

Housing Resources for Seniors

Senior Citizen Rent Increase Exemption (SCRIE)

Seniors living in rent-regulated apartments, Mitchell-Lama or limited dividend company buildings (such as Penn South or Amalgamated Houses), and apartments regulated by the loft board are eligible to have their rent frozen if:

- the head of household is 62 or older
- the household income is \$25,000 or less (including boarders contribution to rent, not their incomes). *Note: The income cap will go up every year. Check with the city's Dept for the Aging for the current cap.*
- the rent is 1/3 of income or an upcoming rent increase will bump the rent over that mark

The program is administered by the New York City Department for the Aging. To apply, get the application from the Dept for the Aging by going to the agency (2 Lafayette Street in lower Manhattan), calling the city's central information number 311; going to your local senior center or the agency's website. While on the website, you can also find your local senior center, use the agency's "quick check" to find out if you are eligible for SCRIE or other benefits, and find information about other housing resources for seniors. <http://www.nyc.gov/html/dfta/home.html>

Affordable Housing Lists

There is very little housing produced that is affordable for seniors on fixed incomes. Most of the apartment buildings developed through government affordable housing programs have waiting lists or, if recently built, a lottery application process. To apply at existing buildings subsidized by the state or federal governments, you must go directly to the development and fill out an application. New buildings usually accept applications by mail and then you go through a lottery to determine if you will be given an apartment. These are usually advertised in the local daily newspapers. To find buildings with open waiting lists or lotteries on the web:

www.dhcr.state.ny.us/ocd/rentup/rentup.asp

www.dhcr.state.ny.us/general/seniors.htm

<http://www.nyc.gov/html/hpd/html/apartment/lotteries.shtml>

Special tenants' rights for seniors

Tenants have some special protections against eviction once they reach 62. In coop and condo conversions, seniors living in unregulated apartments or in buildings that are going through an eviction plan conversion can stay in their apartments even if

For more detailed information about your rights as a tenant, or for assistance in organizing a tenants' association:

METROPOLITAN COUNCIL ON HOUSING

339 Lafayette Street, New York, NY 10012 • www.metcouncil.net

Tenant Hotline: 212-979-0611 (Mondays, Wednesdays and Fridays 1:30-5:00 p.m.)

Free Tenant Clinic: Tuesdays 6:30 p.m., Cooper Square 61 East 4th Street (between Bowery & 2nd Ave.)

they elect not to buy their apartments. The New York State Attorney General's office has information on this and other issues. www.oag.state.ny.us/seniors/seniors.html

When the owner is seeking a tenant's eviction for the owner's personal use, if the tenant or the tenant's spouse is 62 or older, the tenant can't be evicted if the apartment is rent controlled. If the apartment is rent stabilized, the owner must offer the tenant an apartment of equivalent or lower rent in the same neighborhood. See the NYS Division of Housing and Community Renewal's fact sheet for more details: <http://www.dhcr.state.ny.us/ora/pubs/html/orafac21.htm>

Eviction Prevention and Adult Protective Services (APS)

When a low income senior is facing eviction, he or she, or if unable, a family member or neighbor should try to get legal assistance through the Legal Aid Society or Legal Services for New York. To find the nearest office: www.lawhelp.org

If the eviction is imminent and an elderly tenant is unable to cope with the situation, a neighbor or family member should call Adult Protective Services right away to stop the marshal from carrying out the eviction: 212-630-1853;

http://www.nyc.gov/html/hra/html/serv_adultprotective.html

A senior who is having trouble coping with day to day concerns such as managing money, paying rent on time, or keeping the apartment tidy is entitled to a *guardian ad litem* if the landlord starts an eviction proceeding in housing court. The guardian is appointed by a judge and serves just during the housing court procedure to seek assistance for the senior (legal assistance, back rent or cleaning help, for example). In some cases, the state agency or a family member or neighbor can seek to have a permanent guardian (known as an article 81 guardian) appointed if the senior is incapable of managing day to day concerns. When getting involved in any of these procedures, it is important for a caring person to stay in contact with the guardian or agency - Adult Protective Services and some private agencies which provide guardians are notorious for allowing bad situations to worsen.