

Gotham Gazette - <http://www.gothamgazette.com/article/immigrants/20060809/11/1930>

## **Housing Code Enforcement in Need of Repair**

**by Javier H. Valdés**

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On a hot summer evening in the Bushwick section of Brooklyn, several tenants gathered at a community-based organization to discuss the housing conditions in which they are forced to live. "We have been living with very bad housing conditions for too long. My apartment's bathroom does not even have a showerhead, and we have been taking baths with a bucket for over a decade," explained María Quintanilla, a native from El Salvador who moved to Bushwick sixteen years ago.

Other tenants shared their stories as well. "Last spring, my daughter was bitten by a rat that came into our apartment through a gaping hole in the ceiling. She still has a scar from it," said Claudia López, also a resident of Bushwick. "Our landlord leaves the trash in the basement and refuses to fix the holes in our walls, ceilings and floors. The building that I live in has 94 housing code violations, and they are not being fixed," Lopez continued.

### **Hazardous Housing Not Uncommon**

Quintanilla and López are not alone. Hundreds of thousands of low-income families in New York – many of them immigrants -- are forced to live in shockingly squalid conditions because of landlords who take advantage of lax housing code enforcement. Of all the community districts in the city, Bushwick has the greatest number of serious housing code violations and has seen an increase in housing code violations over last four years, according to the [State of New York City's Housing and Neighborhoods 2005](#), recently issued by the Furman Center for Real Estate and Urban Policy at New York University. In 2004 alone, Bushwick had more than 184,000 serious housing code violations.

The problem seems to be getting worse. An investigation of the Department of Housing Preservation and Development by New York City's comptroller revealed that more than half of the 250,000 violations that the agency issued went unanswered by landlords. Even worse, an estimated 40,000 violations are fraudulently claimed to be resolved each year.

### **Rising Rents Limit Mobility**

While New York City is seeing record levels of new construction each year, the number of units that are safe and affordable for low- to mid-income families has decreased dramatically. From 2002 to 2005, the median monthly rent for unsubsidized apartments in the city increased by 20 percent (8 percent after adjusting for inflation), while the citywide median income fell by 6.3 percent, according to the Furman Center report. Furthermore, the median share of income spent on rent by New York City renters increased from 28.6 percent in 2002 to 31.2 percent in 2005 – exceeding the 30 percent threshold that is considered the maximum rent burden households should bear.

With immigrants making up two-thirds of the low-wage workers in New York City, this disparity between income and rent has left many immigrants with no choice but to remain in substandard and dangerous housing provided by negligent landlords. Strong housing code enforcement then becomes even more necessary to ensure that all immigrants can live in safe and healthy housing conditions.

### **Legislative Fix**

The New York City Council currently is considering legislation that would address this issue. The legislation would strengthen enforcement on problem landlords by requiring the city's Department of Housing Preservation and Development to re-inspect any building found to have a class C, "immediately hazardous," violation (the most severe kind) in order to ensure that repairs have been made. If repairs have not been made, the bill mandates that the agency immediately make the repairs itself and then require the landlord to cover the agency's cost of re-inspecting and repairing their buildings. The bill's sponsors argue that this would ensure that low-income tenants would no longer have to wait months or even years for immediately hazardous violations to be fixed. The legislation could also give tenants the leverage they need to stand up to landlords who look to take advantage of them.

### **The Role of Language**

Immigrant advocates believe that the Department of Housing Preservation and Development must also increase its capacity to conduct outreach to the diverse communities that it serves. In May of this year, the Urban Justice Center, in collaboration with the New York Immigration Coalition (the organization for which I work), and various community groups published a report entitled, *Hear This: The Need for Multilingual Services in New York City*. Our findings, which are based on 697 surveys conducted between July 2005 and February 2006, showed that many immigrants and tenants with limited English proficiency are living in unhealthy and unsafe living conditions, and yet, more than 60 percent of them do not know that there is a city agency dedicated to addressing their housing needs. Immigrant communities are not using the services as much as they could –and even when they do try to use them, they are often unable to communicate with agency staff members in the language they understand, and so give up.

*Javier H. Valdés is a housing advocate and special projects coordinator with The New York Immigration Coalition.*

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