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Tenant Inquilino

Housing for people, not profit

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PERIODICAL

Republican Victory Spells Trouble for Rent Laws in 2003

by Kenny Schaeffer

The re-election of George Pataki as governor of New York State with under 50% of the vote, together with the return of the Republican majority to the state Senate, ensures an uphill campaign to renew and strengthen rent and eviction protections when they expire next June. Other election results offer some encouragement.

With Pataki and Senate Majority Leader Joseph Bruno in control, the real-estate industry may try to end rent regulations entirely, or push for complete vacancy decontrol. It will take a tremendous effort to renew the laws even in their current weakened condition. It will be even harder to achieve necessary improvements in the laws, starting with repeal of \$2,000 vacancy decontrol and the so-called rent-deposit law, which restricts low-income tenants' rights to resist eviction.

Pataki has been largely silent on the issue since 1997, when he helped impose a series of crippling amendments and loopholes in the rent-stabilization law. But that year, the governor supported complete vacancy decontrol of all regulated apartments. That would promise landlords unlimited (at least by law) profits if they can displace the existing tenants, and eventually eliminate rent and eviction protections for all tenants.

Carl McCall, the Democratic-Working Families candidate, had a strong record as a consistent supporter of rent regulations as part of an overall platform to address the housing crisis. Last spring, he backed the effort, endorsed by Met Council, New York State Tenants &

Neighbors, and other tenant groups, to renew and strengthen the laws a year early. (A watered-down version passed the Assembly, but Bruno refused to even allow it to come up for discussion in the Senate, and Pataki remained silent.) However, after winning the Democratic nomination, McCall did not criticize Pataki on rent and eviction protections, except timidly and late in the campaign, after being prodded by Met Council and local elected officials. Even maverick billionaire Tom Golisano criticized Pataki six days before the election for his past antipathy to rent laws, which keep over 2.3 million New Yorkers in their homes.

Met Council endorsed McCall for governor, and held a press conference with him at Stuyvesant Town on October 19, also

attended by state Democratic chair Herman "Denny" Farrell. The event was written up the next day in the *New York Times* under the headline, "McCall Vows to Expand Protections for Tenants," and it finally forced George Pataki to state his position. As reported in the *Times*, "Asked yesterday if he would support renewing the rent regulations, which affect the city and some of its suburbs, Governor Pataki said, 'I don't think there's any need to change them'."

Pie in the Sky

It would be nice to believe that George Pataki, Joe Bruno, and the real-estate industry they represent have no further designs on rent and eviction protections, as even the pro-business magazine *Crain's NY* recently im-

plied. It would be nice to believe that New York City landlords are satisfied and satiated, as rents and profits have skyrocketed in the past five years. It would be nice to believe that the Republican Party—which brought us Nelson Rockefeller's disastrous imposition of vacancy decontrol in 1971, the crippling amendments of 1997, and the Urstadt Law, which bans New York City from enacting stricter rent controls than the state allows—feels satisfied with the status quo, or even feels remorse after 100,000 evictions, when the city has become a place where neither the middle class nor the working poor can find an affordable place to live, and when over 35,000 people, including over 15,000 chil-

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Lead Poisoning: Debunking the Landlord Lobby's Myths

By Matt Chachere

Last July, the City Council's Black, Latino and Asian Caucus met to hear from advocates and opponents regarding the Childhood Lead Poisoning Prevention Act (Intro 101), and voted overwhelmingly to support it. At the meeting, representatives of the Rent Stabilization Association (RSA) made several grossly inaccurate statements about the problem of lead poisoning. Here are some of the arguments—and why the landlord lobby's claims are false.

A Blood Lead Level of 10 Micrograms per Deciliter Is Certainly NOT Akin to a Child Having a 99° Fever!

This preposterous metaphor presented by the RSA's employees was vigorously refuted by Mt. Sinai's Dr. Philip Landrigan, an

internationally respected expert on childhood lead poisoning and Chair of the New York State Advisory Council on Lead Poisoning Prevention.

According to the American Academy of Pediatrics, "The impact of lead exposure on cognition in young children at [blood lead levels below] 10 [micrograms per deciliter of blood] has been amply demonstrated, and the literature is remarkably consistent." A recent study found a one-point decrease in reading scores for each 1 ug/dl increase in blood lead level above 1 ug/dl. Indeed, the federal Centers for Disease Control is debating whether or not to lower its current action level for lead in blood from 10 ug/dl to 5 ug/dl.

Toxic Lead Dust Is Generated Primarily from

Indoor Lead Paint—Not from Outside "Ambient" Lead.

The RSA representatives argue that lead dust in homes where children live should not be regulated, because its source might be "ambient lead" from outdoors. This is simply not correct.

First, as a matter of common sense, if lead dust came from "ambient" sources, why would lead poisoning be concentrated in certain neighborhoods, correlated with housing age and condition, economic factors and race? Why would 94% of the lead-poisoned children identified by the city Department of Health (DoH) be children of color? Why wouldn't kids throughout the city be affected equally?

