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Tenant Inquilino

Housing for people, not profit

Vol 32, No. 6
June 2002

Metropolitan Council on Housing
339 Lafayette St.
New York, NY 10012

PERIODICAL

RGB Proposes 2%/4% Increases Rejects Call for Rent Rollback

By Steven Wishnia

The Bloomberg Rent Guidelines Board is looking a lot like the Giuliani RGB.

By a 6-3 vote on May 20, the board proposed preliminary guidelines for 2002-03 allowing increases of 2% for a one-year lease renewal and 4% for two years for rent-stabilized apartments.

Those guidelines are lower than last year's 4% and 6%, and would be among the smallest increases in the board's history if adopted at the final vote this month. But with RGB figures showing landlord costs down, tenants were disappointed that the board rejected their calls for a rent rollback, or at least a rent freeze.

The final vote is scheduled for Thursday, June 27. The board also voted 5-4 not to propose a "poor tax" surcharge on low-rent apartments.

Of the two new RGB members appointed by Mayor Mike Bloomberg, tenant representative Adriene Holder came out as a strong advocate, while new board chair Marvin Markus appears to be more pro-landlord than the other public members. Markus joined the landlord representatives in voting for the poor tax, for higher increases on formerly rent-controlled apartments, and for a landlord proposal to charge tenants 6% extra if they'd been in the same apartment for 10 years or more. (That surcharge lost, 6-3.)

As usual, the public members did not participate in any of the debate, except for Markus.

With the RGB's Price Index of Operating Costs showing landlord expenses falling by 1.6%, including a 36% drop in fuel costs, tenant groups had called for a rent



The Rent Guidelines Board at the preliminary vote. New chair Marvin Markus at far left; new tenant rep Adriene Holder on right.

rollback. Tenant representative David Pagan proposed cutting rents by 3.5% on a one-year lease and 1.75% for two years. Noting that the board's figures show landlords' income up while 47% of rent-stabilized tenants pay more than one-third of their income for rent, he urged the board to "bring equality and sanity to a process that has long favored the owners."

"If not now, when?" asked Holder.

The board rejected the rollback, 7-2. Public member Agustin Rivera's proposal for 1% and 3% increases got defeated by the same margin.

Landlord representative Vincent Castellano argued for higher increases, saying that more New Yorkers are working than at any time since the '60s. "I agree," responded Holder.

"They have two, three, four jobs and they can't make the rent."

"Let's not wave the flag of homelessness," landlord representative Harold Lubell said in his opening statement. "It's a socioeconomic problem irrelevant to rent increases."

Tenant representatives did just that. As of January, Holder noted, the city had 31,000 people in homeless

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Bloomberg Budget Soaks the Poor

By Jenny Laurie

This year's budget battle is the bloodiest since the recession of the late '80s and early '90s. While conservative and liberal observers alike agree that the city's budget gap is huge—somewhere around \$5 billion out of over \$40 billion in spending—they argue over how to fix the problem. The battle may end quickly—between the time I write this and you read it—or it may extend into the end of June, depending on what tack the City Council takes.

Mayor Mike Bloomberg has proposed cutting close to \$2 billion from city agencies and the Board of Education to make up part of the budget gap. The remainder is to be closed, in his plan, by borrowing, getting money from the state and federal governments, and raising some fees and the cigarette tax (depending on the state for permission). Members

of the City Council, who have to vote on the final budget, are refusing to accept cuts to schools and other services for children and those for seniors. The fight will clearly go down to the wire—as of our deadline, the Council is still threatening to pass its own budget, and is in negotiations with the administration over protecting school children from the worse cuts. The Council has been supported on its education stance by teachers, students and parents who have maintained a stream of rallies and civil-disobedience pickets.

All observers agree that the city's budget ills are a result of a structural imbalance—in English, we've been spending more than we've been taking in for years. While many have blamed the shortfall on the extraordinary recovery and cleanup expenses from Sept. 11, according

to the Independent Budget Office, "extraordinary Wall Street profits" concealed the imbalance and allowed for surpluses to cover gaps in the past few years. Now, of course, Wall Street is reeling, and those city surpluses are gone. The city's budget must now cover the huge debt service on borrowing done by Rudolph Giuliani, who doubled its debt during his two terms in office.

Advocates for housing, tenants' rights (including Met Council), and the homeless are particularly worried about the deep proposed cuts to housing programs. These include \$5 to \$10 million from the city's \$70 million contribution to the Department of Housing Preservation and Development, which provides code enforcement and funds outside programs, \$14 million from the Department of Homeless Services' \$300 million budget (last year, the city

spent \$900 million to provide temporary housing for homeless families and individuals), and cuts to the capital budget programs which build new housing for low and moderate-income New Yorkers. In addition, the mayor proposes cuts to the lead-paint abatement program and the elimination of city funding for neighborhood housing groups. And if the budget still comes up short, \$12 million more will

come out of homeless services and \$5 million from HPD.

Bloomberg's proposed cuts in the capital budget (the side of the budget that goes to actual bricks and mortar) worry affordable-housing advocates who have been focusing attention on the dire need for new construction for the past year. They had thought that after the dry

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End of a Long Nightmare: Tenants Finally Win Jewish Theological Seminary Case

By Vajra Kilgour

Six and a half years ago, tenants at 515 and 521 West 122nd St. whose leases were up for renewal began getting letters advising them that they were facing eviction. Their landlord, the Jewish Theological Seminary, was availing itself of a provision in the rent-stabilization laws that permits not-for-profit landlords, under certain circumstances, to evict rent-stabilized tenants who moved into their apartments after July 1, 1978. The seminary said that it needed the housing for its graduate students.

Fortunately for the tenants, we had already united in a strong tenants' association to fight a major-capital-improvement rent increase. And we remained united throughout the struggle, pooling our resources to hire tenant lawyer (and Met Council Board member) Catharine A. Grad, organizing demonstrations, and taking our story to the news media.

In January 1999, Housing Court Judge Laurie L. Lau found that

the circumstances of the case did not give the seminary a legal right to evict tenants who had moved into the buildings before 1984, when they were owned by a for-profit subsidiary of the seminary. The seminary appealed her decision, but lost in the Appellate Term in May 2001. Despite having lost twice, the seminary requested further judicial review. On May 16, the Appellate Division denied leave to appeal the case any further, bringing the litigation to an end.

The seminary, which refused offers of alternative housing from the city and other institutions on Morningside Heights, has recently begun construction of apartment-style graduate-student housing at Amsterdam Avenue and West 100th Street.

