Brooklyn, New York (October 29, 2021) – Tenants at 1646 Union Street in Crown Heights and their neighbors held a press conference last night to call out their landlord, Renaissance Realty Group, for their second attempt to destabilize units in their building and push tenants out, this time using loopholes from expired affordable housing regulatory agreements it says make the building exempt from rent stabilization.

Tenants, some who have lived in the building for 30 years or more, say the building has always been rent stabilized and filed opposition papers to the landlord’s application to deregulate with the New York Department of Homes and Community Renewal (DHCR), the state agency that oversees rent stabilized buildings. In a hearing yesterday, DHCR asked for more time to consider the matter. Renaissance Realty Group owns and operates more than 4,000 multifamily units across the city and has already successfully deregulated many of the units in these two buildings. Tenants are being organized by the Crown Heights Tenant Union and represented by Brooklyn Legal Services’ Tenant Rights Coalition.

Read the opposition document [here](#).
See videos and photos from the press conference [here](#).

I am a disabled senior who has lived in the building for about 20 years, said Aldena Williams, a long-time tenant in the building. It is not fair for the landlord to deregulate my unit and the building because they never explained anything about rent stabilization or that tenants, like myself, will be exempt if we changed apartments after 2008. I only changed apartments from the third floor to help take care of my parents who were ill in case of medical emergencies and for an ambulance to access my apartment. The landlord approved and told me that the first floor apartment is rent stabilized and that I will remain rent stabilized with renewal leases only for me to find out more than a decade later that I will no longer be rent stabilized just because I moved. I will not be able to pay the higher market-rate rent and if I am forced to leave, I will have no place to go especially during the COVID-19 pandemic.

The landlord only cares about money. Ms. Williams continued. They do not care about the tenants. And they do not take care of the elderly. The conditions have only gotten worse under their management and I do not feel safe right now living in my apartment. When I ask the super for repairs, he does not come. When I ask management for help, they are rude, condescending, and blame the tenants for everything wrong.

It worries me if the apartment will be deregulated because things are tough right now. I worry that I won’t find another apartment to move into, said tenant Juan Polanco, who has lived in the building for 10 years. The landlord doesn’t want to do anything. They just want us out.

Our landlord is trying to push us out by refusing to make repairs, said tenant Charmaine Antoine who has lived in the building for more than 20 years. They want us to leave to make room for the new people who will pay more money. We don’t get heat or hot water. I have mold in my bathroom. The buzzer to the building doesn’t work. But new people moving get new cabinets, new light fixtures in the bedroom, and renovated spaces. We are tired and fed up but we will not stop fighting.

Landlord’s Second Attempt to Deregulate

This is Renaissance Realty Group’s second attempt to deregulate 1646 Union Street. When Renaissance Realty Group bought the building in 2014, they immediately began trying to remove long-term rent-stabilized tenants by revoking preferential rents and in some cases doubling the rents, offering to buy tenants out, and gut renovating units to dramatically increase rents and deregulate, loopholes in then rent laws which have since been closed under the recent Housing Stability and Tenant Protection Act of 2019.

However, with those avenues now gone and having lost the issue on appeal, Renaissance Realty Group is now trying a new tactic for displacing the remaining long-term, rent-stabilized tenants claiming that the entire buildings should be declared exempt from rent stabilization because they were substantially rehabilitated in the 1980s under regulatory agreements and thus qualify for an exemption under the Rent Stabilization Law and Emergency Tenant Protection Act. The law provides that where a building is in substandard condition and was extensively renovated on or after January 1, 1974, it will generally no longer be subject to rent-stabilization. The purpose of this exemption is to incentivize owners to rehabilitate blighted properties, not to provide windfalls to new owners decades later.

Regulatory Agreements

Back in the 1970s, 1646 Union Street fell into disrepair and in the 1980s, the then owners applied for and received millions in federal, state, and city funding to rehabilitate the building, including funds from the Housing Development Corporation (HDC) the Department of Housing Preservation and Development (HPD). This funding provided for a 20-year affordable housing regulatory period from 1988-2008 under which time all units were considered rent-stabilized. The owners also received a 20-year city tax abatement through the J-51 tax benefit program during the same years which also guaranteed that tenants units
would be rent stabilized for the duration of their tenancy.

The tenantsâ€™ last landlord continued to treat all of the tenants as rent-stabilized, even after the J-51 tax benefit and regulatory agreements expired in 2008, and none of the tenants had any reason to believe they would be at risk. Yet, when Renaissance Realty Group acquired the property in 2014, they immediately began a campaign to push tenants out and raise rents, acknowledging that these units were rent stabilized. Now, in their application to deregulate units to DHCR, Renaissance Realty Group is claiming the building ceased being rent stabilized when the regulatory agreements ended in March 2008.

**Tenantsâ€™ Fight Back**

Nine of the tenants who resided in the buildings before the J-51 tax subsidy expired in March 2008 argue that their apartments must remain rent-stabilized because Renaissance Realty did not provide them with the requisite J-51 riders in leases notifying them that their rent-stabilization protections would expire, a requirement of the program.

The remaining six tenants who moved in after 2008, or moved between apartments with new leases, hold that Renaissance Realty has always considered their apartments to be rent stabilized in legal documents and that they should remain that way. Tenants also argue that 1646 Union Street is presumptively rent stabilized given New Yorkâ€™s rent stabilization scheme which holds that all residential buildings in New York City built between February 1, 1947 and December 31, 1973 with six or more units are considered rent stabilized.

Further, advocates point out that the entire premise of the rehabilitation funding and regulatory agreements the previous owners received aimed to upkeep and preserve the stock of affordable housing in New York City, not eliminate it.

Tenants, represented by Brooklyn Legal Services Tenant Rights Coalition, are now waiting on DHCR to make a decision on the landlordâ€™s application to deregulate the units. At the most recent hearing on October 26, 2021, DHCR asked for an extension in deciding the matter.

âtœThis is just another chapter in Renaissanceâ€™s long and illicit campaign to evict low-income tenants from these buildings.âtœ said Johnny Thach, staff attorney at Brooklyn Legal Servicesâ€™ Tenant Rights Coalition. âœFamilies, their young children, and long-time residents of the community will lose their homes and be displaced if the landlord succeeds. To add insult to injury, the building they claim to have âœgut renovatedâ™remains in significant disrepair, with over 100 open housing code violations. We stand with these tenants who are vigorously fighting to oppose Renaissance Realty Groupâ€™s blatant attempts to destabilize their building and join them in calling on DHCR to make the right decision and reject Renaissanceâ€™s substantial rehabilitation application.âtœ