

The Park West Tenant

Vol. 10 Number 3

The Newsletter of the Park West Village Tenants' Association

June 1985

COURT DECISION GOES TO HELMSLEY

At 9:00 a.m. the morning of June 4, New York State's highest Court of Appeals issued a unanimous decision that will allow Helmsley-Spear to proceed with the process of converting 372 and 382 Central Park West to condominiums. The six judges did not write a separate opinion but simply affirmed the lower court decision of Judge Martin Evans to the effect that the original covenant which would require the NYC Board of Estimate to approve major changes in PWV is not applicable. Court costs were assigned to the Attorney General and the Corporation Counsel.

Red Herring Updated

Helmsley Spear is now submitting updated material for the 372 and 382 red herrings to the reviewing attorney in the office of the Attorney General, who expects the red herring to be issued soon. Whether tenants will have the normal 4-6 months to review the red herrings and propose changes before the black book is issued is not yet clear. PWVTA has pointed out the to A-G that the court-ruled "stay" on conversion proceedings over the past two years precluded tenants' time to review the documents now. PWVTA has requested the updated red herring from the A-G's office and will be reviewing it.

OUT OF STATE TENANTS SUPPORT PWVTA

The Massachusetts and Cleveland Tenants Organizations, three Michigan based tenant groups and the National Tenants Union all supported PWVTA's position to the Court of Appeals either by offering to join the tenants' ("Brewer") brief signed by New York State tenant bodies, and/or writing separate letters to the New York State Court of Appeals. Their much-appreciated gesture reveals widening concern around the country to uphold federal, state or city covenants intended to protect tenants and neighborhoods from arbitrary or unilateral change.

PWVTA EXPLORES NEXT STEPS

Reasserts Role to Help All Tenants

Following the June 4 Court of Appeals decision to allow conversion to proceed, a special PWVTA Board meeting was called June 12 to examine several possible initiatives to be pursued simultaneously or sequentially to assist PWV tenants to deal with the new situation. A general membership meeting is called for June 26 to discuss these options, outlined below.

Raise Issues at Federal level?

A special 8-page memorandum prepared by PWVTA Counsel Eugene Eisner analyzing the pros and cons of continuing the fight against conversion at a Federal level was discussed. Board members added information from recent contacts with the offices of Senator Moynihan and Congressman Rangel, HUD, various housing and tenant organizations and the Attorney General's office.

Interest is growing among other state and national organizations in the wider PWV issues of what "say" residents should have over whether they can stay in their homes, who lives in their neighborhood, whether economic and social changes should count as "change" in legal and judicial interpretation, and whether the protective covenants incorporated in many federal, state or city-sponsored housing projects (such as PWV) should be invoked when owners unilaterally propose to alter the project's status or purpose.

The Board agreed to continue exploring options raising the issues at a federal level, whether as prime litigant or in support of other groups concerned with these issues.

Join with the Wider Community

City and State elected officials and community housing and tenant groups have stated they see PWV's future as critical both to the future of who lives on the Upper West Side and to the wider issues described above. Meetings have already been held with Upper West Side organizations and plans are underway to extend city-wide

FLASH

All PVW Residents are invited to a meeting called by PVWTA 8:00 p.m. Wednesday June 26 at Public School 163, 163 W. 97th Street, to explore several options regarding conversion. All residents are welcome. Only PWVTA members may vote.

to promote our common concerns to maintain our neighborhoods and extend affordable rental housing for low and middle income residents throughout the City. The Board decided to continue coalition activity.

Contact Other Converted Buildings

Informal discussions between PWVTA members and tenant groups in converted buildings such as Kips Bay, Parkchester and One Sherman Square are already being scheduled to discuss how they organized to defeat conversion or to assure continuing tenant protection during and after conversion.

