By Sarah Ferguson

"It's a virtual Maginot line," quipped David Boyle, standing on the fourth-floor fire escape of 539 East 13th Street as he surveyed the flimsy tangle of bicycle frames and barbed wire welded to the metal stairways below. "Why, that flowerbox is downright impervious," he boasted.

Throughout Memorial Day, Boyle and fellow squatters—at home-steaders, as they call themselves—had been frantically fortifying their buildings. They boarded up windows and plugged stairwells with wooden joists and overturned refrigerators. At 2 a.m., the front doors of 545, 541, and 539 were sealed shut. We were sealed inside.

But faced with a military-style invasion, Boyle and the others knew it was only a matter of time before the cops busted down their doors. Their goal was to hold out long enough for their lawyers to block the city’s vacate orders in court.

A pair of cruddy speakers blared the Clash’s “Magnificent Seven” as a ragtag army of street supporters began throwing up barricades of old furniture, rusted-out stoves, even an overturned car. "It's all garbage," bellowed Sunnny the Plumber, a White Panther turned dumpster diver, as a phalanx of police began assembling on Avenue A.

Just before dawn, about 50 cops massed at both ends of the block. They just stood there, seemingly baffled by the festive metal jam under way. Squatter punks with dreadlocks and facial tatts brandished trashcan lids shields like comic book Conans. There was a young woman in a silver hardhat and hot pants banging a tin drum, a guy in a purple wig, waving a metal pipe against the no-parking sign, a man in his underwear shouting "More pot!"

Another guy doing reconnaissance tours on roller blades. Sharpshooters were posted on the neighboring rooftops, and three helicopters circled overhead. Squatters at 545 set up a strobe light on the scaffold platform, then petted the other demonstrators with bags and medly heads of lettuce. Over the radio, we could hear Channel 5's Felipe Lacayo, the former Young Lord, crooning, "It's just like the 60s!"

Then word came up from the street: "There's a tank on St. Marks!" I retired inside Boyle's apartment, cluttered with books, recycled furniture, and found art. It was Boyle and a crew of "warrior poets" who first took over this strip of tenements in 1984, after the smack dealers who controlled the buildings since the late 70s murdered a cab driver and fled.

The homesteaders bricked up the doors, then cleared out floors piled high with used needles, faces, and debris. In 1984 Boyle even received a letter of support from the right-wing Heritage Foundation for his urban initiative. Over the years, I'd attended potluck dinners here, along with jazz performances and poetry readings in the neighborhood gardens that the homesteaders carved out of rat-infested lots.

Now the city labels their efforts criminal. From the city's perspective, the squatters are bohemians—educated artists, with the means to go elsewhere. The charge assumes that artists can't be poor—or that poor people can't be artists. For all the stereotyping, the demeniers of 13th Street range from former runaways and working-class cabbies to black jazz musicians and playwrights, Uruguayans and El Salvadoran refugees, young families, and Vietnam vets.

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396 Avenue of the Americas at 8th Street
In the Heart of the Village

Sweat Inequity

By Steven Wishnia
If what happened to Mariano and Herminda Paulino is any indication, the 13th Street squatters don't have much to look forward to.

Back in the fall of 1993, the Paulinos—tired of sleeping in the same room as their son—left their one-bedroom apartment in Washington Heights and moved into a building, 508 West 168th Street, that had lain vacant for a decade and a half. With three other families, they cleaned out the crumbling walls and fixed the windows, put in glass-paned doors and replaced the bathroom's linoleum floors and tiled the kitchen walls.

It may have been the only squat in the city with a central heat and hot water, the only one that needed repairs. Mariano Paulino, 45, a construction worker since he was 16 in Santo Domingo, even built a room in the living-room walls for his stereo speakers. Six-year-old Mario got his own room.

Similar stories could be told by the other families. Dominican immigrants trapped by the city's housing crisis, Dolores Santana, a street peddler, had just been evicted from an illegal $300-a-month basement cubicle; she and her 22-year-old daughter were the first ones in. Vito Zapata, an auto mechanic, had been living in a single room with his wife and two sons, aged two and 17. The Sanchez-Teran family: Helen, 26, a dental hygienist student, at Hostos Community College; her husband, Manuel, a salesman in an auto parts store, and Larry, their infant son—had been staying with him around the corner.

