

More Dilapidated Housing, Less Code Enforcement

by {ga=jlampert}

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Just a few blocks up from what was Edgar Allen Poe's cottage in the north Bronx, people are living in a nightmare that might be worthy of one of his tales. And the city's efforts to end it, according to the tenants, are basically useless.

The nightmare is 2874 Grand Concourse, one of the majestic buildings that line the Grand Concourse - majestic at least from the outside.

For almost a year, tenants have been dodging plaster falling from their ceilings and rats in the hallways. They have pleaded with the city to force the landlord to clean up mold, fix a door that allows free access to the roof and replace an antiquated electrical system that leaves many in the dark almost every day. They have caught prostitutes and drug dealers in their hallways conducting business.

City housing inspectors have slapped almost 350 violations on the building. But that has done little to actually get the building repaired - even for the about 80 violations deemed "immediately hazardous" and that theoretically should be corrected with 24 hours.

"They're just coming but nothing's done," said Judith Freeman, the tenant's association president at 2874 Grand Concourse. "There are no results - nothing happens."

Freeman and her neighbors are not the only tenants in the city complaining about passive code enforcement. A new [report](#) (In PDF format) by the Association for Neighborhood Housing and Development, co-sponsored by the city's Public Advocate's office, concludes that in the areas that need it most, code enforcement involves little more than writing notes to landlords to please fix their buildings.

The report, released this month and coinciding with hearings on a City Council bill to alter city housing inspections, indicates that people in certain parts of the city are living in dilapidated

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buildings that are actually getting worse.

The worst housing conditions are in low-income and minority neighborhoods in the South Bronx, Central Brooklyn and Upper Manhattan. The housing code is simply not being enforced strictly where it's needed most, the report concluded.

Astrid Andre, policy director at the Association for Neighborhood Housing and Development and author of the report, said the group had undertaken its report because the organizations making up its membership had different impressions of housing conditions in their areas than officials at the city's housing department. Despite an overall improvement, housing in some areas has not gotten better and, in fact, has gotten worse.

"Our members were telling us there was a stagnation, a deterioration," Andre said. "We just documented what our members were telling us."

The agency that inspects housing in the city, the Department of Housing Preservation and Development, downplayed the report.

"Between 1996 and 1999, in the majority of the low income neighborhoods, the numbers were trending in the right direction," said Carol Abrams, assistant commissioner for communications at the department. But when pressed to explain one of the report's findings - an almost 14 percent increase in code violations issued by the agency in the Bronx between 1999 and 2002 - Abrams said she had "no idea."

"There will always be fluctuations," she said. "It's a tenant-driven complaint system."

Overall, Abrams said, the U.S. Census Bureau's Housing Vacancy Survey, conducted every three years, showed the city's housing stock was improving. "The dilapidation rate in 2002 was the lowest than at any other point in the history of the survey," she said.

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City Councilmember Joel Rivera, who represents the area where 2874 Grand Concourse sits, said it is unfortunately a building like many others in the Bronx.

"In my district alone, there are a ton of buildings that are in trouble," said Rivera "You don't have to be an inspector to see certain problems.

"The problem in the Bronx is that we have only six full-time inspectors for the entire borough," Rivera said. "The follow-up is not very good because we have so many buildings."

Adding housing inspectors is just one of several recommendations in the new report. Tenants and advocates would also like to see the city housing department impose and collect fines more readily, more aggressively pursue problem landlords and empower tenants by allowing them to petition the department for roof-to-cellar inspections.

Under its current approach, housing inspectors only respond to tenant complaints to its hotline - almost 400,000 annually. But they often walk by glaring problems like broken windows or unlocked front doors because no one complained about them, advocates said.

City Council's new legislation would change that. Intro 400A, as it is called, would allow tenants to petition the city housing department for comprehensive building inspections. The department ought to do such inspections on a cyclical basis in neighborhoods where buildings are dilapidated, the report recommended.

Abrams insisted that the city deploys inspectors in the most efficient fashion, but she declined to respond to questions about that system, instead referring a reporter to the recent testimony of city officials at the City Council public hearing on Intro 400A. The officials said changing the law would not improve things at all.

In their testimony, officials were short on details. They said that inspectors respond to individual complaints and then, through follow up, the complaints are evaluated and analyzed to develop "comprehensive" plans to resolve repair problems.

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But Rivera said the department's approach has to change.

"From what I've seen in my own community, the current system does not work," he said. "It's really not the fault of (the city housing department). The administration must invest more in (the city housing department)."

As for the nightmare on the Grand Concourse, its end seems to be approaching, but only after its tenants organized, hauled the landlord into court - and got Councilmember Rivera, their representative, and Public Advocate Betsy Gotbaum to visit the building with an entourage of reporters in tow.

Their months of complaints to the city housing department had only led to a \$500 fine of the landlord for heat and hot water problems, despite periods as long as a week last winter without any heat or hot water. A Housing Court case for repairs is ongoing and Freeman, the tenant's association president, said she is hoping that the building is taken over by an independent administrator who will apply rents to making repairs. The landlord, Moshe Pillar, could not be reached for comment.

"I really think the only reason they are coming back to follow up now is because" Rivera and the public advocate got involved, Freeman said. "We got the \$500 fine, but think of all the months we've got to go."

Joe Lamport is the assistant director of the [City-Wide Task Force on Housing Court](#), a coalition of community housing organizations.