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Tenant Inquilino

Housing for people, not profit

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Metropolitan Council on Housing
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PERIODICAL

RGB Preliminary Vote May 10

Will They Use the Lead-Paint Law to Raise Rents?

By Jenny Laurie

Landlords' costs rose at a much slower rate last year than they did the year before, according to an annual study by the city's Rent Guidelines Board, thanks to a steep drop in fuel prices. Tenants, however, are still trapped between a bad job market and a shortage of affordable housing.

The RGB's 2004 Income & Expense Report, issued this spring, says landlords' overall costs went up only 6.9 percent in the past year. Last year's report found a cost increase of close to 20 percent, and the board used those figures to justify passing the highest rent guidelines in 14 years, hitting rent-stabilized tenants with a 4.5 percent for a one-year lease renewal and 7.5 percent for a two-year lease.

Landlords' expenses for insurance and property tax continued to climb, but at much lower rates. While landlords' increases in income slowed from 2001, owners of rent-stabilized buildings, especially the larger buildings, benefited from a very easy lending market. The RGB's 2004 reports show that landlords are getting the lowest mortgage rates in history for the fifth year in a row, and that loans are easy to get.

Tenants are not faring as well. A report on rents and tenants incomes, prepared annually by the RGB staff, shows that tenants, like most working New Yorkers, continue to suffer from recessionary conditions. For the third year in a row, tenants saw "rising unemployment rates, falling employment levels" and wages falling to

a level "not seen in this decade." While the number of New Yorkers on public assistance had fallen in previous years, due to "welfare reform" and a strong economy, those numbers began to climb back up at the end of last year.

Renters have also continued to suffer a very tight housing market, with the vacancy rates for apartments affordable to low and moderate-income New Yorkers below 2 percent. The number of people residing in the city's homeless shelters has continued to climb to tragic levels, with an average of 38,310 people in the shelter system on any given night last year. The study shows a precipitous climb in the number of families with children in

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the shelter system.

The number of city renters unable to make rent payments stayed high in 2003—over 300,000 for

the second year in a row. In 2002 (the latest statistics available), Housing Court

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City Planners Make Windfalls for Developers and Oppose Inclusionary Zoning

By Alex Schafran

New York City's planners are rezoning land left and right to make way for new housing. But they refuse to adopt one of the tried and true methods of city planning to insure that some of the new housing goes to meet the dire housing needs of working-class people. That method, inclusionary zoning, gives mandates or incentives to developers so that a certain proportion of new housing units are affordable to people with modest incomes. It has been used successfully all over the country, but the New York Department of City Planning (DCP) instead proclaims that equity principles have no place in zoning, as they proudly create windfall profits for landowners.

Historically working-class neighborhoods that are getting up-zoned, like Hell's Kitchen in Manhattan and Williamsburg in

Brooklyn (which *Utne Reader* calls the third "hippest" neighborhood in the country) have been particularly hard hit by both the overall housing crisis and rapid gentrification. Proposed zoning changes in these neighborhoods would create billions of dollars of value instantly. A landowner who owns a two-story warehouse will soon have a piece of land that can hold a 40-story office or residential tower. The fancy stores and renovated buildings that now dot Brooklyn's Fifth Avenue and Bedford Avenue have already brought with them rising rents and the displacement of longtime residents. That is why all over the city, organizations like Harlem Operation Takeback and Bushwick Housing Independence Project have sprung up to fight alongside existing community-based organizations and

legal assistance agencies to protect residents from eviction. One of the policy changes they're demanding from the city is the institution of inclusionary zoning.

New York City is in the grips of what is arguably its deepest housing crisis ever. This is a city of renters; 65 percent of households live in rental units. According to the 2002 federal Housing and Vacancy Survey, 25 percent of New Yorkers pay more than half of their income in rent. Another 25 percent pay more than 30 percent, the federal standard of affordability. The overall vacancy rate was 2.94 percent, well below the 5 percent benchmark for a housing crisis as defined by state law. The vacancy rate is just 2 percent for units renting for under \$700 per month. On the other hand, more than 10 percent of units renting

for over \$2,000 remain vacant.

New York City has had a limited inclusionary zoning program since 1987, providing floor-area bonuses to developers who build or rehabilitate low-income apartments. It is available only in districts zoned R10 (high-density) in Manhattan. The program prohibits the use of additional subsidies for the low-income units, rendering it rather ineffective and underutilized.

According to a study by Robert Burchell and Catherine Cally, there are 72 jurisdictions throughout the country that use some form of inclusionary zoning, including the states of California and New Jersey. Perhaps the best known is Montgomery County, Maryland, where an ordinance requires affordable housing in any development of 50 or more units. It has produced more than 10,000

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Columbia Expansion Vexes Neighborhood

By James Lewis

Columbia University's expansion plan is seen by many as an invasion of the surrounding neighborhoods. The university is proposing massive development that will have a monumental effect on the West Harlem community. The enormity and scale of the project concern many local residents and activists.

The proposed expansion extends from 125th Street to 133rd Street, between Broadway and 12th Avenue, and includes the building of structures 20 stories tall. Columbia will be adding a campus in Manhattanville, including research space, a laboratory building on Broadway, academic buildings, a school of the arts, and dormitories. Two architectural firms, Renzo Piano Building Workshop and Skidmore, Owings and Merrill, have completed drawings that include retail space on the ground floor. Delivery entrances and maintenance spaces will be part of an underground network that would stretch throughout the campus. The plan's first stages will be completed in 10 years, and the full project won't be finished for 20 to 30 years.

