



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

ANDREW M. CUOMO
GOVERNOR

June 14, 2015

To Landlords of Rent Regulated Units:

Re: Landlords' Legal Obligations Irrespective of Rent Regulation Expiration

Few things are more fundamental than having a stable, affordable home. Protecting affordable housing has been my passion for my entire public service career and it is my duty as Governor of New York State.

If New York City's rent regulations were to expire it would create mayhem and chaos for both tenants and landlords, and would roil the entire real estate industry. That is not a viable outcome, and I will call the legislature back in special session every day until the legislature resolves its differences and a new rent regulation package is passed.

In the meantime, I write today to send a clear message to landlords with units in the rent stabilization system: Although June 15, 2015 is the day that several laws creating our rent stabilization system are set to expire, your legal obligations under existing leases and under the passage of the new rent stabilization program will not expire on that day; and any attempt to circumvent those responsibilities will face the full brunt of the law and all legal consequences.

I. Reauthorized Rent Stabilization Laws Will be Retroactive

Should there be any temporary lapse in the rent laws, I want every landlord to be on notice: new rent laws will be retroactive to June 15. Thus, despite any potential temporary lapse, any action taken by a landlord after June 15 will be fully subject to the new law, and the State will use every tool at our disposal to assure full enforcement of that law. Every landlord is therefore directed to remain in compliance with the current law until they fully understand their responsibilities under the new law that is ultimately passed by the legislature.

II. The Rent Set by Existing Leases is Unaffected

Landlords in the rent-stabilized system will remain bound by their leases, until those leases expire on their own terms. A lease is a private contractual agreement between a landlord and a tenant. The terms of those agreements will continue to exist irrespective of any expiration or modification to the rent stabilization laws. Moreover it is well established that landlords cannot increase rents or evict tenants without proper notice under the terms and conditions of existing leases and State law.

This administration intends to use every tool at its disposal to prevent any improper attempts by landlords to break rent-stabilized leases. Landlords of rent stabilized units who try to use a temporary lapse in the rent stabilization laws to break existing leases, to raise rents improperly, to intimidate tenants, or to coerce tenants into leaving their homes, will be subject to the full force of law for any such action. Our enforcement efforts will include utilizing the legal authority vested in the New York State Division of Human Rights, and civil and criminal referrals to the Attorney General. Landlords should be on notice that they will be subject to severe penalties including rent freezes, fines, and treble damages, for any violations of the law.

I have also directed the NYS Division of Housing and Community Renewal's Tenant Protection Unit, which has already proven itself an aggressive leader in tenant protection, to form a task force to educate tenants about their rights. This task force will conduct a series of education and outreach actions to inform tenants of their rights and protect them from any possible violation of those rights. DHCR has set up a toll-free hotline, 1 (844) 736-8435, that will be staffed 24 hours a day to encourage tenants to report potentially illegal conduct by landlords during any potential lapse in the rent stabilization law.

I have told the legislature in no uncertain terms that I plan to take drastic action should there be delay in enacting new rent stabilization laws. Landlords of our rent-stabilized units should hear a similar message and act as if the current rules are in force until the new rent stabilization package is authorized. Landlords who improperly attempt to use any brief lapse in the rent stabilization laws to gouge tenants on rents, engage in deceptive business practices, or threaten tenants with eviction due to the lapse, will face enforcement actions to the full extent of the law.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew M. Cuomo". The signature is fluid and cursive, with a large initial "A" and "C".

ANDREW M. CUOMO