



NEW YORK STATE SENATOR

Eric T. Schneiderman

Senators Launch Push For Stronger Rent Laws

ERIC T. SCHNEIDERMAN May 11, 2009



Sixteen State Senators stood today with rent regulated and Mitchell-Lama tenant allies to launch a full court press to pass stronger rent laws before the current legislative session ends in June.

State Senators Eric Adams, Joseph Addabbo, Darrel Aubertine, Ruben Diaz Sr., Tom Duane, Ruth Hassell-Thompson, Shirley Huntley, Liz Krueger, Hiram Monserrate, Velmanette Montgomery, Bill Perkins, John Sampson, Jose Serrano, Daniel Squadron, Toby Ann Stavisky, and Andrea Stewart-Cousins joined with tenant advocates from throughout the five boroughs to urge the Senate to take up and pass a package of pro-tenant bills to fix New

York's rent laws and make them stronger during this legislative session.

In February, the Assembly passed a package of bills strengthening New York's rent laws. The package being supported, including bills from the Assembly package, includes legislation to fully repeal vacancy decontrol (A2005/S2237-A); to increase protections for Mitchell-Lama and Section 8 tenants (S3326); to pass an 18 month moratorium on Mitchell-Lama buyouts (A6706/S2171); to fully restore home rule to New York City (A1688/ S749); and to close the owner use evictions loophole (A1685/ S2642) and preferential rent loophole (A465).

"Senate Democrats are committed to preserving and protecting access to affordable housing for middle-income New Yorkers by improving rent regulations. Particularly during times of economic distress, we must do more to ensure that hard working middle and low income families do not get priced out of their homes and neighborhoods because the foundation of our economic recovery is based upon our ability to keep communities stable and families in their homes," said Senate Majority Leader Malcolm A. Smith.

"The current fiscal challenges that we are collectively enduring illustrate, even more fully, how compromised the ability of many residents to be able to afford to remain in their homes has become," said Senator Andrea Stewart-Cousins (D-Yonkers), one of the prime sponsors of the Vacancy Decontrol Repeal legislation (S2237) and the bill to provide protections for former Mitchell-Lama and Section 8 Tenants (S3326). "The need to protect tenants and to preserve affordable housing across the State of New York is a top legislative priority. I know that we cannot afford to wait to act on measures that will strengthen laws to protect affordable housing. I will continue to be a vocal advocate for the passage of this important legislative agenda that will benefit so many New Yorkers."

Vacancy decontrol, enacted in 1994, permits landlords to deregulate rent-stabilized

apartments when they become vacant as long as the rent can be pushed over \$2,000.

"Tens of thousands of rent regulated apartments are lost every year because of vacancy decontrol," said Senator Eric T. Schneiderman (D-Manhattan/Bronx). "The Assembly has done its part to staunch the bleeding. Now the Senate must stand up for New York's working families and prove that preserving affordable housing is a top priority."

"After a decade waiting for change in the State Senate, the new leadership needs to follow through on their promise of relief for tenants like me, who need now more than ever," said Leroy Johnson, NY ACORN tenant leader from Flatbush, Brooklyn. "As job losses pile up, New Yorkers are struggling to pay rent; with the economy continuing downward, landlords are only feeling more pressure for profit, and are passing that on to tenants. We applaud these Senate members for taking the lead to deliver this win for working families and poor people across New York City, Long Island and Westchester County."

Senator Liz Krueger (D-Manhattan) said, "The State Senate must act this session to strengthen the state's rent regulation laws because hundreds of thousands of rent regulated units have already been lost due to vacancy decontrol. More than two million middle and working class New Yorkers are able to remain in affordable and safe homes because of the stability provided by rent regulation. These represent the teachers, fire fighters, police officers, artists, social workers and others who make up the backbone of New York. We cannot allow these New Yorkers to be forced out of their homes."

"Between skyrocketing rent and subprime mortgages, working families are being priced out and pushed out of New York City. We are taking on this fight to make this the year we stand up to landlords willing to go to any lengths to drive out lower and middle class tenants and increase their bottom line. By preserving and strengthening our rent laws, we can keep

housing affordable and accessible and help our families make ends meet," said Senator Ruben Diaz Sr. (D–Bronx).

Vacancy decontrol has created incentives for landlords to raise rents and get tenants out of apartments in order to permanently escape rent regulation and required tenant protections. Tenant harassment, illegal rent increases, and displacement have increased dramatically as a result of vacancy decontrol. Vacancy increases, major capital improvements (MCIs) and individual apartment improvements (IAI's or 1/40ths) mean that even apartments with existing rents far below the \$2,000 threshold are at serious risk. Over time, if it is not repealed, vacancy decontrol will lead to the total deregulation of New York's housing stock.

