Housing for people, not profit

Tenant Inquilino

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PERIODICAL

Court Throws Out City's Weak Lead-Paint Law

Stronger Bill Gains Support in Council, but Miller, Bloomberg Opposed

By Gabriel Thompson and Steven Wishnia

Local Law 38, the weakened lead-paint law passed by the City Council in 1999, is history. On July 1, the state Court of Appeals ruled 6-0 that the Council's declaration that the law would not have any negative environmental impact was not based on any valid evidence, violating the state Environmental Quality Review Act. The decision reversed an Appellate Division ruling upholding the law, which had been challenged by the New York City Coalition to End Lead Poisoning.

Local Law 38, ramrodded through the Council by then-Speaker Peter Vallone with the backing of Rudolph Giuliani and the real-estate lobby, did not require landlords to clean up sources of lead-paint dust. The dust is considered the primary source of lead poisoning in children, which can cause irreparable brain damage, leading to intellectual impairment and behavioral problems.

Evidence that the law was not working to protect children came in a survey conducted last spring by the Pratt Area Community Council. PACC members and high school students went through an Environmental Protection Agency-certified training and then examined 59 apartments in 35 buildings in a 12-square block area of Bedford-Stuyvesant for lead dust, with frightening results. Nineteen (32%) of the units contained hazardous amounts of lead, and 37% (13 of the 35) of the buildings tested contained at least one dangerous apartment. Of the hazardous apartments, 89% contained children under six. PACC's report, *The Politics of Poison*, concluded that one out of three Bedford-Stuyvesant children are growing up in housing that impairs their cognitive development.

The findings were a strong indictment against both the city housing and health departments, who work jointly to prevent childhood lead poisoning. It also exposed one of the fatal flaws of Local Law 38, which is that under it the Department of Housing Preservation and Development has no mandate to target high-risk areas (like Bed-Stuy) for aggressive inspections.

With LL 38 out of the way, attention now turns back to the Council, where Councilmember Bill Perkins (D-Manhattan) has introduced Intro 101-a, the Childhood Lead Poisoning Prevention Act. The measure would require landlords to identify all apartments with children under age, as the window-guard law does; mandate the Department of Health to take an active approach to lead-poisoning prevention, and include lead-dust protections during all repairs and renova-

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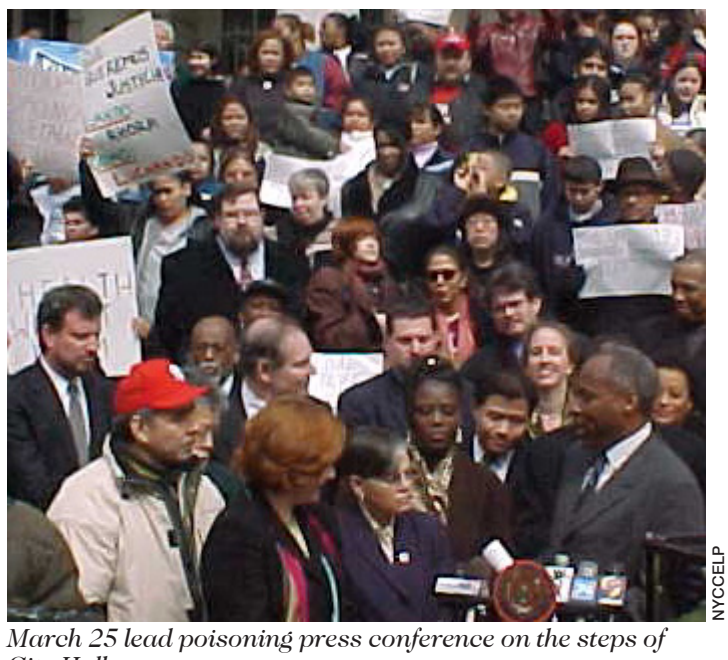

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March 25 lead poisoning press conference on the steps of City Hall.

URSTADT MUST GO!

City Must Have Home Rule to Regulate Rents

By Kenny Schaeffer

The Pataki-Bruno-Silver Rent Regulation Reform Act of 2003 has left tenants and affordable-housing advocates only one choice: to demand restoration of home rule to New York City over rent and eviction protections by repealing the 1971 Urstadt law.

Repealing the Urstadt law, which bans the city from enacting rent regulations stronger than those set by the state, is the only way to prevent the remaining 1,000,000 rent-stabilized apartments from being eroded away in the next eight years. It is finally clear, if it was ever in doubt, that no relief can come from Albany. Once again, Assembly Speaker Sheldon Silver got manipulated into a position where he had to accept the Republicans' terms. In a sense, the only surprise is that they got so little—a tribute to the mobilization of tenants over the last two years.

Home rule must be raised in every election, in the City Council races this year, the state legislative elections next year, the mayoral campaign in 2005—which is already beginning—and culminating in the 2006 governor's race.

Legislators from around the state and their constituents must be made to see that home rule is a basic human-rights demand. It is the only way to address a crisis in our lives and provide adequate housing at reasonable cost to millions of New Yorkers.

This year's latest compromise of our remaining protections, negotiated between three men in Albany in the darkness of the shortest night of the year, removes any vestige of New York City self-government. It eliminates the City Council's power to reform the Rent Guidelines Board, modify rent-control formulae, or do anything to improve rent regulations. Under this year's amendment, the Council can only declare that an emergency housing shortage exists. It can then either do nothing, or weaken the laws even further, as former speaker Peter Vallone did by pushing through $2,000 vacancy decontrol in 1994.

Calls are growing for the special legislative session in September to address needs not met before the legislature adjourned in June—or issues which the legislature admits it botched, such as the proposal to impose steep fees on Housing Court litigants for filing motions or stipulations of settlement. (Those fees have been stayed by administrative decision until October 1.) Other issues expected to draw attention and hopefully action include brownfields cleanup and development, reform of the Rockefeller drug laws, and lobbying abuses.

When the Council renewed the rent laws in March, and voted for a resolution urging Albany to end the $2,000 vacancy decontrol, it also passed a resolution for repeal of the Urstadt law. Mayor Bloomberg has repeatedly stated that he supports the right of New York City to self-determination on rent and eviction protections. However, under the state constitution, a formal Home Rule message can also be passed by the Council and signed by the mayor, officially calling upon the legislature for emergency action. At the

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INSIDE THIS ISSUE !

Mitchell-Lama Tenants Push Bill to Keep Rents Affordable

By Nathan Weber and Maureen Silverman

Some 800 tenants in Mitchell-Lama developments throughout the city showed their strength last month in securing a promise from City Council Speaker Gifford Miller to protect them from massive evictions from their homes.

