

The Park West Tenant

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The Newsletter of the Park West Village Tenants' Association

March 2006

There Goes the Neighborhood!!

We are all saddened to see the businesses that have been a part of our community for many years close their doors one by one. Despite petitions signed by neighbors and the support of our local politicians Borough President Scott Stringer, Assemblymember Daniel O'Donnell and Councilmember Melissa Mark-Viverito, PWV owners have now evicted every business along Columbus and Amsterdam Avenues, except C-Town.

One can't help but see this most recent action as a part of a continuum in which our vital Park West Village community has become compromised. What was once a true village with wide-open spaces, grass and playgrounds, and buildings that were connected by pathways and shared lobby keys has now, within only a few short years, been turned inside out.

When the current owners bought the buildings, a new sign was erected at the corner of Columbus and 97th Street that refers to the buildings on the Central Park side of Columbus as "CPW Towers", even though each of our seven buildings have always been – and still are – a constituent part of Park West Village. Now, even though management claims not to have made final plans, they have nevertheless closed all of the local businesses, creating a wilderness and inconveniencing the entire neighborhood.

Yes, this is their property, but it also happens to be our community. *People live here, remember?*

On the morning of Wednesday, February 22nd, representatives of the Park West Village Tenants' Association

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ANNUAL ELECTION MEETING HEARS COUNCILMEMBER MARK-VIVERITO

The annual meeting of the PWVTA was held on Monday, March 6th at the Ryan Health Center. A capacity crowd gathered to greet friends and neighbors, enjoy refreshments and discuss important issues.

Vice President Francine Brewer welcomed everyone and introduced retiring President Vivian Dee. Vivian reviewed the accomplishments of the past year. She is retiring as President after five terms so, in a way, it was her "farewell address." Although stepping down as President, she is assuming a new responsibility: leading the Association's efforts to challenge the landlord's plans to build additional buildings on the Park West Village grounds. She informed members about the Association's plans. Many tenants signed up to volunteer to work to keep Park West Village intact. *If you would like to volunteer, please call the hotline: 212-662-2610.*

Francine introduced the officers of the Association as well as committee chairpersons and building representatives who attended the meeting. She asked everyone to show their appreciation for all the work that these activists did on behalf of every tenant who lives in Park West Village.

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For the Columbus Avenue Buildings...

MCI Increases Approved

On March 6 and March 9, 2006, the DHCR issued Orders granting MCI increases to rent-stabilized apartments in 784 and 792 Columbus Avenue respectively. The Order for apartments in 788 Columbus, which was granted last year, is still under reconsideration, but will likely be reissued shortly.

The Orders approved the bulk of the owner's claimed costs. The only items disallowed were the "improvements" to the hallways and the pointing work on the building, both of which were not deemed to be capital improvements.

The monthly rent increase granted for 784 was \$13.72 per room and the resulting retroactive increase covering March 1, 2005 (when the application was filed) through April 1, 2006 equals \$178.36 per room, *i.e.*, \$13.72 X 13.

The rent increase granted for 792 was \$14.07 per room, and the resultant retroactive increase covering February 1, 2005 (when the application was filed) through April 1, 2006 equals \$196.98 per room (\$14.07 X 14).

The increases each tenant will be billed will be the product of the granted increase multiplied by the number of rooms in the apartment.

Tenants should check their rent bills to see that the calculations are correct. In particular, each tenant must make certain that management is correctly identifying the number of rooms in his/her apartment. This writer is aware of an "N" apartment that management has listed as two rooms, when it is properly listed as one.

According to the Code, the owner cannot collect in any month more than 6% of the monthly rent as of 11/01/04.

This limit applies to both the MCI permanent increase

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DÉJÀ VU? SECURITY DEPOSITS UNPAID!

Just when we thought that we could put the case of The Missing Interest and Missing Security Deposits behind us, it seems that our money has vanished once again.

If you remember, our security deposits and the interest that they earned were missing for a few years beginning in 2000 when PWV Acquisitions first bought Park West Village. It was only after receiving an incomplete year-end interest statement from Chase (the bank where Helmsley-Spear held our deposits) that we discovered that our money had been taken out of our escrow accounts.



