom made attempts to sleep. At dawn the next day, the overnights were awakened by the news media and gave interviews. By 8 AM, tenant reinforcements arrived to help leaflet commuters on their way to work. The event closed with a press conference at which State Senator Tom Duane and Assemblymember Scott Stringer echoed the protesters' demands and criticized the Giuliani administration for its inaction.

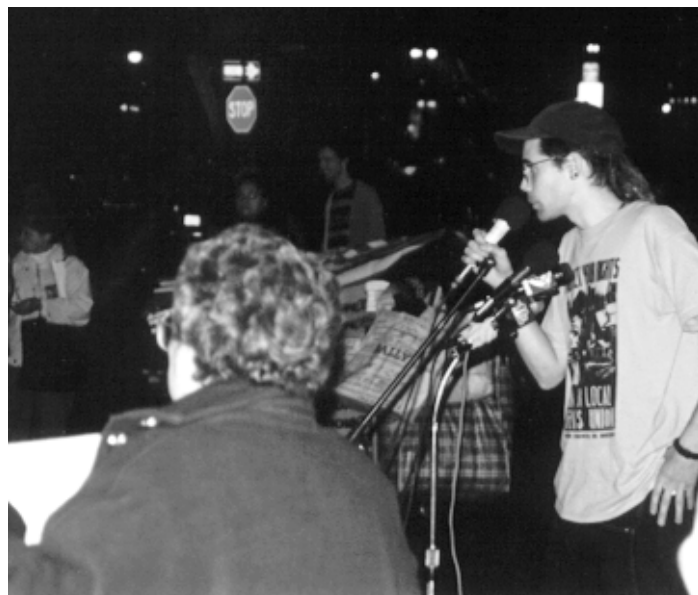
### Allies, a Party Crasher and a Rude Awakening

Met Council was joined by many groups, including the West Side SRO Law Project, Good Old Lower East Side, Center for the Independence of the Disabled, AIDS Housing Network, and the City-Wide Tenant Coalition. Councilmember Bill Perkins, unable to make the Monday morning press conference, stopped by on Sunday to lend his support.

But the strongest reaction from the Sunday-evening crowd came when RGB chair Ed Hochman showed up on the scene. He immediately made a beeline for the

cameras and, with a smirk and smugness that even a mother can't love, attempted to derail the protest with shoulder-shrugging jokes and landlord rhetoric. He was quickly chased off the City Hall plaza and retreated to the Brooklyn Bridge footpath, where Met Council's Susan Howard debated him in front of the few news cameras that had followed.

An hour later, Hochman snuck back onto to the plaza and made a final play for the cameras. He was again quickly chased off by tenants chanting "Ed Must Go!" While high-tailing it towards Beekman Street, Hochman was asked by a reporter if it bothered him to be universally loathed by the tenants of New York. He replied that the RGB was hated equally by both landlords and tenants, which indicates that they are doing their job properly.



IAN PRESENT

Met Council organizer Dave Powell speaks at City Hall.

"We deal out rough justice on a broad scale," he said.

The overnights settled into their bedrolls without incident until 3 AM, when they were rudely awakened. Sprinklers from nearby City Hall Park began sputtering, sending protesters running for dry ground and soaking some sleeping bags. Luckily, the temperature stayed in the

upper 50s and no one got sick. Was it just bad timing or Rudy zapping us by remote control?

We must also thank Chris Dunn of the New York Civil Liberties Union, who once again defended our right to sleep-in. Last June, Dunn went to federal court for Met Council over

*continued on page 7*

## Mayoral Hopefuls Acknowledge Housing Crisis

by Kenny Schaeffer

In a two-hour forum in a Harlem church on Sept. 12, five men who hope to succeed Rudy Giuliani as mayor when he leaves City Hall next year presented their views on the causes and solutions of New York City's housing crisis.

Moderator Brian Lehrer of WNYC public radio noted that it marked the beginning of the 2001 mayoral race, which, he hoped, would focus more on issues than personalities. While the candidates sounded many of the same themes, some important differences emerged.

Public Advocate Mark Green pointed out that the Giuliani administration has not even acknowledged that a housing crisis

exists, adding "questions that never get asked do not get answered." Green, along with Bronx Borough President Fernando Ferrer and City Council speaker Peter Vallone, defended rent and eviction protections as a necessary response to the housing crisis, and almost every speaker mentioned that one in four New Yorkers—more than 500,000 people—are forced to pay more than 50% of their income for rent, far above the federal hardship level of 30%. Green pointed out that two-thirds of low-income families pay two-thirds of their income for rent.

Former Councilmember and 1997 mayoral candidate Sal Albanese cited

the city's new campaign-finance laws—which match every dollar of grass-roots contributions with \$4 in public funds—as offering a more level playing field than in previous years. He said that previous campaign-finance practices contributed to the housing crisis by giving real-estate interests an improper influence over public policy. Both the Council, in 1994, and the state Legislature, in 1993 and 1997, weakened rent and eviction protections after many members got substantial donations from landlord groups.

City Comptroller Alan Hevesi attributed the failure of city government to respond to the worsening

housing crisis to a lack of central planning and to the absence of a "strong political constituency" for affordable housing to "make it clear" to elected officials that the housing crisis must be addressed and to "make it painful to those who don't listen."

