

How to Get Repairs (Part 1)

A Fact Sheet for Tenants on How to Notify the Landlord of a Problem with Services or Repairs

The laws and regulations of New York require that your landlord maintain essential services in your building or apartment and that he/she make prompt repairs. The first step in getting services or repairs is to ask the landlord, managing agent or superintendent. If this doesn't result in the desired repair, you must take additional steps. Before taking actions, you must notify the landlord in writing unless the problem is an emergency. You should also join with other tenants when complaining about repairs or services.

Send a letter to the landlord, mail it by certified mail, return receipt requested, detailing the problems in your apartment, in the common areas of the building, and the history of your complaint (for example, details of the five times you complained to the super and what promises the super made). You can send the letter with the rent. Here is a sample:

Sample letter

March 30, 2008

Dear Landlord:

Enclosed is my rent for April, 2008. As I have told the super several times, I need repairs in my apartment and in the public areas of the building. He keeps saying he will do them, but he never has. These repairs are:

Bathroom

1. Hot-water faucet in tub leaks
2. Floor tiles broken

Kitchen

3. Mouse droppings next to stove

Common Areas

4. Second-floor public hall light broken
5. Entrance door lock defective

If these repairs are not made by April 15, 2007, I will have no choice but to use my legal remedies to get the repairs done. Please contact me as soon as possible to arrange a time to have these repairs made.

Sincerely,

Jane Doe (Apt. 4A)
daytime phone: 123-456-7891

Important Note: If you are rent stabilized or rent controlled and you plan to file a reduction in services complaint with the NYS Division of Housing & Community Renewal to get a rent freeze, you must be able to prove that you first wrote the landlord notifying him/her of the problem. You must send the letter by certified mail, return receipt requested and keep a copy of the letter to show the DHCR. In general, when fighting with your landlord over repairs and services, keeping good records is very important.

Writing from the tenants' association More effective is a letter from the tenants' association, or a letter signed by many tenants in the building, as this signals to the landlord that there will be organized action to get repairs. Mail all letters by certified mail, return receipt requested, and keep copies of everything. In both cases, individual or tenants' association, keep a log of the landlord's response (or the super or managing agent).

A sample letter from the tenants' association

March 30, 2008

Dear Landlord:

We write to you as members of the XYZ Tenants' Association in order to get repairs to the public areas and our individual apartments. Previous attempts by individual tenants to get repairs from you have failed. We intend to act as a tenants' association from here on, and take whatever follow-up steps are necessary to get these repairs.

We have attached to this letter a list of repairs needed in various apartments. In the public areas, the following needs to be repaired:

The entry way door lock is defective and outsiders can easily gain entrance to the building by pushing hard on the door.

The elevator does not stop level with the floors.

The hallways are in need of cleaning and mopping.

If these repairs are not made by April 30, we will exercise our legal rights to get them done. Please contact us as soon as possible to set up a schedule for making repairs.

Sincerely,

Jane Doe (Apt. 4A), Robert Smith (Apt 5B)
Co-Presidents, XYZ Tenants' Association

Be prepared to follow up with a complaint to the city or state housing agencies, and/or a court action. If the landlord does not respond to your letter, or responds but does not do the work (or doesn't complete the job) you should think about the next steps.

Next Steps You can file a complaint with the city by calling 311. Through 311, you can connect to city departments responsible for enforcing the housing, building and health codes. You can file complaints (either building-wide or individual apartment) with the state housing agency, the Division of Housing & Community Renewal, if you are rent regulated by calling for the forms at 718-739-6400 or by visiting their website at: <http://www.dhcr.state.ny.us>. See our other fact sheets for more details (metcouncil.net/factsheets/factsheets.html).

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.)