Second, if lead dust came mostly from "ambi-

ent" sources, its presence would not correlate with indoor lead paint in homes—but it does. The federal Department of Housing and Urban Development, in a recent study of the nation's housing stock, found that:

- Only 6% of homes without indoor lead-based paint have lead-dust hazards
- 61% of homes with deteriorated paint have

lead-dust hazards.

• One out of every three dwellings with lead-based paint in good condition nonetheless has hazardous levels of lead dust as well.

Finally, the RSA's argument makes no sense from the public-health perspective. Lead dust is extremely hazardous to children and should be

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Pataki

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dren, will sleep in the city's homeless shelters each night.

It would also be nice to believe that we'll have pie in the sky when we die. Based on past performances, however, tenants would be well advised to gear up for the fight of our lives over the next eight months.

The fight in 1997 was conducted in different circumstances. Joe Bruno issued a wake-up call in December 1996, when he stated that he intended to allow the rent laws to simply die the following June (and then accused us of "scaring seniors" when we organized to stop him). Sen. Alfonse D'Amato, then the head of the state Republican party, was facing a difficult re-election campaign in 1998. George Pataki was also facing re-election in 1998, and could not afford to alienate the sleeping giant represented by the tenant vote.

Nothing Up Their Sleeves?

In 2003, we will not have these factors in our favor. Rather than rousing tenants with dire threats, the Republicans seem to be trying to lull us to sleep with bland assurances that they have nothing up their sleeves. Having won re-election, George Pataki will not have to face the voters again any time soon, and there is speculation that he will move further to the right in an effort to win a spot on the Republican national ticket, perhaps as vice-presidential candidate in 2004.

We cannot expect George Pataki or Joe Bruno to do us any favors. The only sure way to preserve and strengthen rent and evictions next June is to work singlemindedly on that effort between now and then.

Other election results were not so disappointing. The crusading Eliot Spitzer was resoundingly re-elected state attorney general, and Alan Hevesi becomes state comptroller, where he will be in a position to document the dimensions of the housing crisis and the effect of rent regulation as the legislature considers the issue next spring. And in a pivotal state Senate race on Manhattan's East Side, incumbent Liz Krueger trounced Republican Andrew Eristoff. "We are delighted that we will have Liz Krueger's strong voice in Albany," declared Met Council director Jenny Laurie.

The Working Families Party, which Met Council endorsed, received far more than the 50,000 votes needed to retain ballot status over the next four years, and stands to be in an even better position to effort to work for living wages, expanded health care, properly funded public schools, campaign-finance reform and affordable housing. While the Green Party did not retain ballot status, it will remain a force in state politics because it has learned to incorporate living wages and rent regulation into its anticorporate environmental and peace platform. Fortunately, the



STEVEN WISHNIA

Tenants picketing Governor Pataki's Manhattan office on October 29.

same cannot be said of the Liberal Party, once the party of "Roosevelt, Kennedy, and Cuomo," which by the Giuliani years had long since degenerated into a patronage mill and Republican appendage. It deservedly failed to win 50,000 votes and will lose its ballot line.

To find out more about Met Council's campaign to renew and expand the rent laws, and how you can help, please call us at (212) 979-6238.

For the Record

Not only did George Pataki go on record as saying that he doesn't "think there's any need to change"

the rent regulations—words which may come back and bite him next June if he supports landlord efforts to weaken them further—but he expressed a remarkably candid assessment of Senate Majority Leader Joe Bruno. In opposing a suggestion to raise the tolls on East River bridges, Pataki told the *Daily News* on October 22 that he did not share Bruno's projection that the state might face a \$10 billion budget deficit, explaining, "Joe is a wonderful leader, [but] he doesn't always do thorough research before putting out an analysis." This is a comment we should all file away until the rent law debate heats up in Albany next spring.




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Scott Sommer hosts Met Council's

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EL INQUILINO HISPANO

Vivienda pública que (la mayoría de las veces) funciona: El ejemplo de Santiago de Cuba

Por Vicki Larson
Traducido por Lightning Translations

Micro 8 es un vecindario a unos 10 minutos en motocicleta de Santiago de Cuba, la segunda ciudad más grande de Cuba con cerca de 500,000 habitantes. Santiago es famosa como el sitio donde se encuentra el cuartel Moncada (donde Fidel Castro y sus compañeros lanzaron su primer ataque contra el corrupto gobierno de Batista en 1953); además

es hogar de la mayor población afrocubana del país. Construida a principios de la década de los 60 por las ubicuas brigadas de vivienda organizadas después de la revolución de 1959, Micro 8 consiste de 15 edificios que albergan a cerca de 2,000 personas.

