

YOUR RIGHTS AS A RENT-REGULATED TENANT AT-A-GLANCE

The New York City housing codes, state law, and federal law all establish your right to a safe, well-maintained, livable apartment. Following are some of your basic rights as a rent-regulated tenant:

YOU HAVE A RIGHT:

To building services: heat and hot water, elevator service (if there was an elevator in your building when you moved in), superintendent service on a 24-hour-a-day basis, regular cleaning of hallways and common areas, proper garbage disposal, and elimination of rats, mice, and cockroaches. The landlord is required by law to provide these services.

To working appliances; if an appliance cannot be repaired, you can have it replaced with a used one in good repair at no charge.

To have the landlord paint your apartment regularly (every 3 years).

To pay for oil deliveries to your building and deduct the cost from your rent, and to pay utility bills for public areas of the building and deduct the cost from your rent, if the landlord has failed to ensure an adequate fuel supply or to pay the utility bills.

To take the landlord to court—either by yourself or with other tenants in an HP Action—if the landlord fails to maintain the building and/or your apartment. (Changes in the law and a landlords’ “blacklist” put tenants who withhold rent at risk. Before deciding to withhold rent to get repairs, seek expert advice.)

To the quiet enjoyment of your apartment. This means that the landlord or agent must enforce your right to live peaceably in your apartment, without interference either from the landlord or from other tenants.

YOU HAVE A RIGHT:

To go on living in your apartment, with or without a renewal lease, under most circumstances. If you are a rent controlled tenant—that is, if you moved into your apartment before July 1, 1971, and the building was built prior to 1947—you do not need a lease. If you live in a rent-stabilized apartment, the landlord must offer you a renewal lease at least 90 days before your current lease

expires. If your landlord does not offer you a renewal lease, your old lease remains in effect.

To share your apartment with one other person not related to you and that person’s dependent children. You do not need the landlord’s permission to have a roommate, and you do not need to inform the landlord of your roommate’s name unless the landlord requests it.

To keep a pet that you have kept “openly and notoriously”—not hidden—for at least three months without complaint from the landlord—even if your lease has a “no pet” clause.

To “inherit” the right to live in your apartment from your husband, wife, child, stepchild, parent, stepparent, sister, brother, step-sister, step-brother, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, or “nontraditional family member” if you lived there with that person for at least 2 years before she or he moved or died. For senior citizens and disabled people, the time limit is 1 year; nontraditional family members must be able to prove that they were emotionally and financially committed and interdependent with the tenant from whom they are “inheriting” the apartment.

To know the name and location of the bank where your security deposit is kept and the amount of the deposit, and to be paid the interest on your security deposit annually (minus a 1% administrative fee).

YOU HAVE A RIGHT:

To belong to a tenants’ association. The tenants’ association has the right to use common areas of the building, such as the lobby, for meetings. The landlord is forbidden by law to harass you for tenant-organizing activities.

To organize rent strikes. (But be sure to get help and legal advice if you do.)

To complain to government agencies and to protect your rights as a tenant.

You cannot be evicted unless the landlord takes you to court and the judge gives the landlord a warrant for your eviction. Only a sheriff, marshal, or constable with a warrant can carry out a court-ordered eviction. If you are evicted, the landlord cannot keep your personal belongings or furniture.

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 6:00-7:00 p.m., Cooper Square 61 East 4th Street (between Bowery & 2nd Ave.)