Analyze Issues in Red Herring

"A good price but not a good deal" was how the May 1983 red herring was characterized by some analysts. Low operating and reserve funds portended early hikes in maintenance charges for buyers and probable major capital improvement hikes for tenants (and friction over who should pay). Separate building management committees for each building, and no proposed tenants representation, formal or informal, where the majority of residents will remain renters, portended confusion and more friction. Long standing needs such as playground improvement and new roofing on some buildings were skimmed or skirted in the 1983 red herring. Many Board members thought PWVTA should help tenants understand the terms and implications of conversions proposals.

(Continued on page 3)

PWVTA MEMBERSHIP

Join The Liveller Half

Most tenants are aware of PWVTA and the work of its many volunteers. Everyone receives the Newsletter which keeps tenants informed about issues and events relating to our homes and community. Tenants call on the association for help, and volunteers respond with advice or direct action.

For example:

- **TENANT HARASSMENT STOPPED BECAUSE A STRONG ASSOCIATION INTERVENED**
 - **FAILURE TO PAINT APARTMENTS WAS CHALLENGED AND TENANTS RECEIVED THEIR RIGHTFUL SERVICE**
 - **RENT INCREASE OF 6.6% WAS DENIED BECAUSE OF SUCCESSFUL LEGAL ACTION**
 - **RENT OVERCHARGES WERE RECOVERED WITH THE ASSOCIATION PROVIDING ADVICE AND ASSISTANCE IN COMPLETING NECESSARY FORMS AND DOCUMENTS**
 - **ESTABLISHED CONSTITUTIONALITY OF WARRANTY OF HABITABILITY IN THE COURTS.**
 - **LAUNDRY DUCTS, ELEVATORS, MAIL DIRECTORY LISTINGS, AND PLAYGROUNDS HAVE BEEN IMPROVED THROUGH VIGILANT OBSERVATIONS OF BUILDING REPS AND PERSISTENT REQUESTS TO MANAGEMENT.**
- THE POINT TO BE MADE: A STRONG ORGANIZATION HAS MADE A MAJOR DIFFERENCE IN THE QUALITY OF LIFE FOR ALL TENANTS IN PARK WEST VILLAGE. What can you do to keep the association functioning and active?**
1. **If you are not a 1985 member, JOIN NOW. PLEASE COMPLETE THE MEMBERSHIP COUPON AND SEND IT WITH YOUR DUES TO THE P.O.BOX, OR TO A BUILDING REPRESENTATIVE. YOU WILL RECEIVE A MEMBERSHIP CARD.**
 2. **If you are against the condominium conversion attempt, SEND A CONTRIBUTION FOR THE LEGAL FUND.**
 3. **BECOME MORE INVOLVED BY VOLUNTEERING IN YOUR BUILDING AND JOINING COMMITTEES.**

*Florence Wagener
Membership Secretary*

The **Park West Tenant** is produced by PWVTA volunteers.

Thanks to the writers and editors for this issue who include J. Bourne, G. Daniels, I. Greenbaum, C. Harm, L. LaCourt, V. Lawrence, M. MacEwen, O.W. McCrary, Jr., F. Tome, F. Wagener.

Thanks for special services for past issues: A. Lemkow, H. Lomax, J. Morelli. Make-up: J. Randall.

Suggestions and help welcome: please call W. Armstrong, Editor, 400, 5P, 865-3078.

IS YOUR MAIL DIRECTORY LISTING CORRECT?

In response to an inquiry from PWVTA Newsletter about procedure to update the lists of tenants' names above the mailboxes, management is now updating these lists. Please check to be sure your name and apartment is correctly listed on the mail directory list. If not, please call or visit the management office. The same goes for your listing on doorbell mailbox and front door.

Postal Delivery staff also stressed the importance of having the mailbox and mail directory lists correct -- and they urge tenants please to add their apartment number to all correspondence and return address forms.

* * *

Due to lack of space, a number of articles prepared for this issue of *Park West Tenant* were omitted. They will appear in the July issue.

* * *

A brief outline of the conversion process is presented in PWVTA's pamphlet, "Issues, Questions and Answers About Conversion." The figures cited in the pamphlet will be changed in the new red herring but the process described is accurate. A limited number of copies at 50 cents each are still available from building reps, or from PWVTA at the address above. They will also be available at the membership meeting June 26.