Considering the university's past record, these concerns are warranted. To many in the Harlem and West Harlem neighborhoods, Columbia is like a Siberian tiger: a powerful, statuesque part of the ecosystem that becomes more dangerous the closer you get to it.

Columbia has a few hurdles to overcome before their plans can be realized. They have to obtain a zoning change from M-1 manufacturing to R-8 mixed-use zoning with allowances for manufacturing. Approval for the changes would come via the Universal Land Use Review Procedure. Columbia controls 42 percent of the land in the expansion area and seeks 100 percent control. The university's administration has made it clear that if they don't get total control of the area, the project will be over before it starts.

In the *Columbia Daily Spectator*, the campus newspaper, Columbia construction coordinator Warren Whitlock said that there would be 1,300 jobs created after the first 10-year phase of the construction is completed and 8,900 new jobs at the end of the project. The *Spectator* also reported the construction would create jobs. Mark Burstein, Columbia's vice-president of facilities management, computes the number of jobs in "person-years"; one person working for one year on the project. Based on his computation, the project would provide 5,600 person-years of employment in phase one and 28,000 person-years total.

Columbia has had a difficult relationship with the community in the past, something its officials readily admit. They have been meeting with the community of-

ten. An example of their attempts to include the community was their presentation to Community Board 9 on April 20. The Coalition to Preserve Community (CPC) and many others oppose Columbia's expansion into West Harlem. They view these "inclusion" meetings as nothing more than smoke and mirrors.

"The University has been deceptive in their presentation of the plan regarding its effect on the residents and the businesses in the area," says Tom DeMott of the CPC. "The university failed to discuss the profits they would reap from the zoning change. They continue to be evasive regarding the actual buildings' height in the expansion plan."

Columbia is quick to point out that they require that 25 percent of the work force in construction projects be from minority-owned firms, with another 5 percent each from woman-owned and local firms. That policy, while commendable, will not make up for the plan's overall impact on the community. Does the proposed retail space being considered in the expansion include space for bodegas or the other local businesses that are affected by this development? Why does Columbia think it has the right to devour neighborhoods and not provide for existing residents?

"You turned us down on our request to have an open forum

with the community," Nellie Bailey, president of the Harlem Tenant Council, told Columbia President Lee Bollinger during the April 20 Community Board 9 meeting. "Culture is nice, but having a roof over your head and your belly full is better." "It's easy to turn Columbia into an object that is responsible for everything that is wrong and unjust," was Bollinger's reply. Non-responsive comments like that fuel the distrust and doubt regarding Columbia's motives.

Columbia's current and proposed expansion into Harlem is consistent with the other gentrifiers invading the community. They claim to be enhancing the community, bringing about a renaissance. The question has and always will be, FOR WHOM? Surely, this expansion does not benefit the majority of the residents and small businesses in this or the surrounding neighborhoods.

For further information on the expansion, please contact CPC, PO Box 50, Manhattanville Station, New York, NY 10027, (212) 666-6426, bfrappy24@aol.com.

James Lewis is Treasurer of Met Council on Housing's executive committee.



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EL INQUILINO HISPANO

El servicio comunitario es un requisito para inquilinos de vivienda pública

Por Steven Wishnia

Traducido por Lightning Translations

Miles de inquilinos de vivienda pública en la Ciudad de Nueva York tendrán que hacer ocho horas al mes de servicio comunitario; de lo contrario, enfrentarán el desalojo de sus apartamentos, bajo una ley federal de 1998 que entró en vigencia el 1º de mayo.

El requisito se impuso por el Acta de 1998 de Vivienda de Calidad y Responsabilidad Laboral, una medida patrocinada por el antiguo congresista republicano de Long Island Rick Lazio y firmada por el presidente Clinton. Bajo el acta,

los inquilinos que no llenan los requisitos para las exenciones tendrán que dedicar 96 horas al año al trabajo voluntario en patrullas o obras de limpieza de inquilinos, o con dispensarios de comida, escuelas o la policía, etc. La Autoridad de Vivienda de la Ciudad de Nueva York (NYCHA) cuenta con 21 categorías de exenciones que cubren los inquilinos que trabajan tiempo completo o son personas mayores o minusválidos, o que tienen hijos de menos de 6 años de edad o reciben asistencia públi-

ca, pero se estima que se verán afectadas hasta 80,000 de los 420,000 residentes de las viviendas públicas de la ciudad. La persona con más probabilidades de hacer el trabajo sería un adulto sano, desempleado, sin hijos o con hijos maduros y no recibiendo asistencia pública ni estudiando tiempo completo; ejemplos típicos podrían ser un ama de casa o alguien cobrando compensación de desempleo.

Los partidarios de la ley de 1998, filosóficamente emparentada con

la "reforma" de asistencia social de los años 90, sostienen que aquella promueve "responsabilidad personal" y que la vivienda pública—que en Nueva York se alquila por un promedio de \$308 al mes, según las cifras de NYCHA—es un privilegio temporal y no un derecho de toda la vida. El alcalde Bloomberg, que apoya fuertemente el requisito laboral, dijo el mes pasado que los inquilinos solamente estaban

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 toques 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 ingre-

sos familiares anuales son de \$24,000 o menos, y que pagan (o enfrentan un incremento de alquiler que los forzaría a pagar) una renta de un tercio o más de sus ingresos, pueden tener derecho al programa de Exención de Incrementos para las Personas de Mayor Edad (SCRIE, por sus siglas en inglés), si aplican al Departamento de la Ciudad de Nueva York Sobre las Personas de Mayor Edad, cuya dirección es: SCRIE Unit, 2 Lafayette Street, NY, NY 10007. Si el alquiler actual de un inquilino que tiene derecho a este programa sobrepasa un tercio del ingreso, no se lo puede reducir, pero es posible evitar incrementos de alquiler en el futuro. Obtenga el formulario de SCRIE por llamar al (212) 442-1000.