Miller told a rally of Mitchell-Lama tenants at Borough of Manhattan Community College June 25 that he would "push the legal envelope" to enact legislation strengthening the right of Independence Plaza North and other Mitchell-Lama residents to remain in their homes at affordable rents. IPN is one of the city's largest Mitchell-Lama housing complexes, with 1,340 apartments and approximately 3,000 tenants. Another rally, at City Hall July 22, drew close to 1,000 people.

On June 26, IPN tenants found buyout notices under their doors and posted in building lobbies. The new owner, Laurence Gluck, had long announced his plan to buy the complex out once he took possession of it.

Buyouts, under which landlords may pay off the remaining mortgage amounts and taxes, and then charge free-market rents, are permitted under the Mitchell-Lama program. New rents in M-L buildings that are removed from the program are typically exorbitantly higher than standard rents.

Around 40 M-Ls throughout the city and state have already been so removed, and tenants in several others have received buyout notices. In some instances, tenants have agreed to onerous conditions—such as high rent increases every year—as a condition of remaining in their homes.

Miller introduced a bill on the issue July 23, and has committed to holding hearings on it in September. The Independence Plaza North Tenants Association supports the measure, which is designed to ensure that in upcoming negotiations with Gluck and other landlords, M-L tenants will be in a strong position.

The bill would apply to city-supervised Mitchell-Lama developments built in 1974 or afterwards and therefore not covered by rent stabilization—about 65 complexes, containing a total of 25,000 apartments. It would require any owner choosing to buy out to prove that the complex has been in "substantial compliance" with all M-L regulations and requirements, including adequate maintenance, security, absence of corruption, and the like. Tenants, of course, could challenge the landlord's assertion of such compliance.

In addition, the city Department of Housing Preservation and Development would have to issue a "community impact statement," showing how many tenants would be displaced, unable to find comparable affordable housing in the neighborhood. The owner would have to "mitigate" that impact. These provisions would be waived if the owner and tenants reach an agreement to keep rents affordable, at least for current tenants.

Neil Fabricant, IPNTA's president, insists that negotiations cannot be a two-way affair, that is, simply between the owner and tenants. Rather, he said, they need to be a "three-and-a-half-way" matter, with the third party being the city government, and the "half" being the state and federal governments, all of whom have deep stakes in the program. He added that this very point was made by Daniel Doctoroff, a deputy mayor who has met with IPNTA board members. The city administration has committed itself to ensuring that IPN tenants will remain in their homes at affordable rents.

It would be detrimental if New York City loses the many affordable and integrated Mitchell-Lama developments. IPN is the only affordable and racially diverse housing development in Tribeca, and one of the few remaining sources of affordable housing left in lower Manhattan. It is a community in itself that is a sharp contrast to the predominately white and wealthy surrounding neighborhood.

So far, government agencies have not shown any concern about the plight of IPN tenants or other housing developments facing the loss of government housing subsidies. New York's rebuilding plan in the aftermath of 9/11 must consider the need to preserve affordable housing and the benefits of neighborhood stability, diversity, and maintaining long-term tenants who have been a vital force in their communities.

The tenants of Independence Plaza built the Tribeca community, including getting the first schools, parks and supermarket established. IPN is located six blocks from the World Trade Center site, and the tenants endured the consequences of 9/11. Its strong leadership and cohesive community held much of Tribeca together, as we helped our neighbors cope with the attack. Now, we are in danger of losing our homes. The city must step up to the plate and pass legislation to preserve Mitchell-Lama housing and the vibrant communities that their tenants have created.

In the meantime, IPN will continue waging a vigorous organizing campaign to preserve IPN and other Mitchell-Lamas.

Nathan Weber and Maureen Silverman are members of the Independence Plaza North Tenants Association.

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EL INQUILINO HISPANO

"Píldora envenenada" de Pataki

La renovación de leyes de renta conserva el descontrol y refuerza la ley Urstadt

Por Jenny Laurie
Traducido por Lightning Translations

Las leyes de renta estatales han sido renovadas en una jugada legislativa que promete a los caseros más ganancias y a los inquilinos rentas más altas. En una estratagema callada a puertas cerradas, el gobernador Pataki y el líder mayoritario del senado estatal Joseph Bruno maquinaron la renovación de las leyes de una manera que garantiza la pérdida de cientos de miles de unidades de vivienda asequible durante los próximos ocho años.

¿Qué es lo que hace la nueva ley? Las leyes de renta fueron renovadas por un período de ocho años, hasta el 15 de junio de 2011, insertando tres cambios aparentemente innocuos. Uno de ellos permite a los caseros no cumplir con las "rentas preferentes" negociadas con inquilinos. El segundo refuerza la Ley Urstadt, limitando aun más la autoridad de la ciudad de Nueva York para hacer cambios en la manera que se administran las leyes de renta. El tercero restringe la disposición de descontrol de vacancia de $2,000, así que los caseros pueden alquilar apartamentos a los inquilinos por menos de $2,000 después de registrar la renta en $2,000 o más.

La guerra de rentas de 2003

Este año, la lucha por la renovación de las leyes de renta fue mucho más ligera que la de 1997. Menos inquilinos fueron a Albany para cabildear y el enfoque de los medios de información en el tema fue inexistente comparado con 1997. Aunque el asunto fue discutido en Albany durante toda la sesión legislativa de 2003, los medios de información sólo empezaron a prestar atención a los mensajes de Pataki, Bruno y el vocero de la asamblea Sheldon Silver sobre la forma que la renovación podía tomar al acercarse el 15 de junio, fecha en la que las leyes vencerían. Los tres líderes enviaron una variedad de mensajes.

Como reportarán todos los observadores de Albany, se hará legislación sólo cuando Pataki, Bruno y Silver se pongan de acuerdo en cuanto al tema y sobre el lenguaje exacto. General-

pasa a la página 4

Los Ajustes de la "Junta de Regulación de Renta" de la Ciudad de Nueva York (Orden No. 35)

Para los contratos de apartamentos de Renta Estabilizada que comienzan el 1ro. de octubre de 2003 hasta el 30 de septiembre de 2004, 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 2003. 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 2003. Las cantidades que aparecen en el cuadro y los incrementos para los apartamentos vacíos no se aplican a los apartamentos que estaban sujetos a renta controlada en aquella fecha. No se permite el recargo también conocido como el «impuesto de pobres.»

