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THE PARK WEST TENANT

PARK WEST VILLAGE TENANT OVER CHARGED FOR RENT

The PWVTA has recently helped more than a dozen new tenants file complaints with the New York State Division of Housing and Community Renewal (DHCR) for possible rent over charges. The result! So far one tenant has learned that he has been charged more than \$500 a month above the legal amount since May 1, 2001.

The tenant was awarded a rent reduction and close to \$17,000 in triple damages to be paid by Stellar PWV Management. PWVTA has been in contact with new tenants, alerting them first to the fact that they are

perhaps being over charged, and then encouraging them to request a rent history from the DHCR. This rent history provides the rent amount paid by the previous tenant. With this information, the new legal rent can then be calculated. Many of the new tenants are paying rents above \$2,000 a month. This is of special concern because deregulation of a rent stabilized apartment

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MEMBERSHIP MEETING
March 14, 2002
P.S. 163
97 Street

Agenda

- Review of activities in 2001
- Election of officers
- Renewal and strengthening of Rent Laws

Speakers:

- Michael McKee, Tenants and Neighbors
- Assemblyman Edward Sullivan

Please attend this important meeting.

TENANTS DEMAND: RENEW RENT LAWS A YEAR EARLY!



Ready to roll: Members of the Park West Village Tenants Association are already at work on the Rent 2002 campaign. From left to right: Clare Dockery, Daphne Myers, Paul Jones, Vivian Dee, Emily Margolis, Mary, Livingston, Dorri Jacobs.

ELEVATOR HORRORS

Just when we thought the elevator situation could not get worse, we experienced some additional horrifying episodes. After years of interminable waits for elevators, frequent outages, elevators stuck between floors, doors that either would not open or would not close or would bang repeatedly at the same floor, several tenants had the extremely frightening experience of the elevator rapidly plunging several floors and then stalling.

In one of these ordeals, the tenant was stuck for about an hour before she could be rescued through a side door into the adjacent elevator.

The writer of the article on the day of writing

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**REMEMBER,
 THERE IS A
 WATER
 SHORTAGE
 PLEASE
 CONSERVE
 WATER**



Security Alert

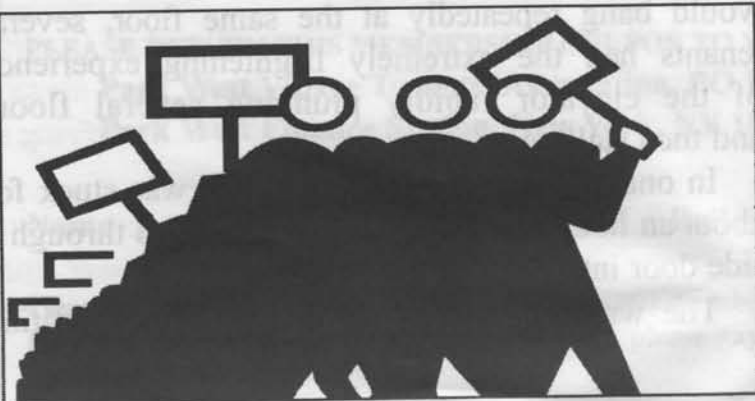
With construction taking place in the Columbus Avenue lobbies and the recent robbery in 792 it is more important than ever for tenants to be aware of building security. The lobby doors are frequently left open while workers come and go throughout the day. Please be aware! When entering or leaving the building, make sure the door is locked behind you. If it doesn't close properly or won't lock, let a security guard know. And if the door is left open, a guard should absolutely be on duty in the lobby—so if you find the door open without anyone there, close the door and alert security. You may also call the management office at 222 5121.

GAS OUTAGE IN 784

On January 14, 2002 at approximately 7:20 p.m., as a result of several calls from tenants smelling gas escaping from their stoves and from the stoves of their neighbors, Con Edison arrived at 784 and cut off the main gas lines to all apartments in 784 due to gas leakage. Con Edison required that the valves in all apartments be replaced before the gas would be turned back on.

By February 12, all gas lines were in operation.

PWVTA has written a letter to management requesting reimbursement for expenses incurred because of the inability of tenants to use their stoves. We await a response. In the meantime, please keep all of your receipts for expenses incurred as a result of not having the use of your stove (restaurant receipts, burners).



FUND RAISING REPORT

Under the superb leadership of Liz Boyd, over \$7,000 was raised for the PWVTA 2001 Fund Raising Drive, in less than three months.

We sincerely thank the PWVTA tenants who generously contributed to the Drive.

STRIKE UPDATE

Tenants in the Columbus Avenue buildings were set to begin a rent strike for March 1, 2002.

Samuel Himmelstein, Esq., attorney for Park West Village Tenants Association, has sent a letter to Michael Brown, Esq., attorney for Stellar Park West Village Management, advising him that the PWVTA Executive Board and membership approved a rent strike in the Columbus Avenue buildings to begin on March 1, 2002.

The issues are:

1. unsafe and unreliable elevators
2. lack of proper ventilation in kitchens and bathrooms;
3. unsanitary laundry rooms and machines frequently out of order
4. broken and inadequate mailboxes
5. drainage backups in bath tubs and sinks
6. discolored water.

In response to our attorney's letter, on Feb. 20, 2002, the PWVTA Executive Committee met with the Principal owners of Stellar PWV Management. Attorneys for both sides were also present. The owners asked us to delay the rent strike for sixty days to give them time to act on our complaints. Upon the advice of our counsel, as an act of good faith, the PWVTA Executive Board voted in a special meeting on Monday evening, Feb. 25, to delay the rent strike for thirty days, until April 1st.