Although the 515-521 tenants are hugely relieved by the Appellate Division's decision, we won't be relaxing our vigilance anytime soon. In the course of this

struggle, I also joined the board of Met Council, which had already been helping the tenants' association to fight the MCI (ultimately rubber-stamped by the DHCR). We'll be working hard in the next year to make sure that the rent-stabilization laws are renewed and strengthened. Without the tenant protection laws—even as badly weakened as they have been in

recent years—we would have lost our homes long ago, and every tenant in the city would be in the same predicament: at the mercy of landlords who put their own interests ahead of the fundamental human right to housing.

Vajra Kilgour is cochair of the 515-521 West 122nd St. Tenants' Association.

City Loses AIDS-Housing Contempt Appeal

A state appeals court has dismissed the city's final appeal of a contempt judgment for failing to provide emergency housing for homeless people with AIDS.

The May 30 ruling by the Appellate Division's First Department came in *Hanna v. Turner*, a lawsuit filed by Housing Works lawyer Armen Merjian on behalf of 17 welfare recipients living with AIDS. The suit charged that the city had violated state Supreme Court Justice Emily Jane Goodman's 1999 order requiring it to provide same-day emergency housing for people with AIDS, by failing to house the plaintiffs on a total of 35 occasions during 2000 and 2001. Last year, Justice Goodman held two city officials, Jason Turner, then Human Resources Administration commissioner, and Gregory Caldwell, deputy commissioner of the HIV/AIDS Services Administration, in

contempt. She assessed fines of \$250 for each night the plaintiffs were denied housing.

The appeals court rejected the city's contention that it had been in "substantial compliance" with the court order by providing emergency housing to most of the homeless people with AIDS who needed it.

The decision, says Jennifer Flynn of the New York City NYC AIDS Housing Network, means "the city finally had to pay out the fines." The 17 plaintiffs will each receive from \$250 to \$1,250, and it will not be counted as income to be deducted from their welfare payments, she adds.



HPD CODE VIOLATIONS ON LINE

Look up your building!

At long last, the HPD violations terminal is available on-line. If you go to the HPD Website listed below and follow the instructions, you should be able to get an up-to-date list of violations on a building.

www.nyc.gov/html/hpd/html/data/hpd-online-portal.html



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Scott Sommer hosts Met Council's

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is published monthly except August by Metropolitan Council on Housing (Met Council, Inc.), 339 Lafayette St., NY, NY 10012 (212) 979-6238

Tenant/Inquilino is distributed to members and to affiliated organizations of Met Council as part of their membership. Subscriptions are \$2.50 per year for members, \$5 for institutions per year.

EDITOR

Steven Wishnia

PRODUCTION/DESIGN

John M. Miller

STAFF

Florence Daniels, Dick Gilliland, Esther Joselson, Vajra Kilgour, Rosel Lehman, Maria Maher, Anne Moy, John Mueller, Dave Powell, Joyce Rodewald, Anita Romm, Mel and Shirley Small, Ann Towle, Leah Wolin

Articles, letters, artwork and photographs are welcome. Text furnished on Microsoft Word for Macintosh is preferred. 3.5" MACINTOSH OR IBM FORMATTED DISKETTES ARE PREFERRED.

Periodicals postage paid at New York, NY
Postmaster: Send address changes to:
TENANT/INQUILINO
339 Lafayette St.
New York, NY 10012

Metropolitan Council on Housing, founded in 1958, is incorporated as Met Council, Inc., a membership organization dedicated to decent, affordable, integrated housing.

ISSN-1536-1322 ©2002

EL INQUILINO HISPANO

RGB propone incrementos de 2 y 4 por ciento Rechaza llamados por una reducción de renta

Por Steven Wishnia
Traducido por Lightning Translations

La Junta de Regulación de Renta (RGB, por sus siglas en inglés) de Bloomberg se parece mucho a la RGB de Rudy Giuliani.

Por una votación de 6-3 el 20 de mayo, la junta propuso pautas preliminares para el 2002-03, permitiendo incrementos al renovarse el contrato de arrendamiento para apartamentos de renta estabilizada de 2 por ciento por un año y 4 por ciento por dos años.

Estas pautas son más bajas que el 4 por ciento y 6 por ciento del año pasado, y si se aprobaran en el voto final a fines de este mes, serían entre los incrementos más bajos en toda la historia de la junta. Pero con las cifras de la RGB mostrando que los gastos de los caseros han disminuido, los inquilinos se sentían decepcionados por el rechazo de la RGB a reducir o congelar las rentas.

El voto final está progra-

mado para el jueves 27 de junio. La junta también votó 5 a 4 para no proponer un recargo de "impuesto de pobres" en los apartamentos de renta baja.

De los dos nuevos miembros de la RGB nombrados por el alcalde Mike Bloomberg la representante de los inquilinos Adriene Holder se mostró como una defensora elocuente, al tiempo que el nuevo presidente de la junta, Marvin Markus, parece apoyar a los caseros aun

más que los otros miembros públicos. Markus se unió a los representantes de los caseros para votar a favor del impuesto de pobres, como de los incrementos mayores en los apartamentos anteriormente de renta controlada, y por una propuesta de los caseros para cobrar a los inquilinos un 6 por ciento adicional si ya habían vivido en el mismo apartamento por 10 años o más. (Ese recargo perdió 6 contra 3.) Como de costumbre, los

miembros públicos no participaron en ninguno de los debates, excepto por Markus.

Ya que el índice de precios de costos operativos de la RGB muestran que los gastos de los caseros se han reducido un 1.6 por ciento, incluyendo una reducción de 35 por ciento en costos de combustible, los grupos de inquilinos han reclamado una reducción de rentas.

pasa a la página 4

Los Ajustes de la "Junta de Regulación de Renta" de la Ciudad de Nueva York (Orden No. 33)

Para los contratos de apartamentos de Renta Estabilizada que comienzan el 1ro. de octubre de 2001 hasta el 30 de septiembre de 2002, 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 2001. Los incrementos de alquiler basados en las pautas para la renovación del contrato de 1 o 2 años pueden cobrarse solamente una vez durante el período cubierto por dichas pautas, y deben ser aplicados a la renta legal estabilizada para el 30 de septiembre de 2000. Las cantidades que aparecen en el cuadro y los incrementos para los apartamentos vacíos no se aplican a los apartamentos que estaban sujetos a renta controlada en aquella fecha. No se permite el cargo adicional 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 una sobrepaga muy grande por los apartamentos vacíos. Una cláusula de la "Reforma al Acta de Regulación de Renta" de 1997 permite que los nuevos alquileres sean incrementados en un porcentaje obligatorio: 20% para un contrato de dos años, y por un contrato de 1 año, 20% de incremento menos la diferencia en el tope de renovación para los contratos de 1 y 2 años. La nueva ley permite también incrementos adicionales para los apartamentos vacíos donde no se habían cobrado incrementos por desocupación por ocho años o más.

