

I have a basement apartment.



NOW WHAT?





Hi, I'm calling about the ad for the basement apartment. Is it still available?

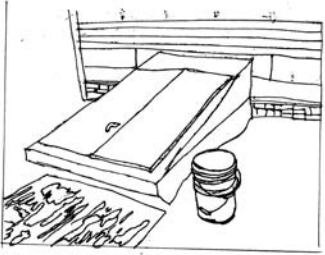
You can come by today. Bring the first month's rent in cash. It is \$150 a month.



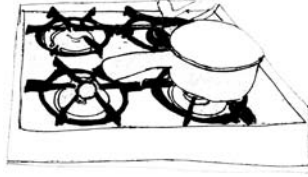
I just came from India and needed a home. You have provided one for a reasonable price. Thanks!



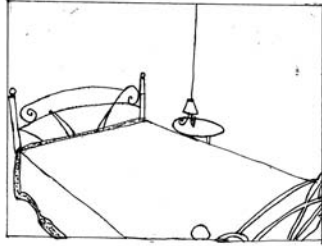
Come in, let me show you to your new apartment. It is down the stairs.



The entrance to the apartment.



The stove.

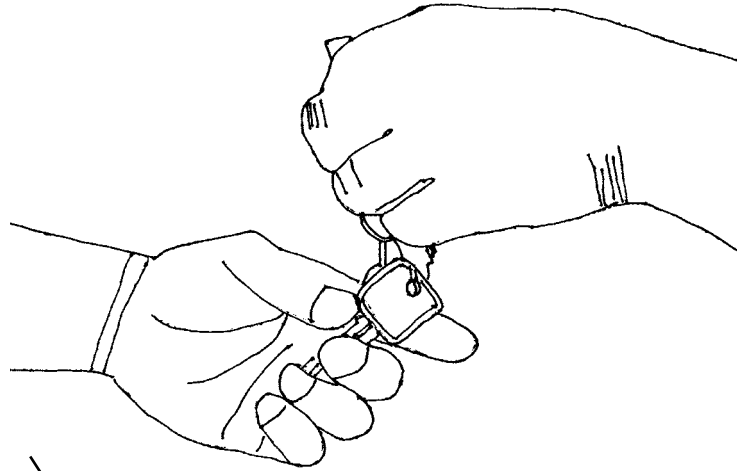


The bed.



And they live here too.

(I'm going to make some extra cash, I'm excited that I'll be able to pay off my mortgage.)



(It's not the best, but it's all I can afford)



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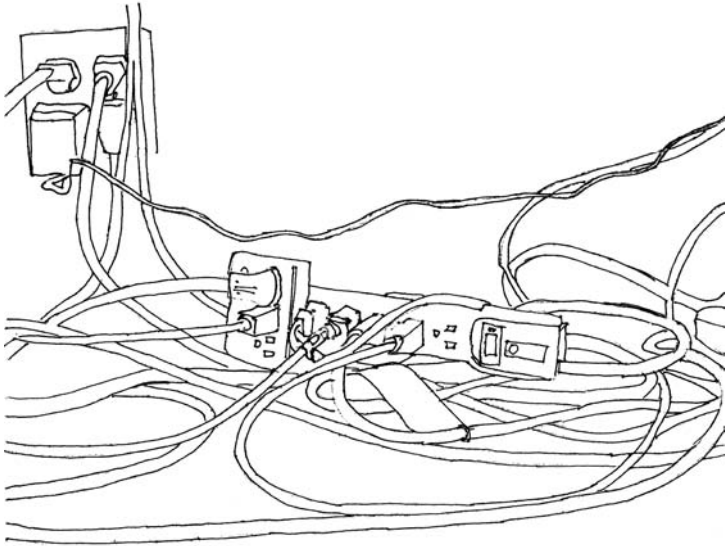
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"Nearly 40% of the new housing created from 1990 to 2005 were illegal apartments. Many of them are in basements or cellars. The reason these units exist is because there really isn't enough affordable housing in NYC. People have nowhere else to go."