Unidades de Desván (Lofts) Los incrementos legales sobre la renta base para las unidades de desván son de un 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 habita-

ciones 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 desocupación cobrados en los últimos 8 años: 17%	20%
		Incrementos por desocupación no cobrados en los últimos 8 años: 0.6% por el número de años desde el último incremento por estar vacío, más el 17%	0.6% por el número de años desde el último incremento por estar vacío, más el 20%
	Menos de \$300	Incrementos por desocupación cobrados en los últimos 8 años: 17% + \$100	20% + \$100
		Incrementos por desocupación no cobrados en los últimos 8 años: 0.6% por el número de años desde el último incremento por estar vacío, + 17% + \$100	0.6% por el número de años desde el último incremento por estar vacío, + 20% + \$100
Renta de \$300 a \$500	Incrementos por desocupación cobrados en los últimos 8 años	17% o \$100, lo que sea mayor	20% o \$100, lo que sea mayor
	Incrementos por desocupación no cobrados en los últimos 8 años	0.6% por el número de años desde el último incremento por estar vacío, mas 17%, o \$100, lo que sea mayor	0.6% por el número de años desde el último incremento por estar vacío, mas 20%, o \$100, lo que sea mayor



Vivienda pública

viene de la página 3

“holgazaneando” y que el requisito de ocho horas al mes era “vergonzosamente bajo.”

Los opositores mantienen que el requisito del servicio comunitario constituye esclavitud involuntaria y que las personas más ricas que reciben beneficios financieros del gobierno para su vivienda, como deducciones en los impuestos por los intereses de hipotecas, no tienen que hacer trabajos voluntarios a cambio. La Junta Consultiva de Residentes de NYCHA aprobó una resolución en contra del requisito en 2000, llamándolo “trabajo forzado” que tiene “una malicia especial para los afroamericanos.”

La concejala Margarita Lopez (D-Manhattan), quien ha trabajado en contra del requisito desde que Lazio lo propuso por primera vez en 1995, lo llama “ridículo.” Si el gobierno quisiera crear un programa para ayudar a la gente a comprometerse con la comunidad, dice, eso sería bueno, pero “es absurdo legislar el voluntarismo.”

Ella afirma que la cuestión más honda es el hecho que el requisito trata a los inquilinos de vivienda pública como ciudadanos de segunda clase y que surge de una “carencia de entendimiento” y la creencia que “ha malogrado cualquier persona que vive en vivienda pública.” Además, señala, el costo de administrar el requisito sustraerá fondos de la limpieza de los edificios y otros servicios.

Aunque el requisito se impuso en 1998, no entró en vigencia sino hasta este año, en parte porque tomó tiempo tanto a NYCHA como al Departamento de Vivienda y Desarrollo Urbano federal desarrollar los procedimientos para implementarlo y en parte por los esfuerzos del congresista Charles Rangel (D-Manhattan) para impedirlo.

El mes pasado se enviaron cartas dirigidas a los inquilinos para informarles si fueron o no exentos. A los que no son exentos automáticamente, dice el vocero de NYCHA Howard Marder, se ha-

rán preguntas más detalladas en su próxima recertificación anual para verificar si llenan los requisitos de algunas de las 21 exenciones. En la práctica, añade, es posible que la cifra real de inquilinos que tienen que hacer el trabajo no llegue a 80,000. “Alguien puede haber empezado a ir a la escuela,” dice. “Es algo que no sabemos.”

Parece que NYCHA se resiste a imponer el requisito. “Es un mandato federal, un mandato sin fondos, pero tenemos que acatarlo,” dice Marder. “Estamos tratando de conseguir todas las exenciones posibles para nuestros residentes, pero tenemos que hacer cumplir la ley. No es nuestra ley.”

A fin de cuentas, el debate sobre el requisito de servicio comunitario refleja el debate sobre la naturaleza en sí de la vivienda pública. Muchos republicanos y demócratas estilo Clinton apoyan limitar el periodo que las personas pueden vivir en la vivienda pública. Un

partidario del requisito recientemente citado en la prensa, un redactor contribuyente a la revista derechista de asuntos urbanos *City Journal*, ha abogado por el uso de las restricciones de tiempo para abolir la vivienda pública, en parte para “desalentar la dependencia” y en parte porque “no obstante los funcionarios de vivienda y los activistas enojados, sin embargo, la verdad es que cualquier familia trabajadora con dos ingresos tiene suficiente dinero para la vivienda particular en los EE.UU.”

La concejala Lopez discrepa con fuerza. “Tenemos que poner fin a semejantes tonterías,” dice. Mientras haya gente pobre en la ciudad, sostiene, se necesitarán hogares asequibles. “Si no tuviéramos vivienda pública, no tendríamos aquí gente pobre trabajadora.”



No se quede helado: ¡ORGANÍZASE!

La ley requiere que su casero proporcione calefacción y agua caliente a las temperaturas siguientes, desde el 1ro de octubre hasta el 31 de mayo:

Desde las 6 a.m. hasta las 10 p.m.: Si la temperatura afuera es de menos de 55 grados, la temperatura adentro debe ser al menos de 68 grados en todo el apartamento.

Desde las 10 p.m. hasta las 6 a.m.: Si la temperatura afuera es de menos de 40 grados, la temperatura adentro debe ser al menos de 55 grados en todo el apartamento.

Se tiene que proporcionar agua caliente a un mínimo de 120 grados en el grifo las 24 horas del día, todo el año.