Vallone vowed to spend

\$1 billion in his first year of office to create 20,000 new affordable units, but Hevesi replied that this promise was unrealistic because it was impossible to predict whether the city will still enjoy a large budget surplus in two years or,

*continued on page 8*

### INSIDE THIS ISSUE

Endorsements ..... pg. 2

El Inquilino Hispano ..... pg. 3

Lead: It's the Dust ..... pg. 5

Code-Enforcement Hearing ..... pg. 6

## Met Council Endorses Rory Lancman for State Senate Against Republican Frank Padavan in Queens

Met Council has endorsed Rory Lancman, who is running for State Senate on the Democratic and Working Families Party tickets, against incumbent Republican Frank Padavan in eastern Queens.

Like his colleague Roy Goodman in Manhattan, Padavan is part of the Republicans' narrow six-vote majority in the Senate, which has put Majority Leader Joseph Bruno in power as head of one of the two houses of the Legislature in Albany. And also like Goodman, who is facing a stiff challenge from housing and anti-hunger activist Liz Krueger (*Tenant/Inquilino*, Sept. '00), Padavan is fighting for his political life, against Lancman, a local activist.

Lancman, an attorney who handles employment discrimination cases, was head of the Queens Hospital community advisory board which successfully resisted Mayor Giuliani's privatization scheme, and he is head of the local community board's seniors committee.

He is running on a platform of

support for tenants' rights, including resisting further weakening of rent and eviction laws; working to reverse the compromising of those protections which were imposed in 1993 and 1997; creating substantial new affordable housing; and repealing the Rockefeller "Urstadt" law that deprives New York City of home rule over rent regulation, leaving us at the mercy of Albany rent-control foes like Joe Bruno and Governor Pataki. Lancman, who has also vowed not to accept campaign contributions from the large real-estate groups, is supported by leading tenant activists in Queens, including Bernice Siegel, Florence Fisher and Ida Pollack.

In the north Bronx, another Republican incumbent, Guy Velella, is facing a strong challenge, from Lorraine Coyle Koppell. Koppell's campaign manager is Assemblymember Jeffrey Dinowitz, in defiance of Bronx Democratic boss Roberto Ramirez, who has either endorsed Velella in previous years or run

weak opponents against him. Velella was one of the few New York City legislators to vote against renewing rent regulations in 1997.

Koppell defeated Ramirez's candidate in the September primary—one of a string of setbacks for the no longer omnipotent Bronx Democratic machine. As Dinowitz points out, the terrible weakening of rent and eviction protections in 1997 would not

have occurred if the Republicans did not have control of the State Senate.

Volunteers are needed between now and Election Day, November 7, to oust Joe Bruno as Senate Majority Leader by defeating his Republican allies in New York City. The Rory Lancman campaign can be reached at (718) 746-RORY. The Liz Krueger campaign number is (212) 689-7295.

### SAVE THE DATE!

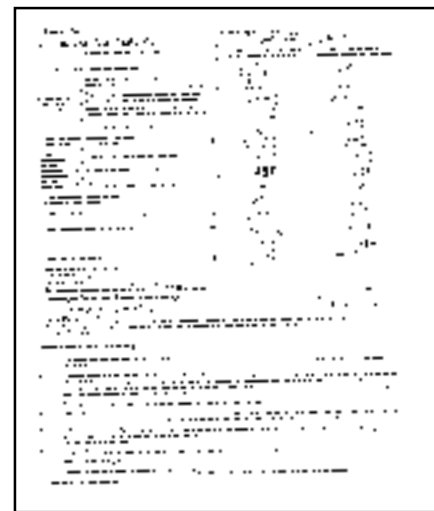
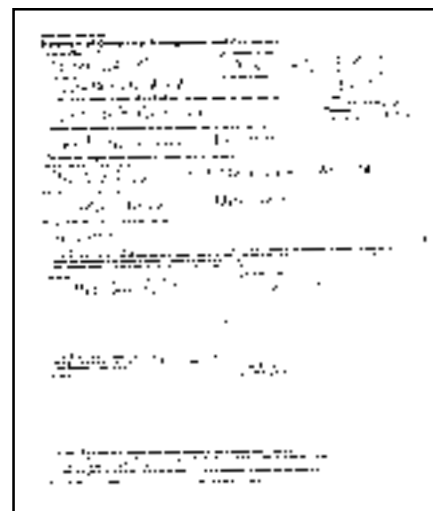
**Met Council's Annual Assembly  
Tuesday, December 5, 6 p.m.**

**The Brecht Forum, 122 West 27th St.**

### 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:  
activemch@aol.com



## City for Sale

The San Francisco Mime Troupe's punchy musical satire on gentrification of neighborhoods and residential displacement with songs, physical comedy and a live band.

The Mime Troupe will perform *City for Sale* at the Theater for the New City starting Thursday, October 26 with live music at 7:30 and the show at 8 p.m. at 155 First Ave. (between 9th and 10th Streets). Additional performances are scheduled for October 27, 28 and November 3, 4 and 5. Two matinee performances will take place October 28 and November 5, with music at 2:30 and the show at 3.

Tickets are \$20 general admission and \$15 for seniors, students and children under 12 and \$10 for groups of 10 or more.