Desde la revolución, cuando el estado tomó posesión de las casas privadas, toda la vivienda

en Cuba es vivienda pública. En muchos casos, los propietarios anteriores permanecieron en sus casas, donde ellos y sus descendientes permanecen hoy. Otros huyeron a Miami o a otros lugares, o los sacaron de sus hogares para uso del gobierno. Los millones de personas sin tierra y sin propiedad (quienes, por primera vez en sus vidas, tenían más que una

choza) fueron llevadas a algunas de estas casas, o participaron en la construcción de grandes edificios multifamiliares como Micro 8.

Como todos los ciudadanos de Cuba, los residentes de Micro 8 pagan solamente por agua y reparaciones. Para un neoyorquino esto parece un sueño, pero en Cuba es realmente una falla principal del sistema. Con

el salario promedio de cerca de 250 pesos en Cuba (US\$10) al mes, es bastante fácil pagar el agua (a 2-3 pesos por tanque al mes), pero el costo de las reparaciones puede ser abrumador. Arreglar una grieta grande en el cielo raso o una puerta rota, o hacer cualquier otra reparación seria, es una gran presión financiera y a menudo las reparaciones

pasa a la página 4

Los Ajustes de la "Junta de Regulación de Renta" de la Ciudad de Nueva York (Orden No. 34)

Para los contratos de apartamentos de Renta Estabilizada que comienzan el 1ro. de octubre de 2002 hasta el 30 de septiembre de 2003, incluyendo las concesiones de Pataki adoptadas por la Legislatura Estatal el 19 de junio de 1997

Los topes de renta que aparecen en el cuadro son los incrementos máximos que los dueños de edificios pueden cobrar legalmente por los apartamentos de renta estabilizada en la ciudad de Nueva York. Son válidos para todos los contratos que comienzan dentro del período de doce meses a partir del 1ro. de octubre de 2002. 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 2002. 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 la sobrecarga 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 sobrecarga 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.

Exceso de Cobro Los inquilinos deben estar al tanto de que muchos caseros van a aprovecharse de la complejidad de estas regulaciones y subvenciones, así como del poco conocimiento de los inquilinos del historial de renta de sus apar-

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

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

La Apelación de la Renta de Mercado Justa Otro tipo de exceso de cobro sucede fre-

cuentemente 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 34, es la Renta de Mercado Justa de HUD o un 50% sobre la renta base máxima. Ningún inquilino de un apartamento de renta estabilizada que fue descontrolado el 1ro de abril de 1984 o después debe dejar de poner a prueba la llamada "Renta Legal Inicial Regulada" (renta de mercado) que los caseros cobran cuando hay descontrol del apartamento. Use el formulario de DHCR *Form RA-89*. Indique claramente que su queja es tanto una queja de "Apelación a la Renta Justa de Mercado" como de "exceso de cobro." La corte de vivienda no puede tomar decisión sobre una Apelación de Renta de Mercado. Apartamentos vacíos que antes

estaban controlados en edificios que se han convertido en cooperativas o condominios no se vuelven estabilizados y no satisfacen los requisitos para la Apelación de la Renta Justa de Mercado.

Exención de Incrementos para las Personas de Mayor Edad: Las personas de 62 años o más que viven en aparta-

mentos 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 1 por ciento por un contrato de un año y un 2 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 No habrá ningún aumento de la renta este año 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). No se permiten incrementos para apartamentos vacíos.

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

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

Tipo de Contrato	Renta Legal Actual		Contrato de 1 Año	Contrato de 2 Años
Renovación del Contrato	Todas		2%	4%
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

Cuba

viene de la página 3

quedan sin terminar por falta de fondos.

Un residente de Micro 8 que recientemente reparó y mejoró su baño me dijo que había pagado 500 pesos (\$20) por un excusado, 350 pesos (\$14) por un tanque de excusado y 200 pesos (\$8) por un lavabo. Esto es solo el costo de los materiales: también le pagó 500 pesos al plomero para instalar el excusado. Esta no es una pequeña suma, y aun así el excusado (conectado a los tanques de agua en el patio) solo descarga cuando los tanques están llenos. Asimismo, la regadera: cuando los tanques están vacíos, la familia toma agua de una cubeta para bañarse.

El otro problema principal del sistema de vivienda en Santiago de Cuba y en toda la nación son los obstáculos al mudarse. Si una familia quiere mudarse, tiene que encontrar otra familia que desee intercambiar la vivienda y después

llenar un montón de papeles, pagar una pequeña cuota y, como en todo lo demás en Cuba, esperar.

Las dificultades adicionales incluyen escasez de agua y gas natural, así como apagones frecuentes (en el verano, los residentes de Santiago se quedan a menudo sin corriente eléctrica durante varias horas todos los días, mientras los hospitales y los hoteles y restaurantes turísticos consumen toda la electricidad disponible).

En La Habana, la ciudad más grande, ha persistido una seria crisis de vivienda durante varios años. De acuerdo con las estadísticas de 1997, reportadas por Juan Clark, profesor de sociología en el Miami-Dade Community College de Florida, La Habana y su zona metropolitana contaba con más de 2,200,000 habitantes en 560,000 viviendas. De estas, la mitad fueron consideradas como defectuosas o

en malas condiciones, mientras 60,000 ya no podían repararse y debían ser demolidas.