Si su casero no mantiene estas temperaturas mínimas, usted debe:

- * Comenzar una “Acción HP” (HP Action) en la Corte de Vivienda. Pida una inspección por orden de la corte y una Orden de Corrección (Order to Correct)
- * Llamar al Buro Central de Quejas (Central Control Bureau) de la ciudad de Nueva York al 311 inmediatamente, para documentar la violación del casero. Llame repetidamente. Se supone que un inspector vendrá eventualmente, aunque a veces no lo haga.
- * Exhortar a los otros inquilinos en el edificio a llamar al Central Complaint. Todos deben llamar repetidamente, al menos una vez al día, todos los días en que tengan problemas con la calefacción.
- * Comprar un buen termómetro para afuera y adentro, para documentar las fechas exactas, las horas, y las temperaturas, tanto afuera como adentro, mientras tenga problemas con la calefacción. Esta documentación es su evidencia
- * Llamar a la División de Vivienda y Renovación Comunal del Estado de Nueva York (DHCR, por sus siglas en inglés) al (718) 739-6400, y pedir que le envíen el formulario de Queja de Calefacción y Agua Caliente. Llene el formulario y consigne la



participación de todos los inquilinos en su edificio que pueden firmarlo. Reclame una orden para restaurar la calefacción y el agua caliente, y que se reduzcan y congelen (¡disculpe lo de “congelen”!) todas las rentas.

- * Necesitarán una fuerte asociación de inquilinos para obligar al casero a proporcionar calefacción y agua caliente. Escriban y llamen al casero para demandar reparaciones y aceite. Prepárense para una huelga de renta (sobre todo con asesoría legal)—de relámpago si es necesario.

Las leyes sobre la calefacción establecen también:

- * Que el Departamento de Reparaciones de Emergencia de la ciudad le proporcione la calefacción si el casero no lo hace. (No se siente en un bloque de hielo—otra vez, ¡disculpe!—mientras espere que lo haga.)
- * Una multa de \$250 al casero por cada día que se produzca la violación. (Pero la verdad es que la Corte de Vivienda raras veces impone las multas, y menos aun las cobra).
- * Una multa de \$1,000 al casero si algún aparato de control automático se instala en la caldera para mantener la temperatura por debajo del mínimo legal.
- * Si el tanque de combustible de la caldera está vacío, los inquilinos tienen el derecho de comprar su propio combustible después de haber pasado 24 horas sin calefacción y también sin obtener ninguna respuesta del casero. Esto no se aplica si la caldera está rota y necesita tanto reparación como combustible.

¡Cuidado! ¡proteja su dinero! Si los inquilinos deciden comprar el combustible, hay que seguir los procedimientos legales cuidadosamente. Consiga la ayuda y el consejo de un organizador de inquilinos. La existencia de leyes de calefacción y agua caliente vigentes no garantiza que el gobierno las implemente. No se quede helado por esperar que la ciudad o el estado actúe. ¡Organízese!

Inquilinos de renta estabilizada: ¡Paren al alcalde Bloomberg antes de que les suba las rentas!

La Junta de Regulación de Renta (RGB) está dispuesta a elevar las rentas otra vez. El año pasado, la junta estableció las pautas más altas para inquilinos de renta estabilizada desde 1989—después de que los caseros han tenido ganancias cada vez más grandes al elevar las rentas hasta las nubes. Los miembros nombrados a la junta por el alcalde Bloomberg ya están por hacerlo otra vez—a menos que los inquilinos los detengan. Usando la nueva ley sobre el plomo como pretexto, el gobierno de Bloomberg está presionando a la RGB para que otorgue a los caseros incrementos altos por segundo año consecutivo. No deje que la RGB repita las pautas desastrosas del año pasado. ¡Haga que su voz sea escuchada!

Haga piquete contra el alcalde Bloomberg y su Junta de Regulación de Renta el 10 de mayo.

Venga a las reuniones de la RGB. Testifique en la Audiencia Pública. Dígame a la RGB cómo le lastimaron a Vd. y a sus vecinos las pautas del año pasado—dígame cómo le afectarán los incrementos altos este año. Llame al alcalde Bloomberg al: 212-788-3000

Proteste la Votación Preliminar Lunes 10 de mayo

La Sala Grande de Cooper Union
7 este de la calle 7 en la esquina de la Tercer Avenida
(el tren 6 o R a Astor Place), Manhattan
4:30 pm piquete afuera; 5:30 - 9:30 Sala Grande
Votación Preliminar

Audiencia Pública Martes 15 de junio

La Sala Grande de Cooper Union
10 A.M. - 10 P.M.

Votación Final Jueves 17 de junio

La Sala Grande de Cooper Union
5:30 P.M. - 9:30 P.M.

Para inscribirse como testigo en la audiencia pública, llame a la RGB al 212-385-2934

El manifestación es co-patrocinado por Met Council on Housing y Tenants & Neighbors

Para más información: Met Council on Housing (212) 979-6238 ext 3; active@metcouncil.net; www.metcouncil.net

Tenants & Neighbors: (212) 608-4320, ext. 401; info@tandn.org

Inclusionary Zoning

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units of affordable housing since its inception in 1974.

Planners Who Support Inclusionary Measures

Brad Lander and Frank Braconi, both urban planners, don't see eye to eye on many housing issues. Lander directs Pratt Institute's Center for Community and Environmental Development (PICCED) and Braconi leads the Citizens Housing and Planning Council (CHPC). These organizations have often butted heads on issues like rent regulation and the rebuilding of lower Manhattan. PICCED works with community-based advocacy organizations, while CHPC's board includes some of the city's most powerful bankers and developers.

