

The Park West Tenant

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IMPORTANT INFORMATION FOR MARKET RATE AND STABILIZED TENANTS THAT MAY AFFECT YOUR RENT

Many tenants in 788 and 792 Columbus Avenue may not be aware that they are eligible for a rent reduction or compensation for an overcharge of rent due to a rent reduction order from the New York State Division of Housing and Community Renewal (DHCR) effective January 1, 2012. That rent reduction order was granted because tenants in both buildings filed a complaint based on decreases in building services (dirty carpets, unkempt compactor room, roof leaks, water damage).

The order, which applies to the apartment and not the tenant residing there at the time of the order, reduced the legal regulated rent to the level in effect on January 1, 2012 and directed the restoration of services. The order further stated, "no other rent increases may be collected after the effective date of the rent reduction order (1/1/2012) until an order is issued restoring the rent." This applies even if the apartment has changed hands and/or been renovated since that date. In 792 Columbus Avenue, the rent was restored effective June 1, 2016. Between January 1, 2012 and June 1, 2016, the rents in the affected apartments were frozen. For apartments in building 788, an order restoring rent has not been granted and those rents remain frozen.

To determine whether your apartment is eligible please contact the Tenants' Association at president@pwvta.org.

COLUMBUS AVENUE BUILDING ISSUES

Several tenants have expressed concerns, and sometimes anger, regarding many of the recent changes occurring in the Columbus Avenue buildings as well as ongoing problems in those buildings that continue to be unresolved. The Park West Village Tenants' Association is vigorously addressing these issues with building management. PWVTA President, Pat Loftman, and Vice President, Dean Heitner, have been participating in bi-monthly meetings with Jeffrey Davis, Property Manager for PVW Acquisitions, LLC to discuss various problems. The end of last month, Pat Loftman sent a letter to Mr. Davis summarizing the Tenants' Association's ongoing concerns in many areas. Her full letter is available to read on our website at pwvta.org.

After receiving our letter, Mr. Davis requested a new meeting with Pat and Dean to go over the issues one by one. He began by saying that there have been more problems *with the recent changes than he had anticipated and that he realizes tenants have not been kept up to date on management's plans. He then went over the issues raised by the letter one by one.*

(Continued on next page)

New Front Doors, No Intercom System and Security Problems

Management's plan is to replace the old intercom with a new one, which will be moved to the concierge's desk where it will be used to announce visitors. All tenants will receive new handsets. Despite our security concerns, he said there is no plan to install a lock on the front door.

Problematic Elevator Service

All elevators in the Columbus Avenue buildings will be upgraded with new motors, controllers and working floor indicator light bulbs. When asked about the continuing banging noise in 788, Mr. Davis said he was unaware that was still a problem and would look into it.

Package Room

Acknowledging there have been problems, Mr. Davis said he was considering supplementing the package room staff with PWV personnel. He said the dry-cleaning operation is not the priority and that shutting the package room for breaks was unacceptable and he would stop that. He reiterated that flowers, medicines, foods, and perishable items should not be accepted by the package room and must be delivered directly to the tenants. Tenants should contact him directly about compensation for lost and/or damaged items.

24/7 Maintenance

There are two maintenance people on the property 24/7 to address emergencies. A notice will be sent to all tenants indicating the lobby phone number to call to report an emergency.

Incorrect Billing 784 Columbus Avenue-MCI Retro Base

As reported in an earlier Newsletter, and by way of review, the rent stabilized tenants in 784 Columbus were mailed a notice from the DHCR in August 2015 which provided an MCI increase of \$4.25 per room and a finite Retro Base charge to be collected in approximately 4 installments. Reported earlier, management incorrectly continued to bill that Retro Base Charge over the next 15 months resulting in an unlawful overcharge, well in excess of the finite amount awarded by the DHCR. At a recent meeting with management, they again conceded their error. These charges should no longer appear going forward and management will work on correcting the rental accounts one by one. The corrections should be completed by the November 1st billing cycle. All rent stabilized tenants will be credited with the total amount of the overcharges. For tenants who have not been paying the Retro Base Charges on advice of our counsel, this will result in a balance due figure of the finite amount originally authorized; those tenants can continue to withhold this amount until our attorneys advise us that a decision has been rendered on the PAR. For tenants who have paid the Retro Charges all along, this will result in a credit that will be applied against the rent cycle following the correction.

General Building Wide Cleanliness

Mr. Davis stated he was unaware of any problems about cleanliness. When asked about the compactor rooms he said the reports he gets say they are maintained. But he asked that specific incidents to be brought to his attention. We are hopeful all these issues will be addressed as promised, but we will continue to monitor them.

If you have any concerns or notice any additional problems please email president@pwvta.org.

UNDERSTANDING RENT REGULATION: YOU MAY NOT KNOW IT, BUT YOU MIGHT BE LIVING IN A RENT-STABILIZED APARTMENT

Many tenants, both rent stabilized and market rate, have asked The Park West Village Tenants' Association how they can determine if they are being charged the correct rent. Park West Village originated as affordable housing and all apartments were rent stabilized. It is important to know that rent stabilization laws protect apartments even when a new tenant moves in. Among the many protections, the rent stabilization laws regulate what landlords can charge and any increases upon renewal. The Rent Guidelines Board meets every year to determine the legal percentage increase for rent stabilized leases and this governs the increase on your lease, not the landlord.