Sobrecargos de Renta Los inquilinos deben estar al tanto de que muchos caseros van a aprovecharse de la complejidad de estas regulaciones y subvenciones, así como del poco conocimiento de los inquilinos

del historial de renta de sus apartamentos, para cobrar un alquiler ilegal. Una vez que el inquilino haya tomado posesión del apartamento, puede escoger entre llenar un formulario de queja de sobrecargo de renta con la oficina de la División de Vivienda y Renovación Comunal (DHCR), o disputar la cantidad de la renta en la corte de vivienda de la ciudad para que se determine cuál es el alquiler legal.

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

La Apelación de la Renta de Mercado Justa Otro tipo de sobrecargo ocurre frecuentemente cuando se vacía un apartamento que previamente estaba sujeto a

renta controlada y se alquila con renta estabilizada. La Junta de Regulación de Renta (RGB) 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 32, es la Renta de Mercado Justa de HUD o un 150% sobre la renta base máxima. Ningún inquilino de un apartamento de renta estabilizada que fue descontrolado el 1ro de abril de 1984 o después debe dejar de poner a prueba la llamada "Renta Legal Inicial Regulada" (renta de mercado) que los caseros cobran cuando hay descontrol del apartamento. Use el formulario de DHCR *Form RA-89*. Indique claramente que su queja es tanto una queja de "Apelación a la Renta Justa de Mercado" como de "sobrecargo." La corte de vivienda no puede tomar decisión sobre una Apelación de Renta de Mercado. Apartamentos vacíos que antes estaban controlados en edificios que se han convertido en cooperativas o con-

dominios no se vuelven estabilizados y no satisfacen los requisitos para la Apelación de la Renta Justa de Mercado.

Exención de Incrementos para las Personas de Mayor Edad:

Las personas de 62 años o más que viven en apartamentos estabilizados y cuyos ingresos familiares anuales son de \$20,000 o menos, y que pagan (o enfrentan un incremento de alquiler que los forzaría a pagar) una renta de un tercio o más de sus ingresos, pueden tener derecho al programa de Exención de Incrementos para las Personas de Mayor Edad (SCRIE, por sus siglas en inglés), si aplican al Departamento de la Ciudad de Nueva York Sobre las Personas de Mayor Edad, cuya dirección es: SCRIE Unit, 2 Lafayette Street, NY, NY 10007. Si el alquiler actual de un inquilino que tiene derecho a este programa sobrepasa un tercio del ingreso, no se lo puede reducir, pero es posible evitar incrementos de alquiler en el futuro. Obtenga el formulario de SCRIE por llamar al (212) 442-1000.

Unidades de Desván (Lofts)

Los incrementos legales sobre la renta base para las unidades

de desván son de un 3 por ciento por un contrato de un año y un 5 por ciento por un contrato de dos años. No se permiten incrementos para las unidades de desván vacías.

Hoteles y Apartamentos de una Sola Habitación

Lo establecido es un 2% para los apartamentos de hotel de Clase A, casas de habitaciones, hoteles de clase B (de 30 habitaciones o más), hoteles de una sola habitación, y las casas de habitaciones (Clase B, 6-29 cuartos), sobre la renta legal que se pagaba el 30 de septiembre de 2001. No se permiten incrementos para apartamentos vacíos. Lo incremento estipulado no se puede cobrar a menos que un 70 por ciento de las unidades en el edificio sean ocupadas por inquilinos permanentes de renta estabilizada o controlada, pagando rentas reguladas legales. Además, no se permiten incrementos si el casero ha omitido de darle al nuevo ocupante una copia de los Derechos y Responsabilidades de los Dueños e Inquilinos de Hoteles.

La Desregulación de Rentas Altas y Altos Ingresos

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

Tipo de Contrato	Renta Legal Actual		Contrato de 1 Año	Contrato de 2 Años
Renovación del Contrato	Todas		4%	6%
Contratos para Apartamentos Vacíos	Más de \$500	Incrementos por desocupación cobrados en los últimos 8 años	18%	20%
		Incrementos por desocupación no cobrados en los últimos 8 años	0.6% por el número de años desde el último incremento por estar vacío, más el 18%	0.6% por el número de años desde el último incremento por estar vacío, más el 20%
	Menos de \$300	Incrementos por desocupación cobrados en los últimos 8 años	18% + \$100	20% + \$100
		Incrementos por desocupación no cobrados en los últimos 8 años	0.6% por el número de años desde el último incremento por estar vacío, + 18% + \$100	0.6% por el número de años desde el último incremento por estar vacío, + 20% + \$100
	Renta de \$300 a \$500	Incrementos por desocupación cobrados en los últimos 8 años	18% o \$100, lo que sea mayor	20% o \$100, lo que sea mayor
		Incrementos por desocupación no cobrados en los últimos 8 años	0.6% por el número de años desde el último incremento por estar vacío, mas 18%, o \$100, lo que sea mayor	0.6% por el número de años desde el último incremento por estar vacío, mas 20%, o \$100, lo que sea mayor

RGB

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El representante de los inquilinos David Pagan propuso reducir las rentas por 3.5 por ciento para un contrato de arrendamiento de 1 año y 1.75 por ciento para 2 años. Notando que las cifras de la junta muestran que el ingreso de los caseros se ha incrementado mientras el 47 por ciento de los inquilinos con renta estabilizada gastan en renta más de un tercio de sus ingresos, instó a la junta a “traer igualdad y cordura a un proceso que por mucho tiempo ha favorecido a los dueños.”

“Si no es ahora, ¿cuándo?” preguntó Holder.

La junta rechazó la reducción 7 contra 2. La propuesta del miembro público Agustín Rivera para incrementos de 1 y 3 por ciento perdió por el mismo margen.

El representante de los caseros Vincent Castellano sugirió incrementos más altos, sosteniendo que los neoyorquinos cuentan con más fuentes de trabajo que en ningún otro momento desde los años sesenta. “Estoy de acuerdo,”

respondió Holder. “Ellos tienen dos, tres o cuatro trabajos y aun así no les alcanza para pagar la renta.”

“No esgrimamos la bandera de los desamparados,” dijo el representante de los caseros Harold Lubell, al dar su primer discurso. “Este es un problema socioeconómico irrelevante para los incrementos de renta.”

