Housing for people, not profit

Tenant
Inquilino

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Metropolitan Council on Housing
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PERIODICAL

Repairing Broken Housing Policy: First Steps

By Mario Mazzoni

After decades of housing policies driven largely by the dictates of the real-estate industry, New York City is on the brink of losing much of its remaining affordable housing. While the solutions may be complex, the biggest impediment to progress is not logistical, but the lack of political will. Much of the housing movement's energy is consumed by battles to restore funding streams, preserve threatened housing, and re-enact protections and regulations that have been removed.

The profit motive in real estate is fundamentally at odds with society's housing needs, and we must develop a movement focused truly on housing for people, not profit. In the meantime, there are several measures—all with precedents—that would go a long way toward humanizing our housing policy. Here's an overview of some of the non-radical remedies to our current crises:

Preserve and Expand Rent Regulation

Rent regulation continues to be the largest system protecting the affordability of housing in New York City, covering over 2.5 million New Yorkers in over 1.1 million apartments. Weakened laws, however, are rapidly undermining the system—particularly vacancy decontrol, a provision that lets landlords entirely deregulate units when tenants leave. Vacancy decontrol has already resulted in the loss of hundreds of thousands of once-affordable apartments, and will ultimately dismantle the system if it is not repealed.

After decades of promises to reform our rent laws once they won a majority in the state Senate, the Democrats have disappointed in their first year in charge there. A package of rent-reform bills remains stalled, including the repeal of vacancy decontrol, reform of the Rent Guidelines Board, and the return of home rule over rent laws to New York City.

These measures would simply restore some aspects of the system to the way they once were. A more progressive step would be to expand the pool of housing subject to rent regulation, which today generally covers buildings with six or more units built before 1974, with many loopholes available to deregulate units. Tenants in unregulated units are extremely vulnerable to landlord harassment, have no rights of tenure, and are the first to be priced out when neighborhood rents rise.

Stabilizing rents in smaller buildings and recent construction has been done previously in New York City. It does not threaten the profit model, as it simply steadies the rate of future rent increases. The right to an affordable, stable home in New York City should not be contingent on the age or size of one's building.

COURTESY OF PICTURE THE HOMELESS

Instead of using foreclosed property for affordable housing, the city turns them back to the private market.

Protect Public Housing

The New York City Housing Authority (NYCHA) manages over 178,000 apartments. It serves about half a million New Yorkers, many of whom would be unable to afford private housing. Rental income covers less than a third of the operating costs, so NYCHA depends on public subsidies. Those have been significantly cut in recent years, creating a deficit of over $600 million since 2001—$137 million

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State's Top Court Backs Atlantic Yards in Two Decisions

By Steven Wishnia

The state's highest court has rejected two challenges to the proposed Atlantic Yards sports arena and housing complex in downtown Brooklyn.

On Dec. 1, the Court of Appeals refused to review a lower-court decision denying a challenge to Atlantic Yards on several grounds related to the project's environmental-impact statement. That ruling came one week after the court's 6-1 decision that the state could use eminent domain to seize property for Atlantic Yards.

The two decisions combined are a major blow to Atlantic Yards opponents. If the courts had refused to allow the use of eminent domain, it would have effectively stopped the project.

"The environmental review was a sham process and a rubber stamp," Daniel Goldstein of Develop Don't Destroy Brooklyn, a plaintiff in both suits, said in a statement issued Dec. 1. He also said that the state's designation of a three-block area of Prospect Heights as "blighted" was "bogus and a pretext."

The area, which contains "some of the most expensive real estate in Brooklyn," was not deemed blighted until after it was included in the Atlantic Yards site, he added. "The state lied about crime statistics and lied about conditions on the site."

Develop Don't Destroy has now lost three of the five major lawsuits it and other groups filed against the project. The two most recent are still pending. One is challenging the Metropolitan Transportation Authority's restructuring of a deal to sell its railyard on the site on terms that give developer Forest City Ratner several years more to pay. The other is challenging the Empire State Development Corporation's September reapproval of the project. Its claims include that the project has been revised enough to need a new environmental-impact statement and that the ESDC illegally agreed to let Ratner get out of having to build affordable housing if it doesn't get public subsidies.

Both of those suits are "uphill challenges," project opponent Norman Oder wrote in his Atlantic Yards Report blog.

In the eminent-domain case, Goldstein and his fellow plaintiffs argued that it was illegal for the government to seize property for Atlantic Yards, because it would be taken for the private gain of Forest City Ratner instead of for "public use." The suit also contended that evicting people from homes in the area would violate the state constitution, as the housing built on the site would not be exclusively for low-income people.

Chief Judge Jonathan Lippman, writing the majority opinion, rejected both of those claims. "It is indisputable that the removal of urban blight is a proper, and, indeed, constitutionally sanctioned, predicate for the exercise of the power of eminent domain," he held.

Lippman said the second claim was irrelevant, as the constitutional provision was intended to guarantee new housing for people displaced by slum-clearance

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Miriam Friedlander, 95

Pro-Tenant Councilmember

By Jenny Laurie

Miriam Friedlander, longtime City Councilmember from the Lower East Side, died October 4 at the age of 95. She joins the ancestors not long after another Council tenant champion, Stanley Michels, who died last year.

Friedlander served in the Council for 18 years after she was elected in 1973. She was a great friend to Met Council, to tenants, and to the fight for affordable housing. She was a no-nonsense progressive who used everything in her power to preserve housing and services for the huge mix of immigrants, new and old, that made up the Lower East Side—poor and working-class tenants who had come from Poland, the Ukraine, Russia, Italy, Puerto Rico, African countries, China, and other places. She always spoke up in support of rent stabilization and rent control.

She championed without hesitation the group ACT UP and its demands for housing and medical services for people with HIV/AIDS. She fought for gay rights, tenants' rights, and for the rights of women. She relentlessly fought against a succession of mayors—particularly Edward Koch—and the real-estate industry, as the homeless population grew, especially in her low-income district.

When her views became unpopular with the new, richer folks moving into the neighborhood, she refused to change and adopt pro-gentrification politics. She lost her seat in 1991, after the district's boundaries were redrawn to include more affluent areas north of 14th Street, to someone who could speak to those people. When she left office, the Lower East Siders who depended on her lost a voice and a vote, as did those like her in the Council's progressive bloc. She continued to work for progressive causes and for the rights of poor people, honchoing the huge Women Fighting Poverty conference well into her nineties.

What happened in the City Council once she was gone? The leadership weakened the rent laws and fed the spiral that has led to the loss of tens of thousands of affordable apartments. Tenants and the people of the Lower East Side have lost a great champion with the death of Miriam Friedlander.

