

# The Park West Tenant

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The Newsletter of the Park West Village Tenants' Association info@pwvta.org

March 2010

## PWVTA Support for Federal Lawsuit

In 2008, one of our fellow tenants filed a lawsuit in federal court claiming that the development of the five new luxury towers and over 300,000 square feet of mall space, now known as Columbus Square, was and is unlawful.

The suit also claims that rents being charged in the new buildings, and for many apartments in the existing Park West Village (PWV) buildings, are at least two-to-three times their lawful levels.

To educate newer tenants about the history of PWV and to refresh the memory of long-time tenants, PWV was developed in the 1950s pursuant to a federally funded urban renewal program involving the combined efforts of the federal government, New York City (NYC) and private enterprise. Under the Housing Act of 1949, Title 1 grants were made to local governments to redevelop blighted areas as quality, affordable and low-density residential communities.

In the case of Park West Village (at the time known as "Manhattantown"), a contract was made between the federal government and NYC (the "Federal Contract") and, subsequently, a second contract was made between NYC and Manhattantown, Inc. (the "City Contract").

The PWV that existed through the beginning of 2006, the lovely and immensely livable "village in the park" we called home, did not come about by accident. It was the result of federal and NYC funding, careful planning and a commitment by the federal government and NYC to create and maintain quality, affordable and spaciouly laid out urban communities.

Unlike earlier challenges to the recent new development, which focused on the City Contract or which alleged violations of the NYC Zoning Code, the federal suit is based on federal law and on the requirements of the federal Title I grant used to create PWV.

Essentially, the suit alleges that the developers could not change the original redevelopment plan of PWV without the approval of the Housing and Home Finance Authority, the precursor to HUD. No such approval was ever sought.

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## NYC Tenant Organizations

### GROUPS THAT HELP US

Tenants & Neighbors (T&N), the Metropolitan Council on Housing (Met Council), and Housing Here and Now (HHN) are New York City's major tenant action groups. The PWVTA is active in each and has been very supportive of them all. NYSTNC (New York State Tenants & Neighbors Coalition) is T&N's statewide organization.

Met Council and T&N were created to assist individual tenants who had landlord problems, and each has grown into broader roles. Both organizations are strong tenant advocates that often work together, and are generally effective on our behalf.

Met Council still works mainly on tenant/landlord issues for individuals and entire buildings, and helps

HELPFUL GROUPS continued on page 3

## From a very surprised 784 Columbus Ave tenant UNWELCOMED NEIGHBOR

It's Sunday, March 7, around 5pm and I'm heading to pick up my car from the new garage on 97th Street. I'm looking forward to a night out in Greenwich Village with my mom.

As I approach QuikPark, I notice a small crowd at the top of the ramp. There's a buzz among the group and I join to see what the excitement's all about.

I'm astounded to see a fairly large ball of black fur walking slowly up the ramp. The animal turns and continues to walk along the sidewalk edge of the grassy area towards the 784

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**ANNUAL MEMBERSHIP MEETING**  
**Tuesday, April 20, 2010 7:30PM**  
**Ryan Health Center 110 W. 97 St.**  
**(between Columbus & Amsterdam Avenues)**  
**AGENDA: ELECTION OF OFFICERS**  
**See nominees in April Notice to all**

More info on page 4 ☞

On August 5, 2008, District Court Judge Chin dismissed the federal suit on jurisdictional and other grounds. An appeal of this decision was filed in the U.S. Court of Appeals for the 2nd Circuit, citing several reversible errors made by Judge Chin.

In December 2009, the appeal was finally scheduled for hearing in the middle of February 2010. Shortly before the case was to go before a panel of second circuit judges, the defendants moved to have the appeal dismissed as moot, on the grounds that the five challenged buildings were at or near completion.

Given the importance of showing community support, the Executive Board of the PWVTA retained an attorney to evaluate the federal suit and after lengthy discussions, the Board agreed to oppose the Motion to Dismiss. Roger Bernstein, Esq., filed papers in the second circuit on behalf of PWVTA opposing the defendants mootness motion.

The PWVTA is hopeful that the motion to dismiss the federal suit as moot will fail for several rea-

sons, including the defendants stated intention to build at least two more alleged unlawful buildings in the parking lots of 784 and 792 Columbus Avenue and the ongoing alleged rent overcharges.

