
Why are rents getting so high? What needs to happen in state and city government to make rents affordable?

The **New York Is Our Home Campaign** platform to restore fairness to the administration of rent regulations

Governor Spitzer has the chance to greatly improve rent regulation by making some simple changes at the NYS Division of Housing & Community Renewal. These changes would preserve tens of thousands of units of regulated housing and do not require legislative approval.

End Phony Demolition Evictions Demolition evictions should only be granted when the owner plans to raze a building — not when the plans are for an internal gutting or rehab. In addition, the DHCR should re-instate the mandatory hearing procedure in all demolition cases.

Limit Preferential Rents Landlords in many low- and moderate-income neighborhoods have been renting apartments at “preferential” rents (rents below what is legal to charge) for years and now that the real estate market is stronger, the DHCR is allowing landlords to bump the rent up to the legal regulated rent (often hundreds of dollars more) in every situation. The code should be changed to allow a tenant with a pre-2003 preferential rent to keep it (in line with a change in the law). In addition, these rent increases should be allowed only for those tenants with post ‘03 leases that state clearly that the preferential rent is for that lease term only.

Restrict “Unique or Peculiar” Hikes Landlords have applied for huge rent increases in pre-’74 former Mitchell-Lamas under the U&P clause in the law. The DHCR could restrict these increases to individual apartments and ban the use of the process for entire buildings. This change would preserve thousands of units of affordable housing.

Reform the Major Capital Improvement Rent Increase System Landlords can get Major Capital Improvement rent increases for replacing building-wide systems. The DHCR should start using examinations, inspections and audits to insure that work is done (similar to the process employed by NYC for the J51 tax abatement applications). The system should not rely, as it does now, on tenants hiring engineers and lawyers at great expense to prove fraud.

Stop Landlord Harassment The DHCR should enforce fines and penalties that are high enough to deter owners from harassing tenants. DHCR should also monitor repeated offenders like Pinnacle, and strengthen the penalties for such landlords.

Stop Rent Overcharges and Educate Tenants Institute a pro-active registration system so that tenants get an annual statement from the DHCR showing the history of all rent increases, and advising tenants of their rights to challenge rent increases as well as other rights and responsibilities.

Strengthen Code Enforcement The DHCR could collect complaints about reductions in services and repairs from tenants through a call-in system like NYC’s 311 system. The current system for reducing rents for reduction in services is overly cumbersome for tenants and allows landlords too much leeway.

Open the DHCR to tenants and owners DHCR borough offices should offer multi-lingual assistance and information to tenants and landlords. The agency’s website should be expanded to allow web-based filings, requests for information, and advice.

New York Is Our Home! : Affordable Rent Campaign

New York Is Our Home! is a coalition effort of affordable housing groups, labor and the Working Families Party.

**Over for more
proposed changes**

Many changes in the law during the Pataki years have allowed landlords rent increases and greater opportunities for eviction. The following simple changes to the rent laws would preserve thousands of tenants in their homes, and would save affordable housing. The current atmosphere of reform in Albany, along with the narrow margin between Democrats and Republicans, makes it possible to change the ways the rent laws are administered by the DHCR

Restrict Owner-Use Evictions. Make the rules for NYC the same as those used in the suburban counties: restrict landlords two units for their own personal use, should have to show an immediate need for the unit, and seniors, disabled tenants and tenants in occupancy for 20 years or more should be protected against owner-use evictions.

Reform Four Year Rule. Assume that all deliberate overcharges are fraudulent and allow the DHCR to look back more than four years to prove an illegal rent hike or an illegal decontrol. Rely on the registration system to track rent increases (see other side).

Expand Lease Rights. DHCR's rules should be altered to allow, on lease renewal, the addition of non-traditional and traditional family members. Currently, the rules only permit a legally married spouse to be added to the lease, requiring non-traditional and other traditional family members to go to court over succession.

Roommate Overcharges. Under current interpretations of the rent regulations, DHCR and the courts permit landlords to evict rent stabilized tenants for charging a roommate more than a fifty percent of the rent. Tenants sharing an apartment should be able to divide the rent however they want to (without going over the legal rent).

Working Families Party, Tenants PAC, Stuyvesant Town / Peter Cooper Village Tenant Association, NYS Tenants and Neighbors Coalition, NYC AIDS Housing Network, NW Bronx Community and Clergy Coalition, Good Old Lower East Side, Coalition for the Homeless, Bronx Tenant Action Coalition (BTAC), ACORN

New York Is Our Home! Affordable Rent Campaign

New York Is Our Home! is a coalition effort of affordable housing groups, labor and the Working Families Party Abyssinian Development Corporation, American Association of Jews from the Former USSR (NY Chapter), Asian Americans for Equality, Association of Legal Aid Attorneys (UAW 2325), Beulah HDFC Inc., Churches United, Community Service Society, CWA District 1, CWA Local 1180, Cypress Hills LDC, DC 37, Dunbar Tenant Association, Flatbush Development Corp., Forrest Hills Community House, Goddard Riverside Community Center, Greater New York Labor Religion Coalition, Housing Conservation Coordinators, Interfaith Assembly on Homelessness and Housing, Janel Towers Tenants Association, Jews for Racial and Economic Justice, Joint Public Affairs Committee for Older Adults (JPAC), Knickerbocker Plaza Tenant Association, Los Sures, Make the Road By Walking, Met Council on Housing, Mothers on the Move, New Settlement Apartments/ CASA, Queens Congregations United for Action, UHAB, United Neighborhood Houses of New York, West Side SRO Law Project, Woodside on the Move