"Preserving affordable housing was one of the primary reasons that I decided to seek public office. Since that time I have consistently voted against any legislation that erodes tenant protection and I will continue to do so. Due to the hard work of tenants and affordable-housing advocates, Democrats are now in control of the Senate. I call upon my colleagues to preserve and improve rent regulation and ensure that hard working New Yorkers can afford to continue to live in our communities. We must do it now," said Senator Tom Duane (D–Manhattan).

According to Housing Here and Now estimates, since 1994 between 200,000 and 300,000 rent-regulated apartments have been lost to vacancy decontrol in New York City and suburban counties. Since 2005 alone, Professor Andrew Beveridge of Queens College estimated in the Gotham Gazette, New York could have lost 50,000 rent-regulated apartments.

Senator Hiram Monserrate (D–Queens) said, "As we face a national housing crisis and a very real economic slowdown, working-class New Yorkers deserve access to affordable housing. We cannot allow greed and the thirst for profit eat away at our rent stabilization laws and

force thousands of New Yorkers out their homes. We must do everything we can to preserve these guidelines for years to come."

NYS Senator Eric Adams (D-Brooklyn) added, "New York State government has had power over New York City rent laws since 1971. This had resulted in a dramatic weakening of rent regulations. In 1997, for example, Republican Governor George Pataki and a Republican-controlled State Senate capitulated to heavy landlord lobbying and campaign contributions and enacted vacancy decontrol, a method used to deregulate rent stabilized apartments. Tens of thousands of affordable rent regulated apartments have become expensive market rentals. It is time legislate a restoration of balance to the rental housing market and to return home rule to the City of New York."

NYS Senator Toby Ann Stavisky (D-Queens) said, "I grew up in a rent controlled apartment on the Upper West Side of Manhattan, so I understand the importance of affordable housing. Unfortunately, New York City is now rapidly becoming a home for only the very rich and the very poor. We've got to be able to help those who fall in between because affordable housing is an investment in our economy, our communities, and our families. I am standing with tenants and my colleagues today from across New York State, because we all recognize how important it is to protect renters rights, and help people stay here--living and working--in the communities they love."

While New York loses its rent-regulated apartments, tenants are paying a higher and higher portion of their income on rent. According to a report by the Community Service Society (CSS), between 1996 and 2005, median contract rents of unsubsidized units rose by 50%, outpacing median renter incomes, which increased by only 31%. In 2005, 39% of low-income tenants were paying more than 50% of their incomes in rent according to CSS, up from 32% in 1996. Low-income tenants without the protection of rent regulation are even harder hit,

with a staggering 49% paying more than 50% of their income in rent, reported CSS.

"Immigrant tenants are hurting in this economy" said Leandra Requena, a tenant leader of Make the Road New York, "rents continue to skyrocket and half of my income goes towards paying rent. We thank these Senators for taking a stand for tenants and for working to repeal vacancy decontrol— now it's time for the rest of the Senate to make strengthening rent law their top priority."

"We must also remember the large population of hard-working immigrants who live in rent-regulated units," said Senator José M. Serrano (D-Bronx/Manhattan). "Right now I am working hard to fight against unjust deportations that tear families apart. But forget national borders for the moment, our immigrants are getting deported from their own homes due to the exploding cost of rent."

"We need effective rent regulation to ensure that New York continues to be a place where people of all income levels can make a home. That is why I introduced a bill to close the owner-occupancy eviction loophole and why I support the package of tenant protection bills that passed the Assembly this year. I will continue to fight alongside thousands of my constituents to preserve affordable housing in New York and create a strong, rational system of rent regulation," said Senator Daniel Squadron (D-Brooklyn/Manhattan).

Hundreds of tenants and leaders from tenant advocacy groups joined the event, including, in alphabetical order, ACORN, Asian Americans for Equality, Community Voices Heard, Fifth Avenue Committee, Goddard Riverside/West-Side SRO Law Project, Good Ol' Lower East Side, Housing Conservation Coordinators, Interfaith Assembly on Homelessness and Housing, Legal Aid Society, Make the Road NY, Metropolitan Council on Housing, Mitchell-Lama PIE Coalition, Northwest Bronx Community And Clergy Coalition, Neighbors Helping

Neighbors, Neighbors Together, New York Immigration Coalition, Park West Tenants Association, Pratt Area Community Council, Riverton Tenants Association, St. Nicholas Neighborhood Preservation Corporation, Stuyvesant-Town Peter Cooper Village, and NYS Tenants & Neighbors Coalition.

The press conference was a joint effort of the coalitions Housing Here and Now, Real Rent Reform, the Association for Housing and Neighborhood Development, and the Working Families Party.