

The Park West Tenant

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The Newsletter of the Park West Village Tenants' Association

July 1988

PARK WEST VILLAGE AGAIN FACES CONVERSION 392 and 400 CPW Tenants Receive Red Herrings

What Role for Tenants? What Have We Learned From Previous Conversions?

A Message from PWVTA's President:

Tenants in 392 and 400 received a 350-page condominium "proposed offering plan" from Helmsley in mid-June. Even a quick read reveals scores of issues that will affect both tenants in the buildings and life in the PWV complex that should be addressed before conversion.

One thing that both tenants and buyers in 372 & 382 learned last time around: that conversion is not just an invitation to buy an individual apartment. It is also a change of home government with by-laws, regulations, contracts and financial obligations rolled into one document called the "black book." Whether one thinks of continuing to reside in PWV as a tenant or as an owner, this document determines who decides and who pays for our future living arrangements. Many owners and tenants in 372 & 382 regret they did not deal more thoroughly with more issues during their pre-conversion period.

Who Will Be Affected?

Everyone! Inhabitants of 392 and 400 will of course be most affected. But residents of all buildings also stand to be affected. An early perusal of the red herrings, plus experience in 372/382, suggest that residents should seek to assure:

- continued access to now-common recreation areas;
- tenant as well as owner access to parking;
- no rent increases for "improvements" decided on and selected by the sponsor.
- some choice as to design, cost and schedule of "improvements."

(Neither owners nor tenants in 372/382 had any choice about window or lobby design, playground equipment, fences, etc., and the 392/400 red herrings specify the intention of the sponsor to ask for rent increases for these sponsor-added "improvements" whenever possible.)

--limits on the Sponsor's claim that he can undertake unspecified construction within PWV or "on, under or above any street or streets on which the (PWV) property may abut." (Helmsley owns the tennis court and the row of mostly empty shops on Columbus Avenue between 97-100th Sts. as well as a section along Amsterdam Avenue.)

How Can the Tenants' Association Help?

--Tenants may keep their apartments: This is a non-eviction plan. Those who remain as renters will continue to be protected by the Rent Stabilization Laws. A strong Tenants' Association will be needed to assure consideration of tenants' needs by the condo boards, to seek cooperation with owners on matters of common concern, and to protect tenants against possible harassment or neglect by the Sponsor.

--Prior to conversion, PWVTA can alert the Attorney General to relevant information omitted or in error in the red herring or in the subsequent black book. Changes can be made to add protections or

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A LETTER TO MANAGEMENT

PWVTA representatives met twice with management in May following open meetings in all buildings at which tenants expressed their concerns about quality of life issues in PWV. The letter below to Park West's Manager and Assistant Manager follows up these discussions. Tenants, please keep your observations coming! And call Bob Meissner, 749-4707 if you'd like to help.

* * * *

Dear Messrs. Kratt and Desdunes:

We appreciated the opportunity to meet with you in May to discuss a number of topics of mutual concern which had been raised by tenants during meetings in the seven buildings. It may be useful to summarize highlights of our discussion for follow-up action.

1. Incinerators -- Management will post instructions in every incinerator room to help tenants know what should be disposed of down the incinerator, what should be left on the floor, and what should be taken to the basement.

We will also help alert tenants to the danger both to human life and incinerator walls of throwing aerosol containers down the chute.

In the event of fire or smoke from the incinerators, tenants should call management at any hour. The Fire Department has also requested tenants call them whenever smoke or fire comes from an incinerator.

2. Possible Newspaper Recycling -- At the request of many tenants, PWVTA's Quality of Life Committee is looking into a possible newspaper pickup program in PWV buildings. Management will check into type and placement of possible containers for the basement and the requisites of fire insurance coverage. We will be in touch as well with the 372 owners group exploring this.

3. 100TH Street Sidewalk -- The cracked and pitted sidewalk in front of 392 Central Park West will be repaired within the next three months.

