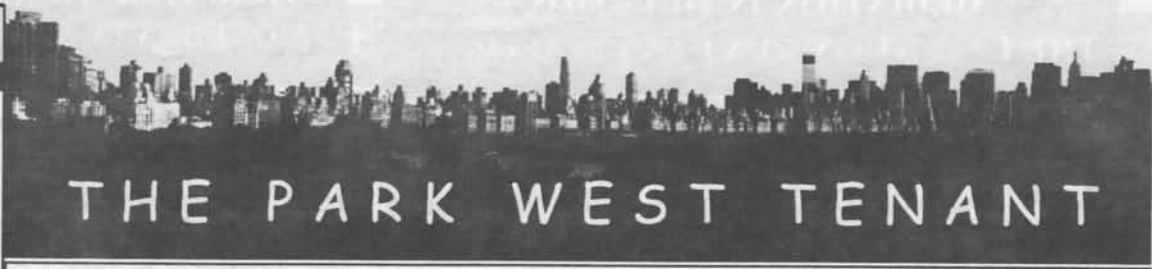


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THE PARK WEST TENANT

COMPREHENSIVE AGREEMENT FINALLY SIGNED

On November 3, 2004 at the Division of Housing & Community Renewal

(DHCR) offices on Beaver Street, the Park West Village Tenants Association (PWVTA) and the Landlord (PWV Acquisition, LLC) signed a "Comprehensive Agreement" which they had been negotiating for over two years. The Agreement addresses three matters pertaining to the Columbus Avenue buildings which PWVTA had brought to the DHCR for resolution, some of which have been pending for over a decade. Below are the matters addressed and settled in the Agreement.

Windows MCI/Security: On the basis of the landlord's 1995-6 MCI application and subsequent proceedings before the DHCR, every rent stabilized apartment has had \$15.87 per room added to the rent since June 1, 1994. Tenants have been paying this amount as part of their rent since October, 1996, and have been billed for arrears from 6/1/94 through 10/1/96. Several Petitions for Administrative Review (PARS) challenging the Major Capital Improvement (MCI) had not been addressed by DHCR. PWVTA filed an Article 78 with the court requesting the judge to order DHCR to act on the appeals. When DHCR was ordered to rule on our appeals, they suggested mediation. Under the Agreement, the PWVTA has agreed to withdraw its objections to the Windows MCI, and the landlord has agreed in turn to forgive all amounts billed as arrears relating to these issues.

Several proceedings, initiated over a decade ago by the PWVTA, sought a decrease in rent because of the diminution of security services, e.g. the smaller number of guards, the absence of guard dogs, and cessation of vertical patrolling of buildings. Decisions made by the DHCR over the years have been challenged by PWVTA, but the most recent PARS have remained undecided on the DHCR Docket.

Under the Agreement, the PWVTA has agreed to the dismissal of these long pending proceedings. In

turn, the landlord has agreed to increase the hours of the security guards from the present 360 to 450 hours per week (only 2 shifts short of full 24/7 coverage for all 3 buildings), have uniformed guards, perform vertical inspections of the buildings, and fix the emergency procedures so that security will respond promptly to emergency calls from tenant apartments and the elevators. In this regard, the landlord has already constructed a security booth in front of 788, the emergency buttons in the elevators appear to be working, and there are now cameras in the elevators which are monitored in the office.

Decrease in Services: In the fall of 2003, a vast number of tenants signed a PWVTA petition for a reduction in rent as a result of a decrease in services, notice of which was delivered to the landlord on 1/13/04. The petition listed 39 separate complaints. 10 days after the owner had received notice, PWVTA was prepared to file the petition with DHCR as permitted by law. As reported in the June 2004 newsletter, the landlord, PWVTA and the DHCR all decided that the best course of action was to address these problems in this Agreement which, until then, had dealt only with the Windows MCI and Security.

After reviewing the status of all the complaints, the petition was revised to remove (1) those matters which the landlord had already fixed and (2) the security issues already covered in the Agreement. Once revised, the petition was incorporated into the Agreement and the landlord committed to resolve all of the matters. PWVTA agreed that if tenants continue to have the same problems addressed in the petition, they would go through an abbreviated mediation/settlement proceeding with the DHCR to try to resolve the matter, before filing a petition for diminution of services.

