

Dear Constituents,

I am committed to ensuring that my constituents have access to affordable housing and am happy to report the recent housing legislation passed by the Assembly last month. These new measures will help address the challenges many of you face when looking for a safe, clean and affordable home in the 35th Assembly District. This legislation empowers tenants and helps fight back against the unfair and often illegal practices that some landlords use to raise rents.

As always, I am honored to be your representative and will continue to make my constituents my top priority in Albany.

Yours truly,

*Jeffrion L. Aubry
Member of the Assembly
Speaker Pro Tempore*



COMBATING LANDLORD HARASSMENT

In order to protect tenants against predatory landlords, the Assembly passed the Tenant Protection Act of 2018, which increases penalties for landlords who try to force out rent-regulated tenants by expanding the definition of felony harassment and creating a misdemeanor harassment charge (A.7992-A). Under current law, a landlord must cause a tenant physical injury to meet the standard for felony harassment.

And to remove financial incentives that reward landlords who force out rent-regulated tenants, I helped pass a bill that eliminates vacancy decontrol provisions, which allow apartments with a legal maximum rent in excess of \$2,733 that become vacant to be removed from the protections of the rent regulation laws (A.433). Additionally, it would allow certain units that were deregulated pursuant to vacancy decontrol to become reregulated.

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COMBATING LANDLORD

PROTECTING THE AFFORDABLE HOUSING STOCK

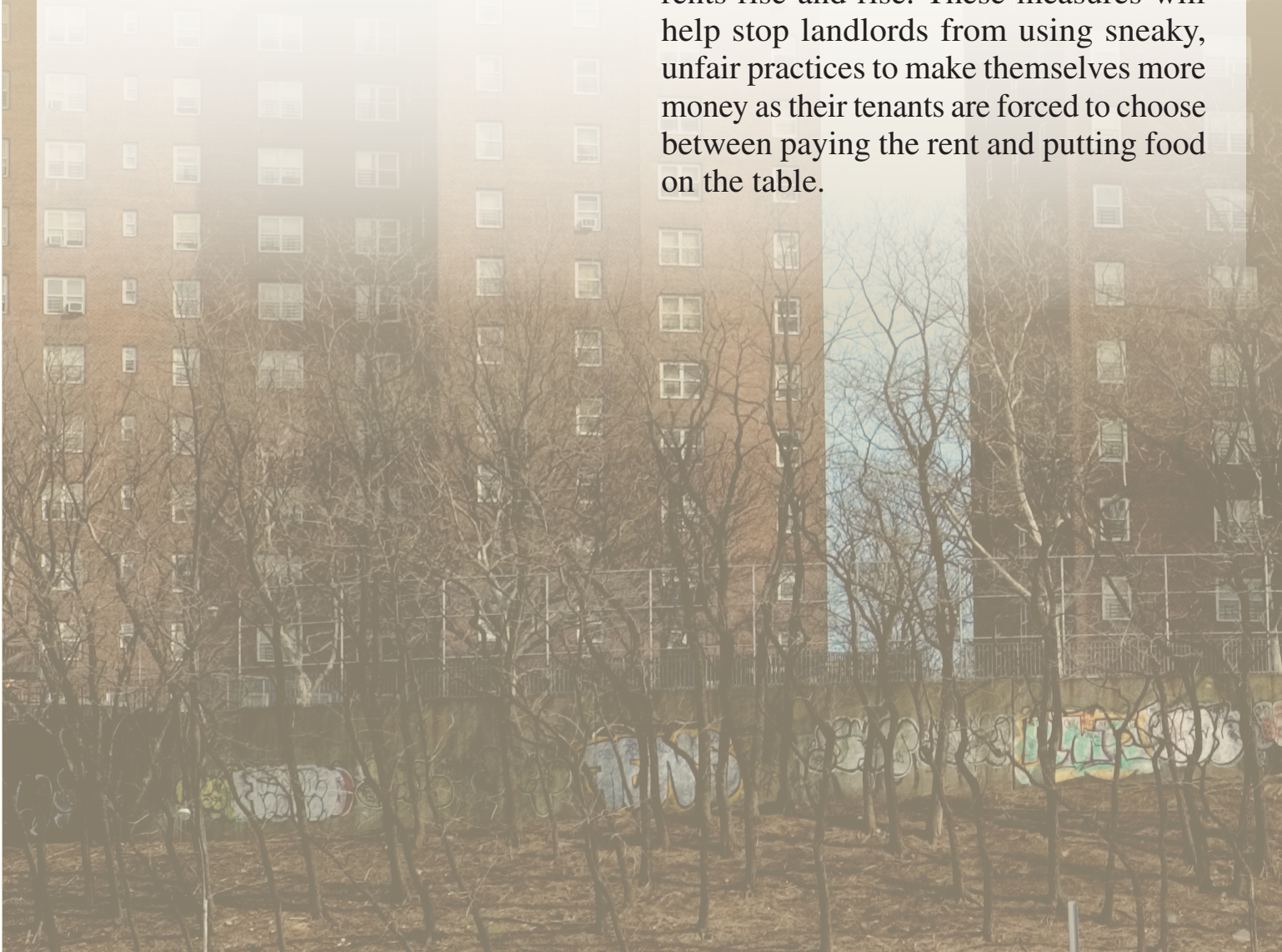
The Assembly legislative package also includes a bill that reforms the regulatory framework for the approval of rent increases for rent-regulated tenants due to major capital improvements (MCIs) (A.8886-A). The measure would require MCI surcharge fees, which under current law can be recovered over eight or nine years – depending on the number of units – to cease once the cost of the improvement is recouped by the landlord. It also bars landlords from charging tenants for improvements funded through the New York State Energy Research and Development Authority (NYSERDA).