Sin embargo, a pesar de las dificultades en el sistema de vivienda de Cuba, no hay nadie sin vivienda. Las únicas personas que vi durmiendo en las calles de La Habana y Santiago eran borrachos a quienes la policía despertaba para ahuyentarlos. Ya que no se paga renta, no hay desalojos. Además, ya que Cuba cuenta con un sistema modelo de salud pública, el alcoholismo, la drogadicción y las enfermedades mentales sin tratar, los cuales frecuentemente conducen a la pérdida del hogar, están marcadamente ausentes de la sociedad cubana. Los Comités para la Defensa de la Revolución, organizaciones vecinales que existen en cada barrio y supervisan todos los aspectos de la vida comunitaria, nunca permitirían que una persona se hundiera tanto para tener que

dormir en la calle.

La mejor razón del sistema actual de Cuba, muy obvia para un neoyorquino, es la ausencia del problema de la gente sin techo, si no decir la ausencia completa de comprensión de la mera idea de lo que es no tener techo. Todos con quienes hablé acerca de este problema quedaron atónitos con la idea. ¿Cómo es posible que alguien no tenga dónde dormir?

Las dificultades de vivienda son muchas en Cuba, pero el hecho de que nadie tiene que dormir en la calle, que en realidad la gente casi no puede imaginar una sociedad tan degradada e inhumana que permite a la gente dormir al aire libre bajo el frío y la lluvia, es un testimonio convincente de los logros del país.

Vicki Larson es miembro de la junta directiva de Met Council residente en Brooklyn.

No se quede helado: ¡ORGANÍZASE!



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 dentro debe ser al menos de 68 grados en todo el apartamento.

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

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 (212) 824-4328 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 tenga problemas con la calefacción.
- * Comprar un buen termómetro para afuera y adentro, para documentar las fechas exactas, las horas, y las temperaturas, tanto afuera como adentro, mientras tenga problemas con la calefacción. Esta documentación es su evidencia
- * Llamar a la División de Vivienda y Renovación Comunal del Estado de Nueva York (DHCR, por sus siglas en inglés) al (718) 739-6400, y pedir que le envíen el formulario de Queja de Calefacción y Agua Caliente. Llene el formulario y 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 la calefacción y el agua caliente. Escriban y llamen al casero para demandar las reparaciones y aceite. Prepárense para una huelga de renta (sobre todo con asesoría legal)—de relámpago si es necesario.

Las leyes sobre la calefacción establecen también:

- * Que el Departamento de Reparaciones de Emergencia de la ciudad le proporcione la calefacción si el casero no lo hace. (No se siente en un bloque de hielo—otra vez, ¡disculpe!—mientras espere que lo haga.)
- * Una multa de \$250 al casero por cada día que se produzca la violación. (Pero la verdad es que la Corte de Vivienda raras veces impone las multas, y mucho menos 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!

Missed an issue of TENANT?

Check us out on the Web:

www.metcouncil.net

Kick off the campaign to strengthen rent and eviction protections

Town Hall Meetings

Let's pack the house to show we mean business!

Wednesday, November 20

Washington Heights

Sponsored by State Senators

Eric Schneiderman and David Paterson

Wednesday, December 5

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[between Columbus & Amsterdam]

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both start at 7:00 p.m.

Call Met Council (212) 979-6238 for info

FILM REVIEW

Boom: The Sound of Eviction

By Steven Wishnia

If anywhere in the US has a worse housing crisis than New York, it's unquestionably San Francisco, especially when the late-'90s Internet boom was flooding an already tight real-estate market with money. Rents doubled and tripled within a few years, and more than 15,000 people—in a city of 735,000—were evicted.

Boom: The Sound of Eviction, a documentary by Francine Cavanaugh, A. Mark Liiv, and Adams Wood (Whispered Media), is a gripping, impressionistic account of how dot-com gentrification affected San Francisco's Mission district. (The Mission, as the heart of the city's Latino community, a center for artists and activists, and close enough to downtown for the city's establishment to wonder why they were letting such prime real estate be wasted on the lower classes, is roughly comparable to the Lower East Side.) The sheen of money bleached a homey, vibrant community, as Chicano families and dance studios, goateed Salvadoran poets and butch lesbian radicals, got pushed out for dot-com offices and \$649,000 lofts in a "hip, cool, cutting-edge" area.

Boom focuses on three protagonists: Lola McKay, an 83-year-old woman who died while fighting eviction; Roger Marengo, whose landlord tried to evict his family as a "nuisance" after the yuppie newcomer next door complained about his children playing on the stoop; and

Cathy Acosta, a mother of five priced out of her home in Oakland. It contrasts the struggles against these and other evictions with the smug opulence of the dot-com boom, of 22-year-olds making \$60,000 a year and 28-year-old overnight-millionaire CEOs.

