As Tourists Find Rooms, Tenants Face Disruptions

By J. DAVID GOODMAN and JOSHUA BRUSSTEIN

Michael Cutler, a 33-year-old transplant from Texas, has lived for more than five years in an overcrowded single-room apartment in the Imperial Court, an L1-story building on West 79th Street at West End Avenue.

Mr. Cutler makes do in a 168-square-foot space that is crammed to the ceiling with antiques, rugs, and books.

"This is part of the tourist hotel," Mr. Cutler said as he stood in front of an apartment two doors down and fingered the black key card slot and the brass-colored handle. "Handling for the tourists, knobs for the residents."

Mr. Cutler came to New York to become an actor but now earns $20,000 a year installing signs for Wall Street corporations.

He is one of about 120 single-room residents of the Imperial Court — a half of its population — who have watched as hallways, bathrooms, kitchens and bedrooms have been upgraded in an effort to transform the building into a hotel.

"In undertaking such an extensive remodeling, the Imperial Court is not alone. Landlords at a growing number of New York apartment buildings are finding it lucrative to reconfigure long-term tenants with a transient clientele of tourists and other short-term guests who pay higher rates."

The Imperial Hotel Task Force, made up of local officials and tenants, has received complaints from tenants of about 100 residential buildings citywide.

The task force is drafting a report on the issue, to be released in the fall. Already, the hotel is moving to shut down several hotels, including the Imperial Court, that say they are operating illegally.

Under current city laws, a building intended for residential use must be used primarily as permanent residences, with a minimum lease term of one month. Some property owners have interpreted this to mean they can use the space as hotel rooms as long as the minimum stay is 30 days. And in buildings classified as single-room occupancies, like the Imperial Court, the law is even stricter, with many of the tenants paying rent by the week.

"Councilwoman Gale A. Brewer, in whose district the Imperial Court is located, is among several council members who have introduced a bill to tighten restrictions on the conversions. And a spokesman for Mayor Michael R. Bloomberg said his office was working on legislation that would fix ambiguities in the law."

While the complaints are concentrated on the Upper West Side, which still has a large number of single-room-occupancy buildings, examples have been cited throughout Manhattan.

"They've been cropping up all over the place," said John Raskin, an organizer with Housing Conservation Coordinators, a tenants' association that works with public officials to draft tougher laws. "Anywhere a tourist would feel safe.

With the number of tourists rising every year — an estimated 44 million last year, up from 43.8 million in 2005, according to the city — such conversions could become even more tempting. But the existing law surrounding conversions is murky, and few building owners have been punished for renting out short-term space.

"There's not a clear law that says what an illegal hotel is," said Yarow Williams-Cole, a tenant organizer at the Goddard Riverside S.R.O. Law Project, which provides legal representation for single-room occupancy tenants.

And although Web sites like Hotels.com and Expedia.com advertise rooms in the Imperial Court and other residential buildings, the ventures operate largely below the radar. The Imperial Court, for example, has no printed brochures. For inquiries regarding rates, tenants at the reception desk refer visitors to the building's Web site, ImperialCourtHotel.com.

There, a visitor can get a room from $129 a night (bathroom shared with other guests and single-room occupancy tenants) to $188 per night for a double room with two beds, private bathroom and kitchenette. Mr. Cutler, by comparison, pays about $225 a week for a room that includes a kitchen and bathroom.

The Department of Buildings says that the Imperial Court is violating the law by operating as a hotel and that the city will continue to operate "as they have for decades."

In some eyes, owners of such buildings are simply doing what is good business.

"I'm not sure why a lot of public officials are getting upset," said Frank Ricci, a spokesman for the Rent Stabilization Association, which represents residential building owners. "I think the owners are just trying to make ends meet.

Residents of such buildings often see the situation differently. They complain of noise late at night, the lack of maintenance and security in a building where strangers come and go at various hours, and constant construction that disrupts day-to-day life.

Charles Nassif, who, like Mr. Cutler, lives on the first floor of the Imperial Court, said his worst experience came one evening when he was taking a shower and a group of guests decided that his time was up. "I was in my bath towel," he said, "and they were trying to push the door open.

On a recent day outside the hotel, several foreign guests who were consulting a subway map were bawled out by the idea that their hotel had permanent residents. But Ken Macdonald, a former New Yorker who was renting a room for $335 a night while in the city for a visit, knew all about the full-time residents. He used to be one.

From 1989 to 1994, Mr. Macdonald paid $170 a week to live in the Imperial Court. Though he still recognized some faces, many of his old neighbors were nowhere to be found.

"A lot of people lost their spots," he said. Sticking out his cigarette, he headed back inside to his room, key card in hand.

There's no a clear law that says what an illegal hotel is.

Michael Cutler is a long-term resident of the Imperial Court. That it is used as a hotel is evident in its key-card locks: "Handles for the tourists, knobs for the residents," he said.