



## FACT SHEET FOR TENANTS LIVING IN RENT STABILIZED APARTMENTS

Rent stabilized apartments make up the largest source of affordable housing stock in New York City. Tenants of rent stabilized apartments have valuable rights that are not available to tenants living in private housing. If the landlords violate these tenant rights, the tenants can take actions against them at the Housing Court. However, once the rent reaches \$2000, a unit becomes "deregulated" and do not fall under the rent stabilization laws. As a result, we are losing these rent stabilized apartments at an alarming rate in New York City and therefore it is important to know your rights and exercise them.

**Irrespective of your immigration status**, you are guaranteed these tenant rights! As long as you are the authorized tenant of a rent stabilized unit, you have the right to file complaints against your landlord and take actions at the Housing Court.

If you feel you are being denied your rights, do not hesitate to call Chhaya CDC for assistance. Chhaya staff speaks Bangla, Hindi and Urdu. You can also call 311 for additional resources.

### How do I know whether my apartment is rent stabilized?

**If the building was built before 1974, has six or more apartments, and the rent is currently under \$2000**, the unit is likely to be rent stabilized. You can call the New York State Division of Housing and Community Renewal (DHCR), at **(718) 739-6400** to find out if your apartment is rent stabilized or not.

### What are my rights as a rent-stabilized tenant?

Below are some important rights that you have as a rent stabilized tenant:

#### Repairs and Services:

- ❖ You have the right to proper and timely repairs and to safe and sanitary living conditions. If the landlord fails to provide this, you have the right to take Housing Part Action (HP) at the Housing Court against the landlord. You may also be entitled to reduced rent due to lack of services.
- ❖ You have the right to an inspection of the unsafe conditions in your apartment as well as file complaints with New York City's housing agency called HPD (Department of Housing Preservation and Development). You can call 311 to complain about issues such as lack of heat and hot water, as well as request an HPD inspection.
- ❖ If there are any improvements or renovations done in your unit while you are living there, the rent can be increased by 1/40<sup>th</sup> of the cost of those renovations. If you think you were charged more than that, you should notify your landlord immediately and file a *Rent Overcharge* complaint with DHCR.
- ❖ You have the right to complain to DHCR and take the landlord to Housing Court if you are being harassed. Harassment includes but is not limited to consistent withholding of services and persistent physical or psychological intimidation.

#### Rent Amount and Increase:

- ❖ You have the right to *registered legal rent*. The landlord is obligated to register every rent stabilized unit annually with DHCR and report the rent on each of these units, which is known as the *registered legal rent*. The landlord cannot charge you more than this registered legal rent.
- ❖ At lease renewal, the landlord can only increase rent by the percentage set by the NYC Rent Guidelines Board (RGB). This amount is reviewed and set annually. Information about current guidelines can be obtained by contacting the RGB at **(212)-385-2934** or at <http://www.housingnyc.com/html/guidelines/apt.html>
- ❖ When a unit is vacated, landlords are allowed to increase rent by no more than 20% for a unit whose rent is are under \$2000.
- ❖ If there are any improvements or renovations done in your unit while you are living there, the rent can be increased by 1/40<sup>th</sup> of the cost of those renovations. If you think you are charged more than that, you should notify your landlord immediately and file a *Rent Overcharge* complaint with DHCR.



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- ❖ You have the right to see the rental history for your particular rent regulated unit. You can get this document by calling DHCR's Rent-info line at **(718)-739-6400** or by visiting your local DHCR office. **It is important that you verify your current rent as well as all rent increases by checking the Rental History.**
- ❖ You are entitled to receive a *rent registration form* from DHCR every year. This form shows the rent amount you should be paying every month. If you do not receive this form, you should get one at the Rent Administration Office. If the rent amount you pay is higher than the rent amount shown in the rent registration form, you should notify your landlord immediately and file a Rent Overcharge complaint with DHCR.
- ❖ Some tenants of rent stabilized buildings receive *Preferential Rent* - a rent which is less than the allowed legal rent. Upon lease renewal, a landlords can charge legal rent from tenants receiving Preferential rent **ONLY IF-**
  - i. the legal regulated rent was written in the vacancy or renewal lease in which the preferential rent was **FIRST** charged, and
  - ii. the agreement was **NOT** for the term of tenancy. Registration with DHCR of the legal regulated rent by itself will not establish the legal regulated rent for future usage

### Lease Renewal:

- ❖ As a tenant, you have the right to choose a one-or two- year lease term and lease renewal at the end of the term. **You cannot be evicted if the landlord fails to offer you a new lease on time.** If you are not offered a new lease at the time of renewal, the landlord is obligated to respect the old rent amount until a new lease is signed.
- ❖ You have the right to transfer your lease to your immediate family including your children, spouse or parents. This is known as the succession.
- ❖ You have the right to sublet your unit with approval from the landlord.

### Resources:

Free assistance for tenants:	Important institutions for tenants:
<b>Chhaya CDC:</b> 37-43, 77 <sup>th</sup> Street, 2 <sup>nd</sup> floor Jackson Heights, NY 11372 718-478-3848	<b>Division of Housing and Community Renewal (DHCR)</b> Gertz Plaza 92-31 Union Hall Street Jamaica, New York 11433  Rent Administration 718-739-6400 Enforcement Unit: 718-262-7974 General Information and questions: 1866-275-3427
<b>Queens Taskforce on Housing Court:</b> 8917 Sutphin Blvd Jamaica, NY 11435 718- 657-0599	<b>Department of Housing Preservation and Development (HPD):</b> 311
<b>Queens Legal Aid office at Housing Court:</b> 8917 Sutphin Blvd Jamaica, NY 11435 Room 235	<b>Queens County Housing Court:</b> 8917 Sutphin Blvd Jamaica, NY 11435