The yuppies claim they're improving the neighborhood. "We lived through the crack dealers, we made the neighborhood safe, and now we have to leave?" Acosta asks in response.

Boom tells the human story well, but its impressionistic technique falls short on deeper background and analysis. The voices of the community are passionate, and the protests—drummers, costumes, "SF Without Art=Dead, Boring City" banners, chants of "Aquí estamos, no nos vamos"—are dramatic, but much is left unexplained. It covers the attempt to pass Proposition L, an anti-gentrification initiative, without ever saying what it would do. It notes that Oakland's "no-cause evictions" with 30 days' notice gave Cathy Acosta no rights to keep her home, but doesn't mention San Francisco's "decontrol-recontrol" law, in which landlords have a hard time raising rents for tenants in place, but can charge full market rate on vacant apartments. (Speculators specifically seek buildings with long-term tenants, Ted Gullickson of the San Francisco Tenant Union explains early in the film,

because they're cheaper due to the lower rental income.) It also does not mention "owner move-in" evictions, a common displacement tactic.

The dot-commers portrayed are certainly obnoxious enough, spouting the "new economy" myths that the Nasdaq was going to 10,000 and it's their birthright as young, talented Americans to get rich quick from it, but without more details on the social forces involved, they come off as too-easy individual villains. (Mayor Willie Brown, a moderately liberal African-American politician with strong ties to real estate, also comes off badly, dismissing the effects of displacement and saying that decisions on development need to be made "through the planning process, not the ballot box.")

Still, *Boom* is absolutely worth seeing, at least as a starting point for further discussions. Its basic point, that there are things about a community more valuable than real-estate values, is simple, strong, and heretical against the market fundamentalism that is now the religion of the rich and their sycophants. As the film points out, similar processes of gentrification and displacement are still happening in every major American city, even after the dot-com bust.

For more information see <http://www.boom-themovie.org/>.



The Caminata protest in San Francisco's Mission, August 2000.

GARY STENG



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 (212) 824-4328 immediately to record the landlord's violation. Call repeatedly. An inspector should eventually come, although sometimes they don't.

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

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

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

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

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

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

The heat laws also provide for:

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

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

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

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

N.Y. Premier

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THE SOUND OF EVICTION

Friday, December 13 - Thursday, December 19

7:30 p.m. and 9:30 p.m.
additional screenings 5 p.m. on Sat. & Sun.

Anthology Film Archives
32 Second Avenue at Second Street
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Ticket info: 800-757-2698

Community Board 3 Opposes Houston St. High-Rise

By Susan Howard

On October 22, Manhattan Community Board 3 passed a seven-point resolution urging the city Board of Standards and Appeals to deny Edison Parking's application for variances needed to build a 23-story luxury tower at Ludlow and Houston streets. The vote was 33-1 with one abstention.

The BSA originally approved Edison's application in February 2001, but their approval was overturned in an Article 78 proceeding brought by members of the Lower Manhattan Anti-Displacement Coalition—a group of 10 local and citywide organizations, including Met Council—represented by MFY Legal Services. Last May, a court found that the approval was based on misleading

and inaccurate information, and remanded the matter back to the BSA.

The BSA is scheduled to rule on the application again, at a public hearing on December 10.

LMADC members were very happy with the CB3 vote. "The Community Board has taken a very strong position," said Nelson Mar of the Chinese Staff and Workers Association. "The resolution not only states they have serious concerns about the accuracy of the data presented by Edison Parking, but they also recognize that our community is rapidly being displaced by these luxury developments."

"Their findings show that the developers' greed is the only motivation for seeking bulk variances.

They could build a smaller building and still make a profit," added Anthony Williams of Picture the Homeless, "but they're claiming they can't make a profit unless the building is 23 stories tall."

The CB3 resolution followed a public hearing on September 18 at the BSA. In what some call typical behavior by Edison Parking, the developer's lawyer, Howard Goldman, told CB3 that the hearing would be postponed. But when the community board's chair arrived, unprepared, Edison's lawyer denied ever having agreed to postpone the hearing.

LMADC had come prepared, with compelling speakers and expert testimony. Dave Powell gave testimony of behalf on Met Council, and speakers

also came from Pratt Institute, the Lower East Side Conservancy, the Municipal Arts Society, and the Historic Districts Council.

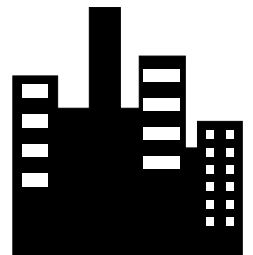
The BSA gave little credence to the testimony; it recommended a negative declaration and closed the hearing. The record for public comment will remain open until November 19.