COMMUNITY CALENDAR - ALL WELCOME

Date	Events	Time and Place
June 25	NYC Rent Guidelines Board Votes on potential rent increase.	09:00 a.m. - Police Plaza Audit. behind Municipal Bldg. Chambers Street (349-2262 for more info.)
June 26	PWV Tenants Meeting	8 p.m. Public School 163 163 W. 97th St.
June 27	PWVTA Exec. Board	8:00 p.m. Trinity Church 161 W. 100th St.
June 27	Hearings on Commercial rent protection	10:00 a.m. City Hall Tenants and business invited to testify or attend. Call 566-0709 or 566-0719
Every Friday	Farmers market	102nd & Amsterdam - All day.
July 2	Community Board #7	7:00 p.m. Fordham Univ. 113 W. 60th, Pope Auditorium

Please call 222-3478 if there are items you would like to submit for the Community Calendar. We will include as many as space permits.

NOTES FROM THE BUILDINGS

PWV to Albany

Well over a thousand letters were sent by residents of 372, 400, 784 and 788 to Governor Cuomo, Speakers Warren Anderson and Stanley Fink, Housing Committee Chairman Daly and Grannis and Assemblyman Ed Sullivan. Organized by PWVTA, the letters (variously) urged extension of rent stabilization, a limit on amount and time of major capital improvement rent charges, a raise to 35% of tenants in occupancy who want to purchase before a non-eviction conversion plan can go ahead, and the continuation of rent stabilization on rental apartments after conversion (i.e. no vacancy decontrol).

As 372 noted in its building report, "The fact that many tenants of varying positions on housing signed the letters shows that there is increasing understanding that conditions will deteriorate for all if residents do not remain organized and together.

A number of generous PWVTA residents contributed toward the tenant bus trip to the Albany legislature June 5 when housing legislation was debated. Six PWV residents joined the hundreds of others tenants from New York and neighboring counties to fill the Senate gallery (to the vocal dismay of the later-arriving landlords organization), the Assembly, and to meet with individual legislators.

Gatherings

788's Spring bookfair, cake sale and flea market March 30th was enjoyed by all and netted a goodly sum for the Legal Defense Fund.

792 is throwing a party on Sunday, June 23 from 12 to 4 in the playground behind their building (raindate June 30).

THANKS

- to the scores of members who have sat in the lobbies, written and gotten signed letters to legislators and DHCR;
- to the "back room" members who have copied PWVTA briefs, announcements;
- to the generous contributors to the Albany bus trips for PWVTA's court case and the legislative visit;
- to the building floor captains for distribution and membership followup;
- to the gardeners and seed-growers who have contributed plants and nurturing skills to the area around 400 and by the Central Park playground.

(Continued from page 1)

Questions

If conversion goes ahead in 372 and 382, can PWV continue to operate as a cooperative "village"? If we are all to go on living here, whether as tenants or owners, does it behoove us to negotiate for management, financial and engineering arrangements that will work for us all? Should PWVTA negotiate for tenants? Should it negotiate some common positions with buyers? or should it choose to protect tenants from infringements of their rights but stay out of direct negotiation about conversion? Should PWVTA provide information and analysis to help tenants decide what is best for them and for the community?

These are all issues to be considered by PWVTA Board and membership.

While the June 26th membership meeting is unlikely to decide all these matters once and for all, the PWVTA Board recommitted itself June 12 to continue to work for tenant protection throughout PWV.

LEASE DENIED? WHAT TO DO

If you are denied a lease renewal for no valid reason and your rent checks are not deposited you should:

1) File a complaint on Form RA 81 with the Dept. of Housing and Community Renewal (DHCR). You can get the form from your building coordinator or from DHCR, 10 Columbus Circle, New York City 10019, tel: 307-5760.