- Seema Agnani, Executive Director
Chhaya Community Development Corporation

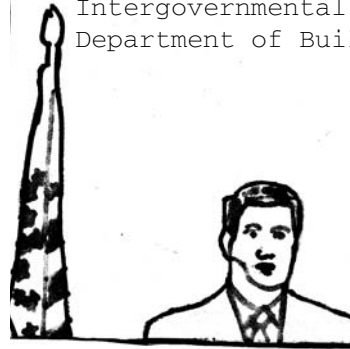


We're busy people, and we often do things in the apartment at the same time.



"A lot of these illegal conversions don't have the adequate safety measures for people to be living in. They are often made out of substandard and dangerous housing materials, use a lot of plywood. There are a lot of extension cords that catch fire easily. They don't have safety measures like smoke detectors, proper exits, or sprinklers."

- Donald Ranshte, Director of
Intergovernmental Affairs
Department of Buildings

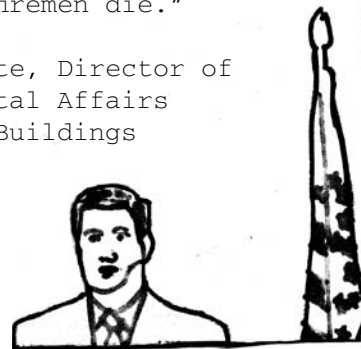


*Sometimes I worry
that there might
be a fire. I don't
want to lose my
house.*

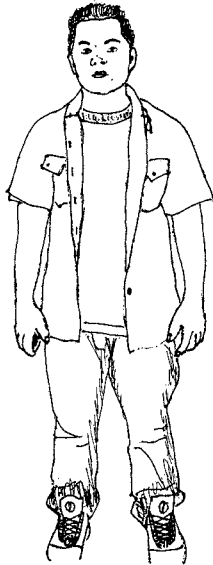


"It could be a conversion for a family member or loved one, but it doesn't make it safe. Firefighters get stuck in plywood partitions they weren't expecting from the floorplan. Smoke conditions will block their view, and in the past three years, we've had six firemen die."

- Donald Ranshte, Director of
Intergovernmental Affairs
Department of Buildings



I sometimes get dirty looks when I come in and out of my basement. But this is my home, I'd like to stay here.



"Illegal conversions reduce the quality of life not only in that particular area, but also in the surrounding areas. When city planners lay out a neighborhood, they're thinking about how many people it can hold. An illegal conversion adds more people, so it taxes the infrastructure. Whether it's sewer lines or schools or transportation."

- Donald Ranshte, Director of Intergovernmental Affairs
Department of Buildings



It's a sticky situation.

*So what are some possible
endings to this story?*

Ending #1: Someone calls 311

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Ending #2: Eviction

Ending #3: Mediation

Hello, 311? I think there's something wrong next door. I see a lot of people going in and out of the basement. I'm not sure it is safe.



I will pass that along to the Quality of Life Unit. They will go to the house and check it out.

"The complaint comes from 311. It can be your best friend, your neighbor, ConEdison. A lot of times it's people who live on the block and don't like it. It could be people who don't like the owner. Sometimes, it's people who think they're doing the right thing because they know the conditions aren't good."

- Shinauh Bishmouhl, Supervisor
Queens Quality of Life Unit



Anyone home?

Hello?

Hello?

I'll leave a note.



"We can't just push our way in. We have to be let in. The constitution says that you don't have to allow anyone in your house. So our policy is to make two visits. The first time, we leave a note on the door. So we make a second attempt, we try to mix up the times. So if we did it in the morning, we'll try again in the afternoon."

- Shinauh Bishmouhl, Supervisor
Queens Quality of Life Unit



The next day...

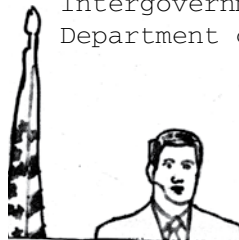


These are dangerous conditions. I'm issuing the owner a violation. You have to go to the Environmental Control Board for a hearing.



"The focus of the Department of Buildings recently has been to deter these illegal conversions. The penalties are up to \$24,000, and the second offense goes up dramatically."

- Donald Ranshte, Director of Intergovernmental Affairs
Department of Buildings



I'm going to have to fine you \$10,000 for this violation. The next one will be \$12,000 if you don't fix it. And your tenants have to leave. Vacate or legalize!