Even with the CB3 resolution, expert testimony, and the support of elected officials, there is very little doubt that the BSA will approve Edison's application. The board grants 100% of the variances requested, so our record of the developers' lies and inflated costs are stated for the record, for a court of law. The BSA shows few signs of caring for the impact their actions have

on low-income communities; they do the bidding of big development, but want to cover their backs in case of a legal challenge.

LMADC members are planning a demonstration to protest the policies of the BSA and the lack of tenant protections, and to emphasize the need for real affordable housing. Look for an announcement in next month's *Tenant/Inquilino*.

Former Met Council Board member Susan Howard is coordinator of LMADC.



NYC Rent Guidelines Board Adjustments (Order No. 34)

for Rent Stabilized Leases commencing Oct. 1, 2002 through Sept. 30, 2003, 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, 2002. 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, 2002. The above guidelines and vacancy bonuses do not apply to an apartment which was rent controlled on that date. There is no low rent supplement, a.k.a. poor tax, allowed.

Sublease Allowance

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

Vacancy Leases

In June 1997, Governor George Pataki, as a part of his efforts to destroy rent regulation, forced changes that gave landlords large vacancy bonuses. Provisions of his Rent Regulation Reform Act of 1997 allow the rents of apartments to rise by a statutory percentage: 20 percent for a 2-year lease, and 20 percent minus the difference between the 1- and 2-year renewal guidelines for 1-year leases. The 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		2%	4%
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 or go to: www.dhcr.state.ny.us

Fair Market Rent Appeal

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

nually sets what they call the "Special Fair Market Rent Guideline" that is used by DHCR to lower unfair market rents for tenants who file the Fair Market Rent Appeal (FMRA). Under Order 34, it is HUD Fair Market Rent or 50% 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

There will be no rent increases this year 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.

High-rent, High-income Deregulation

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

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



Lead

continued from page 1

removed, regardless of its source.

Statistics Do Not Support the Notion that a Substantial Number of the City's Lead-Poisoned Kids Are Recent Immigrants Who Were Already Poisoned Abroad.

If lead-poisoned kids are being "imported," as the RSA argues, why do certain neighborhoods with high numbers of recent immigrants, such as the Lower East Side and Flushing, have relatively low incidences of lead poisoning? Again, the patterns of lead poisoning in New York City clearly show a concentration in particular neighborhoods, correlating with housing age and condition, and socioeconomic factors—and the RSA has presented no statistical or documentary evidence for its assertion that immigration is the problem.

Intro 101—Contrary to RSA Assertions—Does NOT Require Landlords to Sheetrock an Entire Home (Costing \$15,000-\$20,000).

Frankly, we can't understand how the RSA comes up with this conclusion, and we challenge them to point out the section in Intro 101 that they claim contains such a mandate. There is none.

Here's what Intro 101 very reasonably requires: Landlords have a duty to assure that a multiple dwelling unit where a child under seven years of age resides is free of lead-paint hazards. If the hazard is caused by an underlying defect, such as a water leak that causes paint to peel, the landlord must also correct that condition to prevent the hazard from reappearing.

And what are lead-paint hazards? Intro 101 defines it to mean "any condition in a multiple dwelling that causes exposure to lead from lead-contaminated dust, lead-contaminated soil, or lead-based paint that is peeling or present in accessible surfaces, friction surfaces, or impact surfaces that would result in adverse human health effects."

Intro 101 doesn't require landlords to abate all lead paint or "sheetrock every surface in a home if one area is found with lead paint," as RSA wrongly claims. It only requires that homes be kept safe for small children. (Even if HPD issues a lead-paint violation, the landlord is not obligated to abate all lead paint, but only the areas with peeling paint or deteriorating subsurfaces.) If a child already is poisoned, DoH is only mandated to order abatement of peeling paint and window friction surfaces. Intro 101 does not alter this.

For many years, the RSA claimed that there was no need to abate all lead paint. They asserted that the real-estate industry knew where the hazards were and how to take care of them. Ironically, now that a bill is before the Council that takes them at their word, they argue that the only way to deal with lead hazards is to remove

every bit of lead paint! The RSA can't have it both ways.

If Two Out of Three Surfaces Tested Really Don't Have Lead Paint, It Will Be Easy to Comply with Intro 101.

If the RSA is correct in stating that two out of three surfaces tested don't have lead paint, this should be good news to everyone. It also completely undercuts the RSA's argument that the cost of complying with Intro 101 would be catastrophic.

A recent federal study found that while the vast majority of older dwellings have some lead paint, "most of them have relatively small surface areas of it." We don't know how true this is for New York City, because so many multiple dwellings have never been tested. If it does hold true for many properties, then those owners should identify and remove the specific hazards before more kids get poisoned.

Intro 101 continues the longstanding safety presumption that paint in older buildings contains lead (that was wrongly eliminated in Local Law 38). This presumption is rebuttable: Landlords can either assume all paint in an old building is lead-based and take precautions accordingly, or test it to find out which paint is lead-based and which is not. Indeed, Intro 101 enables landlords to prove that their buildings are lead-free by such testing.