But there is one significant area where these two dedicated planners and their organizations agree: a strong, citywide inclusionary zoning program is integral to the future of affordable-housing development in New York City. Yet the Department of City Planning stridently opposes any inclusionary zoning outside of the very limited regulations that only apply to the highest-density zones in Manhattan (and it even criticizes those rules). If PICCED and CHPC can both agree that inclusionary zoning is crucial to the city's future, why is City Planning so opposed?

Developers Oppose It

One argument is that more government regulation will only depress the market and lead to fewer units being built, not more. "Developers can lose money constructing affordable housing," says Michael Slattery, senior vice-president of the Real Estate Board of New York. "It is a pure economic burden with no real benefit to them."

But Lander and others point to study after study which indicate that in other cities with both mandatory and voluntary inclusionary zoning regulations, development has not been dampened. "The experience of hundreds of cities, towns and suburbs across the country suggests that the rewards and requirements can be calibrated to generate new affordable housing without putting a chill on development," he says. "You could go too far and impose such a burden that no one would develop, but that is so unlikely, given current politics, as to be ridiculous. The market and windfalls in the rezoning areas are plenty strong enough to support some inclusionary requirement and still be very, very attractive deals."

Planners Oppose It

Some think that DCP's opposition to inclusionary zoning is not solely based on the political power of profit-driven developers, but a deeper philosophical opposition. They point to the predominance in the agency of what Pratt Institute urban-planning professor Laura Wolf-Powers calls "strict constructionists," planners who

believe that the only valid purpose of zoning is to keep physical development patterns from causing nuisances and harm to public health—for example, by blocking light or emitting noxious fumes into heavily populated areas. The critical lack of affordable housing, in this philosophy, is not the sort of nuisance or harm that zoning was intended to counteract. Fixing that is seen as an extraneous social goal that zoning policy shouldn't get caught up with.

"What is frustrating about this position," says Wolf-Powers, "is that it seems to housing advocates that DCP is willing to rely on zoning to protect property and to create huge opportunities for real-estate developers (as occurs when there is an up-zoning) but not to create opportunities for people and communities with fewer resources."

A Missed Opportunity

The city's planners already defeated a strong neighborhood campaign to get inclusionary zoning. In April 2003, DCP rezoned a 25-block stretch of Brooklyn's Fourth Avenue, allowing developers to put 12-story residential buildings on a stretch of land currently occupied by three-story tenements and low-slung warehouses. The rezoning also provided protections against new development to the surrounding low-density brownstone community.

In anticipation of the rezoning, the Fifth Avenue Committee, a neighborhood-based nonprofit developer and advocacy organization, proposed a change in the city's zoning law that would take advantage of the windfall about to be granted to landowners and use some of it to develop much-needed affordable housing. They proposed a voluntary inclusionary program, similar to one proposed by CHPC in 2002, which would have allowed developers to construct buildings up to 12 stories if they made 20 percent of the units affordable; otherwise, they would be effectively restricted to 10 or 11 stories.

Despite support from many community leaders and many in the City Council, that proposal was defeated, and DCP pushed through a rezoning with no inclusionary provisions. Why was this fight lost? The way Braconi sees it, advocates got on the ball too late to make a difference. By the time the CHPC and Fifth Avenue Committee plans came out, there was already a tacit agreement at DCP about the new densities. Developers didn't fear that they would lose anything, so they didn't have to compromise.

The Next Battlefront

Now the city is planning two massive rezonings that will make Park Slope look puny in comparison. A huge swath of Manhattan's West Side and virtually the entire Williamsburg/Greenpoint waterfront are being considered for conversion from low-slung manu-

facturing and mixed-use zones into sites for high-rises of 40 to 60 stories. The inclusionary zoning battle is heating up again, this time at a more fevered pitch. So the question becomes, if the city is going to give landowners such an enormous windfall, why not take back 10 or 20 percent of that value and dedicate it to affordable housing?

Council Member David Yassky (D-Brooklyn) has introduced a bill that would make inclusionary zoning mandatory. "When there is a change from manufacturing to residential, property values increase 500 or 600 percent," he explains. "When you have that kind of wealth created by a government action, it is only fair to use some of it for the public good. The Department of City Planning came to Brooklyn and told the residents there would be affordable housing in new developments. If they really intend to keep their promise, then they should have no problem putting it into writing and guaranteeing that it will be done."

Some small cracks are starting to appear in the DCP's frontal assault on inclusionary zoning proposals. Karen Phillips, one of 13 appointees to the City Planning Commission, recently came out in favor of inclusionary zoning. "I feel that the need for affordable housing should be included as a part of the new residential zoning," she said at a recent public hearing. "At another event, she stated, "The market does shortsighted things to benefit itself at the moment. The long-range cost is a loss of diversity."

One prominent for-profit developer, who supports inclusionary zoning and spoke on condition of anonymity, said the reason other developers oppose it "is simple, unbridled greed." Inclusionary zoning would lower land values, he said, but "it will give an advantage to certain sectors of the development community who have experience working with government programs; developers who know how to make affordable housing

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The law requires your landlord provide heat and hot water at the following levels from October 1 through May 31:

From 6 am to 10 pm: If the outside temperature falls below 55 degrees, the inside temperature must be at least 68 degrees everywhere in your apartment.

From 10 pm to 6 am: If the outside temperature falls below 40 degrees, the inside temperature must be at least 55 degrees everywhere in your apartment.

Hot water at a minimum 120 degrees at the tap must be provided 24 hours a day, year round.