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

Exceso de Cobro Los inquilinos deben estar al tanto de que muchos caseros van a aprovecharse de la complejidad de estas regulaciones y subvenciones, así como del poco conocimiento de los inquilinos del historial de renta de sus apartamentos, para cobrar un alquiler ilegal. Una vez que el inquilino haya tomado posesión del apartamento, puede escoger entre llenar un formulario de queja de exceso de cobro de renta con la oficina de la División de Vivienda y Renovación Comunal (DHCR), o disputar la cantidad de la renta en la corte de vivienda de la ciudad para que se determine cuál es el alquiler legal.

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

La Apelación de la Renta de Mercado Justa Otro tipo de exceso de cobro sucede frecuentemente cuando se vacía un apartamento que previamente estaba sujeto a renta controlada y se alquila con renta estabilizada. La Junta de Regulación de Renta (RGB) establece anualmente lo que ellos llaman el "Tope Especial de la Renta de Mercado Justa," el cual es empleado por la DHCR para bajar las rentas de mercado injustas de los inquilinos que llenan el formulario llamado "Apelación a la Renta Justa de Mercado" (FMRA). Según la Orden 35, es la Renta de Mercado Justa de HUD o un 50% sobre la renta base máxima. Ningún inquilino de un apartamento de renta estabilizada que fue descontrolado el 1ro de abril de 1984 o después debe dejar de poner a prueba la llamada "Renta Legal Inicial Regulada" (renta de mercado) que los caseros cobran cuando hay descontrol del apartamento. Use el formulario de DHCR *Form RA-89*. Indique claramente que su queja es tanto una queja de "Apelación a la Renta Justa de Mercado" como de "exceso de cobro." La corte de vivienda no puede tomar decisión sobre una Apelación de Renta de Mercado. Apartamentos vacíos que antes estaban controlados en edificios que se han convertido en cooperativas o condominios no se vuelven estabilizados y no satisfacen los requisitos para la Apelación de la Renta Justa de Mercado.

Exención de Incrementos para las Personas de Mayor Edad: Las personas de 62 años o más que viven en apartamentos estabilizados y cuyos ingresos familiares anuales son de $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 4 por ciento por un contrato de un año y un 7 por ciento por un contrato de dos años. No se permiten incrementos para las unidades de desván vacías.

Hoteles y Apartamentos de una Sola Habitación La pauta es un 3.5% para hoteles de clase A, casas de huéspedes, hoteles de clase B (de 30 habitaciones o más), hoteles de habitaciones solas (SROs) y casas de habitaciones (clase B, de 6 a 29 cuartos), por encima de la renta legal que se pagó el 30 de septiembre de 2003. No se permite ningún incremento de vacancia. No se puede cobrar el incremento estipulado por la pauta a menos que un 75% o más de las unidades en el edificio sean ocupados por inquilinos permanentes de renta estabilizada o controlada pagando las rentas reguladas legales. Además, no se permite ningún aumento cuando el dueño deje de dar al nuevo inquilino de aquella unidad una copia de los Derechos y Obligaciones de los Dueños e Inquilinos de Hoteles, según la Sección 2522.5 del Código de Estabilización de Rentas.

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

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

Tipo de Contrato	Renta Legal Actual		Contrato de 1 Año	Contrato de 2 Años
Renovación del Contrato	Todas		4.5%	7.5%
Contratos para Apartamentos Vacíos	Más de $500	Incrementos por desocupacíon cobrados en los últimos 8 años	17%	20%
		Incrementos por desocupacíon no cobrados en los últimos 8 años	0.6% por el número de años desde el último incremento por estar vacío, más el 17%	0.6% por el número de años desde el último incremento por estar vacío, más el 20%
	Menos de $300	Incrementos por desocupacíon cobrados en los últimos 8 años	17% + $100	20% + $100
		Incrementos por desocupacíon no cobrados en los últimos 8 años	0.6% por el número de años desde el último incremento por estar vacío, + 17% + $100	0.6% por el número de años desde el último incremento por estar vacío, + 20% + $100
	Renta de $300 a $500	Incrementos por desocupacíon cobrados en los últimos 8 años	17% o $100, lo que sea mayor	20% o $100, lo que sea mayor
		Incrementos por desocupacíon no cobrados en los últimos 8 años	0.6% por el número de años desde el último incremento por estar vacío, mas 17%, o $100, lo que sea mayor	0.6% por el número de años desde el último incremento por estar vacío, mas 20%, o $100, lo que sea mayor

"Píldora envenenada"

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mente, los tres deciden tras puertas cerradas todos los temas de presupuesto y legislativos; muy raramente sale un tema para un debate abierto y honesto. Cerca de la fecha de vencimiento del 15 de junio, se citó a Pataki diciendo que quería "hacer unos pequeños ajustes" en las leyes de renta. Algunos senadores republicanos de la ciudad de Nueva York declararon que apoyaban elevar el umbral del descontrol de vacancia, de $2,000 a $2,500. En un momento dado, Bruno declaró que apoyaba la renovación de las leyes pero con un límite de descontrol de vacancia más bajo, alrededor de $1,500.

Silver se aferró a la postura que había tomado la asamblea en febrero al aprobar su propio proyecto de ley de renovación: revocar el descontrol de vacancia por completo, bajar de un 20% a 10% la cuota de vacancia (el incremento de renta que se les permite a los caseros entre inquilino e inquilino); reforzar las protecciones de desalojo; y ampliar la cobertura de las leyes para incluir las unidades Mitchell-Lama y de Sección 8 que iban a salir de los programas de subvención y no habrían sido protegidas de otra manera por la estabilización de renta.

El 15 de junio llegó y pasó sin que se divulgara ningún acuerdo, mientras la legislatura aprobó lo que sería la primera de cuatro prórrogas de 24 horas para las leyes. Persistían los rumores que Bruno estaría dispuesto a conformarse con una extensión sin cambios, siendo el único tema discutible la vigencia—por cuántos años se extendería la ley. Los demócratas partidarios de los inquilinos apoyaron la vigencia más corta posible, para que se pudieran revocar las disposiciones de descontrol de vacancia en la siguiente fecha de renovación. Los compañeros republicanos de Bruno del sur del estado continuaron asegurando a sus constituyentes que no tenían ningún motivo para preocuparse y que si se hicieran cambios, estos serían sin importancia.

Corrió la voz que los tres habían logrado un acuerdo en la noche del martes 17 de junio, para una extensión de cuatro años sin cambios. Aunque no les gustó a muchos inquilinos que el proyecto de ley no incluyera ninguna medida para remover las disposiciones del descontrol de vacancia, se pusieron muy nerviosos cuando no se hizo saber públicamente sobre ningún arreglo el miércoles o el jueves.