What landlords cannot do, however, is roll the dice with kids' health. If one out of three surfaces in older dwellings do have lead paint, those are pretty risky odds for the young kids who live there.

Whether or Not Landlords Can Get Insurance for Lead Hazards, They Should Act with Due Care for the Children Who Live in Their Buildings.

We're not sure what the RSA is advocating when it argues that landlords have trouble getting insurance for lead-paint hazards. Is it that reckless, careless landlords who allow their buildings to poison children should be excused from the consequences of their inaction?

The New York State Court of Appeals has ruled in the landmark case of *Chapman v. Silber* (1991) that rental-property owners can no longer rely on ignorance as a defense in cases where children become lead-poisoned. Thus, the Council does not have the power to immunize rental-property owners from legal responsibility for their tenants' children being poisoned. Responsible owners can best protect themselves by exercising proper care to prevent lead poisoning, and Intro 101 provides a sound legal structure to help them do just that.

And insurance is available for lead-hazard evaluation and remediation work. The National Center for Healthy Housing main-

tains a list of companies that provide lead liability coverage for lead-hazard evaluation and remediation, and other rehabilitation and maintenance activities. Other companies also write environmental policies.

Local Law 38 FAILS to Require Proper Dust-Clearance Tests.

Local Law 38 only requires very limited, inadequate lead-dust clearance tests. It does not require any tests at all if lead paint is scraped from walls or ceilings. It only requires such tests when lead paint is removed from certain surfaces, such as window and door frames. This is irrational. According to HUD, 67% of the lead-based paint in homes is on walls, floors, and ceilings. Yet under Local Law 38, a landlord could scrape an entire wall or ceiling that was

completely covered with lead paint, without having to do any lead-dust clearance tests after the work is completed to ensure that the home is safe for children to re-enter. The city Health Department had much more reasonable, science-based rules for dust-testing in place before Local Law 38. Those rules should be restored.

Dust-clearance tests not only protect tenants; they also assure the property owner that the contractor has fulfilled its obligations and left the property free of lead-dust hazards.

Matt Chachere is an attorney for the New York City Coalition to End Lead Poisoning. For more information on Intro 101 and childhood lead poisoning, see NYCCELP's Website at www.nmic.org/nyccelp.htm.

Attend the Hearing on Lead Poisoning

November 14, 2002, 11 a.m.
City Council, City Hall

For info call 212-788-7100 or Met Council, 212-979-6238 ext. 3

Landlords Ignore Weakened Lead Law, HPD Study Says

Local Law 38, the city law passed in 1999 to deal with hazardous lead-paint violations, has been overwhelmingly ignored by landlords, according to two recent reports by the city Department of Housing Preservation and Development.

When the law was passed in 1999, tenant, health, and children's groups objected to it on the grounds that it was too weak, allowing landlords too much leeway in its cleanup and enforcement provisions. Thousands of children, mostly in communities of color, continue to be poisoned by this preventable hazard, resulting in permanent brain damage and disabilities.

Despite the fact that landlords lobbied heavily to get the law through, spending enormous amounts of money and political capital in their anxiety to replace a much stricter law and to avoid the liability of poisoning kids, they aren't obeying it. The reports authored by HPD and sent to the City Council reveal "rampant landlord lawlessness" which may have cost the city as much as \$7 million in fiscal year 2001 and \$4 million in fiscal 2002, according to Andrew Goldberg of the New York Public Interest Research Group.

According to the report, landlords were issued a total of 16,252 lead-paint violations during fiscal 2001, yet only 1,989, or 12%, were properly certified as corrected. In FY2002, 17,235 violations were issued and only 1,830, or 10.6%, were properly certified. As a consequence, HPD brought civil actions to compel the correction of 1,360 violations in FY2001 and 2,135 the next year. HPD also corrected 5,147 violations itself, at a

cost of millions of dollars to taxpayers.

Criticism of Local Law 38 is wide-ranging: the wording of the law allows landlords to escape liability when a child is poisoned; it ignores lead-contaminated dust as a danger; it allows landlords too much time to correct the violations; it allows too much time to elapse before HPD must correct the violations; it doesn't do enough to require safe cleaning methods for workers clearing the violations; and it leaves small buildings out of its coverage. On November 14, the two City Council committees concerned with the issue, health and housing, will hold a joint hearing on the performance of Local Law 38. Advocates expect the landlords to be out in force, crowing about its success and pushing for its continuation. Tenant and children's health advocates will be pushing the opposite position: showing the 1999 law's failures and pushing for a replacement bill, Intro 101, which would require safer clean-up methods and shorter deadlines for repairs, and would require HPD to be more active in identifying lead hazards and correcting them.

Met Council urges tenant associations and groups to come to the hearing on November 14 (see box above) and to contact their Councilmembers and Speaker Gifford Miller to urge support of Intro 101. The way the Council addresses this important issue of public health and environmental justice will reveal whether Miller's "new" City Council is different from the time of Peter Vallone, when real-estate interests called the tune.

