

Help us pass a law  
to put this poster in every  
NYC apartment building. See reverse...

# Your Rights As A New York City Tenant

Tenants living in privately owned buildings in New York City containing at least three apartments have the rights listed below:

## Eviction

You cannot be evicted unless your landlord obtains an order of eviction from court, and you have a right to defend yourself in the case. Only a marshal or sheriff with a court order can legally perform an eviction. It is illegal for anyone else to remove you or your possessions, prevent you from entering your apartment, or discontinue services such as water, heat, or electricity. You can report such actions to the police, or seek re-entry and a restoration of services by bringing an illegal lockout case at your borough's housing or civil court. These rights apply to anyone who lives in a dwelling unit for 30 or more days, including people not named on the lease (such as roommates and family members) and also when there is no lease at all. These rights also apply to anyone with a valid lease, no matter how long the person has lived in the apartment.

## Habitability

Your landlord must maintain your building in good repair, keep the hallways and public areas clean, paint your apartment every three years, exterminate rats, mice, roaches, bedbugs, other vermin, and deal with any other matter dangerous to life or health, in a timely manner. Your landlord must also maintain electrical, plumbing, sanitary, heating, and ventilating systems, and appliances installed by your landlord, in good working order. These rights cannot be waived.

## Heat and Hot Water

Every tenant has the right to hot water all year long at all times at a minimum temperature of 120° F, and to adequate heat, with an inside temperature of 68° F from 6 a.m. to 10 p.m., when the outside temperature is below 55° F, and an inside temperature of 55° F from 10 p.m. to 6 a.m. when the outside temperature is below 40° F, during the period of October 1 through May 31.

## Quiet Enjoyment

You have the right to the quiet enjoyment of your apartment and are entitled to be free of nuisance or harassment by your landlord or other tenants. It is your landlord's responsibility to address ongoing nuisances that are within their control.

## Roommates

You have the right to have family members reside with you so long as the apartment does not become overcrowded. If only one person has signed a lease, you also have the right to share your apartment with one other adult not related to you, and that person's dependent children, but overcharging roommates in rent stabilized apartments is prohibited. Exceptions and restrictions to the rights to share your apartment apply to tenants living in subsidized housing and those who receive rental assistance based on income-eligibility. Always check your program's rules before taking in another household member.

## Subletting

In privately owned buildings with at least four units, your landlord may not unreasonably deny your request to sublet your apartment. You must follow specific rules when making a request to sublet. Subletting without making a proper request and/or obtaining consent from your landlord may be grounds for eviction. Tenants in subsidized housing, or who receive rental assistance based on income-eligibility, may not have the right to sublet while participating in the programs. Always check your program's rules.

## Discrimination

It is illegal for landlords and their agents to discriminate in the rental of housing, or the provision of services, based on actual or perceived race, creed, color, national origin, gender (including gender identity), disability, age, marital or partnership status, the presence of children, lawful occupation, sexual orientation or citizenship status. If your building - or another building owned by your landlord - contains six or more dwelling units, you are also protected against discrimination based on a lawful source of income: The landlord may not refuse to rent to a tenant based on his or her intention to pay the rent using a rent subsidy, or to refuse such subsidy from an existing tenant. If you have been discriminated against, you may contact the New York City Human Rights Commission by calling 311.

## Taking Your Landlord To Court

If your landlord does not maintain the building and/or your apartment, or fails to provide reliable services, you can go to your borough's housing court by yourself or with other tenants in your building and start a court case called a Housing Part (HP) Action against your landlord, and request the court to order repairs or the restoration of services. Low-income tenants can ask for the court fees to be waived.

## Tenant organizations

You have the right to form, join, and participate in a tenants' organization for the purpose of protecting your rights. Tenants organizations have the right to use common areas of the building, including the lobby if a community room is not available, free of charge for meetings. Your landlord is forbidden by law to harass you for tenant-organizing activities.

## Seniors and Tenants With Disabilities

For tenants living in rent stabilized, rent controlled, and Mitchell-Lama apartments: If you are sixty-two years of age or older or a disabled tenant, and you pay one-third or more of your income in rent, and your income falls below a certain income threshold, you can apply to have your rent frozen through the Senior Citizen Rent Increase Exemption (SCRIE) or Disability Rent Increase Exemption (DRIE) programs. You may apply for such programs through the Department of Finance by calling 311. Seniors and disabled tenants also have unique protections against certain types of evictions.

## Additional rights of Rent-Regulated Tenants

Rent-stabilized and rent-controlled tenants (rent-regulated tenants) have additional rights relating to maximum legal rents, causes for eviction, and leases. Consult the New York State Homes and Community Renewal for more about your rights as a rent-regulated tenant. Call 718-739-6400 or visit [nysdhcr.gov/rent](http://nysdhcr.gov/rent)

### Lease renewals and riders

Landlords can only end the tenancy of rent-regulated tenants for specific reasons set forth in the laws governing rent-regulation. In most cases when tenants are in compliance with their leases, rent-controlled tenants have rights to continuous occupancy, and rent-stabilized tenants must be offered the option of either a one- or two-year renewal lease, but if a renewal is not offered, the old lease remains in effect. Rent-stabilized tenants are not obligated to sign any riders or amendments that change the terms of their original lease.