Then, on March 14, they were all evicted, three months after the state appellate division reversed a lower-court decision and ruled that the city could evict squatters summarily because they were "illegal occupants . . . with no property interest in the premises." In other words, they had no more rights than a drunk passed out in the hallway. Raymond Brescia, a Legal Aid lawyer representing the squatters, says they plan to take the case to the court of appeals, the state's highest court.

Meanwhile, the Department of Housing Preservation and Development has leased the building to the Community League of West 159th Street, a local nonprofit. In late April, four families had been living in a city-owned 159th Street building undergoing renovation moved in.

To prepare the building, HPD removed three propane tanks the squatters had been using for cooking gas, rebuilt one of the bathrooms, and legalized the gas, electricity, and water hookups, according to spokesman Marie Neville. "The so-called repairs squatters made are not up to code," she says. "We've done enough work to insure that the four households relocated can live there absolutely safely."

"If they have that position, why are they using all the work we did," asks Paulino bitterly, pointing to the building's front door, which he installed. "Everything that's done there, we did," adds Zapata. Matthew Lee of Inner City Press, a Bronx-based squat organization, says HPD relocation chief Pedro Castillo called the homemakers' work "impressive" during the eviction. A Com Ed spokesperson told City Limits in January that the electricity was legal.

"It was an abuse," says Tania Sanchez. "They take four people out to put in four people who have no connection to the building. I was our work, our emotion."

Raymond Brescia says HPD officials offered the squatters alternative housing "in no uncertain terms." The department denies that giving evicted squatters

CONTINUED ON NEXT PAGE
while the hearings continue, the appellate declined to rule on the merits of the safety issue, postponing further arguments until the September term.

The city wants the squatters out of these buildings—along with two adjacent squads—to make way for a $4 million low-income housing project sponsored by the nonprofit Lower East Side Coalition Housing Development. Its former director, Antonio Pagán, the Lower East Side councilmember who made squat- ter bushing a personal crusade, Pagán vowed in his 1993 campaign to oust the 13th Street homesteaders, and it was Pagán who pushed the LESCHD project through the City Council.

The buildings on East 13th would be a prime buyer for LESCHD, which already earns development and management fees from about a dozen buildings in the nabe, and a source of ready-made votes for Pagán, who serves on LESCHD’s advisory board. While Pagán dismisses the squatters for standing in the way of low-income housing, he recently lobbied to kill a $10 million housing proj- ect on Houston Street because it was sponsored by one of his archenemies, the Cooper Square Committee.

The real issue isn’t housing; it’s control. At a time of streamlined government, when there are no more jobs to give away, housing is one of the last remaining forms of political patronage. Not surprisingly, both the contractor and archi- tect handpicked by LESCHD for the 13th Street project were early campaign contributors to Pagán. Both LESCHD and Pagán declined comment.

The squatters’ only hope is to drag out their court case long enough to kill the LESCHD project. In court last Thursday, city lawyers com- plained that the case is not resolved by December 31, they will lose fed- eral, city, and private monies allo- cated for the project. Judge Wilk seems in no mood to rush judgment. When Wilk began hearings last fall, he questioned why the city had left the East 13th Street buildings fallow for so long. In a sense, Wilk has allowed the squatters to put the city’s housing policy on trial.

Last week, a city housing official acknowledged it had been city prac- tice to ignore vacant properties not slated for development. According to Stanley Cohen, a lawyer for the squatters, the official also said that the work the squatters had done had very likely prevented the buildings from collapsing.

For now, the 30 or so displaced homesteaders are living doubled up in other squats and apartments. But they’ve vowed to reclaim their homes. On Saturday, over 200 people marched on 13th Street with a cardboard tank and attacked the police barricades set up before the squat. Six people were arrested and two police suffered minor injuries when cops charged the crowd with batons and mace.

“It’s like there’s a war to exter- minate us,” says Sue, eight months pregnant and now living with her hus- band and six-year-old son Thor in a single room. And with three squats still occupied, that war could prove very expensive. Over the doorway of 359 there’s a slogan that Boyle painted years ago: NO FINITO HASTA EL FINITO. It’s not over till it’s over. [n]