El principio del final llegó el viernes 20 de junio a las 3 de la madrugada, cuando el proyecto de ley salió en el senado para un debate y aprobación precipitados. Después de resolver algunos otros asuntos, Bruno declaró que el senado había completado su trabajo en la sesión y permitió que sus colegas se fueran a casa. El voto fue más o menos según las líneas del partido, con unas pocas excepciones: los republicanos Guy Velella (el Bronx y Westchester) y Martin Golden (Bay Ridge) votaron en contra de la medida para evitar las críticas de sus constituyentes; Frank Padavan (Queens), considerado genuinamente en pro de los inquilinos por muchos observadores, también votó que no. Olga Mendez (East Harlem), Serphin Maltese (Queens) y John Marchi (Staten Island) votaron todos a favor de la medida.

Una vez que se envió ese proyecto a la asamblea, según algunos reportes Sheldon Silver dejó a sus miembros la decisión de aprobarlo o no. Aparentemente aterrorizados por la posibilidad de que el senado republicano no ofreciera nada más y que se permitiría que las leyes vencieran para siempre, la asamblea aprobó el proyecto. Los únicos demócratas que rompieron filas con Silver y votaron en contra del proyecto fueron Scott Stringer (quien también votó en contra del proyecto de renovación en 1997) y Danny O'Donnell de Manhattan, además de Mark Weprin de Queens.

"Fue un proyecto horrible y nunca debían ponernos en posición de tener que resolver el asunto un día después de terminar la sesión," dijo O'Donnell a *Inquilino*. "Se debía resolver el tema al principio de la sesión."

Después de ser aprobado en ambas cámaras de la legislatura, el proyecto fue rápidamente al gobernador, quien lo firmó con elogios: la renovación continuaría las grandes reformas emprendidas en 1997 y promovería una "transición ordenada" de la vivienda de Nueva York hacia el mercado libre.

¿Qué significan los cuatro componentes?

Para muchos observadores, la vigencia de ocho años es mortal. En ocho años, cientos de miles de unidades se desregularizarán, así que para la próxima fecha de renovación en 2011 existirán muchos menos inquilinos de renta estabilizada para cabildear por su renovación.

La ley también refuerza la Ley Urstadt, algo que significa que quedarán vetados proyectos de ley en trámites en el concejo municipal para reformar la Junta de Regulación de Renta (un intento de conseguir incrementos de renta más justos para los inquilinos de renta estabilizada) y para cambiar la fórmula de los inquilinos de renta controlada (para aliviarlos de los incrementos de 7.5% y de que se les pasen a ellos el costo de combustible cada año). Otro cambio aclara que un casero puede cobrar menos de $2,000 por un apartamento descontrolado y registrado en $2,000, sin que el apartamento regresara a la regulación de rentas.

Los culpables

¿Quiénes son los culpables? Toda la cobertura de los medios de información, además de los funcionarios electos que querían hablar sobre los eventos, señalaron los engaños y maniobras patentes de Pataki y Bruno. O'Donnell sugiere que los inquilinos echen la culpa a los republicanos que representan la ciudad de Nueva York: "Pregúntenle a Olga Mendez porqué ella votó por este proyecto. ¿Cómo se puede permitir que los republicanos que votaron a favor del proyecto representen al pueblo de Nueva York?"

Según la senadora estatal Liz Krueger (demócrata de Manhattan), para la conclusión de la sesión legislativa fue evidente que Pataki y Bruno se habían reconciliado. (Habían disputado sobre el presupuesto estatal cuando Bruno y Silver se aliaron para aprobar su propio presupuesto por encima del veto de Pataki.) ¿Debía Silver prever esta estratagema y estar mejor preparado? "Estoy convencida de que nadie sabía que esto se estaba tramando y se ha dado una lección a todo el mundo: si realmente crees cualquier cosa que prometen Pataki y Bruno antes de que seque la tinta en el convenio, no entiendes Albany."

Krueger dijo que también hubo muchos grupos y personas que creían tener buenas promesas de Pataki y Bruno en torno a otros temas: la reforma del cabildeo, el reporte de abusos sexuales cometidos por clérigos y la llamada Ley Timothy (dinero para servicios de salud mental). "Es evidente que desde el principio el plan fue otorgar promesas para después dar gato por liebre."

Los partidarios de los inquilinos, incluyendo aquellos de nosotros en el Consejo Metropolitano de Vivienda (Met Council) que se comprometieron en tratar de revocar el descontrol de vacancia, reconocen que Silver cedió su poder de negociación a principios de la sesión. Para el 20 de junio había permitido que se le acorralara. ¿Era posible que los inquilinos pudieran ejercer suficiente presión sobre él a principio del año, antes de que el acuerdo sobre el presupuesto se hiciera, para conseguir un pacto para los inquilinos? Claramente, esta es una pregunta a la cual tenemos que responder. Como un columnista recordó a sus lectores, un reportaje reciente de Causa Común (Common Cause) demuestra que los caseros dieron a Pataki y Bruno $2.7 millones de dólares para continuar deshaciendo las leyes de renta.

Y ahora ¿qué?

Liz Krueger fue la más directa en torno a lo que los inquilinos deben hacer ahora: buscar la autonomía ("home rule"), porque "no hay posibilidad de reformar las leyes de renta en Albany." Explicó que siente que cabildear en la legislatura estatal para mejorar las leyes de renta sería inútil para el futuro. "Albany no debe decidir las protecciones de inquilinos o temas de vivienda asequible para la ciudad de Nueva York," reitera. "Los funcionarios electos en la ciudad de Nueva York, quienes son responsables ante los inquilinos, deben tomar las decisiones sobre cómo se alojan los residentes de la ciudad de Nueva York."

El alcalde Mike Bloomberg también merece ser culpado por su falta de participación. Aunque los alcaldes previos David Dinkins y hasta Rudy Giuliani, quien generalmente estaba en contra de los inquilinos, habían viajado a Albany para instar la renovación de las leyes de renta, Bloomberg nunca fue a hablar con sus compañeros republicanos sobre la preservación de viviendas asequibles en la ciudad de Nueva York. La participación del alcalde se limitó a comentarios coléricos hechos bajo las presiones de reporteros exigiéndole una respuesta en torno a su postura frente a la renovación de las leyes de renta.

9/11 Funds Subsidize Luxury Housing

By Stephanie Greenwood

There is so much bad news about affordable housing these days that it's hard to keep track of it all—especially the parts that involve eye-glazing jargon like "triple-tax exempt bonds" and "discounted financing." But under the jargon, a major opportunity is being missed in Lower Manhattan.

