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THE PARK WEST TENANT

Have You Noticed a Reduction of Services in the Columbus Avenue Buildings?

Our recent rent strike forced PWV Management to provide safe elevators, secure mailboxes and clean laundry rooms, but what has happened to the general day-to-day upkeep of our buildings? If cleanliness is next to Godliness, we better start praying!

Over the past few years we've seen a steady decline in the general maintenance of the Columbus Avenue buildings. Well yes, the lobbies have been "renovated," but will they ever be finished? Can we really say that the lobbies have been renovated when it's been over a year since there have been workmen in the buildings to complete the unfinished tile work in the hallways, and the lobby security doors have a better chance of blowing open in the wind than closing and locking behind you? (That is, if the lock isn't broken, in the first place.) Since Park West Village has been under new management the maintenance staff has been stripped to a bare minimum, trash is not collected on a daily basis, and the stairwells and hallways are not cleaned regularly and need painting. And there must

be incredible savings somewhere for management in the low wattage bulbs that are now being used in the hallways and elevators. Tenants who are paying a monthly fee for air-conditioners have been unable to get their broken air-conditioners repaired during the heat of summer, and rumor has it (remember that two story rat sitting outside 784 for most of the summer?) that management contracted with a company that hired workers not qualified for asbestos removal during the boiler repairs in the basement thus endangering the health of everyone in the building and the immediate area. The grass is not cut, garbage is found everyday on the sidewalks around the property, and then there was that tree that fell down during a storm and remained strewn across the children's playground for almost two weeks. Take note that while PWV Management has reduced their spending in all of the above ways and more, they are making more money from rent than ever before through lease renewals for existing tenants and exorbitant rent for

Reduction of Services continue on page 2

IT'S ALL OVER!

On Monday, July 14, 2003, PWVTA and PWV Acquisitions exchanged checks, marking the official end of the rent strike.

As per Judge Hagler's order, management compensated PWVTA for delays in the completion of the elevator work, and the Tenants' Association released the remaining 6 months rent from the Escrow Account to management. The major portion of the compensation will pay for legal costs associated with the rent strike. All tenants who were on rent strike should have received credit on their August rent bills. If you have any questions, please call management at 222-5121 and also notify the PWVTA hotline, 212-662-2618.



Serge Joseph (from Himmelstein's office), Elena Valletta (assistant to Michael K. Brown), Vivian Dee (president, PWVTA), Emily Margolis (treasurer, PWVTA), and Samuel Himmelstein (attorney for PWVTA)

BLACKOUT

Much to our surprise, on Thursday, August 14, 2003 the lights, radio, PCs everything went out with a "puff" at approximately 4:10 p.m. Two thirds of the Eastern seaboard as well as parts of Michigan, Ohio and parts of Canada were affected. As you know, getting to the truth of what caused this "black out" will take a few months -- so we wait.

PWVTA would like to thank everyone who was so very kind and helpful to their neighbors: those who helped people to their apartments, placed candles on the staircase landings, those who personally carried or walked dogs up and down the stairs for persons who were unable to do so.

Many thanks to our security guards who worked beyond the call of duty with a smile, assisting everyone that they possibly could. Many thanks to the Management Staff who did all they could before trying to get home to make sure that their own families and loved ones were all right. Thanks to our Fire Department who also assisted many of our seniors during this time.

All in all, it was not as bad as it could have been. It proves that we at PWV have not forgotten how to be of help in times of need.

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new tenants. For buildings touting "luxury" apartments the services leave much to be desired.

Management should be reminded and tenants should be alerted to page 5 of the "DHCR Rent Stabilization Rider" that is attached to each tenant's lease. In section 8 entitled "Services" the law clearly states: An owner must provide base date required services. Required services include building wide services such as heat, hot water, janitorial service, maintenance of locks and security devices, repair and maintenance, and may include elevators, air conditioning and other amenities. Required services also include services within the apartment such as maintenance and repair of appliances and painting every 3 years. On complaint of a tenant, and upon a finding by DHCR that services are required and are not being maintained, a rent reduction shall be imposed and future rent increases shall be barred until an order restoring the rent is issued by DHCR.