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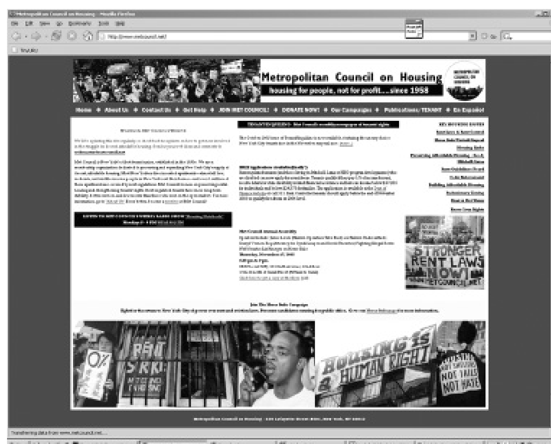

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EL INQUILINO HISPANO

Para remendar una política de vivienda quebrada: Primeros Pasos

Por Mario Mazzoni
Traducido por Lightning Translations

Después de décadas de políticas de vivienda impulsadas en su mayoría por los dictados de la industria de bienes raíces, la Ciudad de Nueva York está al borde de perder mucha de la vivienda asequible que le queda. Aunque las soluciones puedan ser complejas, el obstáculo más grande al progreso no es logístico, sino la falta de voluntad política. Mucha de la energía del movimiento de vivienda se consume en luchas para restaurar fuentes de fondos, conservar vivienda amenazada y promulgar de nuevo las protecciones y normas que han sido revocados.

El motivo de ganancias en los bienes raíces es fundamentalmente opuesto a la necesidad de vivienda de la sociedad, y debemos desarrollar un movimiento realmente centrado en vivienda para el pueblo, no para lucrar. Mientras tanto, hay varias medidas, todas con precedentes, que harían mucho para humanizar nuestra política de vivienda. He aquí un resumen de algunos remedios no muy radicales contra nuestras crisis actuales:

Conservar y ampliar la regulación de alquileres

La regulación de alquileres sigue siendo el sistema más grande para proteger la vivienda asequible en la Ciudad de Nueva York, ya que incluye a más de 2.5 millones de neoyorquinos en más de 1.1 millones de apartamentos. Sin embargo, la debilitación de las leyes está socavando el sistema rápidamente, en especial el descontrol de viviendas disponibles, una disposición que permite a los caseros descontrolar unidades totalmente cuando los inquilinos se mudan. El descontrol de viviendas disponibles ya ha resultado en la pérdida de miles de apartamentos anteriormente asequibles y por ende desmantelará el sistema por completo si no se revoca.

Después de décadas de prometer que iban a reformar nuestras leyes de alquileres una vez que ganara la mayoría en el Senado estatal, los demócratas han decepcionado en el primer año que han estado a cargo. Un paquete de proyectos de ley destinado a reformar las leyes de alquileres sigue inmovilizado, y esto incluye la revocación del descontrol de viviendas disponibles, la reforma de la Junta de Renta Regulada (Rent Guidelines Board, RGB) y el regreso de la autonomía en torno a las leyes de alquileres en lo que concierne a la Ciudad de Nueva York.

Estas medidas simplemente restaurarían el estado anterior de algunos aspectos del sistema. Un paso más progresista sería ampliar la reserva de vivienda sujeta a la regulación de alquileres, que hoy en día generalmente incluye los edificios con seis o más unidades construidos antes de 1974, con muchos resquicios legales disponibles para descontrolar unidades. Los inquilinos en unidades descontroladas son extremadamente vulnerables al hostigamiento del casero, carecen del derecho de tenencia y son los primeros que no pueden pagar cuando los alquileres del vecindario se elevan.

Se han estabilizado los alquileres en edificios más pequeños o recién construidos en la Ciudad de Nueva York previamente. No es una amenaza para el modelo de ganancias, ya que simplemente estabiliza el ritmo de los futuros aumentos de alquileres. El derecho a un hogar asequible y estable en la Ciudad de Nueva York no debe depender de la edad o el tamaño del edificio.

Proteger la vivienda pública

La Autoridad de Vivienda de la Ciudad de Nueva York (New York City Housing Authority, NYCHA) mantiene más de 178,000 apartamentos. Sirve alrededor de medio millón de neoyorquinos, muchos de los cuales no podrían pagar el precio de vivienda privada. Los ingresos en forma del alquiler cubren menos de un tercio de los costos de operación, así que NYCHA depende de subvenciones

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Los Ajustes de la "Junta de Regulación de Renta" de la Ciudad de Nueva York (Orden No. 41)

Para los contratos de apartamentos de Renta Estabilizada que comienzan el 1ro. de octubre de 2009 hasta el 30 de septiembre de 2010.

Tipo de Contrato		*Renta Legal Actual*	*Contrato de 1 Año*	*Contrato de 2 Años*
Renovación del Contrato	Todos	casero abastece la calefacción	3%	6%
		inquilino paga la calefacción	2.5%	5%
	Salvo donde el último contrato del apartamento vacío se firmó 6 o más años atrás y la renta es menos de $1,000	casero abastece la calefacción	30	60
		inquilino paga la calefacción	25	50
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 un 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

Renovación de Contrato
Los caseros tienen que ofrecer a los inquilinos de renta estabilizada una renovación de contrato dentro de 90 a 120 días antes de que venza su contrato actual. La renovación de contrato tiene que mantener los mismos términos y condiciones que el contrato que vencerá, excepto cuando refleje un cambio en la ley. Una vez que se haya recibido el ofrecimiento de renovación, los inquilinos tienen 60 días para aceptarlo y escoger si van a renovar el contrato por uno o dos años. El propietario tiene que devolver la copia firmada y fechada al inquilino dentro de 30 días. La nueva renta no entrará en vigencia hasta que empiece el nuevo contrato, o cuando el propietario devuelva la copia firmada (lo que suceda después). Ofrecimientos retrasados: si el casero ofrece la renovación tarde (menos de 90 días antes de que venza el contrato actual), el contrato puede empezar, a la opción del inquilino, o en la fecha que hubiera empezado si se hubiera hecho un ofrecimiento a tiempo, o en el primer pago de renta fechada 90 días después de la fecha del ofrecimiento del contrato. Las pautas de renta usadas para la renovación no pueden ser mayores que los incrementos de la RGB vigentes en la fecha en que el contrato debía empezar (si se lo hubiera ofrecido a tiempo). El inquilino no tiene que pagar el nuevo aumento de renta hasta 90 días después de que se haya hecho el ofrecimiento.

Asignación de Subarriendo
Los caseros podrán cobrar un aumento de 10 por ciento durante el término de subarriendo que comience durante este período de las pautas.