You are entitled to access to the rent history for your apartment even if you have signed a market rate lease that states **"the parties agree that the apartment is not a "Rent Stabilized" or "Rent Controlled" apartment and is not subject to any form of rent regulation. As such, at all times, Owner is permitted to seek a fair market rental amount."**

Full version of image available on PWVTA.org - Notice of Deregulation.pdf

Owners are required to register rent stabilized apartments annually with DHCR's Office of Rent Administration. Under law, the rent information is confidential and can be released only to the apartment's legal tenant, the building owner, or their authorized representative.

You can **confidentially** access the rent history of your apartment in one of these ways:

- Email to rentinfo@nyshcr.org
- Call the Rent Hotline at 718.739.6400

Visit a District Rent Office. Remember to bring proof of identity (photo ID) and proof of tenancy, with a copy of your lease, rent receipt, or utility bill. You will be required to complete an "Access to Records Form" and the rent history will be printed and given to you at the office. The closest Rent Office to Park West Village is:

Upper Manhattan Borough Rent Office
Adam Clayton Powell Jr. Office Building
163 West 125th Street, 5th floor
New York, NY 10027
212.961.8930

DHCR may issue an order directing a refund of any payment inappropriately made plus all penalties otherwise due in an overcharge proceeding. Subsequent tenants have a four-year time limit, which begins with the first deregulated tenant, in which to obtain a rent history to determine if the apartment was legally deregulated.

You can receive your rent history in as little as five days. Once you receive it, contact the Tenants' Association at president@pwvta.org for assistance.

If you receive your history and discover that you are in fact the first deregulated tenant and the tenant before you was rent stabilized, by law, along with your lease, **you must have received a "Notice of Apartment Deregulation," which details the cost of the renovations and enables a tenant to understand how the new rent for the apartment was calculated.** The form must also contain a notice to the tenant of his or her right to request from the owner details documentation (invoices, canceled checks, etc.) at the time the lease is being offered or within 30 days of that request by certified mail or in person with a signed acknowledgement of receipt. **"You can see a NY Times article on this subject at our website pwvta.org."**

RENEWAL INCREASES FOR RENT STABILIZED APARTMENTS

The Rent Guidelines Board annually sets rates for rent increases in rent stabilized apartments. The rates for leases commencing on or between October 1, 2017 and September 30, 2018:

One Year Renewal Lease – 1.25%

Two Year Renewal Lease – 2%

Tenants have begun to receive renewal leases for leases commencing on or between October 1, 2017 and September 30, 2018 with incorrect renewal percentages and amounts. Please check your renewal leases carefully and report any incorrect renewal percentages and amounts immediately to the management office.

CENTRAL PARK WEST STABILIZED TENANTS! PWV ACQUISITION, LLC WANTS YOUR APARMENT!



TENANT'S RIGHTS NOTICE

June 13, 2017

I write on behalf of PWV ACQUISITIONS LLC, the owner of the building in which your apartment is located.
The owner would like to discuss the possibility of reaching an agreement whereby you would receive money in exchange for vacating your apartment.
You are free to reject the offer and to continue to reside in your apartment subject to all requirements of law.
You may seek an attorney's guidance in connection with any discussions or negotiations you have with the owner. For information on assessing legal services you may refer to The ABCs of Housing Guide on The Department of Housing and Preservation's (DHP) website.
You may choose to advise the owner and/or owner's representative, in writing, that you do not want to discuss the owner's offer. If you advise the owner or owner's representative that you do not wish to discuss the owner's offer, the owner may not contact you for such purpose for at least 180 days, unless given express permission by a court of competent jurisdiction or, if you notify the owner, in writing, that you are interested in receiving an offer.
Very truly yours,
Hilda Lorenzi

Many rent stabilized tenants residing in the Central Park West buildings recently received a Tenant's Rights Notice from their landlord, PWV Acquisition, LLC, seeking to explore an offer to receive money in exchange for vacating their apartments. A copy of the letter is shown below. Tenants are under no obligation to respond and the letter correctly informs them that they are free to reject the offer.

Full version of image available on PWVTA.org - [Buyout Request Notice.pdf](#)

Phone Numbers of Interest:

Package Room Number: 917-388-3463

Lobby Attendant Phone Numbers:

- 784 Columbus Ave: 212-222-4335
- 788 Columbus Ave: 212-222-1047
- 792 Columbus Ave: 212-222-4300

PWVTA Executive Board Meeting
Tuesday, September 19 7:30pm
Ryan Health Center 97th Street

Agenda: Officers & Committee Reports
 Update on JHL proposed building

PWVTA Members/PWV Tenants welcome
 For More Information: info@pwvta.org

Produced by the PWVTA Communications Committee.
 Contributors: Pat Loftman, Dean Heitner, Kathi Black, Daisy Wright, Bureen Ruffin and Jeremy Courage.

REMIT THIS 2017 MEMBERSHIP COUPON TO YOUR PWVTA BUILDING REP [who: info@PWVTA.org] OR mail to Park West Village Tenants' Association, P.O. Box 20339, Park West Finance Station, New York, NY 10025-0339
 PLEASE PRINT CLEARLY!

Name _____ Building _____ Apt _____
 Phone _____ Email _____

- Check for 2017 membership dues enclosed payable to PWVTA \$75 Other* \$ _____
 - Condo Owner: Check for 2017 associate membership dues enclosed, payable to PWVTA \$35
 - Check includes additional contribution to the PWVTA Legal Fund Amount \$ _____
- Your status: rent-stabilized tenant market-rate tenant condo owner
 * If you cannot make the full \$75 payment of your annual dues, please just pay what you can.
 I want to be more involved. Here are my special interests: _____