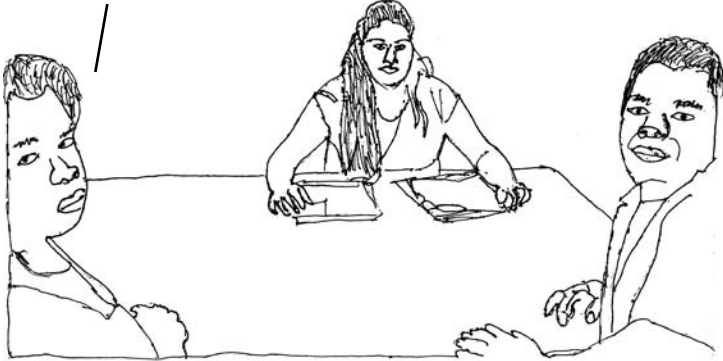


"It's hard to get them legalized, depending on the ceiling height and the second means of egress. Sometimes, there's nothing an owner can do right now, until the laws are changed. Otherwise, there are a few cases where they can do something. But it's pretty costly to file plans and permits with the Department of Buildings, so owners won't do it."

- Harvey Epstein, Lawyer
Urban Justice Center



*I can't afford to legalize
this basement.*



*Then the tenant must leave
immediately.*

"A lot of the time, the housing agency in NYC does what is called a vacate order on apartments. And with illegal apartments, they don't view that they have a responsibility to relocate people through the Red Cross."

- Harvey Epstein, Lawyer
Urban Justice Center





Ending #2: Eviction

That's not what I wanted at all. I owe a ton of money because of the violation, and now the tenant doesn't have a home. What other ways could this have ended?



You need to get out!



Oh no!

"If you live in an apartment more than 28 days, the landlord can't walk in and say 'Hey, I don't like you anymore. Give me the keys. Leave.' They have to go to court."

- Harvey Epstein, Lawyer
Urban Justice Center

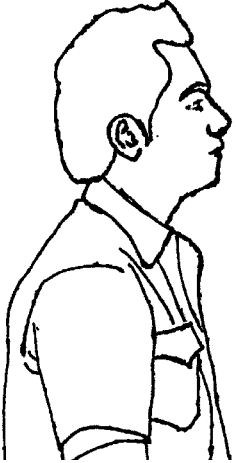


Hey, my landlord wants to evict me. But I'm scared of the authorities.

You should take her to Housing Court, you won't get in trouble.

"A lot of immigrant tenants are afraid to file complaints, they are afraid it will affect their status. But the housing laws have nothing to do with the immigration laws. Even if you are an illegal immigrant, you still have rights."

- Seema Agnani, Executive Director
Chhaya Community Development Corporation



You can't evict the tenant. It's an illegal apartment, though. So the tenant has three months to find a new place. In the meantime, the tenant does not have to pay rent.



I'm going to lose a lot of money.

Not bad.

"Usually the judge gives tenants three months to find another place, and if you still can't find an apartment, they give you three more months. It's a really long process."

- Seema Agnani, Executive Director
Chhaya Community Development Corporation



*I'm not sure I'll find
anywhere else I can
afford.*

*I can't afford to lose
three months of rent. Isn't
there any other ending to
this story?*



Ending #3: Mediation

Listen, I can't afford a lawyer for court. I can't pay my mortgage if you don't pay rent. And I don't want you to live in unsafe conditions. Isn't there some way we could fix this outside of court?



"Chhaya can help landlords and tenants mediate outside of court. We can't solve everything, but it costs less. It is a supervised negotiation based on trust. Queens Mediation Services can help too."

- Seema Agnani, Executive Director
Chhaya Community Development Corporation

I agree, we need to talk. I can't afford to live anywhere else. But this place is dangerous.



"There's an immigrant housing coalition, we're trying to create legislation that would give the city a way to deal with this issue, that would make it easier and cheaper for owners to make changes to legalize. We meet every month or so, either to draft legislation, to talk to elected officials, just to figure out how we can help this thing go forward"

- Harvey Epstein, Immigrant Housing Collaborative



Phone numbers to call:

Chhaya: (718)478-3848

Queens Mediation Services: (718)523-6868

NYC Information: 311

Department of City Planning Borough Office,
Queens: (718)286-3170

Zoning Information Desk: (212)720-3291

For a Certificate of Occupancy:
www.nyc.gov/buildings

This comic book was produced by CUP in collaboration with students from the College Now program at Hostos in the summer of 2009.

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