Programa de Exención de Incrementos de Renta para las Personas de Mayor Edad Las personas de mayor edad con renta estabilizada (y los que viven en apartamentos de renta controlada, Mitchell-Lama y cooperativas de dividendos limitados), con 62 años o más, y cuyos ingresos familiares disponibles al año sean de $27,000 o menos (para 2006) y que paguen (o enfrenten un aumento de renta que les haría pagar) un tercio o más de tal ingreso en renta pueden ser elegibles para una congelación de renta. Solicite a: NYC Dept of the Aging, SCRIE Unit, 2 Lafayette St., NY, NY 10007 o llame al 311 o visite su sitio Web, nyc.gov/html/dfta/html/scrie_sp/scrie_sp.shtml.

Programa de Exención de Incrementos de Renta para Minusválidos
Inquilinos con renta regulada que reciben ayuda económica elegible relacionada con discapacidad, que tengan ingresos de $17,580 o menos para individuales y $25,212 o menos para una pareja y enfrenten rentas iguales o más de un tercio de sus ingresos pueden ser elegibles para un congelamiento de renta. Solicite a: NYC Dept. of Finance, DRIE Exemptions, 59 Maiden Lane - 20th floor, New York, NY 10038. Llame al 311 para una solicitud o vaya al sitio Web en www.nyc.gov/html/dof/html/property/property_tax_reduc_drie.shtml

Las unidades desvanes
Los aumentos legalizados para unidades de desván son un 3 por ciento por un contrato de un año y 6 por ciento por dos años. No se permiten incrementos para las unidades de desván vacías.

Hoteles y SROs
4.5% para todas categorías, sin embargo, 0% cuando menos de un 85% de las unidades sean ocupadas por inquilinos permanentes de renta regulada.

Exceso de cobro
Los inquilinos deben estar al tanto de que muchos caseros se aprovecharán de las complejidades de estas pautas y concesiones adicionales, además del poco conocimiento de los inquilinos del historial de renta de sus apartamentos, para cobrar una renta ilegal. Los inquilinos pueden impugnar los aumentos de renta sin autorización en las cortes o al presentar una impugnación con la agencia estatal de vivienda, la División de Vivienda y Renovación Comunitaria (Division of Housing and Community Renewal, DHCR). El primer paso en el proceso es ponerse en contacto con la DHCR para ver el registro oficial del historial de renta. Vaya a www.dhcr.state.ny.us o llame al 718-739-6400 y pida un historial de renta detallado. Luego, hable con un abogado o defensor experto antes de seguir.

Para las pautas previas, llame a la RGB al 212-385-2934 o vaya al www.housingnyc.com

política de vivienda

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públicas. Se ha cortado éstas significativamente en los últimos años, creando así un déficit de más de $600 millones desde 2001, con $137 millones sólo en lo que va del año.

Las reducciones en la ayuda federal han sido el golpe más fuerte. El estado dejó de proveer fondos para urbanizaciones inelegibles para fondos federales en 1998, bajo el mandato del antiguo gobernador George Pataki; en 2003 el alcalde Michael Bloomberg hizo lo mismo a las urbanizaciones municipales. Todo esto ha dejado 21,000 unidades sin subvención alguna y quita de NYCHA $93 millones al año. La ciudad también cobra a NYCHA $73 millones al año por indefinidos servicios policiales "especiales" y $23 millones pagados en lugar de impuestos sobre los bienes.

La respuesta de NYCHA ha sido cortar servicios y cambiar el destino de recursos desde otros programas, incluidos 8,400 vales de Sección 8 que de otra manera estarían disponibles para ayudar a familias a pagar los alquileres del mercado privado. Se venden los espacios abiertos alrededor de los edificios a especuladores privados para construir vivienda a un precio más alto. Sin embargo, ninguna de estas medidas penosas ha empezado siquiera a llenar el hueco presupuestario.

Se debe proveer fondos adecuados a NYCHA. NYCHA debe crear un plan de capital independiente de su presupuesto de operación para la renovación de edificios, muchos de los cuales han sido descuidados durante años. Los funcionarios públicos deben prometer que no se privatizarán ningunas unidades de vivienda pública. La ciudad debe conservar algunos espacios abiertos en los terrenos de NYCHA y hacerlos más accesibles como parques, además de utilizar otros sitios para vivienda permanentemente asequible para las personas sin techo y de bajos a moderados ingresos.

Eliminar el resquicio legal de Mitchell-Lama

Los programas Mitchell-Lama y de Dividendos Limitados (Limited Dividend) crearon 149,000 unidades de vivienda asequible para neoyorquinos de bajos y medios ingresos desde los años 1950 hasta el fin de los 1970. Desafortunadamente, los dos programas permitieron a los dueños comprar la salida del programa después de un período establecido (usualmente 20 años); en los edificios construidos en 1974 o después, la fecha límite para la estabilización de alquileres, los dueños pueden elevar los alquileres hasta la tasa del mercado de la noche a la mañana. Se puede vender los apartamentos en los edificios cooperativos que salen del programa al valor del mercado. Se han sacado de los programas más de 40,000 unidades, creadas y mantenidas con subvenciones públicas enormes, y hay muchas más en peligro inminente de salir también.

Un proyecto de ley ante la Legislatura estatal pondría todas las unidades sacadas de los programas Mitchell-Lama o Sección 8 basada en la urbanización bajo las leyes de estabilización de alquileres. También debemos aplicar las lecciones de esta experiencia en los programas de vivienda asequible actuales, que requieren más subvenciones que nunca pero también siguen con fechas límites, cuando las unidades se trasladarán a la tasa del mercado.

Políticas sobre las personas sin techo: vivienda permanente y prevención

La falta de techo en Nueva York ha alcanzado niveles inéditos después de una década de políticas crueles, desde los intentos del antiguo alcalde Giuliani de criminalizarla hasta la estrategia de Bloomberg de cobrar "alquiler" en los albergues municipales a la gente trabajadora a la vez que denegar a las familias sin techo acceso tanto a vales Sección 8 como a plazos en vivienda pública.

Las discusiones sobre la falta de techo típicamente evitan mencionar la vivienda inasequible como un factor causante. Demasiado frecuentemente, las propuestas oficiales tienen que ver con pequeños cambios al sistema de albergues en vez de estrategias para crear vivienda permanente y de prevención.

La falta de techo es en parte un síntoma de una política de vivienda quebrada. Una investigación del Instituto Vera de Justicia (Vera Institute of Justice) en 2005 halló que casi la mitad de las familias sin techo entrevistadas en el sistema de albergues municipal habían enfrentado el desalojo recientemente. En los años 1980 y 1990, se alojó permanentemente a miles de familias sin techo en edificios adquiridos por la ciudad en ejecuciones de impuestos. Hoy en día, se devuelve tales edificios inmediatamente al mercado privado.