Sin embargo, eso es lo que hicieron los representantes de los inquilinos. Holder hizo notar que para enero, la ciudad tenía 31,000 personas en albergues para desamparados, que incluían a 13,000 niños, con una estancia promedio de hasta 11 meses y un costo para la ciudad de \$956 millones al año. Ella agregó que los desalojos han comenzado a afectar a la clase media.

Pagan votó por la propuesta del 2 y 4 por ciento, haciendo enojar a algunos de los cerca de 50 partidarios de los inquilinos presentes.

Ambos lados chocaron de nuevo por los incrementos de vacantes, con una propuesta de los caseros para incrementos de 40 por ciento para apartamentos debajo de los \$500 al mes, que perdió 7 con-

tra 2. Lubell dijo que el costo mínimo para mantener un apartamento es de alrededor de \$450 al mes, mientras que Castellano hizo notar que el incremento adicional sería de “sólo cien dólares” sobre el mínimo de 20 por ciento fijado por el estado en 1997. El dijo que los \$700 eran “una renta muy asequible” y afirmó que la vivienda en Nueva York era más asequible que en cualquier ciudad excepto por Houston.

(Una rápida búsqueda por Internet de los anuncios clasificados del Houston Chronicle a fines de mayo descubrió varios apartamentos de tipo estudio y de una recámara disponibles en el centro de Houston por menos de \$500, incluyendo algunos en edificios con aire acondicionado y alberca. Por otro lado, el Chicago Tribune anunciaba más de cien apartamentos por menos de \$600, incluyendo un estudio de \$585 en el barrio acomodado Gold Coast (Costa de Oro), bastante parecido al Upper East Side (el Lado Este) de Nueva York.

Pagan replicó que una quinta parte de los inquilinos con renta estabilizada gastan más de la mitad de sus ingresos en renta, y el 22 por ciento ganan menos de \$15,000 al año, que no es lo suficiente para pagar más de \$375 al mes si su renta no excede el 30 por ciento de sus ingresos. Pero su propuesta para evitar el incremento de vivienda vacante también perdió, 7 contra 2, con Markus haciendo notar que esto violaría la ley estatal de 1997.

Acerca del “impuesto de pobres,” Holder lo llamó “regresivo” y “racista,” mientras Castellano decía que no imponerlo sería “inmoral e irresponsable.” Una mu-

jer con cabello de color azul verdoso fue echada por la policía por interrumpirlo. “Debo de haber dicho algo correcto,” bromeó, arrancando carcajadas. Tres miembros públicos, Rivera, Bartholomew Carmody y Mort Starobin, se unieron a los representantes de inquilinos para vencer el recargo.

La RGB también rechazó la renta mínima de \$450, pero permitió a los caseros tomar el 10 por ciento del recargo al que tienen derecho de cobrar los inquilinos al subarrendar su apartamento. Ambos votos fueron de 7 contra 2.

Para los hoteles se votó 7 contra 2 para permitir incrementos de 1 por ciento para un contrato de arrendamiento de 2 años si el 71 por ciento o más de las habitaciones son ocupadas por inquilinos permanentes y los inquilinos han recibido un aviso de sus derechos.

Acerca de los desvanes la junta votó 5 contra 4 por incrementos preliminares de 1 por ciento y 2 por ciento después de rechazar la congelación de rentas por 6 votos contra 3.

Los inquilinos obtuvieron una pequeña victoria en el asunto de pautas especiales, la renta que el departamento estatal de vivienda considera justa para apartamentos de renta controlada que se desocupan. La propuesta de la junta, 50 por ciento más que la renta base máxima (MBR, por sus siglas en inglés) o la renta máxima cobrable, lo que sea mayor, se calcularía en menos que el año pasado, lo cual era 150 por ciento sobre el MBR más el recargo por costos de combustible o la “renta de mercado justa” según la definición federal, lo que fuera mayor.

El Fin de una larga pesadilla: Los inquilinos ganaron finalmente el caso del Seminario Teológico Judío

Por Vajra Kilgour

Traducido por Lightning Translations

Hace seis años y medio, unos de los inquilinos de 515 y 521 de la calle 122 oeste cuyos contratos de arrendamiento estaban por vencerse comenzaron a recibir cartas notificándoles que podrían ser desalojados. El casero, el Seminario Teológico Judío, estaba aprovechándose de una estipulación en las leyes de renta estabilizada que permite a los caseros sin fines de lucro, en ciertas circunstancias, desalojar a los inquilinos con renta estabilizada que se hayan mudado a sus apartamentos después del 1o de julio de 1978. El seminario dijo que necesitaba las viviendas para sus estudiantes postgraduados.

Afortunadamente para los inquilinos, ya nos habíamos unificado en una fuerte asociación de inquilinos para luchar contra un incremento de la renta por Mejoras Importantes de Capital (MCI, por sus siglas en inglés). Y permanecemos unidos a través de toda la lucha, colaborando con nuestros recursos para contratar a la abogada de los inquilinos (y también miembro de la junta directiva del Met Council) Catharine A. Grad, organizando manifestaciones y llevando nuestra historia a los medios de difusión.

En enero de 1999, la juez de vivienda Laurie L. Lau falló que las circunstancias del caso no le daban al seminario un derecho legal para desalojar a los inquilinos que se habían mudado a los edificios antes de 1984, cuando eran propiedad de una subsidiaria del seminario con fines de lucro. El seminario apeló esa decisión, pero perdió en la primera corte de apelaciones (Appellate Term) en mayo

del 2001. A pesar de haber perdido dos veces, el seminario solicitó otra revisión judicial. Una decisión de la división de apelaciones el 26 de mayo, negando la posibilidad de apelar más el caso, llevó el litigio a un final.

El seminario, el cual rehusó las ofertas de otras viviendas de la ciudad y de otras instituciones en Morningside Heights, comenzó recientemente la construcción de viviendas tipo apartamento para estudiantes postgraduados en la avenida Amsterdam y la calle 100 oeste.

Aun cuando los inquilinos del 515-521 nos sentimos bastante aliviados con la decisión de la división de apelaciones, no vamos a bajar la guardia en un futuro cercano. En el transcurso de esta lucha, también me uní a la junta directiva de Met Council, el cual ya había ayudado a la asociación de inquilinos a luchar contra el MCI (que al final resultó aprobado automáticamente por el DHCR). Trabajaremos afanosamente en el próximo año para que las leyes de renta estabilizada sean renovadas y fortalecidas. Sin la protección de las leyes para los inquilinos, incluso así de debilitadas como han estado en los últimos años, hubiéramos perdido nuestros hogares mucho tiempo atrás. Y todos los inquilinos en la ciudad se encontrarían en el mismo apuro: a la merced de los caseros que ponen sus propios intereses adelante del derecho humano fundamental a la vivienda.