For tickets and info call (212) 254-1109, or visit [www.theaterforthenewcity.com](http://www.theaterforthenewcity.com).

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

## Manifestación de Inquilinos Durmiendo Frente a la Alcaldía

### Exigen Reformas en la RGB y Viviendas Asequibles

Por Dave Powell

Traducido por Lightning Translations

Hace muchos años que la arremetida de los inquilinos en contra de la Junta de Regulación de Renta (RGB, por sus siglas en inglés) ha sido un evento anual. Las organizaciones de inquilinos se movilizan en torno a las audiencias públicas y el voto sobre incrementos de alquileres para vivienda estabilizada en el mes de junio, cuando suceden las dos cosas. Pero

en el momento en que los incrementos de la RGB entran en vigor—el 1 de octubre—la cuestión se desvanece, y generalmente queda en la oscuridad hasta el próximo mayo. Ahora puede ser que las cosas estén cambiando.

El domingo 1 de octubre, más de 200 inquilinos se reunieron en la plaza nordeste de la Alcaldía, e hicieron un llamado para

exigir reformas en la RGB y para que el gobierno municipal haga frente a la crisis de vivienda asequible. La manifestación se convirtió en una vigilia durante la noche, con casi 40 participantes, de los cuales 25 intentaron dormir. En los albores del próximo día, los medios de comunicación despertaron a los manifestantes dormidos para entrevistar-

los. A las 8 AM, llegaron refuerzos de inquilinos para ayudar a repartir volantes a la gente en camino al trabajo. El evento terminó con una rueda de prensa en la cual el senador estatal Tom Duane y el asambleísta estatal Scott Stringer se hicieron eco de las demandas de los manifestantes y criticaron al ayuntamiento de Giuliani por su inacción.

Un buen número de grupos se unió al Consejo Metropolitano (Met Council), incluyendo West Side SRO Law Project (Proyecto de Leyes de SROs del Lado Oeste), Good Old Lower East Side (GOLES, Loisaida Querido), Center for the Independence of the Disabled (Centro para la Independencia de los In-

*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





# Manifestación

viene de la página 3

capacitados), AIDS Housing Network (Red de Vivienda para Personas con SIDA) y la City-Wide Tenant Coalition (Coalición de Inquilinos de Toda la Ciudad). El concejal municipal Bill Perkins, al no poder acudir en la mañana, apareció el domingo para dar su apoyo.

Pero la reacción más fuerte de la multitud por la noche del domingo se produjo cuando el presidente de la RGB, Ed Hochman, apareció en el escenario. Hochman se dirigió inmediatamente a las cámaras y con una sonrisa de satisfacción vanidosa que ni siquiera podría gustarle a su propia madre, intentó hacer descarrilar la protesta con bromas estúpidas y retórica pro casero. Muy pronto fue expulsado de la plaza de la alcaldía y se retiró hasta la vereda del Puente Brooklyn, donde Susan Howard del Met Council tuvo una discusión muy fuerte con él frente a las pocas cámaras de noticias que habían

seguido a los dos.

Una hora más tarde, Hochman entró a la plaza a hurtadillas y buscó las cámaras otra vez. Y otra vez más, lo expulsaron muy pronto inquilinos coreando, “¡Fuera Ed!” Al huir Hochman hacia la calle Beekman, le preguntó un reportero si le molestaba ser totalmente odiado por los inquilinos de Nueva York. Hochman respondió que a la RGB la odian igualmente los caseros y los inquilinos, y que esto indica que está haciendo su tarea debidamente. “Proporcionalmente una justicia tosca en amplia escala,” dijo.

Los que iban a hacer la vigilia se acomodaron en sus sacos sin incidentes hasta las 3 AM, cuando fueron despertados bruscamente. Las regaderas del parque cercano de la Alcaldía empezaron a rociar el área, forzando a los manifestantes a correr en tierra seca y empapando unos sacos de dormir. Por suerte la temperatura era casi de 60 grados, y nadie se enfermó. ¿Fue sólo cosa

de un momento inoportuno, o es que Rudy nos estuvo atacando por control remoto?

## Rudy necesita un contrapeso

La manifestación dormida de “Giulianiville” no solamente señala la primera vez en muchos años que se ha criticado a la RGB “fuera de la estación,” sino también representa una diversificación de enfoques tácticos. El movimiento de inquilinos ha criticado al alcalde, estado de guardia frente a las casas de miembros de la RGB, interrumpido las audiencias y, por cierto, intercedido sin cesar ante la propia junta el caso de incrementos de un 0%. Pero con este evento, Met Council encabeza una iniciativa para hacer un reto al monopolio del alcalde para nombrar a los miembros de la RGB, y para que algunos miembros actuales sean removidos.

Actualmente, el Concejo Municipal tiene el poder de aprobación sobre muchas agencias municipales, incluyendo la Board of Health (Junta de Salud) y Taxi and Limousine Commission (Comisión de Taxis y Limosinas). El hecho que los nombrados a la RGB no estén sujetos al mismo sistema de frenos y contrapesos que los de otras juntas y comisiones ayuda a explicar la conducta de la RGB hacia los inquilinos.

Anteriormente, el concejal Stanley Michels propuso leyes para dar al Concejo Municipal el poder de aprobar los nombramientos a la RGB del alcalde. Asimismo, Michels ha patrocinado un nuevo intento para darle al Concejo esta autoridad, junto con los concejales Bill Perkins, Guillermo Linares, Phil Reed y Helen Marshall.

