

A Campaign to Strengthen Housing Laws

by {ga=jlampert}
Thursday, January 31, 2008 12:00 AM

Unified as perhaps never before, housing advocates have come together to launch a major campaign to change the state's housing laws. They call it the [Real Rent Reform Campaign](#), a pointed poke at the Rent Reform Act of 1997, the name given changes the legislature passed in 1997 that weakened the state's rent regulation laws significantly.

At a recent organizational meeting, tenant groups from across the city and suburbs pitched this battle as historic. They are focusing on one pivotal goal: A Democratic takeover of the State Senate, a win that would end over a decade of control by Senate Majority Leader Joe Bruno, who called for the end of rent regulation in the 1990s and who effectively prevents passage of any progressive housing legislation.

Elsewhere in Gotham Gazette:

[Reforming Housing Laws](#): Housing advocates have launched a major campaign to change New York's laws on rental housing. To accomplish that, they plan to help Democrats capture the State Senate in November.

Changes in Albany State Government

For over a decade under Gov. George Pataki, housing advocates had virtually no influence on state housing policy. They were effectively neutralized by Republican control of the executive branch and the State Senate.

Already, barely a year after his election, Gov. Eliot Spitzer has at least changed advocates' influence on policy.

"Now we're able to get answers when we call," said City Councilmember Gale Brewer of her efforts to get information from the state's housing agency, the [Division of Housing and Community Renewal](#). "I mean, we're actually talking."

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The agency has been forging new ties to a variety of groups, signaling the change. A tenant advisory committee has been rejuvenated. Importantly to advocates, the agency is talking about taking action to enforce the rent regulation laws instead of just waiting for people to complain about landlords overcharging

Advocates thank Spitzer for all of these changes. But in the face of the affordable housing crisis, advocates want to undo state laws that they assert have severely eroded -- and continue to erode -- the supply of affordable housing. Winning the State Senate for Democrats will help undo some of the damage done to rent regulation laws by the Republicans.

The loss of rent-regulated apartments drives the new campaign. Simply put, advocates say, changes in the state's rent laws over the last decades have led to the loss of hundreds of thousands of these apartments, which make up the largest stock of affordable housing in the city. And the hemorrhaging continues apace: Virtually every neighborhood in New York City and suburban counties are seeing significant increases in rents. While advocates welcome the city's [efforts to build new affordable housing](#), the number already built under the mayor's program -- about 70,000 apartments of a planned 165,000 -- pale in comparison to the approximately 1 million rent-stabilized apartments in the city.

The Campaign's Goals

The state's housing laws are in need of a vast overhaul, but advocates have set their sights on four key issues.

- Repealing vacancy decontrol, a provision of the law enacted in 1997 that allows landlords to remove apartments from the rent regulation system.

- Reforming the [Rent Guidelines Board](#). The board's annual deliberations have led to rent increases every year since it was created in 1969. Under current law, the mayor appoints all [members](#)

. Advocates want that changed so that the City Council would have to approve those appointments. They also seek new rules that would require property owners to provide more timely income and expense data. Currently, the data on how much landlords collect from and spend on their buildings is a year old, based on filings to the city's Department of Finance one year before the board deliberates.

- Saving Mitchell-Lama and Section 8 projects. Landlords received tax incentives and other considerations to build affordable housing under these programs. But now that rents are rising, landlords been buying out of these programs and, in many cases immediately begin charging market rents. Advocates want new laws that would put these apartments under rent stabilization.

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- [Repealing the Urstadt Law](#) . The [Urstadt Law](#) was passed in 1972 and effectively prevents the city from making housing laws to affect rent regulated apartments. Advocates want the return of "home rule" to the city on its housing.

Winning the State Senate

Republicans hold their majority in the New York State Senate by the thinnest of margins -- 33 to 29. If the Democrats take just two seats from them in November, Democrats would control the body for first time since 1965. And that would effectively mean that a primary obstacle to progressive housing laws -- Republican Majority Leader Sen. Joseph Bruno -- would lose his clout.

"It's the only goal for 2008" said a campaign participant who is optimistic that tenants can make the difference for the Democrats. He requested anonymity because he was representing his personal views, not those of the agency with which he is affiliated.

Housing advocates have identified three vulnerable Republican seats: Serphin Maltese's and Frank Padavan's in Queens and Caesar Trunzo's in Suffolk County. "We're going to organize to take those seats -- we'll have phone banks, door knocking and other efforts," said Dan Jacoby of [Democracy for New York City](#) , a voters' rights group, and a member of the [West Side Neighborhood Alliance](#)

"After years and years of seeing bad things happen, the anger at what our governments, at various levels, are doing to us has mobilized people," Jacoby said. "Whether it's housing reform or health care reform or any other kind of reform, I think it's given a new life and energy to the idea that ordinary citizens can make a difference."

Advocates know that Democratic control of the State Senate is not a guarantee that their agenda will become law. In fact, many blame Democratic Assembly Speaker Sheldon Silver for allowing vacancy decontrol to become law after negotiations with Bruno and Pataki in 1997. But advocates hope that, if their efforts are seen as pivotal to helping the Democrats take control of the State Senate, they can use that as leverage to get the reforms they want.

The Challenges

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The fight will hardly be easy, advocates conceded. Landlords will fight for their interests as well. In elections in 2006, landlord lobbyist groups donated almost \$10 million to Republican campaign efforts, not much less than half what Republicans raised in total -- \$26 million -- and roughly equal to what Democrats raised in total (about \$11 million). Real estate interests have already been using their money at [fund-raising events](#) for likely 2009 mayoral candidates.

The main landlord lobby group, the [Rent Stabilization Association](#), declined to comment for this article. They maintain that government regulation hurts rather than helps solve affordability problems. In the past they have told me increasing governmental regulation simply drives up expenses for property owners.

More recently, landlords have been flexing their muscles in opposition to [legislation](#) now pending in the City Council that would allow tenants to sue their landlords in housing court for harassment. City Council members told me that they have been inundated by calls, letters and visits from property owners across the city. The Rent Stabilization Association sent out a memo to owners about the bill, apparently unleashing the onslaught, a council member said. (I could not obtain a copy of the memo.)

Without huge amounts of money, housing advocates hope to bring out the tenant vote. Many tenants, though, do not know that they live in rent regulated apartments, a big problem that at least partly explains why so many are overcharged for their rents. Advocates plan information sessions across the city so that tenants know what is at stake in November and how a change in Albany could lead to legislation to protect rent regulated apartments.

For this to be successful, though, the advocates need to maintain their unity. Fissures and splinters, break-ups and make-ups have marked the tenant movement's history. For at least two years now, advocates have put together coalitions that appear very solid. But some advocates, who wished to remain anonymous to avoid appearing divisive, told me there could be a flare up of the old bad feelings. That might not break the unity, but it could hamper efforts.

Finally, there are the normal sources of stress that can affect any ambitious campaign: lack of resources, worker fatigue, miscues and snafus of every stripe. While the campaign looked good as its leaders kicked it off on a recent Saturday afternoon -- an auditorium filled to capacity with representatives of diverse groups from across the city -- it still has not developed a media

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strategy or set up a Web site.

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