Here's the problem: There are $1.6 billion in so-called "Liberty Bonds" available to finance new and renovated housing downtown following the attacks of September 11th. The interest on them is exempt from federal, state, and local taxes, which means that the developers who borrow money on them get to pay it back at a lower rate. But so far, state and city officials have used the bulk of the bonds to subsidize high-end, market-rate apartments. If Mayor Bloomberg and Governor Pataki, who each control $800 million of the bonds, don't change their policies quickly, all the 9/11 resources for housing will be spent without creating a single unit downtown that's affordable to low or moderate-income people.

Since last summer, Pataki has used approximately $350 million of his portion of the bonds to approve four projects through the state Housing Finance Agency (HFA). All follow the same policy of renting almost all—95%—of the units at market rate and reserving the other 5% for households making one and a half times New York City's area median income, or about $94,200 a year for a family of four. This is even more extreme than the usual formula for developments that get tax breaks (such as Battery Park City), which is 80% market-rate units and 20% set aside for low or moderate-income households.

It was this policy that gave rise to the Liberty Bond Housing Coalition—a group of advocacy and tenants' rights organizations, including Met Council, that emerged from the Labor Community Advocacy Network—to urge the governor and the mayor to use Liberty Bonds to finance mixed-income housing.

The HFA offers two main justifications for its high-end approach. First, officials say, the federal legislation that authorized Liberty Bonds included no affordability requirement. (The legislation lacks the standard affordability requirements generally attached to tax-exempt financing for housing.) Secondly, HFA insists that the bonds are meant to be part of an "economic development" program rather than a "housing" program. This is especially disappointing reasoning from an agency whose mission is to serve New Yorkers "by providing low-cost, flexible financing for the creation and preservation of high-quality, affordable multifamily housing."

Mayor Bloomberg has put forward a plan that would more than exhaust his share of Liberty Bonds for housing without building any non-market-rate apartments downtown. The city's Housing Development Corporation (HDC) has approved only one Liberty Bond project, using $74.8 million for a building at 90 Washington St. that will be almost entirely composed of studios. However, $924 million more has been nominally committed through "declarations of intent" for other projects, mainly in the Financial District. All the units in these projects will rent at market rate. Instead of requiring any affordability in the buildings, the mayor plans to impose a 3% fee on developers, which he says will go into a trust fund to build affordable housing elsewhere in the city.

The one exception came on July 23, when Pataki and Bloomberg announced plans to spend $50 million for 300 units of "middle-income" housing — available to households making $50,000 to $85,000 a year.

HDC gives a different reason from the state as to why mixed-income housing can't be built downtown. In May, at a public hearing where members of the Liberty Bond Housing Coalition testified against the proposed market-rate deals, agency officials explained that they would *like* to build mixed-income housing, but that the subsidy provided by the bonds was just not deep enough to allow it. To supplement the bonds, HDC had asked the Lower Manhattan Development Corporation for a portion of the rebuilding funds, in the form of community development block grants, that the LMDC controls. HDC first made this request in November 2002. It had received no response at the time of the May hearing.

In response, members of the Liberty Bond Housing Coalition organized two events at the LMDC's June board meeting: a press conference held before the meeting, and an action in the boardroom where tenants and housing advocates held signs demanding that the LMDC provide funds to help the mayor keep his promise to build mixed-income housing downtown. (Testimony from the press conference, photos, and press coverage are available on the Web at www.goodjobsny.org/rec_news.htm.)

The coalition is not the only voice calling for changes in the allocation of Liberty Bonds. The Real Estate Board of New York, a landlord group, reportedly plans to urge Congress to extend the deadline (currently January 1, 2005) for issuing the bonds, and may also ask that some of the bonds slated for commercial projects be reallocated to residential use.

So what is there left to do? Now is the perfect time for Congress to step in with a few technical amendments that would: 1) impose an affordability requirement on the use of the bonds, 2) include the low-income housing tax credits that usually come with tax-exempt financing for housing, and 3) extend the deadline to allow time to plan and recruit developers for mixed-income housing downtown.

If enough pressure is brought to bear on Congress to make these changes, and on city and state officials to implement them, then Liberty Bonds could become a catalyst for mixed-income developments that would shore up the deteriorating supply of affordable housing downtown. Without these changes, taxpayers will foot the bill for speeding up the displacement of low-income people and draining diversity and vitality from the area. We can do better than that.

Stephanie Greenwood is a research analyst with Good Jobs New York.

Complaint Numbers

To reach the Department of Housing, Preservation and Development's Central Complaints hotline, call 311. This number replaces (212) 824-4328.

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

LETTERS

RGB Member Explains

I was given a copy of the June-July 2003 issue of *Tenant*, and read your article on the recent Rent Guidelines Board (RGB) vote with great interest. I believe your reporting of what went on at this last meeting was reasonably accurate, considering how many comments were made from all who were present. Passions were obviously heightened and rhetoric from all sides was extreme. I did, however, want to make a few comments and offer a few clarifications.

Perhaps I didn't hear correctly after the meeting ended, but I don t recall any woman cursing at me. Nor do I recall any woman or tenant advocate who spat "I want to thank you for making me leave the city." Passions were, indeed, high, and I must tell you that I and other RGB members were assailed and criticized before and after the meeting by both tenant and landlord lobbyists. And if, in fact, I was cursed and words were spat on/at me well, when people are truly upset, it is understandable and accidents can happen.

And I probably did smile uncomfortably at the completion of the meeting, and for good reason. As a new RGB member, I and the other public members spent a great deal of time reading, researching, attending meetings, and discussing the issues. I can assure you that I was most uncomfortable in the days and weeks preceding the final RGB vote, and I continue to remain uncomfortable (not to be confused with feeling guilty). On the other hand, I feel much better that there was a reduction of 1% for both the one-year and two-year leases. And I further believe that my initial vote against the preliminary guidelines was instrumental in ending up with the lower guidelines.

But for the record, the primary reason that the final guidelines came down was not because of the advocacy of the tenant members, but because the public members (Adams, Luskin, Kaufman, and myself) worked very hard at trying to achieve a fair and reasonable outcome. It is clear at this time that neither tenants nor landlords agree that we achieved that goal.