Para empezar, debemos poner una moratoria en desalojos de familias al borde de la falta de hogar, hacer disponibles fondos de albergues de emergencia para los desalojados y cambiar el destino de más recursos públicos al alojamiento de más gente en vivienda decente y permanente.

Zonificación y planeamiento urbano

El gobierno de Bloomberg ha rezonificado más de 100 vecindarios en la Ciudad de Nueva York, en muchos casos aumentando enormemente la densidad de población permitido. Los planes de "zonificación de inclusión" en algunas de estas áreas ofrecen a los especuladores el derecho a construir edificios aun más grandes (un beneficio de densidad) si convienen en apartar un porcentaje de unidades como vivienda asequible. Sin embargo, las unidades "asequibles", aunque estén fuertemente subvencionadas, muy a menudo son de un precio muy lejos del alcance del bolsillo de la mayoría de los residentes locales, y los alquileres en muchas eventualmente serán elevados a la tasa del mercado.

Oponer la conservación de vecindades a la edificación de vivienda asequible es crear una opción falsa. En cambio, se podría obligar la zonificación de inclusión en toda la ciudad, sin beneficios de densidad pero con la condición de que las unidades construidas quedarían asequibles permanentemente para las familias de bajos ingresos.

Una propuesta hecha antes para la rezonificación de West Harlem interpretó la idea del beneficio de densidad creativamente al establecer los límites para edificios nuevos en un nivel bajo del que ya existía en el vecindario, así que los especuladores tendrían que participar en el programa de inclusión para alcanzar las densidades existentes. Esto hace más difícil demoler estructuras viejas, y más fácil construir nuevos edificios que no vienen a costo del carácter del vecindario.

Nuevos edificios

Hoy en día, el modelo predominante para la construcción de nuevas viviendas asequibles es subvencionar a los especuladores privados para que alojen a residentes de bajos ingresos por un tiempo limitado. Un informe de 2008 de la Asociación para el Desarrollo de Vecindades y Vivienda (Neighborhood and Housing Development) describió este modelo, que "impone un límite de tiempo en la accesibilidad financiera" y ofrece a los especuladores "ganancias sin límites al fin de cuentas", como un "uso ineficaz e ilógico del dinero de los contribuyentes". Ineficaz sí, pero también un resultado lógico cuando los intereses especulativos dictan las políticas públicas.

Se utilizarían los recursos públicos más eficazmente al facilitar la construcción, renovación y con-

pasa a la página 5

No se quede helado: ¡ORGANIZESE!

La ley requiere que su casero proporciona 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 ingles) al (718) 739-6400, y pedir que le envíen el formulario de Queja de Calefacción y Agua Caliente. Llene el formulario y consigue la participación de todos los inquilinos en su edificio que pueden firmarlo. Reclame una orden para restaurar la calefacción y el agua caliente, y que se reduzcan y congelen (¡disculpe lo de "congelen"!) todas las rentas.
- Necesitarán una fuerte asociación de inquilinos para obligar al casero a proporcionar calefacción y agua caliente. Escriban y llamen al casero para demandar reparaciones y aceite. Prepárense para una huelga de renta (sobre todo con asesoría legal)—de relámpago si es necesario.

Las leyes sobre la calefacción establecen también:

- Que el Departamento de Reparaciones de Emergencia de la ciudad le proporcione la calefacción si el casero no lo hace. (No se siente en un bloque de hielo—otra vez, ¡disculpe!—mientras espere que lo haga.)
- Una multa de $250 to $500 al casero por cada día que se produzca la violación. (Pero la verdad es que la Corte de Vivienda raras veces impone las multas, y menos aun las cobra).
- Una multa de $1,000 al casero si algún aparato de control automático se instala en la caldera para mantener la temperatura por debajo del mínimo legal.
- Si el tanque de combustible de la caldera está vacío, los inquilinos tienen el derecho de comprar su propio combustible después de haber pasado 24 horas sin calefacción y también sin obtener ninguna respuesta del casero. Esto no se aplica si la caldera está rota y necesita tanto reparación como combustible.

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

política de vivienda

viene de la página 4

servación de viviendas permanentemente asequibles en un modelo sin fines de lucro.

Las subvenciones despilfarradoras, como las reducciones de impuestos 421-a para urbanizaciones de lujo, deben ser eliminadas. No se debe ofrecer incentivos gubernamentales que no sean para unidades permanentemente asequibles.

Oportunidades perdidas en propiedades municipales

Hasta hace poco tiempo, la ciudad disponía de una cartera amplia de edificios y terrenos abandonados por sus dueños privados. Desde los años 1970 hasta los 1990, la ciudad adquirió cientos de miles de unidades de vivienda por ejecución de impuestos. Esto podría haber mitigado la crisis de vivienda asequible de una manera importante si se hubieran destinado recursos a tal propósito.

Desafortunadamente, Nueva York nunca ha tenido un plan integrado para transformar las propiedades municipales en vivienda asequible permanente. Edificios en la posesión de la ciudad decaían, muchas veces mal mantenidos. Lo que es peor, se devolvió la mayoría de ellos al mercado privado con pocas o ningunas restricciones en torno a la accesibilidad financiera, y fueron vendidos a menudo en precios bajísimos para el desarrollo de vivienda a la tasa del mercado.

Se perdió una enorme oportunidad, pero cambiar de rumbo necesitará otro cambio de política. La ciudad dejó de adquirir tales propiedades en 1993. En 1996, creó el programa de Transferencias a Terceros (Third Party Transfer), para transferir propiedades con moras de impuestos directamente de un ente privado a otro al ejecutarse.

Cuando la ciudad puede adquirir propiedad gratis, muchas veces con estructuras salvables, evita pagar el alto precio de terrenos, que es uno de los aspectos más prohibitivos de la construcción de vivienda asequible. Renovar o reedificar vivienda abandonada beneficia a las comunidades en su alrededor sin desplazarlas, a diferencia de los programas que utilizan "vivienda asequible" para abrigar la aprobación de urbanizaciones de tamaño enorme. También a diferencia de programas de renovación urbana del pasado, incluida la vivienda pública y Mitchell-Lama, no depende de la demolición de edificios existentes y el desalojo de los residentes y negocios actuales.

Un uso innovador de edificios propiedades de la ciudad fueron las 30,000 unidades de vivienda renovadas y vendidas a sus inquilinos para manejarlas como cooperativas de personas de bajos ingresos, llamadas Corporaciones del Fondo de Desarrollo de Vivienda (Housing Development Fund Corporations, HDFCs). Sin embargo, muchas HDFC se crearon con resquicios legales que permitían revenderlas a la tasa del mercado. Ya que algunas de estas cooperativas se hallan endeudadas o necesitan renovaciones considerables, la ciudad debe ofrecer la condonación de sus deudas, además de préstamos de bajos intereses, a cambio de la adopción en estos edificios de normas que establezcan que las unidades sigan siendo asequibles permanentemente.