Vajra Kilgour es co-presidente de la asociación de inquilinos 515-521 West 122nd St.

Court Halts Luxury High-Rise

Responding to a lawsuit by the Lower Manhattan Anti-Displacement Coalition, Manhattan Supreme Court Justice Richard F. Braun has overturned the city's permission for a 23-story luxury high-rise on East Houston Street. The ruling sends the matter back to the city Board of Standards and Appeals for review.

The BSA had given the developers, Houston Street Properties and Edison Street Properties, a zoning variance in February 2001, allowing them to build the tower on a parking lot at 215 E. Houston St., across the street from Katz's Deli.

But the Anti-Displacement Coalition, an umbrella group including Lower East Side and Chinatown community organizations and Met Council, sued to block construction. “The creation of predominantly luxury housing in a predominantly minority low-income community,” they argued, would inevitably lead to “the disappearance of neighborhood residents and businesses through secondary displacement.”

In a May ruling, Judge Braun held that the BSA had granted the zoning variance based on misinformation, that the developers had not told the board that both the

federal and state governments had designated the lot as part of the Lower East Side Historic District. Although the lot was formerly a gas station, the developers' Environmental Assessment Statement, submitted in 2000, had claimed that there were no gasoline-storage tanks underground. In reality, there were 12 tanks. “It does not appear that respondent BSA took a hard look at the significance of the underground storage tanks,” the judge wrote.

“It's a great victory for Lower East Side residents,” says neighborhood activist Susan Howard, one of the plaintiffs.

Both the historic-district designation and the gas tanks make the project a “Type I” action, which requires the developers to submit a full environmental-impact statement, according to Howard. “That's likely the reason they omitted that information from their application,” she adds.

The BSA has scheduled a public hearing for Aug. 7.

—Steven Wishnia



Met Council's Annual Assembly

Met Council held its annual assembly on May 16, in a hall donated by Judson Church in Greenwich Village. Four new board members were elected: Grover Foster, Victoria Larson, Brenda Turner, and Richard Lanham.



City Councilmember Robert Jackson.



Met Council board chair Scott Sommer



Lynn Descoteau of the Upper West Side's "Gassed Tenants Association."



Former RGB tenant representative Kenneth Rosenfeld.



New board member Grover Foster, a tenant leader from Patio Gardens in Flatbush.

Bed-Stuy Tenants' 23-Year Struggle

By Dave Powell

The tenants of 575 Hancock Street, in the Bedford-Stuyvesant section of Brooklyn, have landlord problems. Big landlord problems. On June 10, eight households will bring their landlord back to Housing Court for refusing a judge's order to cure conditions that include mold, vermin, broken windows and faulty plumbing. The contempt-of-court motion is the latest battle in a 23-year war between these tenants and their landlord.

But as typical as the plight of these tenants is on many levels, the landlord who has made their lives so difficult is not typical: the prestigious Bridge Street African Wesleyan Methodist Episcopal Church (AWME).

The rocky relationship began soon after Bridge Street AWME bought the 23-unit, rent-regulated building in 1979. According to tenants, the pastor at the time, the Rev. Fred Lucas, told them they had six months to leave. Six families moved out almost immediately, but most of the others, realizing that their landlord lacked both the legal and moral authority to displace them, banded together.

Bridge St. then began

warehousing the apartments. The vacant units were left to what tenant leader Viola Hargrave calls "building busters," which she described as "junkies, prostitutes, drug dealers; those elements that a landlord uses create an atmosphere that is uninhabitable." The tenants enlisted the help of Met Council, through the late Brooklyn tenant stalwart Joe Weiss. A core group of about a dozen tenants held onto their homes and sanity through some very rough times. Rat infestation was chronic. Junkies stole everything down to the light fixtures, often leaving live wires exposed and hanging. The copper plumbing lines in the abandoned units were also stolen, creating a disaster of leaks and mold. The gas lines broke down, but were eventually fixed after the tenants worked out a deal directly with the utility company.

In late 1994, Bridge St. AWME tried a new tactic: They used their nonprofit status and applied to DHCR for the right to evict the tenants and use the building for institutional purposes. The application was denied; it is unclear whether the church could not prove that they were

unable to make a profit from the residential units, as required by the rent-control law, or whether they simply abandoned the application.

Since Bridge St. got a new pastor in 1997, tenants have spent over four years trying to get a sit-down meeting with their landlord. They have circulated thousands of flyers in the neighborhood, asking "Why won't Bridge St. meet with its tenants?"

In August 2001, tenants, with the help of Met Council, took the landlord to court on an HP action, and got an order to cure the 66 housing-code violations that currently plague the building. Although some work has been done, the most serious violations remain, including a flooded basement that has created serious mold and air-quality conditions. Several tenants have sustained respiratory infections, including Viola Hargrave, who has been diagnosed with airway passage disease and is on a regiment of medications usually prescribed for asthmatics.

Representatives for the church have asserted that Bridge St.'s real plan is a full renovation of the building with the help of

an SA construction loan from the city Department of Housing Preservation and Development, a scenario which the tenants want to avoid. Under such programs, HPD cancels rent control and raises rents on all the units. Unlike major-capital-improvement increases, HPD's "recalculating" of rents is not subject to a 6% a year cap; rents can rise prohibitively in one swoop. While tenants are in theory offered subsidies such as SCRIE and Section 8, the tenants at 575 Hancock St., most of whom are retirees or moderate-income workers, will probably not qualify.

"Besides the very real possibilities of displacement, an SA loan is not a timely method of curing immediate violations," comments John Gorman, an attorney representing the tenants. "Why don't they just make the repairs and simply obey the law?"

As nasty, recalcitrant landlords go, Bridge St. AWME is an interesting one. Founded in 1818, it is the oldest African-American church in Brooklyn. The congregation has a reputation for being upwardly mobile and politically connected: it is a regular stop on the Brook-

lyn Democratic machine's campaign trail. Ironically, the late Leslie Holmes, a former Rent Guidelines Board member and a brilliant tenant advocate, was a parishioner. Bridge St. AWME (along with Met Council) is listed among supporters of "Drop the Rock," a campaign to overturn the state's racist Rockefeller drug laws.

Through the entity of Bridge St. Development Corporation, the church owns numerous buildings throughout Bed-Stuy. It also runs numerous community programs, including Head Start and a federally approved credit union.