4. Mail Directory Corrections and Update -- The pros and cons of listing one's name and apartment number on the directory above the mailboxes will be explored with tenants. Tenants wishing corrections of

their names on the list in their building may notify management, preferably in writing.

5. Pigeons -- Management expressed the view that if tenants would stop feeding the pigeons, the pigeons would go away. PWVTA regrets it may not be that easy. Management recognizes that pigeon pestilence is its responsibility but feels caught between laws which prevent killing pigeons, tenants who delight in feeding pigeons, and pigeons who so far resist every ploy known to the Department of Health, ornithologists or exterminating services. Spikes, electric wire and toxins are not allowed; you also reported a spray on the external portion of the balconies did not work.

Management notes there is a \$50 fine for feeding pigeons, that pigeons are carriers of disease, and urges tenants to feed birds in the park, NOT on the grounds or their terraces. Management will continue to explore possible solutions and will welcome suggestions.

6. Laundry Rooms -- will be checked to assure fans are in working order. At tenants' request, cloths or sponges to help keep machine tops free of soap will be supplied on a one-time basis. Porters will be alerted to cleaning machine tops more frequently.

7. Stairwell Door Noise -- Management noted the stairwell doors are required by law to be self-closing but will look into possible rubber stops or adjustment of the bomber hinges to reduce slamming noise. Tenants should alert management and PWVTA building representatives of particular problems.

8. Elevators -- PWVTA noted that many tenant reports of recurrent malfunction go unrecorded by management if the problem corrects itself by the time an elevator repair person arrives. PWVTA noted that in consequence in 400 and 788, for example, serious problems have gone unrepaired for months.

Management stated that the city violations on all PWV elevators recorded in May 1987 had been corrected. But PWVTA noted there was no record of such clearance posted in the elevators nor did those records show any city inspections during the past year. Management said it had hired a consultant to check elevators in all buildings; PWVTA awaits specifics as to improvements scheduled. We believe most elevators are in need of substantial repair or replacement.

9. Dog Litter -- Moving the fence on 97th Street as proposed by tenants has helped the 97th Street litter problem somewhat. The 100th Street fence will be moved shortly. Signs, a basket in the middle of the block, and more frequent fines imposed on delinquents, are needed: both management and PWVTA will request these from the Sanitation Department.

10. Last Step Down at Entrance to 400 Central Park West (and other CPW buildings?) -- At the request of tenants who have tripped, management will promptly paint a line across the top of the step to make it more visible.

11. Ramps -- PWVTA noted Local Law 58 makes certain requirements for the installation of ramps when alterations are made on entrances. Management replied that that law took effect after the reconstruction of 372 and 382 entrances (but this presumably might apply to future entrance renovations). PWVTA noted that Section 190 of the Internal Revenue Code mentions a possible \$35,000 deduction for ramp installation; management responded they would look into it.

12. Balconies -- Tenants have noted that some new balcony floors are rough and uneven so drainage does not take place and painting is difficult. Management urges tenants NOT to paint the floors as it will make the waterproofing seal ineffective. Tenants should call management if balcony drainage is not working.

13. Roof Security -- Management stated that guards check the alarm at the roof doors daily. If tenants hear the alarm go off, they should call Security immediately (222-4300 and 222-4335) as Security may not always be positioned to hear the alarm. Regarding shards around the roof edge to protect against intruders climbing down from the roof onto balconies (as has happened in the past), this will be looked into by management. PWVTA will provide to management the information from 400 about previous shard installation.

14. Community Room for PWV Tenants -- Responding to PWVTA's letter requesting a community room in PWV that could be used for meetings, management replied there was no space that they could allocate for this purpose. They suggested that PWVTA inquire of the condo boards in 372 or 382.

15. Clear and More Timely Notices to All Residents were requested by PWVTA. For example, PWVTA noted that when new locks were installed in 372 and 400, no notices were posted. When a new manager was appointed in 372/382, tenants were not notified.