También hay un nuevo ímpetu para pasar el Intro. 729, un proyecto de ley propuesto por el concejal Steve DiBrienza que impedirá a la RGB imponer el “impuesto de pobres” en los apartamentos rentas bajas estabilizadas. Se propuso el Intro. 729 la primavera pasada, pero el Vocero del Concejo Peter Vallone lo tiene obstruido. No se sabe si Vallone también obstruirá los intentos de dar al Concejo el poder de aprobar a los nombrados a la RGB.

## Que sean despedidos “los dos Eds”

Se supone que la junta consiste en dos representantes de los caseros, dos de los inquilinos y dos “públicos,” incluyendo al presidente. Pero los cinco miembros públicos—cuatro de los cuales fueron nombrados por Giuliani—funcionan ahora más como representantes de los caseros que como interesados neutrales.

El rencor de la RGB en contra de los inquilinos se muestra más obviamente por el presidente Ed Hochman y el miembro público Ed Weinstein. Hochman se ha comportado como un matón, insultando a los inquilinos regularmente en las audiencias y reuniones públicas. También ha tramado “agotar el tiempo” en estos procedimientos, por hacer comentarios informales y dejar que los caseros hagan declaraciones rebasando el tiempo así-

nado a ellos—asegurando que se les niega a los inquilinos inscritos para hacer declaraciones la oportunidad de hacerlo. En las audiencias públicas del 15 de junio, menos de un cuarto de los inquilinos registrados a hablar por la noche durante la sección de “apartamentos” pudo hacerlo.

Ed Weinstein también ha mostrado una falta de profesionalismo en sus relaciones con inquilinos. En la audiencia pública del 15 de junio, Weinstein mandó al Departamento de Inteligencia de la Policía de Nueva York que removieran inquilinos pacíficos que hablaron fuera de serie. Cuatro inquilinos fueron arrestados.

Por supuesto, el argumento más fuerte para expulsar a “los dos Eds” (y a la mayoría de la RGB) se puede hallar en los incrementos injustificables que pasan anualmente. Los incrementos de 4 y 6% (junto con el “impuesto de pobres” de \$15 al mes), que afectan contratos que empiezan o se renuevan entre el 1 de octubre de 2000 y el 30 de septiembre de 2001, son los más altos aprobados por la RGB desde 1996.

Las investigaciones de la propia RGB muestran que las ganancias de apartamentos de renta estabilizada han alcanzado el nivel más alto hasta el presente. Los ingresos netos de operación de los caseros (la diferencia entre ingresos y gastos de operación) subieron un 11.4% en 1997 y luego otro 11.8% en 1998. A la vez, sus gastos no subieron más de un 0.1% cada año. (Fuente: RGB 2000 Income and Expense Study.) Sin embargo, basándose en estas cifras, la RGB concluyó que los caseros habían merecido incrementos altos.


La RGB también votó por el “impuesto de pobres,” llamado así porque el ingreso promedio anual de los inquilinos que lo sufren es \$15,000. Casi un 70% de los inquilinos afectados son afroamericanos o latinos. La RGB ha pasado el “impuesto de pobres” en todos los años desde que Giuliani se instaló como alcalde. En este tiempo, se ha perdido casi la mitad de las viviendas que se alquilan por menos de \$500 al mes; hubo 417,438 en 1993 y sólo 209,725 en 1999. (Fuente: 1993-1999 Housing and Vacancy Surveys.)

Otro elemento clave en la manifestación de Giulianiville fue la demanda para vivienda asequible. Mientras la RGB está destruyendo las rentas estabilizadas con los incrementos altos, el ayuntamiento de Giuliani está desmantelando lo que queda de otras viviendas asequibles en Nueva York, sin hacer nada para crear más.

El crecimiento económico en la ciudad ha hecho que los alquileres suban hasta las nubes, pero los sueldos de familias de ingresos medios, moderados y bajos han subido muy poco, si es que han subido. Como resultado, apartamentos del tamaño más apto para familias son inalcanzables para un porcentaje grande de neoyorquinos. Un cuarto de las familias que alquilan sus viviendas gastan la mitad de sus ingresos para el alqui-

pasa a la página 7

## 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)960-4800 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!

# EPA Criticizes Vallone Lead Law

by Jenny Laurie

In a welcome boost to children's health advocates, the head of the Environmental Protection Agency's New York region sent a letter to Mayor Rudolph Giuliani and City Council Speaker Peter Vallone criticizing the city's 1999 lead-paint law, Local Law 38.

"I believe that Local Law 38, as currently written, falls short of the protection that children deserve and need," wrote the EPA official, Jeanne M. Fox. "The law falls short by not requiring two critical additional steps that serve to ensure that work is done properly... to require trained workers and clearance testing." Without these two requirements, Fox went on to say, the law will "result in greater lead hazards, a higher potential for a lead-poisoned child... or a child with a higher blood lead level than before the cleanup." She also pointed out that the federal government requires both the use of trained workers and clearance testing in public and federally subsidized housing.