Ya que se vislumbra una nueva oleada de ejecuciones hipotecarias, se deben crear los mecanismos para transformar estas propiedades en vivienda permanentemente asequible para familias sin techo o de bajos o moderados ingresos

La Corte de Vivienda

Una investigación de 1993 del Centro de Entrenamiento y Recursos Comunitarios (Community Training and Resource Center) y el City-Wide Task Force on Housing Court (un grupo de trabajo en torno a la Corte de Vivienda) mostró que un 88 por ciento de los inquilinos que enfrentaron el desalojo en la Corte de Vivienda no tenían un abogado, mientras un 98 por ciento de los caseros tenían asesoría legal. Una investigación hecha anteriormente por City-Wide halló que se despacharon los casos de los inquilinos que acudieron sin representación legal en solamente cinco minutos.

En 2008, los caseros entablaron 257,361 casos de desalojo por falta de pago y 31,813 casos de desalojo por retención de posesión ("holdover"). La mayoría se resolvieron por medio de una estipulación, usualmente escrita por el abogado del casero en los pasillos fuera de la sala del tribunal, donde se puede intimidar a los inquilinos sin asesoría legal, engañarlos sobre sus derechos y opciones y convencerlos a entregar sus apartamentos.

Como primer paso para traer la justicia al proceso, todos los inquilinos que enfrentan el desalojo en la Corte de Vivienda deben tener el derecho a asesoría legal bajo la ley, con abogados designados y pagados del erario público para todos los que no tienen con qué contratar a uno, como sucede a los acusados en casos criminales.

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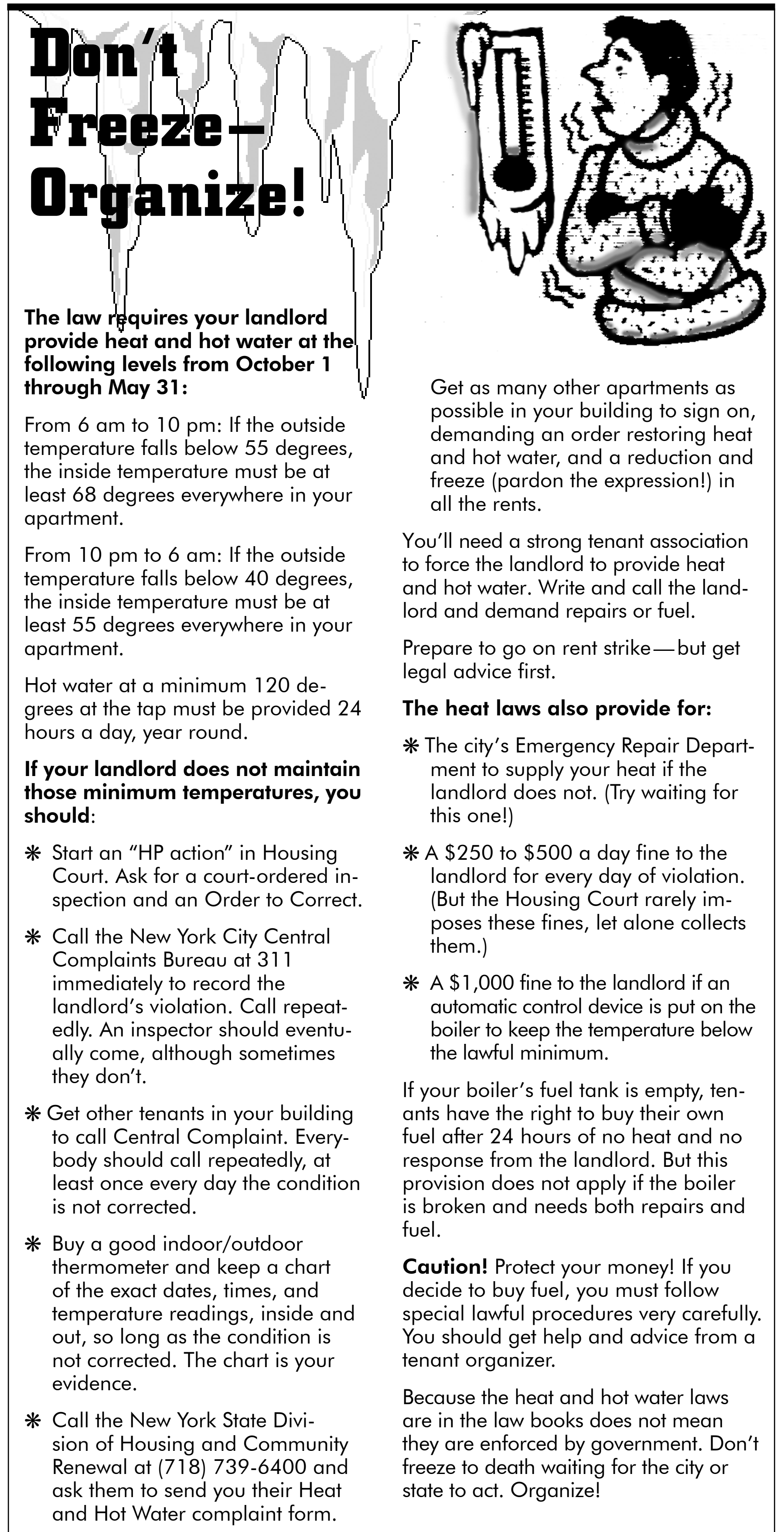


Don't Freeze—Organize!

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

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

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

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

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

❋ Start an "HP action" in Housing Court. Ask for a court-ordered inspection and an Order to Correct.

❋ Call the New York City Central Complaints Bureau at 311 immediately to record the landlord's violation. Call repeatedly. An inspector should eventually come, although sometimes they don't.

❋ Get other tenants in your building to call Central Complaint. Everybody should call repeatedly, at least once every day the condition is not corrected.

❋ Buy a good indoor/outdoor thermometer and keep a chart of the exact dates, times, and temperature readings, inside and out, so long as the condition is not corrected. The chart is your evidence.

❋ Call the New York State Division of Housing and Community Renewal at (718) 739-6400 and ask them to send you their Heat and Hot Water complaint form.

Get as many other apartments as possible in your building to sign on, demanding an order restoring heat and hot water, and a reduction and freeze (pardon the expression!) in all the rents.

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

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

The heat laws also provide for:

❋ The city's Emergency Repair Department to supply your heat if the landlord does not. (Try waiting for this one!)

❋ A $250 to $500 a day fine to the landlord for every day of violation. (But the Housing Court rarely imposes these fines, let alone collects them.)

❋ A $1,000 fine to the landlord if an automatic control device is put on the boiler to keep the temperature below the lawful minimum.