Success in the federal suit will represent a major victory for middle-income tenants over powerful and over-reaching developers, a victory for the rule of law and a major black eye for the forces of blind greed that have run amok across our nation during the last decade.

On a more immediate level, success in the federal lawsuit will at a minimum prevent any additional buildings from being built and might even preserve PWV as an affordable rent community. As to the towers already constructed, it is problematic what remedy the court might provide.

We will follow the case with much interest and report any further developments.

For further information now please, write [Legal@PWVTA.org](mailto:Legal@PWVTA.org).

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**DOG RUN COMMITTEE** examines the proposed “dog run” behind 792 Columbus Avenue and notes how close to the building dogs would bark, loudly, in early morning hours, and do their business... right under the windows of our homes! A second dog run for smaller dogs may yet be installed behind 784 Columbus Avenue, seen in the middle background here.

Photo by Dani Chavez





**ELECTION OF OFFICERS APRIL 20**

PWVTA members elect officers at our Annual Meeting on April 20. The five elective positions will be President, Vice President, Treasurer, Secretary, and Membership Secretary.

Any member of the association who has served on the Executive Board or a standing committee for at least one year may be nominated.

Each candidate must submit a nomination petition signed by at least ten members who have not signed for another candidate for the same office.

Duties of each office are listed in the PWVTA Bylaws, posted at [www.pwvta.org](http://www.pwvta.org) (click to About PWVTA).

To run for an office, contact an Election Committee member for a nomination petition: Charlie Berger, Chair, 212-865-7610; Lucille Michelle Donte, 212-662-0723; Mary Livingston, 212-749-6651; or write [Election@PWVTA.org](mailto:Election@PWVTA.org) for more information.

In April, building reps will distribute meeting notices with the list of nominees and bios.

**The PWVTA Executive Board** regularly meets on the third Tuesday of the month, except July and August (see [PWVTA.org](http://PWVTA.org) for info). The next Executive Board meeting will be held Tuesday, April 20, 6:30pm, at the Ryan Health Center downstairs. Doors open at 6:00pm. PWVTA members and associate members are welcome to attend. The Annual Meeting for PWVTA members begins at 7:30pm. See announcement on page 1, and more info in the notice in April.

**BUILDING MEETINGS**

**392 CENTRAL PARK WEST meeting March 18**  
Tenants covered current issues, including 100th Street traffic and the recent accident, and heard from PWVTA President Maggi Peyton.

**400 CENTRAL PARK WEST meeting March 18**  
The Condo Board met with Condo residents to discuss plans during elevator modernization when each wing has only one elevator in service.

**792 COLUMBUS AVENUE meeting March 18**  
Tenants discussed "D" line terraces; noisy parties; parking changes; the dog run; rent overcharges; and NY state tenant issues. President Maggi Peyton said tenants must file complaints at DHCR on overcharges, with PWVTA help.

**NICE TO MEET YOU! 784 MINGLE**

Daphne Myers sends a big THANKS to all who attended our 2010 Membership Drive kickoff at 784 Columbus Ave on March 4. Reps, alternates and floor captains currently continue the membership drive in the lobby.

Special thanks to PWVTA President Maggi Peyton for her delicious spinach dip and to Edith Schickedanz for her pineapple fresh fruit display!

Produced by the PWVTA Communications Committee.  
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**JOIN YOUR NEIGHBORS – RENEW NOW!**

**PLEASE RETURN THIS MEMBERSHIP / ASSOCIATE MEMBERSHIP COUPON TO YOUR BUILDING REPRESENTATIVE OR MAIL TO:**

Park West Village Tenants' Association  
P.O. Box 20339, Park West Finance Station, New York, NY 10025-0339

Name: ..... Building: ..... Apt: ..... Phone: .....

Rent-stabilized tenant  Market-rate tenant  Renting from private owner  Owner Email: .....

Check for **2010 membership dues** enclosed, payable to PWVTA  \$40  Other\*: \$ .....

[Condo owner] Check for **2010 associate membership dues** enclosed, payable to PWVTA  \$35 .....

Check includes additional contribution to Legal fund. Amount: .....  Check for MCI Legal Fund only: .....

☆ If you cannot make full \$40 payment of your annual dues, please pay what you can.

Your membership card will be delivered to you.