

Rent Regulation Frequently Asked Questions

What does rent regulation cover in New York City?

In buildings containing six or more apartments constructed before January 1, 1974, apartments occupied by tenants who moved in after June 30, 1971 are generally rent stabilized. Many other apartments are rent stabilized because the buildings in which they are located received certain types of tax benefits. Many rent stabilized apartments could be affected by the expiration of the Emergency Tenant Protection Act of 1974 (ETPA).

Rent controlled apartments are generally in buildings built before February 1, 1947, where the tenant or legal successors have been in continuous occupancy since June 30, 1971. It is likely that rent controlled apartments will not be affected by the expiration of the ETPA.

What does it mean that the ETPA has expired?

The expiration of the law may mean that certain tenant protections, including the right to renew the lease with a regulated rent, will no longer exist for certain rent stabilized apartments. As long as your current lease still applies, in general you should be able to remain in your apartment at the current rent. The details of which apartments are covered and what protections will survive the expiration of ETPA may be the subject of litigation. You may wish to contact the State Division of Housing and Community Renewal (DHCR), which administers rent stabilization and rent control at (718) 739-6400 or check its website at www.nyshcr.org or email rentinfo@nyshcr.org to obtain additional information.

How do I know whether I live in a rent regulated apartment?

Review your lease to see if there is any mention of rent stabilization or rent control in the lease or any riders. Rent controlled apartments probably are not affected by ETPA's expiration, but a rent stabilized apartment could be affected. A sign that you might be rent stabilized is if your landlord gives you a lease every one or two years with a percentage increase. If you are not sure whether you live in a rent stabilized apartment, you should contact DHCR at (718) 739-6400. You may also review DHCR's website at www.nyshcr.org, email DHCR at rentinfo@nyshcr.org, or visit one of the following Borough Rent Offices:

Bronx Borough Rent Office

2400 Halsey Street, 1st Floor
Bronx, New York 10461

Brooklyn Borough Rent Office

55 Hanson Place, Room 702
Brooklyn, New York 11217

Queens Rent Office

Gertz Plaza
92-31 Union Hall Street

Jamaica, New York 11433

Lower Manhattan Borough Rent Office

25 Beaver Street, 5th Floor
New York, New York 10004

Upper Manhattan Borough Rent Office

Adam Clayton Powell, Jr. Office Building
163 West 125th St, 5th Floor
New York, New York 10027

Am I affected?

The expiration does not affect tenants in New York City Housing Authority (NYCHA) public housing, or in Mitchell-Lama developments. As stated above, it probably does not affect rent controlled apartments. It also probably does not affect apartments in buildings receiving certain types of tax benefits, or units in interim multiple dwellings that are under the jurisdiction of the Loft Board. Certain other apartments may also have special protections, such as rent stabilized apartments that have been continuously occupied by a tenant or his or her legal successors since June 30, 1971.

If you live in a rent stabilized apartment other than the types of housing listed above, you may be affected. If you have a current lease, your landlord should not be able to raise your rent during the term of your lease, or evict you solely because ETPA has expired. If the law is not renewed, however, you may be at risk at the end of your lease. In many rent stabilized apartments, the landlord may be able to choose not to renew the lease or to raise the rent to whatever level he or she wants.

If you live in a rent regulated apartment, you can call 311 to be connected to the Mayor's New York City Tenant Protection Hotline, available Monday through Friday, 9:00 AM to 8:00 PM.

What can I do if my lease is up for renewal?

If you have a renewal lease signed by you and your landlord, even for a term that begins after June 15, you should continue to be protected until the end of that lease. If you have received but not yet signed a lease renewal or an offer for lease renewal, you should review it and decide as soon as possible whether you want to accept it and sign the lease. Tenants ordinarily have 60 days to sign the renewal lease and return it to the landlord or managing agent, but you should consider accepting the offer sooner by signing and returning the lease immediately. You may want to speak with an attorney if you have any questions about your lease. If you live in a rent regulated apartment, you can call 311 to be connected to the Mayor's New York City Tenant Protection Hotline, available Monday through Friday, 9:00 AM to 8:00 PM.

Are my SCRIE and DRIE benefits affected?

Tenants who currently receive benefits through the NYC Senior Citizens Rent Increase Exemption (SCRIE) and Disability Rent Increase Exemption (DRIE) programs should contact the City's Department of Finance (DOF) by calling 311 or by visiting the walk-in office at 66 John Street, 3rd Floor, New York, NY 1038. SCRIE and DRIE are available to tenants with certain kinds of rent protections. The City will continue to monitor this situation and seek a prompt resolution so that benefits can continue for all those who are eligible.

What else can I do?

If you have a view about the renewal or amendment of ETPA and other rent laws, you may wish to contact your representatives in the State Assembly or State Senate, and Governor Cuomo, to express your view.