

NEW YORK, NY (November 15, 2022) – Legal Services New York City (LSNYC) and The Legal Aid Society applauded regulations proposed by the New York State Division of Housing and Community Renewal (DHCR) to the Rent Stabilization Code (RSC) which would increase critical protections for rent-stabilized tenants. A hearing on these proposed changes is scheduled for later this morning from 10:00 AM to 2:00 PM.

Specifically, DHCR’s proposals effectuate the anti-displacement goals of the 2019 Housing and Stability Tenant Protection Act (HSTPA) by revising its “first rent” policy, which has led landlords to withhold tens of thousands of units from the market in hopes of combining them and securing increases far in excess of those contemplated in the statute, commonly referred to as the “Frankenstein Loophole”.

Moreover, the proposal aims to close several remaining loopholes in the RSC that have encouraged landlord fraud and misconduct, allowed rapid inflation of stabilized rents and the decontrol of thousands of apartments, and contributed to the displacement of low- and moderate-income people from their homes and communities.

Lastly, DHCR’s recommendation to codify an Appellate Division ruling in *Jourdain v. N.Y. State Div. of Hous. & Cmty. Renewal* would allow family members to inherit apartments if they resided there for two years with the tenant, even where the tenant, fearful of triggering an eviction case, continues to make rent payments or sign leases after vacating the unit. Legal Aid and LSNYC have long advocated for this change.

In addition to the above, Legal Aid and LSNYC also called on DHCR to address issues related to HSTPA rent calculation and tenants plagued by illegal increases and to strengthen existing code to prevent the evasion of the RSC and other ambiguities that harm tenants.

Legal Aid and LSNYC’s comments to DHCR’s proposed regulations: <https://tinyurl.com/y6w6csk4>.

“It is critical that protections intended under The Housing Stability and Tenant Protection Act be solidified,” said **Thomas Honan, a housing attorney in the Tenant Rights Coalition at Legal Services NYC**. “We applaud these efforts to strengthen protections for tenants and encourage DHCR to further eliminate loopholes that landlords may exploit, including the creation of unnecessary waivers and exceptions for landlords that would allow them to increase rents beyond the intended limitations of The Housing Stability and Tenant Protection Act.”

“Between a lack of protections and the continued use of loopholes that unscrupulous landlords employ to illegally evict tenants or drive up rents, more is needed from all levels of government to protect these vulnerable New Yorkers,” said **Ellen Davidson, staff attorney with the Civil Law Reform Unit with The Legal Aid Society**. “We applaud DHCR and these proposed regulations that would benefit thousands of our clients who reside in rent-regulated apartments, and we encourage DHCR to adopt them in its final plan.”

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Legal Services NYC, the nation’s largest provider of free civil legal services, fights poverty and seeks racial, social, and economic justice for low-income New Yorkers. For over 50 years, LSNYC has challenged systemic injustices that trap people in poverty and helped clients meet basic needs for housing, income and economic security, family and immigration stability, education, and health care. LSNYC has deep roots in all of the communities we serve. www.legalservicesnyc.org

The Legal Aid Society exists for one simple yet powerful reason: to ensure that New Yorkers are not denied their right to equal justice because of poverty. For 145 years, we have protected, defended, and advocated for those who have struggled in silence for far too long. Every day, in every borough, The Legal Aid Society changes the lives of our clients and helps improve our communities. www.legalaidnyc.org