By law, landlords are required to inform tenants as to where and when their security deposits are moved. We were never notified. After seeking help from the Attorney General's office, PWVTA determined that the transfer between accounts was not done correctly. During the transfer the individual accounts held by each tenant in

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met with PWV management and owner Michael Chetrit to discuss our concerns about their development plans and neighborhood safety.

When asked if they could be more specific about what they are planning to build, they said no. And when asked why they evicted all of the businesses if construction will not begin soon, they said they are following a plan and that closing the businesses is part of this plan. They also said they are very close to coming to an agreement with C-Town.

With regard to PWVTA concerns about safety on Columbus and Amsterdam once all of the stores are closed and the streets are dark, the owners said that they have installed lights along various storefronts and will install more.

What is important to us and this community is to have our voices heard. With this in mind, we are exploring with all relevant agencies how this can be accomplished.

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The audience was enthusiastic in expressing their approval and appreciation.

Liz Boyd, co-chair of the Election Committee, announced the names of the candidates nominated to hold office for the coming year: Lois Hoffmann (President), Francine Brewer (Vice President), Emily Margolis (Treasurer), Dorri Jacobs (Secretary), and Miriamne Spector (Membership Secretary). Since there were no opposition candidates, the members elected the officers by acclamation.

Francine introduced our new Councilmember Melissa Mark-Viverito. Ms. Mark-Viverito has been very helpful to the PWVTA since being elected in November. She expressed concern about the closing of the stores and restaurants on Columbus and Amsterdam Avenues.

Members had many questions for Ms. Mark-Viverito and she responded fully. She said she will assist the PWV community in every way possible.

Finally, Francine thanked Miriamne Spector and the Membership Meeting Committee for their good work in planning the meeting.

Produced by the PWVTA Communications Committee.

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and the temporary retroactive increase. For example, for a 3-room apartment in 784 renting at \$1,000 a month on 11/01/04, the MCI permanent increase would be \$40.16 and the total retroactive increase would be \$535.08. The maximum collectible per month would be \$60. The owner can therefore collect per month the permanent increase (\$40.16) plus only a small portion of the temporary retroactive increase (\$19.54), which equals \$60.00.

In addition, tenants under SCRIE are not responsible for these MCI increases. They should continue to pay the rent allowed under SCRIE, regardless of how the owner may state these increases on the rent bills. **SCRIE tenants should NOT PAY ARREARS.**

PWVTA has forwarded the MCI Orders to our attorney and we will consider whether or not we should file an administrative appeal (PAR) for these Orders. However, even if a PAR is filed, it will not prohibit the owner from billing and collecting the increases ordered.

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escrow were lumped together into a massive sum in an account that had no reference to our individual security deposits. Despite the fact that this money was earning interest, that interest was not paid to the tenants, nor was it reported to us by the bank in a 1099 form.

In the end it was only after several years that we finally received the proper forms from M&T Bank in order to have our security deposits placed into a proper escrow account, and to finally be paid the interest that had been earned.

In February 2006, when no tenants received interest statements for 2005 from M&T Bank, representatives of the PWVTA requested a meeting with a building owner and PWV Management to find out why. We were told that our deposits had been transferred to another bank, and that no interest had been earned. We would supposedly receive year-end statements within two weeks of the February 22nd meeting.

That date came and went, and so a letter was sent from PWVTA reiterating that (1) the law requires that tenants be advised if, when and where their deposits are transferred, and (2) the bank must issue statements to the tenants as to interest earned no later than one month after the calendar year, whether or not any interest checks were generated.

To date there has not been a response from management, but PWVTA will be following up on this issue. If we don't get an appropriate response, we may have to request the assistance of the Attorney General's office once again.

 **JOIN YOUR NEIGHBORS – RENEW NOW!**

PLEASE RETURN THIS 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:

Check for 2006 membership dues enclosed, **payable to PWVTA.** \$40 Other: \$

Check includes additional contribution to Legal fund. Amount: \$

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

Your membership card will be delivered to you.