



Legislation Text

File #: Res 1699-2008, **Version:** *

Res. No. 1699

Resolution supporting the New York State Assembly's package of affordable housing bills, A.2894, A.7416-A, A.10823, A.799, A.10647, A.10055-A, A.4069, A.5677, A.6510, A.352, and A.4501 which protects tenants from extraordinary rent increases and landlord harassment in order to preserve New York City's affordable housing stock and urges the State Legislature to enact and the Governor to sign these bills.

By Council Members Gerson, Brewer, Gonzalez and Vann

Whereas, The existence of affordable housing in New York City is threatened by the current laws which allow landlords to increase rents far above the level that allows many New Yorkers to afford to remain in their homes; and

Whereas, Assembly bill A.2894 reduces the vacancy rent increase currently available to owners of Rent Stabilized apartments from 20% to a still generous 10% for two-year leases, while sensibly limiting the increase to one in a year; and

Whereas, A.7416-A repeals the law that allows apartments renting for more than \$2,000 per month to be removed from the Rent Stabilization Program upon vacancy, thereby helping to preserve affordable housing; and

Whereas, A.10823 increases civil penalties, which have not been increased in almost twenty-five years, that may be imposed upon landlords who violate orders of the New York State Commissioner of Housing and Community Renewal from \$250 to \$1,000 for a first offense and increases the penalties for tenant harassment by owners from \$100 to \$2,000 for a first offense; and

Whereas, A.799 limits the number of apartments that a landlord may gain possession of for his or her own personal use to one, and also requires that the apartment must be the proposed occupant's primary residence, thereby preventing landlords from evicting numerous tenants in the same building; and

Whereas, A.10647 increases the income threshold permitting the “luxury decontrol” of an apartment from \$175,000 to \$240,000 in annual income for two consecutive years, and increases the monthly rent threshold from \$2,000 to \$2,700 in order to account for inflation, and further provides that these amounts shall be adjusted by the annual Consumer Price Index increase; and

Whereas, A.10055-A prevents a landlord who has rented an apartment below the regulated maximum amount from instituting the potentially large increases to the full regulated amount until the apartment is vacated; and

Whereas, A.4069 ends the restriction prohibiting New York City from passing rent regulation laws that are more stringent than laws passed by the State, and thereby helps New York City regain control of its rent regulation laws; and

Whereas, A.5677 provides that tenants living in former federal Section 8 projects receive rent and eviction protections and may be subject to rent regulation under the Emergency Tenant Act of 1974, thereby preserving affordable housing units; and

Whereas, A.6510 provides that a rent increase permitted under the Major Capital Improvement (MCI) program shall cease once the landlord has recovered the cost of the capital improvement so the increase shall not result in a permanent windfall to the landlord; and

Whereas, A.352 provides that upon withdrawal of a building or development from the Mitchell-Lama program, a rental building subject to Rent Stabilization laws will not be subject to the “unique and peculiar” clause in the New York City Administrative Code which allows the New York State Division of Housing and Community Renewal to authorize large rent increases; and

Whereas, A.4501 provides for the Commissioner of Housing and Community Renewal to appoint three alternate members with experience in either finance, economics or housing, one representing tenants, another representing owners of property and the third alternate member representing the public, to serve on the Rent

Guidelines Board (Board), in addition to the nine regular members, in all proceedings of the Board as a non-voting member and who shall become an active participant when a regular member is unable to perform his or her duties, in order to ensure that the Board can conduct its necessary business; now, therefore, be it

Resolved, That the Council of the City of New York supports the New York State Assembly's package of affordable housing bills, A.2894, A.7416-A, A.10823, A.799, A.10647, A.10055-A, A.4069, A.5677, A.6510, A.352, and A.4501 which protects tenants from extraordinary rent increases and landlord harassment in order to preserve New York City's affordable housing stock and urges the State Legislature to enact and the Governor to sign these bills.

PM
LS #5749
9/9/08