Local Law 38 was passed last year, over the vigorous opposition of advocates of tenants, low-income housing and children's health, when, in a complete sell-out to the real-estate industry, Speaker Vallone forced the bill through the Council without any discussion of the things necessary for the prevention of lead poisoning. The EPA letter focuses on the two main issues that advocates said were absolutely necessary for the prevention of lead poisoning, and which the real-estate industry adamantly refused to accept.

"We now know, and have known for some time, that it's the dust from lead paint that causes the poisoning," says Matthew Chachere, an attorney at Northern Manhattan Improvement Corporation and lead counsel to the

New York City Coalition to End Lead Poisoning (NYCCELP). "Proper handling of the dust by EPA trained workers and a test for dust residue after the work is completed are two of the things that prevent poisoning from lead dust—things that are missing from Local Law 38, which the EPA has rightly pointed out."

In a response to the EPA letter on *Housing Notebook*, Met Council's weekly call-in show on WBAI, Chachere said that there are many critical flaws in Local Law 38—not just the two selected by the EPA. "The City Council called the bill the Childhood Lead Poisoning Prevention Act, when in fact, it should be known as the Landlord Protection Act. It doesn't protect kids from lead poisoning, it protects landlords from being sued when they act in negligent ways and poison tenants living in their buildings." He noted that the law was crafted specifically to shift the burden of vigilance for lead hazards from landlords to tenants.

Advocates and the EPA point to the fact that under the new law, when landlords get a lead-paint violation (that is, an inspector from the city Department of Housing Preservation and Development's code-enforcement unit cites them for not repairing peeling or degrading paint in an apartment), they get 21 days from the violation date to repair the peeling paint without having to follow safe practices for lead-paint removal mandated by the Department of Health. The landlord must follow those safety procedures only if they have not removed the violations within 21 days. Advocates warned that this gives landlords an incentive to use unsafe cleanup practices to fix the peeling paint quickly.

Lead-poisoning experts now know that scraping

and other traditional removal techniques put lead-paint dust into the air. The dust then settles on floors, furniture, and play areas, and children consume it when they touch those surfaces and then put their fingers in their mouths. Another common producer of dust is the standard friction surfaces in any apartment or home: from painted surfaces rubbing against each other when windows and doors are opened and closed.

Since last summer, the EPA has been requiring that "lead abatement" work be done by workers who have obtained a certificate from the agency via a training course. In that course, lead workers learn how to protect themselves and the occupants of the house from lead poisoning. Because Local Law 38 deliberately classifies the removing of a lead-paint violation as an "interim control method" and not lead-abatement work, landlords do not have to use EPA-trained and certified workers.

This means, according to Chachere, "your landlord can find a guy on the corner, give him \$10 and a scraper, and send him into your apartment to do the work." The practice results in permanent brain damage to the children living in the house. The dust-wipe test called for by Fox is equally critical. Whatever the cleanup method used, the dust from the work must be completely and carefully removed from the apartment. Trained workers contain the work area and then clean up using a HEPA vacuum and other methods.

According to Chachere, the amount of remaining dust that is dangerous is tiny, and so all dust must be removed. The area must be cleaned past the level of 100 micrograms—equal to about one grain of Sweet and Low coffee sweetener—per square foot. The only way to determine if that level has been reached is via a dust-wipe test; the tester wipes the floor of the work area with a special cloth that is then analyzed in a lab.

Meanwhile, the lawsuit against the City Council and Mayor for improperly passing Local Law 38, which was filed last year by NYCCELP (which includes Met Council) awaits a decision from State Supreme Court Justice Louis York. Advocates continued to

have long advocated a broad, comprehensive package that would require safe work practices, careful city monitoring and enforcement, and financial assistance to owners of small properties doing abatement work.

In an article in the *New York Times* on the EPA letter, Speaker Vallone is quoted as saying he might be willing to revisit the issue. Advocates have heard nothing further from the Speaker or his

staff on this.

Tenants should call their City Council member and urge that the Council work toward a comprehensive overhaul of Local Law 38; an overhaul which takes into account all of the steps that health experts say are needed to prevent childhood lead poisoning.

For more information contact: NYC Coalition to End Lead Poisoning at (718) 519-1002.



**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) 960-4800 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 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.

## MARCH FOR AFFORDABLE HOUSING AND AGAINST GENTRIFICATION Saturday, October 28, 1:30-5 p.m.

There are two assembly points: 122 Street and Mount Morris Park (5th Ave.) and West 124 Street and Tiemann Place (near Broadway). The groups will march across 125 Street and then down to 116 Street to a rally at West 113 Street and Morningside Park.

The march is being sponsored by the Citywide Tenants Coalition, Harlem Tenants Council, RENA, West Harlem Coalition, and other groups.

For information, contact Jeanie Dubnau, RENA and Citywide Tenants' Coalition, (212) 576-8424; fax: (212) 578-0804.



# City Council Hearing Blasts HPD on Housing-Code Failures

by Kenny Schaeffer

At a City Council hearing on Oct. 4, tenants, housing experts and Manhattan Borough President C. Virginia Fields blasted the Giuliani administration's failure to enforce the city's housing-maintenance code, which prescribes minimum standards for life, health and safety in multiple dwellings and provides for fines and imprisonment of delinquent owners.