Payment to Tenants: On signing the Agreement, the landlord delivered a certified check in the amount of \$100,000 to our attorney, Robert Anderson. \$60,000 will be turned over immediately to PWVTA, with \$20,000 to follow

Agreement continue on page 3

MEDIATION IN QUESTION? THE LATEST ON RENT OVERCHARGES

Below is the latest chapter in the ongoing saga of the several dozen rent overcharge cases filed with DHCR, 25 of which have been consolidated by DHCR into one 'Enforcement Case'. We have previously reported that the DHCR administrative judge asked the owners, DHCR, PWVTA and the affected tenants to try to negotiate a settlement and avoid possible fractious and lengthy hearings.

When all parties agreed, the judge appointed a mediator. A "framework for settlement" was proposed by the owners' lawyer and DHCR. PWVTA and the tenants in the case met and agreed to accept some aspects and offered a counter proposal. The parties met with the mediator on September 9. The owners made a second proposal, changing the terms of the first proposal and offering less. PWVTA again met with the affected tenants and offered a detailed second proposal. The latest owners' response was received November 9 and attempts to change the judgments of DHCR regarding legal rents. At the time of writing, it is unclear whether there is any basis for continued negotiations or whether administrative hearings will be rescheduled.

Stay tuned.

GOOD NEWS FOR 784

In January of 2002, the tenants in 784 Columbus experienced a loss of gas. It took 12 to 28 days to restore gas to the entire building.

Early attempts to arrange a meeting with management to discuss compensation for those tenants were unsuccessful. But more recent attempts have borne fruit. At two meetings in October and November, 2004 between Dean Heitner, Vivian Dee, Mary Livingston, Kathy Bergman and Emily Margolis for PWVTA and Michael Chetrit, Ofer Shaul, Robert Rosania and Carmen Giegerich for management, an agreement was reached. Tenants who were in occupancy in January 2002 and are still residing in 784 will receive a rent credit in the amount of \$4.00 per day for the number of days they were without gas. This will range from \$48 for the shortest period to \$112 for the longest. Look for this credit to appear on your December bill.

TICK, TICK, TICK...FOR TENANTS WHO MOVED IN IN 2000 OR AFTER, READ ON

Many tenants who moved into the Columbus Avenue buildings in 2000 and after may be paying more than the legal stabilized rent. If you think you are overpaying, you need to file a rent overcharge complaint with DHCR within four years of moving in. Several dozen tenants have filed rent overcharge complaints and many have received rent reductions ranging from roughly \$100 to over \$1000 a month.

Call DHCR at 718-739-6400 to ask for the rent history of your apartment and a rent overcharge complaint form. PWVTA can help "walk you through" the relatively simple filing process. Call us on the PWVTA hotline, 212-662-2610.

FROM ONE NEIGHBOR TO ANOTHER

Iam writing this article as the result of a recent personal experience.

One evening I was speaking to a neighbor in her doorway. She noticed that newspapers had piled up for two days in front of the door of an elderly neighbor. She suggested that we ring the doorbell to see if everything was alright.

When we did this we heard the fellow resident calling for help saying he was on the floor and could not get up. While my friend went to get security and call 911, I remained to comfort our neighbor verbally.

I am sure this has happened frequently over the years and remind tenants to remain vigilant for their elderly and infirm neighbors. For those who are in this condition, consider an electronic alert device and a signal-like knock on the wall that can warn your neighbors to call for help. Make sure your keys are with management. In this case, the Fire Department had to break the lock. Our keen observation could have possibly saved a life.

Quality Of Life Committee Reconstituted

Susan Santaniello of 784 has volunteered to serve as Chairperson of the Quality of Life committee. Other members of the committee are Charles Berger, Kathy Bergman, Paul Jones, Allen Schankweiler, Cornelia Rakow, Evelyn Poole, and Ann Wanh.

The committee will meet on the fourth Monday of every month. If you are interested in participating, please call the PWVTA Hotline at 212-662-2610.

COVER THESE FIRE SAFETY BASES & STRIKE OUT FIRE!

SPRINTING FOR 1ST - COOKING SAFETY:

- Keep a close eye on your cooking. If you must leave the kitchen, take a pot holder or another item along to remind you that something's on the stove.
- Declare a three-foot "kid & pet-free zone" around your stove.
- Stay alert. Don't cook if you're sleepy, if you have been drinking a lot of alcohol, or if you are taking medication that makes you drowsy.
- Keep pot holders, food packaging, dish towels, and any other combustibles off your stove top. And keep curtains at least three feet from your stove.
- Keep your kitchen clean. Built-up grease can catch fire.
- Roll up your sleeves and keep loose clothing away from burners.
- Turn pot handles in to avoid bumping a pot and spilling hot food.