If your landlord does not maintain those minimum temperatures, you should:

- * Start an "HP action" in Housing Court. Ask for a court-ordered inspection and an Order to Correct.
- * Call the New York City Central Complaints Bureau at 311 immediately to record the landlord's violation. Call repeatedly. An inspector should eventually come, although sometimes they don't.
- * Get other tenants in your building to call Central Complaint. Everybody should call repeatedly, at least once every day the condition is not corrected.
- * Buy a good indoor/outdoor thermometer and keep a chart of the exact dates, times, and temperature readings, inside and out, so long as the condition is not corrected. The chart is your evidence.
- * Call the New York State Division of Housing and Community Renewal at (718) 739-6400 and

ask them to send you their Heat and Hot Water complaint form. Get as many other apartments as possible in your building to sign on, demanding an order restoring heat and hot water, and a reduction and freeze (pardon the expression!) in all the rents.

You'll need a strong tenant association to force the landlord to provide heat and hot water. Write and call the landlord and demand repairs or fuel.

Prepare to go on rent strike — but get legal advice first.

The heat laws also provide for:

- * The city's Emergency Repair Department to supply your heat if the landlord does not. (Try waiting for this one!)
- * A \$250 a day fine to the landlord for every day of violation. (But the Housing Court rarely imposes these fines, let alone collects them.)
- * A \$1,000 fine to the landlord if an automatic control device is put on the boiler to keep the temperature below the lawful minimum.

If your boiler's fuel tank is empty, tenants have the right to buy their own fuel after 24 hours of no heat and no response from the landlord. But this provision does not apply if the boiler is broken and needs both repairs and fuel.

Caution! Protect your money! If you decide to buy fuel, you must follow special lawful procedures very carefully. You should get help and advice from a tenant organizer.

Because the heat and hot water laws are in the law books does not mean they are enforced by government. Don't freeze to death waiting for the city or state to act. Organize!

Community Service Required for Public-Housing Tenants

By Steven Wishnia

Thousands of public-housing tenants in New York City will have to do eight hours a month of community service or face eviction from their apartments, under a 1998 federal law that went into effect May 1.

The requirement was imposed by the Quality Housing and Work Responsibility Act of 1998, a measure sponsored by former Long Island Republican Rep. Rick Lazio and signed by President Clinton. Under it, tenants who do not qualify for exemptions will have to spend 96 hours a year doing volunteer work on tenant patrols or cleanup, with food banks, schools, or the police, or the like. The New York City Housing Authority's 21 categories of exemptions cover tenants working full-time, elderly, disabled, with children under 6, or on public assistance, but it is estimated that up to 80,000 of the city's 420,000 public-housing residents

will be affected. The person most likely to have to do the work would be an unemployed, able-bodied adult with older or no children, neither on public assistance nor in school full-time. Typical examples might be a housewife or someone collecting unemployment compensation.

Supporters of the 1998 law, a philosophical kin to the welfare "reform" of the '90s, argue that it promotes "personal responsibility" and that public housing—which in New York rents for an average of \$308 a month, according to NYCHA figures—is a temporary privilege, not a lifetime entitlement. Mayor Bloomberg, who strongly backs the work requirement, said last month that some tenants were just "sitting around" and that the eight-hour-a-month requirement was "shamefully low."

Opponents argue that the community-service

requirement is involuntary servitude, and that richer people who receive financial benefits from the government for their housing, such as tax deductions for mortgage interest, don't have to do volunteer work in exchange for them. NYCHA's Resident Advisory Board passed a resolution against it in 2000, calling it "forced labor" which holds "particular malice to African-Americans."

City Councilmember Margarita Lopez (D-Manhattan), who has worked against the requirement since Lazio first proposed it in 1995, calls it "ridiculous." If the government wanted to create a program for people to get involved in the community, she says, that would be fine, but "it is ludicrous to legislate volunteerism." The deeper issue, she contends, is that it treats public-housing tenants as second-class citi-

zens, and grows out of "a lack of understanding" and the belief "that whoever lives in public housing is a failure." In addition, she notes, the cost of administering the requirement will take money away from cleaning buildings and other services.

Though the requirement was imposed in 1998, it did not go into effect until this year, part because it took time for NYCHA and the federal Department of Housing and Urban Development to develop the procedures needed to implement it, part because of efforts to block it by Rep. Charles

Rangel (D-Manhattan). Letters to tenants informing them whether they were exempt or not went out last month. Those who are not automatically exempt, says NYCHA spokesperson Howard Marder, will be asked more detailed questions at their next annual recertification to see if they fit any of the 21 exemptions. In practice, he adds, the actual number of tenants who have to perform the work may not come out to 80,000. "Somebody may have started going to school,"

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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.

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.

Sublease Allowance

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

Vacancy Leases

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

Rent Overcharges

Tenants should be aware that many landlords will exploit the complexities of these guidelines and bonuses, and the tenant's unfamiliarity with the apartment's rent history, to charge an illegal rent. The tenant can choose be-

Lease Type	Current Legal Rent		One-year Lease	Two-year Lease
Renewal Leases	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 allowance, plus 17% plus \$100	0.6% times number of years since last vacancy allowance, plus 20% plus \$100
	Rent \$300 to \$500	Vacancy allowance charged within last 8 years	17% or \$100, whichever is greater	20% or \$100, whichever is greater
		No vacancy allowance charged within last 8 years	0.6% times number of years since last vacancy allowance, plus 17%, or \$100, whichever is greater	0.6% times number of years since last vacancy allowance, plus 20%, or \$100, whichever is greater

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

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

Fair Market Rent Appeal

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

nually sets what they call the "Special Fair Market Rent Guideline" that is used by DHCR to lower unfair market rents for tenants who file the Fair Market Rent Appeal (FMRA). Under Order 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 \$24,000 or less and who pay (or face a rent increase that would cause them to pay) one-third or more of that income in rent may be eligible for a Senior Citizen Rent Increase Exemption (SCRIE) if they apply to the NYC Dept of the Aging, SCRIE Unit at 2 Lafayette Street, NY, NY 10007. If an otherwise eligible tenant's current rent level is already above one-third of income, it cannot be rolled back, but future rent increases may be avoided. Obtain the SCRIE application form by calling (212) 442-1000.