The hearing was called in direct response to the August fire at 27 Brevoort Place in Brooklyn that took the life of 13-year old Ashley Sims. City Department of Housing Preservation and Development inspectors had failed to act on an "immediately hazardous" violation placed against the building's owner for an inoperable

sprinkler system. Under existing law, HPD could either have taken the landlord to court to require repair of this life-threatening condition, or done the work itself under its Emergency Repair Program and billed the landlord for the costs. Instead, HPD officials simply closed the case when they could not get into the building to reinspect it.

Adrian Di Lollo of the Association for Neighborhood & Housing Development testified that the Mayor's Management Report reveals a dramatic 27% drop in the recording of immediately hazardous violations in fiscal year 2000, and that HPD's target for the coming year is 82,000 fewer reinspections than last year. He adds that the

number of attorneys in HPD's litigation bureau has been cut in half and the number of its housing inspectors stuck at less than one-third its 1989 level.

To make matters worse, the Office of Court Administration has limited the "HP" part of Housing Court, where tenants or the city can bring actions against landlords for failing to correct hazardous conditions, to only three days a week in Manhattan and two days a week in Queens. According to information from the Independent Budget Office and the city comptroller, fines levied against delinquent owners have plummeted from \$5.1 million in 1989 to an average of \$1.6 million a year since 1995.

Dave Robinson, presenting testimony on behalf of Legal Services for NYC, the Legal Aid Society and the Northern Manhattan Improvement Corp., called on the Council to "demand of HPD a real commitment to strong and thorough enforcement of the laws protecting tenants' rights to decent, safe and habitable homes." He noted that although the number of housing inspectors had increased modestly after the Council amended the mayor's budget last year, the number of inspections actually performed had decreased by 3,500 in the last fiscal year.

Borough President Fields, in written testimony stated, her land use, housing and development director, stated that the death of Ashley Simms was

"indicative of systemic negligence that requires immediate attention and remedy.... The public health and safety is at risk." She reminded her former colleagues in the Council that in 1995, she introduced the legislation that created an "early warning system" for distressed buildings following a building collapse at 142 West 140<sup>th</sup> St. that killed three people. The city had ignored hundreds of code violations in that building, just as it ignored the hazards at 27 Brevoort Place.

"How long can these policies continue?" she demanded. "It is time for a public outcry against this kind of inaction by HPD and demand that ad-

*continued on page 8*

## 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

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.

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



## Sleep-in

continued from page 1

our right to sleep-in outside of Gracie Mansion.

### Rudy Needs Checks & Balances

The "Giulianiville" sleep-in not only marks the first time in a long time that the RGB has been criticized "out of season," it also represents a diversification in tactical approaches to the issue. The tenant movement has criticized the mayor, picketed RGB members' homes, disrupted hearings, and of course, pleaded the case for 0% increases exhaustively before the board itself. But with this event, Met Council is leading an initiative to challenge the mayor's monopoly on appointing RGB members and to have certain current members removed.

The City Council currently has the power of advice and consent on the appointees to many city agencies, from Board of Health to the Taxi and Limousine Commission. The fact that RGB appointees are not subject to the same checks and balances as other city boards helps explain the board's conduct towards tenants.

Legislation giving the Council approval power over RGB appointees has been proposed before, by Councilmember Stanley Michels. A current push to give the Council such authority is being sponsored by Michels and Councilmembers Bill Perkins, Guillermo Linares, Phil Reed and Helen Marshall.

There is also a renewed push for the passage of Intro 729, a bill introduced by Councilmember Steve DiBrienza that would prevent the RGB's from levying a "poor tax" on low-rent, stabilized apartments. The bill was introduced last spring, but has stalled under the grip of Council Speaker Peter Vallone. Whether Vallone will also stall attempts to give the Council approval power over RGB appointees remains to be seen.

### Fire "The Two Eds"

The nine-member RGB is supposed to consist of two landlord representatives, two tenant representatives and five "public" representatives, including the chair. But the five public members of the board, four of whom were named by Giuliani, now function more as landlord representatives than as neutral parties.

Nowhere is the RGB's animosity for tenants more obvious than with its chair, Ed Hochman, and public member Ed Weinstein. Hochman has bullied and insulted tenants regularly at public meetings and hearings. He has also schemed to "run the clock" at these proceedings by making informal comments and allowing landlords to testify beyond their allotted time, insuring that tenants who sign up to testify are denied that opportunity. At the public hearing last June 15, less than a quarter of the 125 tenants scheduled for the evening "apartments" section got to speak.

Weinstein has also shown a lack

of professionalism in dealing with tenants. At the June 15 hearing, he ordered the Police Department's Intelligence Division to remove peaceful tenants who spoke out of turn. Four tenants were arrested.

Of course, the most compelling argument for canning "the two Eds" (and the majority of the RGB) can be found in the unjustified increases they pass annually.

The 4 and 6% increases (along with the \$15 a month "poor tax") affecting leases that begin or are renewed between October 1, 2000 and Sept. 30, 2001, are the highest increases passed by the RGB since 1996.

The RGB's own studies show that profits from stabilized apartments are at an all-time high. Landlords' net operating income (the difference between income and operating costs) jumped to 11.4% in 1997 and then another 11.8% in 1998. At the same time, their costs went up no more than 0.1% each year. (Source: *RGB 2000 Income and Expense Study*) Yet based on these figures, the RGB concluded that landlords deserved high increases.