RENTS REDUCED IN DHCR

Three years ago, PWVTA found that the then-new management, Stellar PWV now renamed PWV Management, was declaring newly-rented apartments exempt from rent stabilization and in many instances charging new tenants more than \$2,000 per month. (Vacant apartments that rent for more than \$2,000 per month are removed from rent stabilization.)

Working with 25 tenants from the Columbus Avenue buildings, PWVTA filed Rent Overcharge Complaints with the State Dept. of Housing and Community Renewal (DHCR). The administrative procedures require a response from the owner, subsequent rebuttal from both tenant and owner, often an engineer's inspection, and can take months of waiting time.

Rents have now been rolled back by DHCR in 20 of the 25 cases, with some cases still awaiting judgment. Treble damages awarded in several cases to tenants are being contested by the owner in court. PWVTA has been in contact with the Attorney General's office about this across-the-board pattern of illegal rent overcharge in the three Columbus Avenue buildings and asked that it be further investigated and stopped.

If you have moved into one of the Columbus Avenue buildings in the past three years and think you may be paying more than the legal rent stabilized rent, you are welcome to call PWVTA at 212-662-2610 for information on how to determine what your legal rent should be and how to file a complaint if you find you are being overcharged.

This PWVTA newsletter
issue was prepared
thanks to:

Winifred Armstrong
Jackie Brown
Vivian Dee
Sheri Duxin
Dorri Jacobs
Mary Livingston
Emily Margolis
A. Raheem Sami
Daisy Wright

**PARK
WEST
VILLAGE
TENANTS'
ASSOCIATION
HOTLINE
212-662-2610**

HOW THE GAME IS PLAYED IN ALBANY

Do you wonder why it is difficult for tenants to gain more favorable rent laws? Why is it that year after year nothing ever seems to change in Albany? The budget was late for the 19th year in a row. It was finally hammered out in a secret session attended by the true rulers of government in New York State: The Oligarchy, consisting of the Governor and the leaders of the two legislative bodies. There are 212 elected representatives distributed between the State Senate and the State Assembly but in reality they have no voice because all important decisions are made in secret by The Oligarchy. The interesting thing is only 5 incumbent legislators were not reelected during the last election because the districts, which are redrawn every 10 years, are redrawn with a constituent population sure to re-elect the incumbent. There is no outside impartial body watching this process so the same people get re-elected over and over to continue the same undemocratic process in Albany. But remember, they don't have any power. Currently Mr. Joseph Bruno, Senate Majority Leader and Mr. Sheldon Silver, Assembly Speaker, have absolute control over which bills go to a vote and which to a shredder. Important bills are rushed through in a single day and voted on by compliant lawmakers who have probably never even read them, as opposed to being debated on the floor and worked on in conference committees. Another one of the biggest secrets in Albany is where taxpayers money is spent in the State. No one can make heads or tails of the special accounting methods used to balance the budget. The Federal government has an Independent Budget Office that sets revenues and demands that the books are understandable to the public. So why shouldn't Albany have to adhere to the same practices? Further, New York State lobbyists do not have to report what they spend trying to influence state officials. New Yorkers have no idea what companies are doing/spending/bribing to win the favor of the officials who issue contracts. New York State decision-makers remain in the thrall of special interests because almost nothing happens in Albany

BAKE & BOOK SALE

Reserve Saturday, Oct. 4th, 2003 from 11 :00 am to 4:00pm for a bake & book sale in the playground next to 788 Columbus Avenue. Please call Lois Hoffman at 212-222-1621 if you would like to contribute baked goods. Bring books to be sold on the day of the sale. See you there!

in which the desires of lobbyists aren't taken into account. When a lobbying reform bill was introduced this past term in the legislature to thwart the bill, the Oligarchy threatened to change the members of a temporary commission on lobbying. Another unethical practice involves the uncontrolled way in which New York politicians raise money for election campaigns. This leaves these same lawmakers again beholden to their "donors" on a myriad of issues affecting the public welfare. Thirteen years ago a State Commission on Government Integrity declared that New York's campaign finance law was a "disgrace and an embarrassment." During the ensuing years, no one has done much to fix this problem.