Loft Units

Legalized loft unit increases above the base rent are 4 percent for a one-year lease and 7 percent for two years. No va-

cancy 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.

Why can't we get our apartments fixed? Rally for the Right to Get Inspections and Repairs!

Thursday, May 13, 11:30 a.m.
City Hall Steps, then march to HPD!

Tenants need more rights so we can get the repairs we need. Currently, if an inspector comes to the building, he won't record all the violations! The *Right to Repairs Bill* (Intro 31), which was recently introduced in the City Council, will give tenants the right to "roof to cellar" inspections that will record *everything* that needs fixing in a building.

Join us to tell Speaker Miller and the HPD Commissioner to take action *now* and pass the Right to Repairs Bill!

Sponsored by the Association for Neighborhood and Housing Development.
For more information, contact Adrian Di Lollo or Benjamin Dulchin at (212) 463-9600

* * *

Por qué no podemos obtener arreglos en nuestros apartamentos? ¡Manifestación por el Derecho a Inspecciones y Arreglos!

Jueves, 13 de mayo, A las 11:30
Escalinatas de la Alcaldía, y luego marcha hacia HPD!

Los inquilinos necesitamos más derechos para que poder conseguir los arreglos que necesitamos. Actualmente, si un inspector viene al edificio, él no registrará todas las violaciones! La propuesta de ley *Derecho a Reparaciones* (Intro 31), que fue recientemente introducida en el Consejo Municipal, dará al inquilino el derecho de pedir una inspección al edificio completo desde el sótano al techo y que registre todos los arreglos que necesita el edificio.

¡Únase con nosotros para decir al Portavoz Miller y al Comisionado de HPD que tomen medidas para aprobar la Ley de Derecho a Reparaciones!

Patrocinado por: *The Association for Neighborhood and Housing Development*
Para más información, llame Adrián Di Lollo o Benjamín Dulchin (212) 463-9600



E-mail Met Council
active@metcouncil.net

NEW YORK INCLUDES US ALL Inclusionary Zoning Builds Affordable Housing

- The Housing Crisis Affects All New Yorkers
- The City Has Proposed New Rezoning and Development Plans That Will Create Housing That Is Far Out Of Reach For Most New Yorkers.
- **NOW IS THE TIME** To Make Sure These Plans Will Build Housing And Communities For All New Yorkers.

Join Us!

Press Conference / Campaign Launch
Wednesday, May 19th
City Hall Steps
Press conference starts at 12:30.
Arrive by 12 noon.

For more information, contact:
Campaign for Inclusionary Zoning
c/o Julie Miles, julmiles@earthlink.net
(212) 608-5122 (phone) * (212) 608-6944 (fax)

Housing Problems / Zoning Solutions

Inclusionary Zoning Builds Affordable Housing

- ❖ Inclusionary zoning requires developers to include affordable housing for the right to build more market-rate housing in bigger buildings.

Inclusionary Zoning Builds Strong and Diverse Communities

- ❖ Inclusionary zoning works. Hundreds of communities have created thousands of new homes through inclusionary zoning.

Inclusionary Zoning Builds New York

- ❖ Inclusionary zoning encourages growth. It creates housing, jobs and new businesses. Best of all, inclusionary zoning is tax-free. It harnesses the power of the market, using no public funds.

Zone Us In To The Plans!

Public Housing

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he says. "We don't know that." NYCHA seems reluctant about imposing the requirement. "It's a federal mandate, an unfunded mandate, but we have to comply," says Marder. "We're trying to get as many exemptions for our residents as we can, but we have to enforce the law. It's not our law."

Ultimately, the debate over the community-service requirement reflects the debate about the entire nature of public housing. Many Republicans and Clinton Democrats support limiting the amount of time people can live in public housing. One supporter of the requirement quoted in the press recently, a contributing editor at the right-wing urban-affairs magazine *City Journal*, has advocated using time limits to abolish public housing, partly to "discourage dependency" and partly because "Housing officials and angry activists notwithstanding, however, the truth is that any two-income working family can afford private housing in the U.S."

Councilmember Lopez disagrees violently. "We have to stop this nonsense," she says. As long as there are poor people in the city, she argues, they will need homes they can afford, and "if we did not have public housing, we would not have the working poor."

Inclusionary Zoning

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profitable. But many of us are concerned that it would jeopardize our standing in the relationship with the city, which we depend on for the possibility of so many jobs. We compromise on inclusionary zoning as the city faces increased opposition to its plans. The political realities of the situation, as he sees it, will force DCP and the for-profit development community to compromise and accept some sort of bonus program, much like the one proposed in Park Slope, in order to achieve the level of density they desire.

Lander, on the other hand, thinks that only a mandatory program will work, at least in the areas that are being up-zoned. "It simply does not work if it's voluntary," says Daniel Lauber, president of the American Institute of Certified Planners and a longtime advocate of inclusionary zoning, "The research is pretty much unanimous."