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

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

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

Senior and Disabled Tenants

Seniors, 62 or older, in rent-regulated, Mitchell-Lama and some other housing programs whose disposable annual household income is $29,000 or less (for the previous year) and who pay (or face a rent increase that would cause them to pay) one-third or more of that income in rent may be eligible for a Senior Citizen Rent Increase Exemption (SCRIE). Apply to:
The NYC Dept. of Finace
SCRIE/DRIE Exemption
59 Maiden Lane - 20th floor, New York, NY 10038

Disabled tenants receiving eligible disability-related financial assistance with incomes of $19,284 or less for individuals and $27,780 or less for a couple facing rents equal to or more than one-third of their income may be eligible for the Disability Rent Increase Exemption (DRIE). Apply to:
NYC Dept. of Finance
SCRIE/DRIE Exemptions
59 Maiden Lane - 20th floor, New York, NY 10038

DRIE and SCRIE info is available on the city's website www.nyc.gov, or call 311.

Tenants Begin to Use Stuy-Town Decision to Contest Rents

Tenants throughout the city are beginning to use the Stuyvesant Town court decision to challenge deregulated rents in their buildings.

On Nov. 13, 10 renters in the London Terrace complex in Chelsea filed a class-action suit in Manhattan Supreme Court against their landlords. The suit, *Dugan v. London Terrace Gardens*, alleges that the owners began deregulating vacant apartments there in 1993 and continued to do so after they started receiving tax breaks under the city's J-51 program in 2002.

In its October decision on Stuyvesant Town/Peter Cooper Village, the state Court of Appeals ruled that it was illegal for owners to deregulate apartments while taking J-51 benefits, as city law specifically limits those benefits to rent-stabilized buildings. The London Terrace plaintiffs estimate that almost 30 percent of the apartments in the block-long complex have been illegally deregulated.

The plaintiffs, who pay from $3,100 to $7,500 a month, are asking that their apartments be returned to rent stabilization and that they be paid damages for the illegal overcharges.

Meanwhile, the decision has given tenants in a project-based Section 8 building in the Bronx new ammunition to fight rent increases.

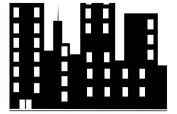
Residents of 1600 Sedgwick Ave. in Morris Heights were already in court with their landlord, Riverview Redevelopment, after it took the building out of the subsidy program and raised rents in 80 of the 383 apartments—some by as much as $500 a month. Riverview is trying to evict tenants who won't pay the increases.

Tenants originally challenged the increases on the grounds that the building opened in 1973, so it would legally become rent-stabilized upon leaving the Section 8 program. The owners countered that their company's structure places the building under the jurisdiction of the city Department of Housing Preservation and Development, making it exempt from state rent regulations.

Lawyers for the tenants told the *Daily News* that since Riverview receives J-51 benefits, the Stuy-Town decision will strengthen their case.

William Gribben, the lawyer representing the London Terrace tenants, told *Crain's Business Weekly* that he is working with tenants in other buildings to file similar suits.

—Steven Wishnia



Atlantic Yards

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projects. Atlantic Yards, he wrote, would displace less than 150 people, and not all of them were "persons of low income."

The suit also questioned the ESDC's designation of the area as "substandard and insanitary"—a prerequisite for its redevelopment to be considered a public purpose.

Judge Lippman had somewhat more sympathy for that argument. "It may be that the bar has now been set too low—that what will now pass as 'blight,' as that expression has come to be understood and used by political appointees to public corporations relying upon studies paid for by developers, should not be permitted to constitute a predicate for the invasion of property rights and the razing of homes and businesses," he wrote.

But ultimately, he concluded, economic underdevelopment and stagnation could legitimately qualify as "blight." The definition of how much "blight" is needed to justify the use of eminent domain, he ruled, "is a matter for the Legislature, not the courts."

In dissent, Judge Robert S. Smith called the decision "much too deferential to the self-serving determination by the Empire State Development Corporation that petitioners live in a 'blighted' area." He wrote that building offices and apartments for a private developer to rent was not a public purpose, and that "blight" meant a danger to public health and safety, not that "property may be condemned and turned over to a private developer every time a state agency thinks that doing so would improve the neighborhood."

Forest City Ratner still has to sell bonds to finance the project by end of the year in order to keep its tax exemption for them. On Dec. 1, the two major credit-rating services listed $500 million in tax-exempt bonds for the proposed arena as "investment grade"—but just barely. Moody's Investor Services rated them as Baa3 and Standard and Poor's as BBB-. Both ratings—the same given to bonds for the new Yankee Stadium and the Mets' Citi Field—are the lowest a bond can get without being considered junk.

The arena, currently planned to open in 2012 as the home of the relocated New Jersey Nets basketball team, is expected to cost between $800 million and $1 billion. The rest of the funds would come from lower-obligation debt, Ratner's own money, and city and state subsidies. The Bloomberg administration has also agreed to let the owners pay off the debt instead of property taxes.

Moody's and Standard and Poor's questioned whether the demand for luxury seats at Nets games would be enough to make the deal profitable. Many luxury seats at the new Yankee Stadium went empty this year, despite a club that won the World Series. As of Dec. 1, the Nets' 0-17 record was the worst in the National Basketball Association, even worse than the perennially struggling Knicks.

NYC Rent Guidelines Board Adjustments (Order No. 41)

for Rent Stabilized Leases commencing Oct. 1, 2009 through Sept. 30, 2010

Order No. 40, covering leases commencing prior to October 1, 2009, is available at http://www.metcouncil.net/campaigns/RGB.htm

Lease Type	Current Legal Rent		One-year Lease	Two-year Lease
Renewal Leases	All...	landlord supplies heat	3%	6%
		tenant pays for heat	2.5%	5%
	Except where last vacancy lease was 6 or more years ago and rent is below $1000	landlord supplies heat	$30	$60
		tenant pays for heat	$25	$50
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

Renewal Leases
Landlords must offer a rent-stabilized tenant a renewal lease 90 to 120 days before the expiration of the current lease. The renewal lease must keep the same terms and conditions as the expiring lease, except when reflecting a change in the law. Once the renewal offer is received, the tenant has 60 days to accept it and choose whether to renew the lease for one or two years. The owner must return the signed and dated copy to the tenant in 30 days. The new rent does not go into effect until the start of the new lease term, or when the owner returns the signed copy (whichever is later).

Late offers: If the owner offers the renewal late (fewer than 90 days before the expiration of the current lease), the lease term can begin, at the tenant's option, either on the date it would have begun had a timely offer been made, or on the first rent payment date 90 days after the date of the lease offer. The rent guidelines used for the renewal can be no greater than the RGB increases in effect on the date the lease should have begun (if timely offered). The tenant does not have to pay the new rent increase until 90 days after the offer was made.