16. Fences -- PWVTA stated its opposition, for security, aesthetic and neighborly reasons to fences which would divide up Park West Village or close off tenant access to grounds, playgrounds or parking lots. Management stated that the black books for 372 and 382 called for fences to be installed by the end of 1988 but added there was a lot of opposition to the fences among both owners and tenants. Fences can be withdrawn only by amendments to the black book which owners would have to request. At present the sponsor plans to install a four-foot aluminum fence with a flat top rail along Central Park West from 97th to 100th Street, with gates that can be opened or closed to access on walkways and driveways on 100th Street, Columbus Avenue, and 97th Street.

Our thanks for your attention to these matters.

Sincerely,

PWVTA

We regret that the two major pieces in this issue have left no room for our articles on rent guidelines, pigeons, PWV's water supply, and other timely issues. A subsequent issue (soon) will carry them all. Ed.

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Sign me up as a member. Here is my check for \$35.00 to cover my dues for 1988.

Name _____
Bldg. _____ Apt. _____ Phone _____

Make check payable to PWVTA. Give it to your Building Rep. with this coupon or mail it to the above address. Please do not mail cash. (If you cannot pay the full amount, please pay what you can.)

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improve procedures often to the benefit of both tenants and owners. (The red and black books are now written by and for the benefit of the Sponsor.) PWVTA has begun its analysis of the red herrings and will share the results with all concerned residents. Let us know if you'd like to help.

--Proposed legislation now before the State Legislature to better protect resident tenants and buyers before, during and after conversion should be pushed through. The Legislature will be called back into session probably in August. PWVTA has model letters you can sign. The hot line 662-2610 can provide information.

--Inadequacies and violations in building conditions, apartment by apartment, building by building, on the grounds, in services, etc. should be identified and corrected before conversion. PWVTA's Building Questionnaire is being distributed to all tenants and the overall results will be published so everyone may benefit. Preliminary results have already been helpful on parking and pigeon issues. Identifying immediate and long term problems can help us all to get them corrected, conversion or no conversion! If you have not already turned in your questionnaire, please do!

--PWVTA will provide information to residents on what protections existing law does and does not provide, during and after conversion. The AG's Handbook on Coop and Condo Conversion was distributed to tenants in 392/400 last January (additional copies are still available.) PWVTA will update its September 1985 pamphlet on "Life After Conversion " for early fall distribution.

Our Choices Affect Each Other

Whether services are upgraded, downgraded, shared or fought over, decisions about elevators, plumbing, water and gas supplies, playgrounds, asbestos, security, pigeons, parking, et al. affect all residents. Therefore we need to create ways to consult as changes are planned and to share information. These points were stressed by tenants' representatives from other complexes and by tenant and owner reps from 372 and 382 in PWVTA's Open Forum June 22 and in an open meeting of 392 and 400 tenants on June 29.

The conversion arrangements to which we each agree, whether as renter or buyer, will affect our neighbors as well as our neighborhood.

PWVTA will try to contribute to the understanding of the issues and to work with others to make the choices workable for all.

-- Winifred Armstrong

Some Conversion Nomenclature

A Red Herring - is a preliminary prospectus of a proposed conversion. It may be supplemented or changed by the sponsor. The Attorney General reviews it for compliance with the law and notifies the sponsor within six months whether the plan is acceptable for filing or must be modified before a final offering is made. Modifications are frequently required and may take another several months. The Attorney General encourages tenants to notify his office of significant information omitted or different from that in the red herring. No one may buy during the red herring period.

A Black Book - is a final offering plan for a coop or condo. It lays out the conditions and terms on which the sponsor is allowed to sell apartments and by which the condo will be governed. It can be amended, accepted or rejected. A minimum of 15% of the apartments must be bought within 15 months by people who will live in the building if the plan is to become effective.