But Larry Kirkland, president of the L & S Jefferson Ave Block Association, says, "They've shown a lack of respect with their tenants at 575 Hancock St., and they show a lack of respect to the community at large," says. He believes that Bridge St.'s housing-development strategies have accelerated gentrification in the neighborhood.

If you live in Bed-Stuy and would like to help the tenants at 575 Hancock St. get housing justice, call Met Council at (212) 979-6238, ext. 6.

Rent 2002 Campaign in Late-Session Push

By Brian Honan

As the regular session of the State Legislature nears its projected close, on or around June 20, the Rent 2002 Campaign is targeting Governor George Pataki.

The goal of the campaign is to win renewal and strengthening of rent and eviction protection laws, and to make rent regulation and tenants' rights an issue in this November's elections, especially the race for governor.

On April 15, the Assembly passed a bill to renew state rent-control and rent-stabilization laws, as well as other tenant protection laws, until June 15, 2008, and a second bill to repeal the high-rent vacancy-decontrol amendment. The action created a bit of a stir in the capital, because the rent laws do not actually expire until next year, and Albany never addresses a controversial issue a year early.

This early action, along with the fact that the lead sponsor of the legislation was Speaker Sheldon Silver, raised a few eyebrows.

But in the state Senate, despite support from several downstate Republicans, Majority Leader Joe Bruno has adamantly refused to allow a vote. The Senate companion bills, sponsored by Frank Padavan of Queens, are stuck in committee.

Which brings us to the Governor. Silent George Pataki has been keeping his thoughts about rent regulation to himself, but tenants are hoping to pressure him into making a public statement of support. If Bruno hears from his members in one ear, and from the governor in the other, he might budge.

The Pataki Hospitality Committee has been formed to greet the Governor at his appearances in New York City and suburban

counties. The committee has already welcomed the Governor twice. More receptions are planned.

On May 16 the Neighborhood Preservation Political Action Fund held a \$150 per plate lunch at the upscale Water Club on the East River Drive in Manhattan. Despite its name, this PAC is an anti-rent-regulation group whose leaders are well-known landlords (Joe Strasburg, president of the Rent Stabilization Association, signed the invitation letter). The keynote speaker and fundraising draw was... Silent George!

More than 40 tenants picketed the club prior to the event. When the governor arrived in a Lexus SUV, he carefully looked the other way and hurried into the club. But there was no way he could not have heard the chants, including "George, George, Make a note! Renew the Laws or

Lose Our Vote!"

Then on May 23, 75 tenants showed up at the Grand Hyatt Hotel in Manhattan to welcome Silent George, who was the keynote speaker at the third annual conference of the New York State Association for Affordable Housing. The irony was not lost on the demonstrators: this is a Governor whose anti-rent-regulation policies and actions have seriously eroded the supply of affordable housing.

Another shindig is set for Tuesday, June 18, from 5 to 7 p.m. The Pataki Hospitality Committee will assemble outside the governor's New York City office at 633 Third Ave., between 40th and 41st streets in Manhattan.

Both Democratic candidates for Governor, Carl McCall and Andrew Cuomo, have expressed support for the Rent 2002 Campaign. Will Silent

George find his voice?

Poster

An important part of the Rent 2002 Campaign strategy is a poster reading "Stronger Rent Laws Now!"

Tenants throughout New York City and Nassau, Westchester, and Rockland counties are putting these posters in their windows. They're also going up in store windows. Met Council, New York State Tenants & Neighbors Coalition, and many other organizations, including several labor unions, are distributing the poster.

The Rent 2002 Campaign is organized by the New York State Tenants & Neighbors Coalition with 150 cosponsors including Met Council.

Brian Honan is Legislative Director for Tenants & Neighbors.

NYC Rent Guidelines Board Adjustments (Order No. 33)

for Rent Stabilized Leases commencing Oct. 1, 2001 through Sept. 30, 2002, 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, 2001. 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, 2001. 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, aka 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 new law also allows additional vacancy increases for apartments which have had no vacancy allowance in eight or more years.

Rent Overcharges

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

Lease Type	Current Legal Rent		One-year Lease	Two-year Lease
Renewal Leases	All		4%	6%
Vacancy leases	More than \$500	Vacancy allowance charged within last 8 years	18%	20%
		No vacancy allowance charged within last 8 years	0.6% times number of years since last vacancy allowance, plus 18%	0.6% times number of years since last vacancy allowance, plus 20%
	Less than \$300	Vacancy allowance charged within last 8 years	18% plus \$100	20% plus \$100
		No vacancy allowance charged within last 8 years	0.6% times number of years since last vacancy allowance, plus 18% plus \$100	0.6% times number of years since last vacancy allowance, plus 20% plus \$100
	Rent \$300 to \$500	Vacancy allowance charged within last 8 years	18% or \$100, whichever is greater	20% or \$100, whichever is greater
		No vacancy allowance charged within last 8 years	0.6% times number of years since last vacancy allowance, plus 18%, or \$100, whichever is greater	0.6% times number of years since last vacancy allowance, plus 20%, or \$100, whichever is greater

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.

Fair Market Rent Appeal

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

"Special Fair Market Rent Guideline" that is used by DHCR to lower unfair market rents for tenants who file the Fair Market Rent Appeal (FMRA). Under Order 32, it is HUD Fair Market Rent or 150% above the maximum base rent. No stabilized tenant of an apartment that was decontrolled on or after April 1, 1984 should fail to challenge the so-called Initial Legal Regulated Rent (market rent) that landlords charge upon decontrol. Use DHCR *Form RA-89*. Indicate clearly that your complaint is both a complaint of "overcharge" and "Fair Market Rent Appeal." The Housing Court cannot determine a Fair Market Rent Appeal. Formerly controlled vacant apartments in buildings converted to co-ops or condos do not become stabilized and are not eligible for a Fair Market Rent Appeal.

Senior Citizen Rent Increase Exemption

Rent stabilized seniors, 62 years or older, whose disposable annual household income is \$20,000 or less and who pay (or face a rent increase that would cause them to pay) one-third or more of that income in rent may be eligible for a Senior Citizen Rent Increase Exemption (SCRIE) if they apply to the NYC Dept of the Aging, SCRIE Unit at 2 Lafayette Street, NY, NY 10007. If an otherwise eligible tenant's current rent level is already above one-third of income, it cannot be rolled back, but future rent increases may be avoided. Obtain the SCRIE application form by calling (212) 442-1000.

Loft Units

Legalized loft unit increases above the base rent are 1 percent for a one-year lease and 2

percent for two years. No vacancy allowance is permitted on vacant lofts.