I didn't want to write such a long response, but I have not yet arrived at my major point, and for that I apologize. Perhaps it is well beyond the scope of an RGB member, but when I read all the reports, *I don't hear about the need to build affordable housing in the city,* when I listen to all the tenant and landlord advocates, *I don't hear about the need to build affordable housing in the city,* when I hear the politicians vilify the RGB members, *I don t hear about the need to build affordable housing in the city,* when I read the editorials in all types of publications, *I don't hear about the need to build affordable housing in the city,* and when I listen to proceedings of the City Council or the State Senate or Assembly, *I don't hear about the need to build affordable housing in the city.*

In the 1960s, New York was able to build almost 370,000 apartments throughout the five boroughs. The city hasn't come close to that total since that time, and the housing crisis continues and even worsens. We are all responsible for putting the construction of new affordable housing units back on the front of the agenda!

—*Martin Zelnick*
RGB Public Member

Steven Wishnia replies: The word spat referred to the woccman's tone of voice, not to any bodily fluids, but the rest of her quote is in my notes.

Met Council and other tenant advocates have repeatedly called for building more affordable housing in the city, in these pages and

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NYCHA Agrees to Give Tenants Construction Jobs

By Nicole Branca

The TRADES coalition (Trade Unions & Residents for Apprenticeship Development & Economic Success), has just won an unprecedented commitment from the New York City Housing Authority to clean up the way construction gets done at its developments, and in the process create hundreds of construction jobs for its residents.

Public-housing residents and community advocates here have battled the Housing Authority for decades, arguing that it has been negligent in complying with the federal Section 3 hiring requirement for its residents. The measure mandates that public-housing authorities and its contractors, to the greatest extent feasible, hire residents for the jobs at the developments. However, few residents generally receive jobs, and those that do mostly get short-term, makeshift work, without training and benefits, and with low and often under-the-table wages.

Then in walked some rather unlikely allies—the city's labor unions.

Since historically, almost all of NYCHA's construction work has gone to the lowest possible bidder, the building-trades unions have been continually shut out of the $500 million worth of construction work that gets done each year on the Housing Authority's grounds. Willing to bring public-housing residents into their apprenticeship programs and wanting to ensure that prevailing wages get paid and benefits are given to all the workers on NYCHA construction sites, four of the city's largest labor unions—the Laborers, Painters, Carpenters, and Plumbers—joined forces with the residents and advocates to form the TRADES campaign three years ago.

Now, after spending most of the past year in on-again, off-again negotiations with TRADES, the Housing Authority has agreed to a pilot program aimed at reforming its procurement and resident-hiring processes. Over the next three years, the program will move nearly $500 million of NYCHA's construction work to outside construction-management firms (who will have rigid criteria for the bidders, including having a mandatory state-approved apprenticeship program, proven financial history, insurance, etc.) and will create over 200 apprenticeship positions for public-housing residents.

Although the pilot program, called a CM/Build, will not be made official until NYCHA issues a formal "request for proposal" in late July, the authority has already publicly committed to the program in both its 2004 agency draft plan and in letters to various elected officials.

Does this mean that the TRADES campaign is over? No, it means that an important first step has been taken to create resident job and training opportunities and to limit the number of irresponsible contractors that can bid on NYCHA construction work. There is an enormous amount of work that needs to be done to ensure that the CM/Build program functions properly. It still needs to be decided who runs the pre-apprenticeship program to prepare residents for the union apprenticeship programs, and who will do the recruitment, supportive services, and monitoring that the program will demand.

Another question is how to ensure that public-housing residents who are already union members or highly skilled in the construction trades, but are waiting for work, get the federal Section 3 jobs that are rightfully theirs. The CM/Build is only for new apprentices, yet there are hundreds, if not thousands of unemployed or under-employed public-housing residents who are sufficiently skilled in the building trades, but will not be given preference on construction work being done in their own community.

In a city where the unemployment rate continues to soar, the CM/Build program is an enormous victory for TRADES. But for a city with 500,000 public-housing residents and a housing authority with $500 million dollars in construction work each year, this can only be the beginning.

Nicole Branca is TRADES campaign coordinator at NY Jobs with Justice. For more information, please call (646) 452-5655.

NYC Rent Guidelines Board Adjustments (Order No. 35)

for Rent Stabilized Leases commencing Oct. 1, 2003 through Sept. 30, 2004, including the Pataki vacancy bonuses adopted by the State Legislature on June 19, 1997

This rent guidelines table shows the maximum increases landlords in New York City can legally charge for rent stabilized apartments on all leases commencing in the twelve-month period beginning October 1, 2003. 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, 2003. The above guidelines and vacancy bonuses do not apply to an apartment which was rent controlled on that date. There is no low rent supplement, a.k.a. poor tax, allowed.

Lease Type	Current Legal Rent		One-year Lease	Two-year Lease
Renewal Leases	All		4.5%	7.5%
Vacancy leases	More than $500	Vacancy allowance charged within last 8 years	17%	20%
		No vacancy allowance charged within last 8 years	0.6% times number of years since last vacancy allowance, plus 17%	0.6% times number of years since last vacancy allowance, plus 20%
	Less than $300	Vacancy allowance charged within last 8 years	17% plus $100	20% plus $100
		No vacancy allowance charged within last 8 years	0.6% times number of years since last vacancy allow–ance, plus 17% plus $100	0.6% times number of years since last vacancy allow–ance, plus 20% plus $100
	Rent $300 to $500	Vacancy allowance charged within last 8 years	17% *or* $100, whichever is greater	20% *or* $100, whichever is greater
		No vacancy allowance charged within last 8 years	0.6% times number of years since last vacancy allowance, plus 17%, *or* $100, whichever is greater	0.6% times number of years since last vacancy allowance, plus 20%, *or* $100, whichever is greater

Sublease Allowance

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

Vacancy Leases

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

Rent Overcharges

Tenants should be aware that many landlords will exploit the complexities of these guidelines and bonuses, and the tenant's unfamiliarity with the apartment's rent history, to charge an illegal rent. The tenant can choose between filing an overcharge complaint with the Division of Housing and Community Renewal or challenging the rent in Housing Court to get a determination of the legal rent.

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

Fair Market Rent Appeal

Another type of overcharge frequently occurs at the time that a previously rent controlled apartment becomes vacant and is re-rented as a stabilized unit. The Rent Guidelines Board 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 35, it is HUD Fair Market Rent or 50% above the maximum base rent., whichever is higher. No stabilized tenant of an apartment that was decontrolled on or after April 1, 1984 should fail to challenge the so-called Initial Legal Regulated Rent (market rent) that landlords charge upon decontrol. Use DHCR *Form RA-89*. Indicate clearly that your complaint is both a complaint of "overcharge" and "Fair Market Rent Appeal." The Housing Court cannot determine a Fair Market Rent Appeal. Formerly controlled vacant apartments in buildings converted to co-ops or condos do not become stabilized and are not eligible for a Fair Market Rent Appeal.