The RGB also voted for the poor tax, so named because the average annual income of tenants who get it is \$15,000. Nearly 70% of the tenants affected are Black or Latino. The RGB has imposed the poor tax every year since Giuliani took office. In that time, nearly half of the under-\$500 housing stock has been lost, from 417,438 units in 1993 to 209,725 in 1999. (Source: *1993-1999 Housing and Vacancy Surveys*)

Another key component to the Giuliani sleep-in was the demand for affordable housing. While the RGB is gouging stabilized rents with its high increases, the Giuliani administration is also dismantling what's left of New York's other affordable housing, and doing nothing to create more.

The reality for tenants living in non-stabilized housing is not a bright one:

- Despite an eight-year waiting list for public housing, the New York City Housing Authority has announced plans to demolish projects in Brooklyn and the Bronx. Other developments are threatened by proposals to "privatize" (turn into market-rate housing) and to displace low-income tenants with higher-income tenants.
- There is also a long waiting list for Section 8 vouchers (a program that provides federal assistance to tenants so they can pay market rents), and that list has been now closed. New Section 8 assistance is restricted to a small number of families in city programs.



- The Mitchell-Lama program, which created 150,000 units of affordable housing from the 1950s to the 1970s, has a five to 10-year waiting list. The city has

lost 35,000 Mitchell-Lama units in recent years, and will lose thousands more in the coming years.

- The inventory of single-room-occupancy units is also dwindling, from 129,000 in 1960 to roughly 36,000 today. This decline is largely fueled by NYC's booming tourist industry, with many SRO landlords displacing longtime tenants in favor of wealthy tourists.

- Despite a \$52 million a year budget for building housing for people with AIDS, Giuliani's Department of AIDS Services and Income Support has built no housing for the past three years. By law, homeless people with AIDS are guaranteed the right to emergency housing within one business day. But since late August, DASIS caseworkers have been sending up to 150 people out to sleep on the streets each night.

- Supportive housing for tenants with disabilities represents some of the most expensive housing in the city. The subsidies that make this crucial housing affordable for low and moderate-income disabled tenants (like Section 8) have been frozen. Low-income disabled tenants are also excluded from rent-increase-exemption programs that are offered to the elderly, like SCRIE.

New York City has one of the lowest rates of housing construction of any city in the country. While our population has increased by nearly 350,000 since

1990, only 50,000 new units have been built, nearly all of which are luxury housing. (Source: *CUNY Grad Center Report, 2000*) The 1999 housing vacancy rate was 3.19%. (A housing emergency is legally defined at 5%.) Out of 2 million rental units in the city, only 64,000 were vacant and available for rent, a 21% decrease from the previous survey in 1996. The vacancy rate for low-rent units is extremely low: 1.26% for apartments renting below \$500. (Source: *1999 Housing & Vacancy Survey*)

Economic growth in the city has sent rents skyrocketing, but wages for middle, moderate, and low-income households have gone up little, if at all. The result is that family-sized apartments are simply out of reach for a large percentage of New Yorkers. One-fourth of New York City renter households pay over half their income for rent. Over 1.8 million New Yorkers live below the federal poverty line. (Source: *Community Food Resource Center*) The Office of Court Administration reported that nearly 25,000 tenants were evicted in 1999 (this figure does not include tenants who were evicted illegally). The majority of these people were evicted because they were unable to pay their rent.

## Manifestación

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ler. Mas de 1.8 millones de neoyorquinos viven en la miseria tal y como esta se define por el gobierno federal. (Fuente: Community Food Resource Center.) La Office of Court Administration (Oficina de Administración de la Corte) reportó que casi 25,000 inquilinos fueron desalojados en 1999 (esta cifra no incluye a los inquilinos que fueron desalojados ilegalmente). La mayoría de estos inquilinos fueron desalojados porque no pudieron pagar el alquiler.

## WHAT YOU CAN DO

- Call your City Councilmember and tell them to sponsor legislation giving the City Council approval power over RGB appointees. Giuliani should not be given this power unchecked! To find out who your Councilmember is, call the League of Women Voters, (212) 677-5050, or see: [www.council.nyc.ny.us](http://www.council.nyc.ny.us).
- Call Mayor Giuliani, (212) 788-9600. Demand that he immediately fire "the two Eds" (Hochman and Weinstein) from the RGB. Demand that he diversify the board and appoint members who are not hostile towards tenants.
- Call Council Speaker Peter Vallone, (718) 274-4500. Demand that he allow a hearing for Intro 729, which will abolish the "poor tax." Vallone has prevented this bill from moving forward.
- Ask all your elected officials, and all candidates running for office, what plans they have for preserving and creating truly affordable housing in New York. We must make housing an issue they can't ignore! With 51 City Council seats and Gracie Mansion up for grabs in 2001 and the contest for the governorship in 2002, tenants should be pressing all candidates on their plans for the creation of affordable housing. At the moment housing is not an issue that candidates feel they must even speak to. Our work is definitely cut out for us.

# Hopefuls

*continued from page 1*

as current figures project, might actually suffer a deficit. Vallone claimed that under his speakership, the Council had made housing a priority and claimed that it was prevented from doing more by the 1971 "Urstadt law," which prohibits New York City from enacting more restrictive rent regulations than the state has.