2) Write a short summary of your situation and give it to the PWVTA President or to the Legal Committee Chair. This will be turned in to the Attorney General's Office, which wishes to be kept informed of any cases of harassment.

3) Please inform your Building Coordinator. Phone the PWVTA Hot Line 662-2610 for further information if necessary. (Please note that if your apartment is not your primary residence, then your lease renewal may be questioned. Primary residence is judged in part by where you vote and where you pay taxes.)

The landlord cannot refuse to renew a lease because of inaccurate or false charges. Furthermore, he cannot collect any increase in rent until the lease is renewed and signed.

FROM THE PRESIDENT -An Opinion

You know we lost the Court case on conversion.

We are still pursuing avenues of further action against conversion.

But what if conversion of 372 and 382 does go on?

First, conversion of the rest of the project seems likely; Helmsley has announced his intention to get out of rental housing.

Second, harassment of renters to free apartments from rent stabilization is inevitable. The present campaign of harassment will be stepped up. The economic incentives to drive out tenants will be powerful.

Third, the highest priority of the Tenants' Association must be the protection for renters. The law will be on our side, even though the courts sometimes seem to function as a branch of the real-estate business. We must go to State Housing, to the Attorney General, to the Court, as necessary. We must use coalition and political action. We must expose to the public view any effort to undermine the rights of tenants. Our financial, organizational, and man-and-woman power resources must be concentrated on this front.

As never before we must have a strong tenants' association.

Carl S. Harm

NYC RENT AND HOUSING PROPOSALS

PWV Residents Testify at Hearings

This month the New York City Rent Guidelines Board (RGB) faces its annual task of deciding rent increases (decreases) for rent stabilized apartments. At issue - not only how much rents should be, but how they are decided. Current increases are based on the controversial "Price Index" which looks at a vendor prices to landlords. But the validity of this approach has been questioned by tenant groups who propose that a more equitable solution would be to base rents on owners' cost/profit ratios - which would require landlords to open their books to the RGB.

The City Board of Estimate cannot act without the State's agreement but voted to ask the State Legislature to require landlords to open their books. Supporting legislation's expected to be voted in Albany June 19.

At the June 3 and 6 RGB hearings, the New York State Tenant and Neighborhood Coalition proposed a rent rollback of up to 10% based on their evaluation of landlord profits. They were supported in this position by PWVTA representative Carl Harm who says RGB is just guessing what rents should be because they haven't gotten the facts. PWV resident Victor Wagner concurred with this position in his testimony.

Landlords are calling for an increase of up to 22% on two year leases and for rent surcharges for apartments renting for under \$400.00.

The RGB will vote on June 25th to decide whether to increase or decrease rents and by how much for the period beginning October 1985. Tenants are urged to attend.

SAVE THE NEIGHBORHOOD STORES

Is Commercial Rent Protection An Answer?

That neighborhood store you'd gone to for years for books, tapes, shoe repair, typewriter ribbon, haircuts -- has disappeared? When you inquire, most often you learn the lease expired and the rent was jumped three, four, five, sometimes ten times?

Both small business owners and their customers are worried -- in this neighborhood and throughout the City. Our City Councilmember Ruth Messinger has authored a Bill, Intra #658, co-sponsored by more than a dozen City Council members and supported by the Coalition for Small Business Preservation, to help protect small businesses. Among the bill's provisions are:

-- a guarantee of commercial lease renewal for up to 7 years at the tenant's request;

-- a fixed percent of rent increase at 10% per year.

Hearings to which tenants and merchants are invited to make three-minute presentations will be held starting at 10 a.m. for most of the day Thursday, June 27, at City Hall. Telephone 566-0709 or 566-0719 for further information.

In response, in early May, Mayor Koch appointed a 15-member commission to study the impact of rising commercial rents on small business. The Commission is not due to make its report until after the mayoral election.

Critics point out that commercial turnover is inevitable and probably desirable, and urge instead revamping the zoning laws so as to allow more commercial space on side streets or in second floor spaces.