Senior Citizen Rent Increase Exemption

Rent stabilized seniors, 62 years or older, whose disposable annual household income is $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 avoided. Obtain the SCRIE application form by calling (212) 442-1000.

Loft Units

Legalized loft unit increases above the base rent are 4 percent for a one-year lease and 7 percent for two years. No vacancy allowance is permitted on vacant lofts.

Hotels and SROs

The guideline is 3.5% 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, 2003. No vacancy allowance is permitted. The guideline is not collectible unless 75% 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 owner has failed to provide to the new occupant of that unit a copy of the Rights and Duties of Hotel Owners and Tenants, pursuant to Section 2522.5 of the Rent Stabilization Code.

High-rent, High-income Deregulation

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

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

Community Resists Columbia Expansion

By Kenny Schaeffer

Columbia University, whose main campus occupies the area between Broadway and Amsterdam Avenue from West 114th to 120th streets, has announced its intention to expand in all directions as part of a new 30-year plan. The community —including many veterans of battles with Columbia in decades past—is rising to the challenge.

Columbia executive vice president Emily Lloyd frankly told a packed Community Board 9 meeting in June that the university has a permanent push to expand. "When we start teaching biotechnology, we don't stop teaching Spanish," she stated.

The problem, from the community's point of view, is that Columbia wants to expand indefinitely into a finite and very dense urban environment that is already at the breaking point due to loss of jobs and affordable housing. And the university is now violating long-held understandings that it would not move below 110th Street or above 125th Street, and that it would not directly encroach on Harlem.

Last year, Columbia overcame considerable opposition to construct a private school/luxury residence at the southeast corner of 110th Street and Broadway, and has already implemented plans to construct a new school of social work and a law-school dormitory on Amsterdam Avenue between 121st and 122nd streets. Its next big plans are to construct two towers on the grounds of the Cathedral of St. John the Divine, and to create an entirely new arts campus west of Broadway and north of 125th Streets, where it already owns considerable land—as it is pleased to display with color-coded maps at community meetings. The university has also hand-picked a "community advisory board," to make suggestions which it may or may not heed.

Area residents—some with over 30 years' experience in Columbia-community relations—have organized a group called Coalition to Preserve the Community, which has been engaging local elected officials and Community Boards 9, 10, and 12, to raise technical issues including zoning variances, landmarking, and historic districts, as well as broader concerns such as the need to preserve and expand jobs and affordable housing. While CPC has taken advantage of every opportunity to negotiate these issues with Columbia, they also know that the university has a long history of putting its own interests first. The group's open letter says they are determined that the public debate "address the destructive consequences of Columbia's continued unrestrained expansion at the expense of our community."

Without Struggle...

In 1968, Columbia's plans to build a gymnasium in Morningside Park that would not be open to the Harlem community sparked one of the biggest confrontations of the '60s student-radical movement, with the university dropping the plans after protesters occupied several campus buildings. In the 1980s, Columbia aggressively bought up large rent-stabilized buildings and single-room-occupancy hotels, in order to replace the tenants with students and faculty to facilitate university expansion. It backed down after a civil-disobedience campaign in which several groups of people were arrested for blocking city marshals from evicting long-term tenants. But the blue-and-white Columbia lion is stirring again.

One of the chief areas of concern to community members is the threatened loss of jobs if Columbia is successful in getting the area from 125th to 133rd streets west of Broadway rezoned from manufacturing to "mixed use." That would open the way for campus expansion and luxury towers. According to Prof. Ron Schiffman, director of the Pratt Institute for Community and Environmental Development, the area holds a large number of jobs, including a doll factory and automobile-repair shops, which would be endangered by the proposed change in zoning. Schiffman has been hired by Community Board 9 to develop a plan to address the community's needs . He has stated that the loss of jobs is one of the biggest problems currently afflicting the CB 9 area, which covers Morningside Heights and Harlem from 110th to 155th streets and has also stressed the need for an organized tenant presence.

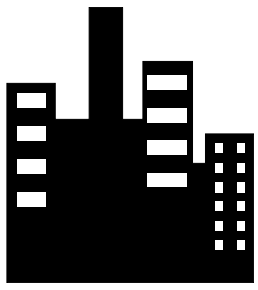
Columbia has recently acknowledged that it will own 50 of the units in a 17-story residential tower to be constructed on the Teachers College campus, after claiming for months that Teachers College is a separate corporation over which it has no control. The university is also considering purchasing units at Donald Trump's Riverside South, and it provided needed capital to bail out the 27-story luxury condo on the site of the Towers Nursing Home on 106th Street and Central Park West.

The university has also long been rumored to want to create a "corridor" from its 116th Street main campus to the Columbia-Presbyterian Hospital on 168th Street, home of its medical school. The communities surrounding the campus, including Harlem to the north and east, Manhattan Valley to the south, Manhattanville to the immediate north, and Washington Heights beyond that, are mostly low-income neighborhoods where relentless gentrification is threatening the residents. Rents for some apartments, especially in Manhattan Valley and Washington Heights, have risen above the $2,000 vacancy-decontrol level.

Columbia is also in the early stages of constructing a residential tower at the northeast corner of 103rd Street and Broadway, site of a former Lucille Roberts gym that the university acquired last year. As the New York *Observer* noted in June, Columbia has pressured the MTA to remodel the 103rd Street IRT subway station, which remains shut and unavailable to local residents while the construction goes on.

"It's like the Hundred Years War," says state Sen. Eric Schneiderman. "It's about power. The community won't get anywhere relying on Columbia's good intentions alone."

To paraphrase Frederick Douglass, without struggle there is no negotiation.



Lead

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tions, not just during lead abatement work.

"It would be unfortunate if the city were to rush through a weak bill that did not provide proper protection for children," Perkins said in a statement after the court decision. "That's what got us into this mess in the first place."

Intro 101-a has been endorsed by 37 Councilmembers, as well as the medical community, labor, and various environmental organizations. However, it is opposed by the real-estate lobby and the Bloomberg administration, which argue that it would cost landlords too much. Council Speaker Gifford Miller has also refused to support Intro 101-a, making only vague statements about "balance" and "complexities."

Of course, other people see the issue differently. Enrique Modesto, a PACC member whose daughter was severely lead-poisoned and now collects disability, misses the "complexities."

"Look, it's real simple," said Enrique. "My daughter, Christina, shouldn't have been poisoned. Now it's going to cost a lot more to care for her throughout her life. So either you have laws, like Intro 101-a, that make homes safe quickly, and it costs a little. Or you have something else that makes some bad landlords happy, and kids get sick, and it costs a lot."

