



Legislation Details (With Text)

File #: Res 0327-2018 **Version:** * **Name:** Rent Regulations Package - Extending the statute of limitations for rent overcharges.

Type: Resolution **Status:** Adopted

In control: Committee on Housing and Buildings

On agenda: 5/9/2018

Enactment date: **Enactment #:**

Title: Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation extending the statute of limitations for rent overcharges.

Sponsors:

Indexes:

Attachments: 1. Res. No. 327, 2. Committee Report 5/2/18, 3. Hearing Testimony 5/2/18, 4. Hearing Transcript 5/2/18, 5. May 9, 2018 - Stated Meeting Agenda with Links to Files, 6. Hearing Transcript - Stated Meeting 5-9-18, 7. Minutes of the Stated Meeting - May 9, 2018

Date	Ver.	Action By	Action	Result
5/2/2018	*	Committee on Housing and Buildings	Hearing on P-C Item by Comm	
5/2/2018	*	Committee on Housing and Buildings	P-C Item Approved by Comm	Pass
5/9/2018	*	City Council	Introduced by Council	
5/9/2018	*	City Council	Referred to Comm by Council	
5/9/2018	*	City Council	Approved, by Council	Pass

Preconsidered Res. No. 327

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation extending the statute of limitations for rent overcharges.

By The Speaker (Council Member Johnson) and Council Members Cornegy, Chin, Rosenthal, Torres, Williams, Perkins, Rivera, Kallos and Constantinides

Whereas, According to the 2017 New York City Housing Vacancy Survey, there are 966,000 rent stabilized units and 21,751 rent controlled units; and

Whereas, The New York State Homes and Community Renewal agency is responsible for administering rent stabilization and rent control laws; and

Whereas, The rent stabilization and rent control laws set standards for the legal amount of rent an owner may charge, for increases in rents, for removal of a property from rent regulation, and for evictions; and

Whereas, If an owner is found to have overcharged a tenant living in a rent stabilized apartment, that owner may be responsible for treble damages; and

Whereas, In New York City, some property owners are violating rent regulation laws by charging market rate rents for apartments required to be rent regulated; and

Whereas, In rent controlled apartments, there is a two year statute of limitation for bringing rent overcharge complaints; and

Whereas, In rent stabilized apartments there is a four year statute of limitation for bringing rent overcharge complaints, unless there is evidence of fraud; and

Whereas, If the tenant cannot prove there was a fraudulent scheme to destabilize the apartment, the tenant may have no recourse for years of overcharges; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, legislation extending the statute of limitations for rent overcharges.

JLC
LS 6559
4/25/18 4:59pm