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

Senior Citizen Rent Increase Exemption Program Rent-stabilized seniors (and those living in rent-controlled, Mitchell-Lama, and limited equity coop apartments), 62 or older, whose disposable annual household income is $29,000 or less (for 2007 tax year) and who pay (or face a rent increase that would cause them to pay) one-third or more of that income in rent may be eligible for a rent freeze. *Apply to:* NYC Dept. for the Aging, SCRIE Unit, 2 Lafayette St., NY, NY 10007 or call 311 or visit their Web site, *www.nyc.gov/html/dfta/html/scrie/scrie.shtml.*

Disability Rent Increase Exemption Program
Rent-regulated tenants receiving eligible disability-related financial assistance who have incomes of $18,396 or less for individuals and $26,460 or less for a couple and are facing rents equal to more than one-third of their income may be eligible for a rent freeze. *Apply to:* NYC Dept. of Finance, DRIE Exemptions, 59 Maiden Lane, 20th floor, New York, NY 10038. Call 311 for an application or go to the Web site at *www.nyc.gov/html/dof/html/property/property_tax_reduc_drie.shtml.*

Loft Units
Legalized loft-unit increases are 3 percent for a one-year lease and 6 percent for two years. No vacancy allowance is permitted on vacant lofts.

Hotels and SROs
4.5% for all categories, however, 0% when fewer than 85% of units are occupied by permanent, rent-regulated tenants.

Rent Overcharges
Tenants should be aware that many landlords will exploit the complexities of these guidelines and bonuses—and the tenant's unfamiliarity with the apartment's rent history—to charge an illegal rent. Tenants can challenge unauthorized rent increases through the courts or by filing a challenge with the state housing agency, the Division of Housing and Community Renewal (DHCR). The first step in the process is to contact the DHCR to see the official record of the rent history. Go to *www.dhcr.state.ny.us* or call (718) 739-6400 and ask for a detailed rent history. Then speak to a knowledgeable advocate or a lawyer before proceeding.

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

Housing Policies

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this year alone.

Reductions in federal aid have dealt the biggest blow. The state stopped funding projects ineligible for federal funds in 1998, under former Governor George Pataki, and in 2003 Mayor Michael Bloomberg did the same for city developments. This has left 21,000 units with no subsidy, and shortchanges NYCHA by $93 million a year. The city also bills NYCHA $73 million a year for undefined "special" police services and $23 million for payments in lieu of property taxes.

NYCHA has responded by cutting services and redirecting resources from other programs, including 8,400 Section 8 vouchers that would otherwise be available to help families pay rents on the private market. It is selling open spaces around its buildings to private developers for higher-cost housing. Yet none of these painful measures have come close to closing the budget shortfall.

NYCHA must be adequately funded. It must create a capital plan—independent of its operating budget—for the renovation of buildings, many of which have been neglected for years. Public officials must pledge that that no units of public housing will be privatized. The city should preserve some open spaces on NYCHA land and make them more accessible as parkland, and develop other sites for permanently affordable housing for homeless and low- to moderate-income people.

Close the Mitchell-Lama Loophole

The Mitchell-Lama and Limited Dividend programs created 149,000 units of affordable housing for low- and middle-income New Yorkers from the 1950s through the 1970s. Unfortunately, both programs let owners buy out after a set period of time—usually 20 years—and in buildings that were completed in 1974 or later, the cutoff for rent stabilization, owners can raise rents to market rates overnight. Apartments in co-op buildings that leave the program can be sold at market value. More than 40,000 units, created and maintained with tremendous public subsidies, have been taken out of the programs, and many more are at imminent risk.

A bill before the state Legislature would put all units that have been taken out of the Mitchell-Lama or project-based Section 8 programs under rent stabilization. We must also apply the lessons of this experience to today's affordable-housing programs, which require more subsidies than ever, but continue to have opt-out dates when units will move to market rate.

Homelessness Policy

Homelessness in New York has reached record highs after a decade of cruel policies, from former mayor Rudolph Giuliani's attempts to criminalize it to Bloomberg's strategy of charging "rent" in city shelters to working people while denying homeless families access to both Section 8 vouchers and public-housing placements.

Discussions about homelessness typically bypass unaffordable housing as a cause. Official proposals too often involve tweaking the shelter system rather than permanent housing and prevention strategies.

Homelessness is, in part, a symptom of a broken housing policy. A study by the Vera Institute of Justice in 2005 found that nearly half of homeless families interviewed in the city shelter system had recently faced an eviction. In the 1980s and 1990s, thousands of homeless families were permanently housed in buildings acquired by the city through tax foreclosure. Today, such buildings are immediately cycled back to the private market.

As a start, we must place a moratorium on evictions for families on the verge of homelessness, make additional emergency shelter funds available for those evicted, and shift public resources towards getting people into decent, permanent housing.

Zoning and City Planning

The Bloomberg administration has rezoned more than 100 New York City neighborhoods, in many cases vastly increasing the allowable density. "Inclusionary zoning" plans in some of these areas offer developers the right to build even larger buildings—a density bonus—if they agree to set aside a percentage of units as affordable housing. But the "affordable" units, though heavily subsidized, are often far out of reach for most local residents, and rents in many will eventually be raised to market rate.

Pitting neighborhood preservation against affordable-housing construction is a false choice. Inclusionary zoning could instead be mandated throughout the city—without size bonuses, but with requirements that the units built remain permanently affordable to low-income households.

An early proposal for a rezoning in West Harlem creatively reinterpreted the idea of the density bonus by setting the limits for new construction below what already existed in the neighborhood, so that developers would need to participate in the inclusionary program in order to reach existing densities. This discourages the demolition of old structures and encourages new construction that doesn't come at the expense of neighborhood character.

New Construction

The dominant model for new affordable-housing construction today is to subsidize private developers to house lower-income residents for a limited time. A 2008 report from the Association for Neighborhood and Housing Development described that model, which "time-limits affordability" and offers developers "unlimited profits on the back end," as an "inefficient, illogical use of taxpayer dollars." Inefficient, yes, but a logical outcome when developer interests dictate public policy.

Public resources would be more effectively used to facilitate the construction, renovation, and preservation of permanently affordable housing under a not-for-profit model.

Wasteful subsidies, such as 421-a tax benefits for luxury developments, must be eliminated. Government incentives should be offered for only units that are permanently affordable.

Missed Opportunities in City-Owned Property

Until recently, the city owned an extensive portfolio of buildings and land that private owners had abandoned. From the '70s to the '90s, it acquired hundreds of thousands of housing units through tax foreclosure. That could have eased the housing-affordability crisis substantially, if resources had been dedicated to that purpose.