PWVTA OFFICERS AND BOARD FOR 1985

P.O. Box 20339, Cathedral Finance Station New York, N.Y. 10025
 (212) 662-2610

Save for reference

Officers

Carl Harm, President
 784 (10G) 662-2610

Kenneth McZinc, Vice President
 792 (15P) 663-4824

Pat Ethelyn Graham, Treasurer
 784 (8P) 749-3021

Florence Wagener, M'ship Secy.
 372 (4V) 222-1877

Louise Phillips, Secretary
 784 (11A) 866-9468

Committee Chairs

Legal: Jane Woodbridge
 792 (9C) 663-7339

Publications: Winifred Armstrong
 400 (5P) 865-3078

Action: Judy West
 400 (15V) 663-0067

Social-Open

Grievance: Sophie Elam
 788 (4O) 866-8489

784 Columbus Avenue

Building Reps.
 *Bernice Collins (9B)
 662-2717

Sarah Jarvis (15N)
 663-5173

Ed Garelick (8F)
 866-9223

Alternates
 John Flaherty (12N)
 663-5896

Jane Fenton (7E)
 220-7083

Maggi Peyton (6O)
 662-8241

788 Columbus Avenue

Building Reps.
 *Sophie Elam (4O)
 866-8489

Carol Stanczak (5N)
 866-0707

Antoinette Butler (11D)
 866-2233

Alternates
 Mary Farrell (3K)
 (none)

Lucille Evans (16R)
 749-3544

William Hojohn (8C)
 222-3325

792 Columbus Avenue

Building Reps.
 *Irving Greenbaum (3A)
 749-1916

Harvey Lichtman (6E)
 666-1160

Kathy Studva (17R)
 662-5699

Alternates
 Gwen Glassman (5D)
 866-1851

Ella Russell (6M)
 222-1064

372 Central Park West

Building Reps.
 *Vickie Lawrence (8V)
 749-7595

*Vickie Friedman (14J)
 865-7655

Florence Mills (17R)
 663-6442

Alternates
 Bella Scheckner (10K)
 662-0811

Palmer Tome (15K)
 865-8538

Francine Brewer (10P)
 865-8979

Herb Bernstein (16S)
 865-5399

382 Central Park West

Building Reps.
 Nancy McCord (12R)
 866-2437

*Ann Schutzberger (9U)
 666-2645

Fred Goode (19W)
 749-6075

Alternates
 Irma Galen (3E)
 222-0759

Sylvia Orens (16P)
 866-7049

Joseph Kahn (16P)
 866-7049

392 Central Park West

Building Reps.
 Ruth Baker (2U)
 866-8864

Rosalyn Shapiro (4M)
 *Audrey Young (1M)
 662-6155

Alternates
 *Leola Maddox (7C)
 865-5291

Grace Patterson (7G)
 864-8049

Florence Washington (2E)

400 Central Park West

Building Reps.
 Susan Saunders (5M)
 222-3293

Emily Margolis (12Y)
 864-5996

Alternates
 Mary MacEwen (5K)
 222-3478

Judi Bloch (9D)
 663-4420

Winifred Armstrong (5P)
 865-3078

***Building Coordinators**

PWVTA's Board is made up of the officers, committee chairs and 3 representatives from each building. The Board meets monthly and members are welcome to attend. If you have suggestions to make your building, PWV, or PWVTA work better, or problems you think the Association should be aware of, or can help resolve, please let your Building Reps. know. The Committees welcome members and suggestions: please call the committee chairs.

PARK WEST VILLAGE TENANTS' ASSOCIATION

P.O. Box 20339, Cathedral Finance Station New York, N.Y. 10025 (212) 662-2610

Name _____

Building and Apt. No. _____ Telephone _____

\$25 check for 1985 membership dues enclosed.

Make check payable to PWVTA. Please clip this coupon and give it with your payment to your Building Representative or mail it to the above address. Please do not mail cash. Your membership card will be sent to you. (If you cannot pay the full amount, please pay what you can.)