Another important measure prohibits increasing preferential rent to the legally allowed rate when a lease is renewed. Under the legislation, such increases could only take place upon vacancy (A.6285).

Additional legislation would:

- modify maximum rent increase guidelines for rent-controlled apartments to ensure that they don't outpace the rents of rent-stabilized apartments (A.268);
- standardize the rental adjustment landlords can charge tenants for individual apartment improvements and requires them to provide documentation on how the increase was determined (A.1628); and
- require landlords to make reasonable efforts to re-rent an apartment at a fair market value after it's been vacated early by a tenant (A.6967).

Even though apartments are supposed to be protected from excessive rent increases, many rent-regulated tenants still see their rents rise and rise. These measures will help stop landlords from using sneaky, unfair practices to make themselves more money as their tenants are forced to choose between paying the rent and putting food on the table.



LANDLORD HARASSMENT

HELPING TENANTS CHALLENGE UNFAIR LANDLORD PRACTICES IN COURT

In addition, the Assembly passed a bill that requires the owner of a rent-regulated unit to comply with an order issued more than four years before an overcharge complaint if the order has not been withdrawn, and allow for the examination of a unit's rental history beyond four years in the cases involving fraud (A.4003).

To help tenants challenge unfair rent increases, the Assembly legislation includes a measure allowing a court or the state Division of Housing and Community

Renewal (DHCR) to consider any year that a landlord failed to file an annual rent regulation statement when a tenant challenges their rent (A.9816). Currently, a court or DHCR can only consider years within the four-year statute of limitations.

We must ensure that tenants have access to all the relevant information they need when challenging a rent increase or other potential overcharge. This

legislation empowers residents and prevents unscrupulous landlords from hiding past and current misdeeds.



COMBATING LANDLORD HARASSMENT

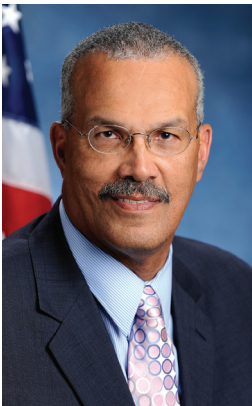
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The legislative package also includes a measure that eliminates the 20 percent rent increase – known as a vacancy bonus – which landlords can charge when the rent of a rent-stabilized apartment rises above \$2,700 a month and becomes vacant (A.9815). This critical measure removes an incentive for landlords to force out rent-regulated tenants to increase profits and helps slow the pace of deregulation.

Forcing out rent-regulated tenants is far too common because of the potential benefit to an owner’s bottom line. That’s why we must eliminate incentives that reward landlords for their predatory practices and ensure that this type of harassment doesn’t go unpunished.



New York State Assembly, Albany, New York 12248

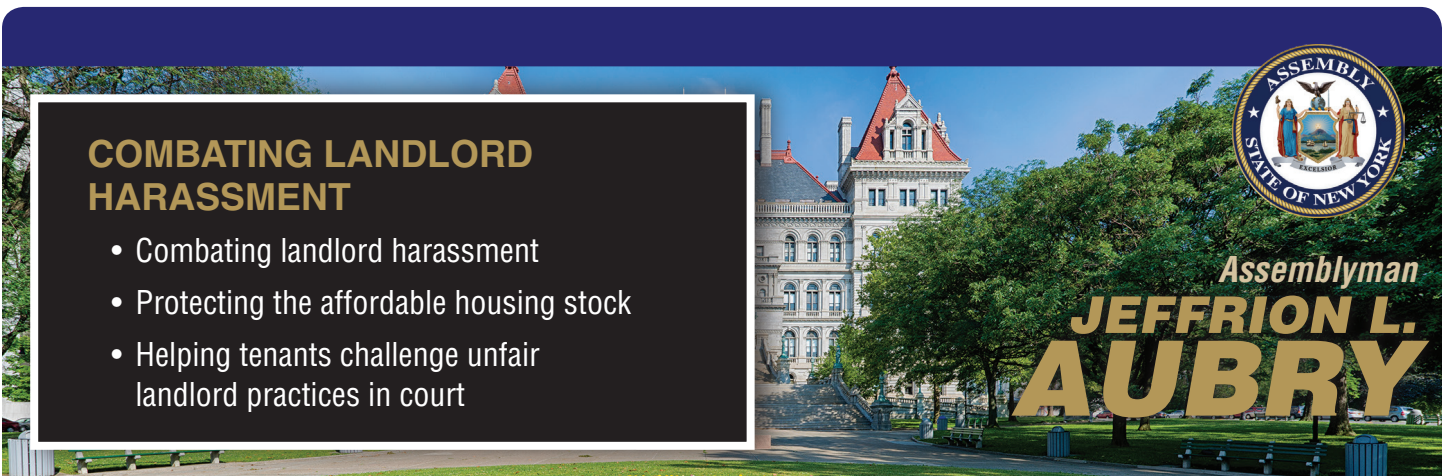


Assemblyman
JEFFRION L. AUBRY
Reports to the People

**35TH A.D. • QUEENS COUNTY
SPEAKER PRO TEMPORE**

Combating Landlord Harassment

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COMBATING LANDLORD HARASSMENT

- Combating landlord harassment
- Protecting the affordable housing stock
- Helping tenants challenge unfair landlord practices in court

Assemblyman
JEFFRION L. AUBRY