### Succession

Certain family members (including non-traditional family members) who live with a regulated tenant for a period of time before the primary tenant moves or dies have the right to take over the lease for the apartment under the same terms, conditions, and rent levels as the departing tenant.

### Rent reductions

Regulated tenants may apply for a reduction of rent with HCR for decreased services or for repairs that are not addressed in a timely manner.

### Illegal overcharges

A rent-regulated apartment's unique history determines its legal maximum rent. You can contact HCR to investigate, challenge, and seek a rent adjustment and refund of an overpayment, if you believe that you're being overcharged or if you believe that your apartment was illegally deregulated.

Shouldn't this poster be in every NYC apartment building?  
The Metropolitan Council on Housing is pushing a law -  
New York City Council Intro 477 - which would do exactly that.  
Help us make this a law! - [www.metcouncil.net](http://www.metcouncil.net)



# Help Us Pass Intro 477, The Tenants' Bill of Rights Law

See reverse side for a copy of the Tenants' Bill of Rights.

## What is the Tenants' Bill of Rights Law?

Intro 477, the Tenants' Bill of Rights Law, is simple: it would require that New York City landlords post a summary of tenants' basic rights in the lobby of every privately-owned residential building with at least three apartments, and that they provide this same summary to tenants along with their leases. The city would furnish copies of the Bill of Rights for posting. The final Bill of Rights will be translated and made available in all of the major languages in New York City.

## Why do we need a Tenants' Bill of Rights?

At Met Council on Housing we encounter thousands of New York City tenants who are taken advantage of every year due to their lack of knowledge of their existing rights. Landlords use this knowledge gap to trick tenants with below-market rents into giving up their apartments, and to avoid providing essential repairs and services. A law requiring that a summary of key rights be posted in building lobbies across New York City is one step in preventing egregious violations of the tenants' rights that we have fought so hard to win.

## How can we pass this law?

As of November 2011, 34 New York City Councilmembers are co-sponsors of the Tenants' Bill of Rights Law. That's enough for it to pass - and to override a Mayoral veto if it comes down to that. But Housing and Buildings Committee Chair Erik Martin Dilan from Brooklyn has not taken any action to move this out of his committee. Please call Dilan at 718-642-8664, and call your own Councilmember to ask that he or she put pressure on Dilan to get this bill passed! (Find out your councilmember's number by calling 311).

## Get Help from Met Council on Housing:

### Tenants' Rights Telephone Hotline

212-979-0611

Mondays, Wednesdays, Fridays, 1:30 - 5 PM

### Walk-in Tenants' Rights Clinic

Tuesdays at 6:30 PM (closed in August)

61 E. 4th St., Manhattan (btwn 2nd Ave & the Bowery)

Subway: 6 to Astor Place; N/R to 8th Street; or F to 2nd Ave

## What is the Metropolitan Council on Housing?

The Metropolitan Council on Housing is a tenants' rights membership organization of New York City tenants working to create a city where everyone has access to safe, decent, affordable housing.

We formed over 50 years ago to advocate and agitate for tenants' rights, based on the principle of "housing for people, not profit." To these ends, we organize, educate, and empower tenants to fight not only for their individual rights, but also to mobilize for structural changes to our housing policies.

All of our work is not only carried out by members - it's funded almost entirely by the membership dues and donations of people like you who believe in the work we do.

We depend on new members and supporters to continue the legacy of struggle, and bring us closer to a world where affordable housing is a universal right, not a privilege. Please join us today!

## How We'll Keep You Informed:

### Tenant/Inquilino

Monthly Newspaper  
news & stories from the front  
lines of the tenant movement.

Published by the Metropolitan  
Council on Housing, and mailed  
free to all current members.



### Housing Notebook

Met Council on Housing's Weekly Radio Show  
Mondays 8-9 p.m. on WBAI 99.5 FM

### active@metcouncil.net

Email news & updates  
on the housing movement

[www.metcouncil.net](http://www.metcouncil.net)



# Join the Metropolitan Council on Housing!

Name \_\_\_\_\_

Address \_\_\_\_\_

Apt No: \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_

Zip \_\_\_\_\_

Home Phone \_\_\_\_\_

Cell Phone \_\_\_\_\_

Email \_\_\_\_\_

### Your type of housing:

rent-stabilized

rent-controlled

public housing

Mitchell-Lama

nonprofit/subsidized

market-rate

section 8

HDFC coop

market-rate coop/condo/house

other

Membership begins at \$35 per year,  
\$20 low-income rate (including seniors & students)

Please give more if you can!

Mail your check and this form to:

**Met Council on Housing**  
339 Lafayette Street, Suite 301  
New York, NY 10012