Unfortunately, New York has never had a comprehensive plan for developing city-owned property into permanent affordable housing. Buildings languished in city ownership for years, often poorly maintained. Worse, most of them were returned to the private market with few or no affordability restrictions—often sold for rock-bottom prices for the development of market-rate housing.

A tremendous opportunity was squandered, but reversing course will require another policy change. The city stopped acquiring such property in 1993. In 1996, it created the Third Party Transfer program, to transfer tax-delinquent property directly from one private entity to another at foreclosure.

When the city can acquire property for free, often with salvageable structures, it avoids one of the most prohibitive aspects of affordable-housing construction—the high cost of land. Renovating or rebuilding abandoned housing benefits the surrounding communities without displacing them, in contrast to programs that use "affordable housing" as a cover for getting oversized developments approved. And unlike past urban-renewal programs, including public housing and Mitchell-Lama, it doesn't rely on demolishing existing buildings and thus displacing current residents and businesses.

One innovative use of city-owned buildings was the 30,000 units of housing that were rehabilitated and sold back to tenants to run as low-income cooperatives, known as Housing Development Fund Corporations (HDFCs). Many HDFCs were created with loopholes that allowed market-rate resale, however. As some of these co-ops find themselves in debt or need major renovations, the city should offer debt forgiveness and low-cost loans in exchange for the buildings adopting regulations mandating permanent affordability.

MARIO MAZZONI

As a new wave of foreclosures looms, mechanisms should be created to transform these properties into permanently affordable housing for homeless, low-income, and moderate-income families.

Housing Court

A 1993 study by the Community Training and Resource Center and the City-Wide Task Force on Housing Court showed that 88 percent of tenants facing an eviction in Housing Court were without a lawyer, whereas 98 percent of landlords had legal counsel. An earlier study by City-Wide found that tenants who came unrepresented had their case dealt with in merely five minutes.

In 2008, landlords brought 257,361 nonpayment eviction cases and 31,813 holdover eviction cases. Most were resolved by a stipulation, usually written in the hallways outside the courtroom by the landlord's attorney—where unrepresented tenants can be intimidated, deceived about their rights and options, and convinced to give up their apartments.

As a first step in bringing fairness to this process, all tenants facing an eviction in Housing Court should be entitled to counsel as a right under the law—with publicly financed lawyers appointed for all who cannot afford to hire one, as is the case for criminal defendants.

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West Hollywood:

City Built on Rent Control Celebrates 25th Anniversary

By Larry Gross

Twenty-five years ago, members of the Coalition for Economic Survival (CES) rejoiced after a seven-year campaign to secure tenants' rights and preserve affordable housing in West Hollywood, California, then a 1.9-square-mile unincorporated area of Los Angeles County.

On Nov. 29, 1984, CES members joined with other residents to pack the auditorium in the newly formed city's Plummer Park, as media from around the world covered the swearing in of West Hollywood's first City Council. Four out of the five members elected were on CES's Renters' Rights slate of candidates. And while the news media focused on that this was the first American city with a majority of gay and lesbian elected officials, which was significant in itself, the real story was that the main reason this new city was created was to save and strengthen rent control.

In 1979, CES led an effort to secure a rent-control ordinance for Los Angeles County's unincorporated areas by a vote of the county Board of Supervisors. This came a year after CES's success in winning rent control in the city of Los Angeles. But in 1983, a right-wing, anti-rent-control majority took control of the county board. They voted to phase out county rent control, effective on Dec. 31, 1984.

CES first attempted to counter this by placing Proposition M, a strong rent-control law, as an initiative measure on the county ballot in the November 1983 election. But it failed, as landlords spent millions on a fear campaign targeting homeowner voters in the outlying unincorporated areas. In West Hollywood, however, voters supported the measure overwhelmingly, by a 5-to-1 margin.

This laid the electoral groundwork for CES's role in leading the efforts for West Hollywood to incorporate as a city. With the county determining that West Hollywood could be a financially viable city, CES forged a unique alliance made up of gays and lesbians together with senior renters, uniting around the need for tenants' rights, civil rights, and local control. CES secured a number of seats on the small West Hollywood Incorporation Committee, chaired by Ron Stone and co-chaired by CES West Hollywood chapter chair Audrey Isser.

CES, which had a large active grass-roots membership in West Hollywood, took responsibility for obtaining the required number of signatures—25 percent of the area's registered voters—in order to place the cityhood measure on the ballot. Pushing to secure the measure for the November 1984 ballot in order to beat the phase-out date for county rent control, CES set a county record by signing up 27 percent of the voters in only 52 days.

Nervous landlords and real-estate lobbyists tried to deny a cityhood vote with a failed lawsuit and then by a last-minute move to convince the Board of Supervisors to extend a weak version of rent control. Their moves could not stop the cityhood vote.

The process also required voters to choose the first five members to serve on the City Council if the incorporation was approved. CES developed a slate of candidates as the Renters' Rights team, which was a reflection of the gay/lesbian, senior, and renter community. On Nov. 6, 1984, West Hollywood voters approved cityhood and elected all but one of the Renters Rights' slate, out of a field of 40 candidates.

At its first meeting, the City Council unanimously voted to freeze rents and place moratoriums on evictions, demolitions, development, and condo conversions until the city developed its own rent-control law. It also voted to prohibit all forms of discrimination based on sexual orientation.

This was only the beginning. In its 25-year history, West Hollywood has provided leadership in the state and the nation on progressive legislation, such as on LGBT issues, HIV/AIDS, gun violence, domestic violence, women's issues, and animal cruelty.

I believe that the success in West Hollywood serves as an important example for tenants in the Los Angeles area and across the nation. When you organize people and bring them together and empower them through their involvement, that's where real change is going to occur. That's where things that matter and impact people are going to happen. This effort must serve as a lesson in people's power for generations to come. West Hollywood was created by an organized grass-roots effort. It is a city built on rent control. I am so very proud that CES played such a crucial role and was a determining factor in the creation of the City of West Hollywood.

Larry Gross is executive director of the Coalition for Economic Survival, a Los Angeles tenants' rights organization founded in 1973.

WHERE TO GO FOR HELP

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

CHELSEA COALITION ON HOUSING
Covers 14th St. to 30th St., 5th Ave. to the Hudson River.
322 W. 17th St. (basement), 212-CH3-0544
Thursdays .... 7:30 pm

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

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

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

PRATT AREA COMMUNITY COUNCIL
201 DeKalb Ave., Brooklyn,
718-522-2613 ext. 24
3rd Wednesday .... 6 pm

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

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

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

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

NYC TENANTS RIGHTS CLINIC
305 Broadway (Corner of Duane), Suite 201, 212-571-4080
Tuesdays...........4:30-7:30pm

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

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

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