The irony, as Braconi sees it, is

that the city to date has been a nationwide leader in innovative affordable-housing techniques. "For whatever reason, we have not taken advantage of this particular tool," he said. "It's somewhat surprising that the city has not looked at inclusionary zoning seriously. But I'm happy to see that more and more there is ample public discussion of this issue. We still believe that a bonus program should be implemented citywide."

Alex Schafran is a student in the Graduate Urban Planning Program at Hunter College, City University of New York. Beatrice Ammann provided valuable research assistance in preparing this article.

Memorial for Jane Wood

Sunday, June 6, 4 to 7 p.m.

St. Columba Church auditorium
343 W. 25 St. (between 8th and 9th Aves.)

(Please note: this is a change from the information in the obituary by Gloria Sukenick in the April issue of Tenant/Inquilino.)

RGB and Lead

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judges ordered 23,697 tenants evicted from their homes for non-payment of rent.

By mid-May, the members of the RGB will have set its preliminary guidelines (the decision will be made on May 10) and will have gone over most of the research prepared by their staff and other administration officials. The end of May and beginning of June are good times for rent-stabilized tenants to start applying what pressure they can on the board members and their boss, Mayor Bloomberg.

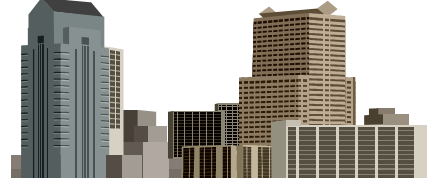
This year's new element has

been the hue and cry over the new lead-poisoning prevention law, which goes into effect on August 1. Passed by the City Council over the mayor's veto, the law is now being used by the Bloomberg administration as an excuse for appeals to the RGB for higher rents. The mayor's commissioners are now offering the new law to landlords for use as ammunition for higher guidelines, saying that the city's costs will be significantly increased thanks to its provisions.

"The new law requires landlords simply to repair peeling lead paint or lead paint on deteriorating surfaces in child-occu-

pied apartments," responded to Matt Chachere of the Northern Manhattan Improvement Corporation in his rebuttal testimony on May 10. Chachere explained to the board that the new law, which doesn't go into effect until August of this year, is much simpler to comply with than the law currently in place, Local Law 1 of 1982. Other advocates, including Deb Howard of Pratt Area Community Coalition (which runs and develops housing for

low-income tenants) and Andrew Goldberg of MFY Legal Services, pointed out that both landlords and city officials have greatly exaggerated the costs of complying with the new law.



Rent Stabilized Tenants!

Stop Mayor Bloomberg before he raises your rents!

The Rent Guidelines Board is set to raise your rents again. Last year, the board set the highest guidelines for rent stabilized tenants since 1989 – after landlords have been earning ever-increasing profits from skyrocketing rents. Mayor Bloomberg's appointments to the RGB are now poised to do it again – unless tenants stop them. Using the new lead law as an excuse, the Bloomberg administration is pressuring the RGB to grant landlords high increases for a second year in a row. Don't let the RGB repeat last year's disastrous guidelines. Let your voice be heard!

Picket Mayor Bloomberg and his Rent Guidelines Board on May 10.

Come to the RGB Meetings. Testify at the Public Hearing.

Tell the RGB how last year's guidelines hurt you and your neighbors – let them know what high increases will do to you this year.

Call Mayor Bloomberg: 212-788-3000

Protest the Preliminary Vote Monday, May 10

The Great Hall at Cooper Union
7 E. 7 St. at corner of 3rd Ave.
(6 to Astor Place or R to 8 St.) Manhattan
4:30 p.m. Picket outside
5:30 - 9:30 p.m. Great Hall, Preliminary Vote

Public Hearing

Tuesday, June 15; 10 p.m. - 10 p.m.
The Great Hall at Cooper Union

Final Vote

Thursday, June 17, 5:30 p.m - 9:30 p.m.
The Great Hall at Cooper Union

To Register to testify at the public hearing, call the RGB at 212-385-2934

Co-sponsored by Met Council on Housing and Tenants & Neighbors

More info: Met Council on Housing 212/979-6238 ext 3;

active@metcouncil.net; www.metcouncil.net

Tenants & Neighbors: (212) 608-4320, ext. 401 or info@tandn.org

HUD Cuts \$40 Million from City's Section 8 Subsidies

The federal Department of Housing and Urban Development is cutting more than \$40 million from the city's Section 8 program subsidies, according to an analysis by the New York City Housing Authority. Congress voted in January to approve a 2004 appropriations act that uses an average unit cost from summer 2003, plus inflation, to calculate the disbursement of Section 8 funds to public housing authorities. Here in New York, that means HUD is only paying a subsidy of \$638 per unit, while NYCHA estimates the units cost the city an average of \$679. The agency might dip into its \$15

million reserve fund, but that will not cover the entire shortfall.

If NYCHA's request for financial relief from HUD is not met, says NYCHA spokesperson Howard Marder, the agency will suspend all new Section 8 allotments. This comes at a time when NYCHA has already started wait-listing homeless adults seeking vouchers. Last week, Massachusetts officials announced that more than 600 families were losing their Section 8.

— C. LaGorio

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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

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

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

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

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

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

METROPOLITAN COUNCIL ON HOUSING

Met Council is a citywide tenant union.

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

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

212-979-0611

Join Met Council

Membership: Individual, \$25 per year; Low-income, \$15 per year; family (voluntary: 2 sharing an apartment), \$30 per year. Supporting, \$40 per year. Sustaining, min. of \$100 per year (indicate amount of pledge). For affiliation of community or tenant organizations, large buildings, trade unions, etc. call 212-979-6238.

My apartment is controlled stabilized unregulated other _____
 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