The last issue concerns awarding of stipends to legislators by their leaders. "Leadership" stipends are given out by Bruno and Silver to their most "loyal" legislators (those who make no waves, never question the powers that be or voice an original thought). These stipends, coveted because they enable legislators to get projects done in their districts, sacrifice independence for small bribes and should be eliminated.

Improving the New York State Legislature should not be difficult since any change would be an improvement over what exists now. If the Soviet Union could fall in our lifetime, then there is hope for change in Albany.

NEW RENT GUIDELINES

Showing very little regard for the current economic conditions plaguing many rent stabilized tenants, the Rent Guidelines Board voted approval of a 4.5% & 7.5% increase for one and two-year lease renewals, respectively.

The guidelines affect all leases that come up for renewal between October 1, 2003 and September 30, 2004.

DO YOU HAVE A PARKING SPACE AT PWV?

NO SECURITY DEPOSIT SHOULD BE PAID FOR A PARKING SPACE. If you're a rent stabilized tenant and have received your lease renewal with a request for a deposit for your parking space, we advise you to return your lease to management with a note explaining that you would like to renew your lease after they remove the amount requested for the parking space security deposit. By law, management is not entitled to a security deposit for a parking space.

SPECIAL EVENTS

Save the dates for two very special evenings of Jazz, Blues and Film.

First, The NY State Black Films & Video Archives is presenting the Jazz & Blues Film Festival featuring rare & historical footage of Dinah Washington, Ella Fitzgerald, Sarah Vaughn, Duke Ellington, Miles Davis and many, many others. There will also be a live concert performed by the Don Pate Trio. Friday, Oct. 3, 2003 from 6:30pm to 9:45pm at the Adam C. Powell, Jr. State Office Bldg (in the Art Gallery, 2nd Fl.) at 163 West 125th St. at 7th Avenue 212-749-5298. Admission is \$4 for adults, \$3 for seniors. Please note that a photo ID will be required to enter the building.

Second, the National Museum of African American Cinema and IAMAA-The Harlem Art Council presents the Black Film Festival, Spend a Day with "Madea". Three films written & directed by Tyler Perry will be shown on Saturday Oct. 11th, 2003: "I Can Do Bad All By Myself," at 1 :00pm; "Diary of a Mad Black Woman," at 3:25pm; "Madea's Family Reunion," at 5:35pm. See all three films for only \$7 at the Adam C. Powell, Jr. State Office Bldg (in the Art Gallery, 2nd Fl.) at 163 West 125th St. at 7th Avenue. 212-749-5298. Please note that a photo ID will be required to enter the building.

A neighborhood history exhibit is on display on the 1st & 2nd floors of the Bloomingdale Library on 100th Street until the 2nd weekend in October. It includes pictures of the area before Park West Village was built, and of the razing of the area before PWV. Go see it!

392 CPW COURT DECISION

Unfortunately, the court case for the Major Capital Improvement rent increase for the new roof in 392 CPW was decided adversely for the tenants.

In April 1987, Helmsley filed an application with the Division of Housing and Community Renewal for a building wide MCI based on the roof installation in 1984. In February 1989, DHCR denied the MCI application. The owner filed a Petition for Administrative Review in July 1989 and thirteen years later in July 2002, DHCR granted the PAR and revoked the denial order issued in 1989. PWVTA, through our attorney, filed an Article 78 proceeding in Supreme Court of New York seeking to vacate the order. The judge has upheld the revocation stating that the agency (DHCR) decision was not arbitrary and capricious, and that the decision was supported by the evidence submitted.

We are disappointed with this court decision. Our attorneys advise us not to appeal.

BE AWARE

It has come to our attention that two bikes belonging to a tenant in 788 Columbus Avenue went missing after they were chained to a sign post in the driveway for an extended period of time. Later, this tenant discovered that the bikes were removed by management. If it is management policy that no bikes should be left on PWV property, then management should notify all tenants of this policy.

PWVTA MEMBERSHIP: Your membership counts. If you have not yet joined the PWVTA for the Year 2003, 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 2003 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.