Hotels and SROs

The guideline is 2 percent above the legal rent paid on September 30, 2001, 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). No vacancy allowance is permitted. The guideline is not collectible unless 70% or more of the units in the building are occupied by permanent rent stabilized or controlled tenants paying legal regulated rents. Further, no increase is allowed when the landlord has failed to provide the new occupant a copy of the Rights and Duties of Hotel Owners and Tenants.

High-rent, High-income Deregulation

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

Landlords Blacklist Activist Tenants

by Vicki Richman

"You can't get an apartment if you were evicted," said the broker before she hung up on me. "The reason doesn't matter."

I had already been refused two apartments because my landlord had booted me. I learned to lead off by trying to explain why I had been in court five years, arguing my right to succeed to a rent-controlled tenancy. The landlord, Columbia University, finally won the case in the Appellate Division, and began physical removal as soon as the final decision was handed down, early this year. We had precious little time to escape with as many of my family's treasured possessions as we could grab before the marshals swept down on us.

But in trying to find a new home, we faced a new question on the landlord boilerplate: "Have you ever been in Housing Court?" No space was available for the reason or for the outcome. Our mere presence on the court calendar was sufficient to deny us an apartment.

Suppose I said that I had never been in Housing Court. Wouldn't work. There are at least two databases are now on the Internet to supply that information, gleaned from public records, to landlords. Only owners or realtors—who must supply a deed or an active license—may subscribe. In addition to appearances in Housing Court, the databases provide credit checks. Consumer law requires them to send copies of their reports to prospective tenants, with a way for the subject to refute the data.

The most popular database is the New American Registry (www.residentscreening.com/lprod_main.html), known as "the Registry" in the industry. Another is American Tenant Service (www.atshome.com), "ATS." The Web pages show that they invite landlords to supply additional information on tenants, such as identifying alleged "troublemakers," without giving tenants a clear and definite opportunity for rebuttal.

ATS called my case an "eviction" three years before I lost. The Registry more accurately identified me simply as the defendant, but failed to show that the case had nothing to do with nonpayment. With marshals circling my door, the time and effort for formal rebuttal made such protection moot.

Landlords are surely not looking only for deadbeat tenants; a simple credit report would turn them up. A name on the Housing Court calendar reveals nothing about creditworthiness. Does the tenant tend to question the landlord's orders? That's what the landlord wants to know. In our case, Columbia ordered us out, claiming I could not succeed my mother. I disputed that opinion, and it took the courts five years to decide who was right. But in searching for a new home, I found myself blacklisted for not vacating voluntarily to spare the landlord the burden of proving the case in court.

In other cases, a tenant may have taken the landlord to court for gross violations and even won. But in looking for a new home, such renters would find themselves shut out simply for upholding the law. Landlords don't want tenants who fight for their rights.

"Blacklisting, discrimination, exorbitant rents, poor service, unsanitary housing, oppressive leases, are some of the recognized evils which can be ameliorated if not eliminated by an effective association of tenants." The Hon. J. Levy, of the Bronx Municipal Court, wrote that in 1938, when there was no Housing Court. An African-American tenant—identified only

as the wife of the defendant, James Coulter—had started such a activist group in her tenement. She and her family were evicted for her trouble. She became so well-known in her community that no other landlord would rent to her. Agreeing that she was blacklisted for her activism, not her skin color, Judge Levy gave her an extra six months to find a new home.

In 1962 William F. Buckley sued the president of Hunter College for citing his political views as reason to deny him rental of a meeting hall. The court ruled that, unlike a profit-seeking landlord, a municipal-college president may not restrain free speech. Small help to anyone who needs a home, not a campus meeting hall!

However, a significant, but indirect, blow to blacklisting was delivered by the Supreme Court in 1972. In *Trafficante v. Metropolitan Life*, two tenants sued a landlord for discriminating against black people, alleging injury to their reputation in the community and to their social and professional opportunities. The lower courts ruled that only a black plaintiff who had been denied an apartment had the legal standing to bring such a suit. Existing tenants could not object to refusal to

rent to others.

The Court unanimously overturned those rulings. "The person on the landlord's blacklist," wrote Justice William O. Douglas, "is not the only victim of discriminatory housing practices; it is... the whole community." While the case was only about the Civil Rights Act of 1968—not the First Amendment—the justice's reasoning could be held to extend the Buckley decision to include private landlords. Systematic, unjust exclusion deprives existing tenants of good neighbors.

So far, no one has yet used the case law, skimpy as it is, for a definitive lawsuit to stop blacklisting. Home-hunters rely on civil-rights groups to protect them from discrimination by race, gender, marital status, disability, or sexual orientation.

But, although the law protects existing tenants from retaliatory eviction, there is no statute to stop blacklisting prospective tenants for political action or corrective litigation. Realtors and managers are taking gleeful advantage of that gap. Blatantly, openly, unashamedly, they are refusing to rent to anyone who has used tenant law or the First Amendment to protect herself from a landlord.



E-mail Met Council
active@metcouncil.net

Budget

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years of the Giuliani administration—and with a big push by a broad labor, real estate, banking, religious and homeless advocacy effort called Housing First—that the mayor might offer some increase in funding. The Coalition for the Homeless has been particularly critical of the city's treatment of the homeless, and has offered compelling evidence that the only cure is a major commitment to building new affordable housing (\$1 billion a year for 10 years).

The Legal Aid Society testified at budget hearings even with its current funding, its offices already turn away six people for every one it can take as a client (in housing cases, this means that most cases not taken end in eviction—and often in homelessness). The mayor has proposed cutting \$2.75 million from city-funded civil legal services—at a time when the need has drastically increased because of the massive job losses after Sept. 11.

The cuts are also slated for other groups that provide legal assistance in eviction cases: the West Side SRO Law Project, Northern Manhattan Improvement Corporation and others, as well as all the

city funding for the City Wide Task Force on Housing Court, which provides advice for unrepresented litigants in Housing Court.

The City Council has proposed an alternate budget, which is supported by housing groups, in addition to advocates for education, senior services, health care, and other human services. It calls for raising taxes, something Bloomberg has refused to do this year. The Council recommends restoring the commuter tax and introducing a personal-income-tax surcharge on higher-income New Yorkers.