HEADING FOR 2ND - HEATING SAFETY:

- Keep all space heaters at least three feet away from walls, furniture and anything else that can burn.
- Use only space heaters that carry the label of an independent testing lab.

ROUNDING 3RD - ELECTRICAL SAFETY:

- Be sure your fuses are sufficient for the amperage that each circuit is designed to handle.
- Use only one heat-producing appliance on the same circuit at a time.
- Replace damaged appliance and extension cords. Don't plug extension cords into each other.
- Don't run extension cords under carpets, across doorways, or pinch them under furniture or between walls and furniture.
- If any power tool or appliance feels too hot or smells funny, unplug it immediately and have it serviced or replaced.

SAFE AT HOME:

- Be sure to have at least one smoke alarm in your apartment.
- Know the sound of your smoke alarm.
- Replace batteries in smoke alarms once a year, or when the alarm "chirps" to tell you the battery power is low.
- Test all smoke alarms every month, and replace if more than 10 years old.

For more fire safety tips, visit the NFPA online at www.sparky.org

Agreement From page 1

in February and \$20,000 in May. These funds will be used by the PWVTA to return money to the tenants whose names are attached to the MCI petitions, and to reimburse itself for the legal fees expended in getting this Agreement executed.

Tenant Responsibilities: For this Agreement to be meaningful, tenants will have to serve as watchdogs to see that the landlord fulfills its obligations. First, tenants should check their rent bills beginning December 2004 to see whether they are still being billed for arrears, and if so let PWVTA know. Secondly, tenants should continue to monitor the landlord's services, and let building representatives know if the landlord is not fulfilling its obligations, including the security matters mentioned above.

This PWVTA newsletter issue was prepared thanks to:

- Winifred Armstrong
- Liz Boyd
- Jacqueline Brown
- Vivian Dee
- Dean Heltner
- Emily Margolis
- Mary Livingston
- Carol Stanczak
- Daisy Wright
- Abdul Raheem Sami (Layout)

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

"SAVE THE DATE"

PWVTA Holiday Party

December 20, 2004

ONE FOR THE HISTORY BOOKS

New York University's Tamiment Library signed an agreement with PWVTA to become the holder of the Tenant Association's archives. PWVTA's 29-year-and-ongoing history includes actions that have changed state laws and regulations as well as improving life for residents of Park West Village. NYU will make the PWVTA Collection available to scholars and to the public with references available on-line.

If you have old newsletters, files, photos or other materials, or would like to help the archives committee as we gather materials, please call 212-865-3078 or email wa400cpw@aol.com

**THANK YOU FOR YOUR PARTICIPATION
IN MAKING HISTORY!**



**HAPPY
HOLIDAYS
TO
YOU
AND
YOUR
FAMILY!**

Phishing: Internet Scam

Phishing is a technique used by spammers to obtain, or fish for, private consumer information like bank account numbers, social security numbers, and credit card information.

Reports indicate that Internet Users are receiving fraudulent e-mails attempting to trick them into disclosing personal information. If this information is submitted, it can then be used to perpetrate Identity Theft.

The scam directs users to a look-alike Web site of the legitimate business, and consumers think they are responding to a valid request. Unknowingly, consumers submit their financial information - not to the businesses - but the scammers, who use it to order goods, services and obtain credit.

FLEA MARKET NETS OVER \$2,400

Thanks to the support of many tenants and friends, the flea market held on two days in October was very successful, netting over \$2,400 for the work of the Tenants' Association. We received many wonderful gifts from tenants, including Rosenthal China, drafting table, jewelry, shoes, clothing, dining chairs, books and crystal.

WE THANK YOU! Special thanks to the Committee: Liz Boyd, Rene Burley, Lois Hoffmann and Elizabeth Wilbur. Thanks also to the many persons who helped to sort, price and sell items at the flea market. These include Vivian Dee, Susan Dee, Lucille Donte, Maria Elena, Dorri Jacobs, Evelyn Johnson, Mary Livingston, Barbara Oliver, Michael Schafer, Russ Shaver, John Gouvier and Spike. Thanks also to Management for providing space in the basement of 792 to store contributions for Flea Market. Tenants, friends and neighbors greeted each other and purchased food and treasures.

EMERGENCY PHONE NUMBERS

Two phone lines are operational in the security booth in front of 788. The numbers are: 222-1047 and 222-4305.

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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 2004 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.