



Alliance for Tenant Power 2015 State Legislative Priorities

The Alliance for Tenant Power is a coalition between Make the Road New York, New York Communities for Change, Tenants & Neighbors, Community Service Society, and the Legal Aid Society. Rent regulated housing is the primary source of housing for low income New Yorkers. However, the pressure to deregulate apartments has led to the destabilization of diverse neighborhoods. Tenants struggle with rising rents that have outpaced cost of living increases in income and the windfall landlords receive in deregulated units has led to harassment and fraud. The Alliance for Tenant Power is organizing to preserve and strengthen the rent regulation system legislatively to maintain diverse and livable communities.

Repeal vacancy deregulation: S1167 (Stewart-Cousins)/ A1585 (Rosenthal)

This bill would repeal vacancy deregulation the process by which, upon vacancy, landlords can remove apartments from rent regulation when rents rise over \$2,500. Upon vacancy decontrol, a process that has deregulated over 300,000 apartments, rents can rise indefinitely, and tenants lose eviction protections. The bill also re-regulates most of the apartments that were deregulated in the last 15 years.

Protect tenants with “preferential rents”: S1775 (Krueger)/ A5473 (Wright)

This bill would close a loophole in the rent laws that currently impacts hundreds of thousands of “preferential rent” tenants. Preferential rents occur when a landlord offers a rent stabilized apartment for less than the legal regulated rent, which is often higher than the market will bear due to vacancy bonuses, IAs, MCIs and RGB rent increases. As of now, when leases are renewed landlords can raise rents all the way up to the legal regulated rent, which can be hundreds of dollars higher than the preferential rate. This bill would require that preferential lease renewals be offered based on the lower rate, and only allows landlords to jump up to the legal regulated rent upon vacancy.

Make MCIs temporary surcharges: S1493 (Krueger)/ A5373 (O’Donnell)

This bill would turn Major Capital Improvement rent increases into temporary surcharges, rather than permanent additions to the rent. When a building-wide improvement is paid off, the surcharge would disappear. MCI rent increases would not be compounded into the monthly rent for the purposes of determining annual or biennial rent increases. The bill would also standardize the cap on MCI payments at 6% of total rent. Today rent controlled tenants can be charged up to 15% of their rent per MCI, while rent stabilized tenants have a 6% cap.

Eliminate the “vacancy bonus”: S1040 (Serrano)/ A1309-2011 (Kavanagh)

This bill would eliminate the statutory vacancy bonus, an automatic rent increase of up to 20% that landlords can use to raise rents every time the apartment turns over.

Reforms the Individual Apartment Improvement rent increase systems

It has become apparent that the imposition of unwarranted and fraudulent rent increases based on alleged “improvements” in vacant apartments is the greatest single factor driving the rapid inflation of rents and the single greatest threat to the affordability that the Rent Laws were enacted to preserve. Currently weak regulation makes it possible for unscrupulous landlords to unlawfully deregulate tens of thousands of rent stabilized units, and inflate rents in stabilized apartments to a level beyond the reach of many working families. The IAI system must be reformed.

**End fraudulent fees: A555 (Dinowitz)/S1733 (Espaillat)**

This bill would prohibit surcharges for tenant installed appliances, such as air conditioners or washing machines, where the tenant pays for electric utility services.

Repeal deregulation of Rent Regulated apartments

It has become apparent that the possibility of deregulation of apartment puts current tenants at risk for harassment and fraudulent deregulation. Thus rent regulated apartments should stay rent regulated no matter the rent charged or the income of the families living in the apartment.

Rent control relief: A7881 (Rosenthal)

This bill would end the annual 7.5% rent increases and bring the increases for rent controlled tenants in line with typical rent stabilized adjustments through replacing the 7.5% rent increase with a rolling average of the past five years' New York City RGB rent adjustments for one year leases on class A apartments.ⁱ This bill would also eliminate the fuel and labor pass-alongs for rent controlled tenants, since fuel and labor costs are already factored into the RGB's annual deliberations for rent adjustments.

End Source of Income Discrimination: S187(Squardron)/A5437 (Crespo)

This bill would end source of income discrimination, making it illegal for landlords to deny tenancy to people who pay their rent using Section 8 vouchers or any other forms of rental assistance.

ⁱ In 2013, for example, a rent controlled tenant in an apartment that qualifies for a rent adjustment would have paid no more than a 2.7% rent increase, based on the average of one-year RGB rent increases from 2008 – 2013.