Vallone did not explain why he had actually *weakened* rent regulations in 1994 by opening the door for vacancy decontrol of

apartments reaching \$2,000 a month rent, or why he continues to block a vote on a resolution to demand repeal of the Urstadt law, most recently when the Council voted to renew the existing rent laws this past spring.

Ferrer declared that housing is a "legitimate investment" in a strong city and called for "new and bold thinking." Yet he cited the Koch administration as a model, as did Green and Hevesi. Ferrer claimed that 64,000 new units of housing had been created in the

Bronx during his 11 years as borough president, but a question from the audience indicated that much of it did not have income or rent limits and was therefore not affordable for low-income families. Nor did Ferrer relate this to the fact that, citywide, the total number of apartments renting for under \$500 a month has declined from over 400,000 to about 200,000 since 1993.

Green and Ferrer both expressed support for the city's controversial divestment of tens of thousands of units which had come under city "in rem" ownership after being taken from delinquent landlords. These buildings house many of the lowest-income New Yorkers, yet, particularly under the Koch and Giuliani administrations, have been transferred to speculators with huge financial incentives to displace the existing tenants in order to raise rents, under programs such as the Private Owners Management Program and Neighborhood Entrepreneurs Program.

Albanese, who led the successful fight for a "living wage" requirement for city government contracts while in the Council in 1994, pointed to rising income inequality in the city as a major cause of the housing-affordability crisis. He and Hevesi both cited the need for

higher paying jobs. Hevesi also called for investing pension funds in the creation of affordable housing, and announced that he is working with state Comptroller Carl McCall to expand this option, while Albanese called for creating 10,000 units of new affordable housing a year with an annual capital investments of \$700 million. He recalled that when his family came to New York City as immigrants in 1959, his mother was able to find a \$30 a month apartment in Park Slope and support a family of five as a garment worker.

Hevesi praised so-called "80/20" programs, which advocates have criticized because they allocate public land and scarce housing dollars to create projects where 80% of the units are market-rate luxury apartments and only 20% are reserved for middle, moderate or (occasionally) low-income tenants.

In the 11 months before the Democratic primary next Sept. 11, which will probably determine New York City's next mayor, Met Council will work to ensure that housing remains at the forefront of the campaign, and that the candidates seeking our votes are confronted with the opportunity to address our shameful housing crisis and not repeat the failed policies of the past.

# Code

*continued from page 6*

equate personnel be utilized to aggressively enforce the Housing Code. The government must protect its citizens' lives and safety by taking a more proactive role."

Kevin Ryan, head of the Community Training & Resource Center (CTRC), pointed out that since 1993, HPD has discontinued or severely cut back the "cyclical" inspections that regularly surveyed building conditions in neighborhoods throughout New York; "lead belt" inspections in the neighborhoods where children are at greatest risk of lead poisoning; cellar-to-roof inspections initiated by tenant organizations that have identified multiple code violations in a building; and night inspections to determine whether boilers are providing adequate heat throughout the night.

He testified that in 1998 CTRC consulted with the inspectors' union and determined that \$27 million would be required to hire an additional 600 inspectors to bring the staff back to pre-budget-cut levels, "a minimal amount considering the budgets of other essential services, such as crime prevention and health care." Ryan cited a 1999 Boston Medical Center report which showed that poor housing conditions can lead to serious illnesses, "such as asthma and respiratory diseases caused by cockroaches, rats, mold, and inadequate heating," as well as lead poisoning.

Met Council staff organizer Dave Powell called for the city to make an example by imprisoning some of the worst landlords who defy court orders to correct hazardous conditions endangering their tenants, pointing out that this would result in increased voluntary compliance by other owners.

In a related development, the city Department of Buildings has been rocked by a corruption scandal. Unlike previous scandals, in which more than 100 inspectors have been arrested in four separate bribery scandals over the past decade, the current indictments include five top-echelon DOB officials, including the second in command, Deputy Buildings Commissioner for Operations Barry Cox. Mayor Giuliani, who has fiddled a law-and-order, quality-of-life tune while the DOB and HPD scandals have simmered, admitted that he should have done something "six or seven years ago" about the DOB, which Investigations Commissioner Edward Kuriansky described as "the most corrupt agency in city government" over the past 20 years.

The Buildings Department has overlapping responsibility with HPD for multiple dwellings, with DOB being responsible for boilers, elevators and structural defects, and HPD having responsibility for other conditions. Housing Court has jurisdiction over both HPD and DOB violations.

*To join Met Council's efforts to force HPD to do its job, call Dave Powell at (212) 693-0553. ext. 6.*

## WHERE TO GO FOR HELP

### LOWER EAST SIDE

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

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

**CHELSEA COALITION ON HOUSING**  
Covers 14<sup>th</sup> St. to 30<sup>th</sup> St., 5<sup>th</sup> Ave. to the Hudson River.  
322 W. 17<sup>th</sup> St. (basement), CH3-0544  
**Thursdays ..... 7:30 pm**

**GOLES (Good Old Lower East Side)**  
525 E. 6<sup>th</sup> St. (btwn. Aves. A & B) Lower East Side tenants only, 212-533-2541.

### HOUSING COMMITTEE OF RENA

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

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

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

**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**

# 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

## 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