**If you have any questions,
call the PWVTA hotline at 662 2610.**

DHCR Court Hearing

On January 25, over 70 tenants and their allies packed a Brooklyn courtroom to support a lawsuit challenging recent DHCR changes to the state's Rent Stabilization Code.

The premise of the lawsuit is that the Division of Housing Community Renewal (DHCR) overstepped its authority by making drastic code changes without the approval of the state Legislature, and that it provided insufficient public notice about, and insufficient opportunity for, the public to comment on these changes.

The hearing was a one shot; all briefs and arguments were submitted by that day, so tenants are not expected to return to court in the immediate future. Judge Richard Rivera told both parties he would rule by the end of the year, although a decision is expected sooner.

Tenant Illegally Over Charged for Rent from page 1

will occur for vacant NYC apartments with legal rents of \$2,000 or more per month (and those which are occupied by tenants with incomes in excess of \$175,000 for two consecutive years). Once this deregulation happens, the owner can charge rent based on current market value and the apartment will never be rent stabilized again.

After contacting the Attorney General's Office about a possible pattern of over-charging, the PWVTA learned that the law provides for a complaint to be filed with the DHCR by each individual tenant-but a group complaint cannot be filed by the Tenant's Association on behalf of

Windows MCI in 382

Some tenants in 382 Central Park West have questioned arrears that appear on their rent bills. Many moons ago, an MCI (Major Capital Improvement) rent increase was granted by DHCR (Division of Housing and Community Renewal) for new windows. Robert Anderson, the attorney who handled the appeal for PWVTA, has confirmed that the tenants won. No arrears for the MCI should be paid.



tenants. **IF YOU HAVE REASON TO BELIEVE THAT YOU ARE PAYING MORE RENT THAN IS LEGAL**, please call the DHCR at 1-718-739-6400 to request a rent history for your apartment, or visit their Internet homepage at www.dhcr.state.ny.us. Then, a "Tenant's Complaint of Rent and/or Other Specific Overcharges in Rent Stabilized Apartments" must be filed.

The Tenant's Association cannot file the complaint for you, but we will help you through this process. If you have any questions, please call the PWVTA hotline at 212-662-2610 for more information.

Contributors this issue

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**PARK WEST
VILLAGE
TENANTS'
ASSOCIATION
HOTLINE
662-2610**

ELEVATOR HORRORS from page 1

it had the opposite experience of sort of floating up to the 16 floor from the lobby over about a six to seven minute interval. Not as horrifying as plunging, but pretty scary nonetheless.

When will we have safe, reliably functioning and dependable elevators? The answer may well depend on how many of us will join the **RENT STRIKE**.

A TENANT WRITES TO MANAGEMENT

[The following article was recently posted in 784 by an anonymous tenant]

From a tenant who has lived in NYC in just about every type of dwelling walk up, doorman, co op, condo never have I (or for that matter most of the tenants in this and the other two buildings if you go solely by the rage, utter disappointment, and sheer amazement that every tenant seems to have been expressing these last few months to their fellow tenants in the lobbies, walking out to work in the mornings, etc.) encountered such sheer incompetence and lack of any managerial skills that Stellar has displayed. Perhaps the owners and their cronies need to go back to college for a refresher course in Management 101. The stoppage of the renovation, for lack of proper

permits and the ludicrous timing of the work, was just the icing on the cake. The ConEd situation is beyond the realm of comprehension for the majority of the tenants. Notes that were continuously posted late Friday afternoons when most of the tenants had taken off for the weekend was just poor planning. To post a note on Friday afternoon at 3:00 p.m. informing tenants that they must stay in their apartments all day Saturday is plain insanity.

Who is running this two bit operation? Have you no pride in how you (Stellar) are running this operation? And you have the nerve to wonder why the majority of the tenants favor a rent strike.

WAKE up!

Show some respect for your own business and for your tenants!

MEMBERSHIP DRIVE 2002 *You Are Important!*

Why should you be a member of PWVTA ? Because the strength of the organization is the membership. If you want to protect your home and your rights as a rent stabilized tenant, you need PWVTA.

There are a number of important issues in play at this time. They range from those that are building specific to the citywide problems. These are described at greater length elsewhere, but are summarized here.

In 784, 788 and 792, there are ongoing legal issues relating to security, elevator safety and basic maintenance. Maintaining basic rent stabilization rights for 372, 382, 392 and 400 requires continual alertness.

We need to present a strong front. This means everyone concerned about any of these issues needs to be a member of PWVTA . Any apartment in New York City, Manhattan, and especially the Upper West Side, is a very hot property. This is valuable real estate, but as our home, it is even more valuable.

PWVTA MEMBERSHIP: Your membership counts. If you have not yet joined the PWVTA for the Year 2002, please do so. If you are already a member, thank you for your continued support and involvement.

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PLEASE RETURN THIS MEMBERSHIP COUPON TO YOUR BUILDING REPRESENTATIVE or MAIL TO:

Park West Village Tenants' Association, PO Box 20339

Park West Finance Station, New York, NY 10025-0339

Name _____ Building _____ Apt _____ Telephone _____

Please make check payable to PWVTA. Year 2002 membership dues are \$40 and contributions to the legal fund are needed. If you are unable to pay \$40, please pay what you can. Your membership card will be delivered to you.