—Jenny Laurie

Public Housing that (Mostly) Works: The Case of Santiago de Cuba

By Vicki Larson

Micro 8 is a neighborhood about 10 minutes by motorcycle outside Santiago de Cuba, the second-largest city in Cuba with about 500,000 inhabitants. Santiago is famous as the site of the Moncada barracks (where Fidel Castro and his *compañeros* launched their first attack on the corrupt Batista government in 1953) and is home to the largest population of Afro-Cubans in the country. Built in the early 1960s by the ubiquitous housing brigades active after the 1959 revolution, Micro 8 consists of 15 buildings and houses about 2,000 people.

All housing in Cuba is public housing and has been since the revolution, when the state took possession of private homes. In many cases, the previous owners stayed in the homes, where they and their descendants remain today. Others fled to Miami or elsewhere, or were moved out of homes taken over for government use. The millions of landless and propertyless people (who, for the first time in their lives, had more than a shack) were moved into some of these existing homes, or participated in the construction of large multifamily buildings like Micro 8.

Like all citizens of Cuba, residents of Micro 8 pay only for water and repairs. To a New Yorker, this sounds like a dream, but in Cuba, it is actually one of the main flaws of the system. With the average salary in Cuba about 250 pesos (US\$10) a month, water (at 2-3 pesos per tank per month) is manageable, but the cost of repairs can be overwhelming. Fixing a large crack in the ceiling or a broken door or making any other serious repair is a huge financial strain, and repairs often go unattended for lack of funds.

One resident of Micro 8 who recently repaired and upgraded his bathroom told me that he had paid 500 pesos (\$20) for a toilet, 350 pesos (\$14) for a toilet tank and 200 pesos (\$8) for a sink. And

that's just the cost of materials: he also paid 500 pesos to the plumber who installed the toilet. Not a small sum, and still the toilet (hooked up to water tanks on his patio) only flushes when those tanks are full. Likewise, the shower: when the tanks are empty, the family dips water from a bucket for showers.

The other main difficulty of the housing system in Santiago de Cuba and throughout the nation is limited mobility. If a family wants to move, they must find another family willing to swap living quarters, and then fill out a pile of papers, pay a small fee, and, as with everything else in Cuba, wait.

Additional hardships include frequent blackouts (in the summer, residents of Santiago are often without power for several hours each day, as hospitals and tourist hotels and restaurants suck up all available power) and water and natural-gas shortages.

In Havana, the largest city, a critical housing shortage has persisted for several years. According to 1997 statistics reported by Juan Clark, a sociology professor at Miami-Dade Community College in Florida, metropolitan Havana had over 2,200,000 inhabitants living in 560,000 dwellings. Of these, half were ranked as defective or in bad condition, while 60,000 were beyond repair and deserving of demolition.

But despite the difficulties of Cuba's housing system, homelessness doesn't exist in Cuba. The only people I have seen sleeping on the street in Havana and in Santiago were passed-out drunk and being moved along by police. Because there is no rent to pay, there is no eviction. Because Cuba has a model public-health system, the alcoholism, drug addiction, and untreated mental illness that contribute to homelessness are markedly absent from Cuban society. And the Committees for the Defense of the Revolution, neigh-

borhood organizations that exist in every *barrio* and oversee every aspect of community life, would never allow a person to fall through the cracks and sleep on the street.

The best argument going for the current system is the (very obvious to a New Yorker) lack of homelessness and in fact, a lack of comprehension of the *idea* of homelessness. Everyone with whom I've spoken about homelessness is completely perplexed by the notion. How could someone not have *anywhere* to sleep?

The difficulties with shelter in

Cuba are many, but the fact that no one has to sleep on a street, that in fact people can hardly imagine a society so degraded and inhumane that they would let people sleep outdoors in cold and rain, is a powerful testimony to the country's successes.

Vicki Larson is a Met Council board member who lives in Brooklyn.

City Limits

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WHERE TO GO FOR HELP

- LOWER EAST SIDE BRANCH at Cooper Square Committee**
61 E. 4th St. (btwn. 2nd Ave. & Bowery)
Tuesdays 6:30 pm
- LOWER MANHATTAN LOFT TENANTS**
St. Margaret's House, Pearl & Fulton Sts., 212-539-3538
Wednesdays 6 pm-7 pm
- CHELSEA COALITION ON HOUSING**
Covers 14th St. to 30th St., 5th Ave. to the Hudson River.
322 W. 17th St. (basement), CH3-0544
Thursdays 7:30 pm
- VILLAGE INDEPENDENT DEMOCRATS**
26 Perry St. (basement), 212-741-2994
Wednesdays 6 pm-7:30 pm
- GOLES (Good Old Lower East Side)**
525 E. 6th St. (btwn. Aves. A & B) Lower East Side tenants only, 212-533-2541.
- 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
- 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



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.

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