City Project, an organization that analyzes the city's budget and advocates for fair, human-services spending (a sort of antidote to the Citizens' Budget Commission, which represents the opinions of big-business organizations and the real-estate industry), has put out its own proposal for increasing the city's revenue: a 5% increase in the property tax, an increase in personal income tax for high-income taxpayers, extending the mortgage-recording tax to co-op owners, and increases in a number of city-collected fees. According to City Project's analyses of the preliminary budget, HPD collected \$1.6 million in fines in the last fiscal year, compared to

an average of \$6 million a year during the '80s. The report suggests that boosting housing inspectors and housing-litigation attorneys back to levels previous to the Giuliani administration could boost the collection rate significantly and "help preserve the existing stock of affordable housing." The additional money would help pay for the housing programs being cut, and would prevent homelessness that will have to be paid for in later years.

All city budget observers warn that, absent a major upturn in the city's economy—which no one expects—the budget gap will be just as bad next year. The mayor, many expect, will then be forced to increase taxes. The city needs permission from the state to raise or reinstitute certain taxes, and while that is not going to happen in 2002, an election year, state officials might be more receptive next year.

Sources: *New York City Independent Budget Office Fiscal Briefs March 2002, May 2002 and Options, April 2002; City Project, No Sacred Cows or Sacrificial Lambs, Fiscal Year 2003, and Budget Report, April 30, 2002; ANHD, The ANHD Reader; the Legal Aid Society, Testimony on the Executive Budget, 2002.*

BECOME A WRITING TENANT

Met Council wants to profile you and your neighbors' struggle to obtain affordable quality housing. We want you to write for *Tenant/Inquilino*.

For more information call
Met Council
212-979-6238

RGB

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shelters, including 13,000 children, with the average stay up to 11 months and a cost to the city of \$956 million a year. Evictions are starting to affect the middle class, she added.

Pagan voted for the 2% and 4% proposal, angering some of the about 50 tenant supporters present.

The two sides clashed again over vacancy increases, with a landlord proposal for 40% increases on apartments under \$500 a month failing by 7-2. Lubell said the minimum cost of running an apartment is around \$450 a month, while Castellano noted that the extra increase would be "only a hundred bucks" over the 20% minimum set by the state in 1997. He called \$700 "a very affordable rent" and claimed that New York's

housing was more affordable than any city's except Houston.

(A quick search of the Houston *Chronicle's* on-line classified ads in late May found several studio and one-bedroom apartments available in downtown Houston for under \$500, including some in buildings with air-conditioning and swimming pools. On the other hand, the *Chicago Tribune* advertised over 100 apartments for under \$600, including a \$585 studio in the affluent Gold Coast neighborhood—roughly comparable to the Upper East Side.)

Pagan countered that one-fifth of New York's rent-stabilized tenants spend more than half their income on rent, and 22% make less than \$15,000 a year—not enough to pay more than \$375 a month if their rent doesn't exceed 30% of their income. But his proposal for no vacancy increase also lost 7-2, with Markus noting that it would violate the 1997 state law.

On the poor tax, Holder called it "regressive" and "racist," while Castellano said not imposing it would be "immoral and irresponsible." A teal-haired woman was thrown out by police for heckling him. "I must have said something right," she quipped, drawing laughs. Three public members—Rivera, Bartholomew Carmody, and Mort Starobin—joined with the tenant reps to defeat the surcharge.

The RGB also rejected a \$450 minimum rent, but allowed landlords to take the 10% surcharge tenants are entitled to charge for subletting their apartment. Both votes were 7-2.

For hotels, it voted 7-2 to allow 2% increases on a two-year lease if over 70% of the rooms are occu-

pied by permanent tenants and the tenants have received notice of their rights.

On lofts, the board voted 5-4 for preliminary increases of 1% and 2%, after rejecting a rent freeze by 6-3.

Tenants got a small victory on the issue of special guidelines, the rent the state housing department considers fair for rent-controlled apartments becoming vacant. The board's proposal—50% more than Maximum Base Rent or the Maximum Collectible Rent, whichever was greater—would work out to less than last year's formula, which was either 150% over the MBR plus the fuel-cost surcharge or the federally defined "fair-market rent," whichever was more.

RENT GUIDELINES BOARD SCHEDULE

Attend & Testify at the RGB Public Hearing
 Wednesday, June 26, 10:00 am - 10:00 pm
 Great Hall at Cooper Union, 7 E 7th St. (Manhattan)
 N/R to 8th St., 6 to Astor Place.
 To testify call: (212) 385-2934.

Rally at the RGB
 Wednesday, June 26, 6:00 pm — 7:00 pm
 In front of the Great Hall at Cooper Union
 7 E. 7th St. (Manhattan)

Attend the RGB Vote on Rent Adjustments
 Thursday, June 27, 5:30 pm - 9:30 pm
 Hamilton/U.S. Custom House Auditorium (basement)
 1 Bowling Green, a.k.a The Smithsonian/Museum of the
 American Indian, (Manhattan), 4/5 to Bowling Green

Call the Rent Guidelines Board to confirm dates...as we know they are subject to change: (212) 385-2934 or see www.housingnyc.com.

Call Mayor Bloomberg
 Tell him that rent-stabilized tenants need a rollback. Mayor Bloomberg's Comment Line is (212) 788-9600 (It's a recording, so you can call any time.)

Picket "Silent George" Pataki

Stronger Rent Regulations Now!


Tuesday, June 18, 5-7 p.m.

Governor's New York City Office
 633 3rd Ave. between 40 and 41 Sts.

The Assembly has voted to renew rent regulations, but Gov. Pataki, who tried to pretend he was a friend of tenants while weakening the laws in 1997, hasn't taken a stand. Let him know how you feel! Call on the governor to support the renewal of rent regulations in 2002 and repeal of vacancy-decontrol provisions.

WHERE TO GO FOR HELP

<p>LOWER EAST SIDE BRANCH at Cooper Square Committee 61 E. 4th St. (btwn. 2nd Ave. & Bowery) Tuesdays 6:30 pm Note: This office closes for the month of August.</p> <p>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</p> <p>GOLES (Good Old Lower East Side) 525 E. 6th St. (btwn. Aves. A & B) Lower East Side tenants only, 212-533-2541.</p> <p>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</p>	<p>LOWER MANHATTAN LOFT TENANTS St. Margaret's House, Pearl & Fulton Sts., 212-539-3538 Wednesdays 6 pm-7 pm</p> <p>VILLAGE INDEPENDENT DEMOCRATS 26 Perry St. (basement), 212-741-2994 Wednesdays 6 pm-7:30 pm</p> <p>WEST SIDE TENANTS UNION 200 W. 72nd St. Room 63; 212-595-1274 Tuesday & Thursday 2-5 pm Tuesday and Wednesday ... 6-7:45 pm</p>
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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 _____

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