On June 23, the Council finally held a public hearing on Intro 101-a. At the hearing, HPD and DOH officials lobbied vigorously against the bill and pledged their allegiance to Local Law 38. They spent four hours testifying against the bill, and then promptly walked out. Meanwhile, PACC members and other parents of lead-poisoned children from across the city took time off from work to go to the hearing, only to sit in the chambers for eight hours without getting a chance to be heard.

Though the event was frustrating, it was also instructive to many PACC members, like Adaluz Moran, whose home was discovered to have lead levels in excess of 12 times the threshold set forth by the EPA, and whose 3-year old granddaughter has been found to have an elevated blood-lead level. "Of course we didn't get to talk," she said as she walked back to the train station. "They already think they know the answers. But what do they know about Bedford-Stuyvesant? They've probably never even been there."

NYCCELP

Maria Nolasco, grandmother of a lead-poisoned child, speaks at City Hall.

On June 15, Enrique Modesto was one of the parents demonstrating in front of a $1,000 a ticket fundraiser for Speaker Miller in the West Village. Miller, who has received substantial contributions from real-estate interests, is likely to run for mayor in 2005. The picket, called by NYCCELP, was an attempt, in the words of radical historian Howard Zinn, to "demand access in other ways." Sure, parents and advocates couldn't afford the price of admission to the gathering—but they had a message to impart, nonetheless.

PACC's report on lead hazards in Bed-Stuy is available on-line at www.prattarea.org/leadpaint.pdf. For more information on the New York City Coalition to End Lead Poisoning and to join their campaign for Intro 101-a, contact Maureen Silverman at (212) 543-0260 Ext. 204, or go to their Website, www.nyccelp.org.

Urstadt

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June 1 Union Square rally organized by Met Council and dozens of other groups, Council Speaker Gifford Miller stated that he supports a formal Home Rule message and will move to enact one.

No Other Way Out

Without repeal of the Urstadt law, more and more units will be lost to huge vacancy increases, illegally inflated "improvements," and $2,000 vacancy decontrol. This will drive housing prices even further out of reach for all but the richest New Yorkers. Homelessness will continue to rise past existing unbearable levels.

Capital to invest in new affordable housing will not be available at the federal level, as long as domestic austerity is coupled with lavish military spending to enable the Bush junta to pursue its empire. Apartments lost to deregulation will not be replaced, and there will be a simultaneous loss of Section 8 and Mitchell-Lama housing.

In other words, New York City's housing crisis will get steadily worse for the next eight years. With Republicans in control of the State Senate for the foreseeable future, due to last year's Bruno-Silver redistricting deal, we can't expect any relief from the state government.

The only way to avert this scenario is if the demand for Urstadt repeal by all New York City leaders grows to fever pitch.

From this moment forward, every candidate for mayor or governor must be resolute on Urstadt repeal, or be booed off the stage. Thus far, Eliot Spitzer—the energetic Democratic state attorney general with his eye on the State House—has yet to take a position on the law. It is no accident that Spitzer, who comes from a big real-estate family and is not camera-shy, did not make any public statement on the issue while the rent laws were awaiting renewal. He must not be given a free ride. The question must be put to him and every other candidate at every public appearance: Where do you stand on home rule for New York City?

If they will not speak out for the city's right to protect affordable housing for its people, they do not deserve any legitimacy as candidates.

For the first time, statewide good-government groups are beginning to express support for Urstadt repeal. Common Cause and the New York Public Interest Research Group (NYPIRG) have spoken out about the corrupting influence of real-estate contributions on the political process, which is both a cause and an effect of the Urstadt law. The Working Families Party will be advocating Urstadt repeal in statewide races, and we hope the Democrats will too.

Fifteen years ago, the *Amsterdam News* began a series of weekly editorials saying, "Koch Must Go." A year later, he lost the mayoral primary. In that spirit, we say, it is time for Urstadt to go.

Letter

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elsewhere. (RGB tenant representative Adriene Holder spoke out about it before the final vote.) However, it is equally crucial — perhaps more crucial, given that the federal and state governments are more interested in tax cuts for the rich than in building low-cost housing — to preserve what affordable housing there is. With massive vacancy increases locked in place and the Pataki administration's negligible enforcement against illegal overcharges, the RGB is one of the few places that can hold the line.

We appreciate your concern, but the "both sides are angry, so we must have done the right thing" argument just won't cut it.

Missed an issue of TENANT?

see www.metcouncil.net

METROPOLITAN COUNCIL ON HOUSING

Met Council is a citywide tenant union.

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

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

212-979-0611

Senior Citizen Rent Increase Exemption Update

One thing the state legislature did do for tenants this year was pass a bill to increase the income limit for eligibility for the city's program for elderly tenants, the Senior Citizen Rent Increase Exemption (SCRIE), to $24,000. Governor Pataki has not yet signed the bill into law. If he signs it, the next step necessary to making it effective is to get the City Council and Mayor Bloomberg to support the change. The city has to pass a law raising the limit, and then the Department for the Aging can implement it.

Another improvement to the program is halfway done as well. The Council just passed a bill, Intro. 410, to require the Department for the Aging to immediately recalculate a household's income when it has dropped by 20% or more (from, for example, the death of a spouse). The current law allows the department to wait a year. The mayor has not yet signed the bill into law.

The SCRIE program freezes the rent for tenants (or Mitchell-Lama residents) who are 62 or older, have incomes of $20,000 or less, and pay 1/3 or more of their income for rent.

Tenant Action Needed: Call Mayor Bloomberg and your Councilmembers to urge support for raising the income limit to $24,000. Also ask the mayor to sign Intro. 410. Call Governor Pataki and urge him to sign the state bill.

Hotline Volunteers Needed!

Our phones are ringing off the hook! Met Council is looking for people to counsel tenants on our hotline. We will train you! The hotline runs on Mondays, Wednesdays and Fridays from 1:30-5 p.m. If you can give one afternoon a week for this crucial service to the tenant community, call Jenny at (212) 979-6238 x3.

WHERE TO GO FOR HELP

LOWER EAST SIDE BRANCH at Cooper Square Committee
61 E. 4th St. (btwn. 2nd Ave. & Bowery)
Tuesdays ..... 6:30 pm
Closed in August

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

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

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 pm

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

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

WEST SIDE TENANTS UNION
200 W. 72nd St. Room 63; 212-595-1274
Tuesday & Thursday ..... 2-5 pm
Tuesday & 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 212-979-6238.

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 **Email**

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