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THE CITY OF NEW YORK  
MANHATTAN COMMUNITY BOARD SIX  
211 EAST 43RD STREET, SUITE 1404  
NEW YORK, NY 10017

## **VIA E-MAIL**

February 14, 2019

The Honorable Andrew M. Cuomo  
Governor of New York State  
Capitol Building  
Albany, NY 12224

The Honorable Andrea Stewart-Cousins  
Majority Leader of the New York State Senate  
188 State Street  
Legislative Office Building, Room 907  
Albany, NY 12247

The Honorable Carl E. Heastie  
Speaker of the New York State Assembly  
188 State Street  
Legislative Office Building, Room 932  
Albany, NY 12248

The Honorable Brian Kavanagh  
Chair of the New York State Senate Committee on Housing,  
Construction and Community Development  
Legislative Office Building, Room 515  
Albany, NY 12247

The Honorable Brad Hoylman  
Chair of the New York State Senate Committee on Judiciary  
Legislative Office Building, Room 413  
Albany, NY 12247

The Honorable Steven Cymbrowitz  
Chair of the New York Assembly Committee on Housing  
Legislative Office Building, Room 942  
Albany, NY 12248

## **Resolution Supporting the Housing Justice for All Campaign's Universal Rent Control Legislative Platform**

At the February 13, 2019 Full Board meeting of Manhattan Community Board Six, the Board adopted the following resolution:

**WHEREAS**, Manhattan Community District Six contained, as of 2016, 23,985 rent stabilized apartments;<sup>1</sup>

**WHEREAS**, the current renter protection framework for the State of New York is commonly referred to as rent stabilization;

**WHEREAS**, rent stabilization was established with the passing of the Emergency Tenant Protection Act in 1974;

**WHEREAS**, the Emergency Tenant Protection Act only allows local municipalities in Nassau, Westchester, and Rockland Counties and New York City to opt-in to the rent stabilization framework, geographically restricting many tenants across the state from the benefits of rent stabilization;

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<sup>1</sup> <https://anhd.org/report/how-affordable-housing-threatened-your-neighborhood-2018>

**WHEREAS**, even in municipalities that have opted in, rent stabilization only applies to buildings with 6 or more units;

**WHEREAS**, unlike market-rate tenants, rent-stabilized tenants have a right to a renewal lease;

**WHEREAS**, more and more, smaller buildings are being bought up as investments by large corporate landlords, and tenants who live in them face escalating rents and displacement;

**WHEREAS**, since 1974, the rent laws have been weakened with loopholes that encourage tenant harassment and allow sudden and permanent rent hikes;

**WHEREAS**, since 1994, the City has lost nearly 300,000 units of affordable, rent-stabilized housing;

**WHEREAS**, New York State's renter protection framework will expire in June of 2019;

**WHEREAS**, one such amendment to the rent stabilization laws allowed for vacancy decontrol, a loophole which allows landlords to permanently deregulate apartments once the rent reaches \$2,733 a month and the current occupant leaves the unit;

**WHEREAS**, of the nearly 300,000 units of rent stabilized housing that have been lost citywide since 1994, 155,664 were due to high-rent vacancy decontrol;<sup>2</sup>

**WHEREAS**, New York State Senate Bill S2591 and New York State Assembly Bill A1198 would eliminate vacancy decontrol;

**WHEREAS**, under the current rent stabilization laws, landlords receive a 20% "statutory vacancy bonus" every time an apartment turns over;

**WHEREAS**, this bonus gives landlords a big incentive to harass and evict long-term tenants;

**WHEREAS**, New York State Senate Bill S185 and New York State Assembly Bill A2351 would eliminate the vacancy bonus;

**WHEREAS**, under the current rent stabilization laws, landlords are entitled to offer a preferential rent;

**WHEREAS**, a preferential rent is a discounted rent that tenants pay when the legally registered rent (which, in some cases, may incorporate illegal rent hikes) exceeds the actual market value of the apartment;

**WHEREAS**, when tenants renew their leases, landlords can revert to the higher legal rent, leading to sudden and massive rent hikes;

**WHEREAS**, New York State Senate Bill S2845 and New York State Assembly Bill A4349 would mandate that landlords renew rent-stabilized leases with increases, if any, based upon the existing rent level the tenant pays rather than the legal rent;

**WHEREAS**, under the current rent stabilization laws, landlords can pass the cost of major capital improvements (MCIs) and individual apartment improvements (IAIs) to their tenants through an additional and permanent charge on top of a tenant's base rent;

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<sup>2</sup> Furman Center Report: The State of Rent Stabilization in New York City, October 3, 2018, [http://furmancenter.org/files/Presentation\\_for\\_1st\\_PB\\_FINAL.PDF](http://furmancenter.org/files/Presentation_for_1st_PB_FINAL.PDF)

**WHEREAS**, although in many of these building, systems repairs are necessary—either because the components of a building’s infrastructure exceed their useful life as defined by the Division of Homes and Community Renewal or due to years neglect by the landlord—many landlords often overstate the cost and extent of renovations because they can permanently pass the cost onto their tenants;

**WHEREAS**, as rent stabilization only applies to buildings with 6 or more units, tenants in buildings with fewer than 6 units do not have the right to a renewal lease at limited rent increases set by a local price index;

**WHEREAS**, New York State Senate Bill S2892 and Assembly Bill A5030 would extend the lease renewal provisions of rent stabilization to all tenants and thus would prevent landlords from evicting tenants without good cause;

**WHEREAS**, the aforementioned bills are bunched together with other legislative reforms that have not yet been introduced by a state legislator and referred to as “universal rent control,” a phrase popularized by the Housing Justice for All Coalition;

**THEREFORE, BE IT RESOLVED** that Manhattan Community Board Six supports the passage of New York State Senate bills S2591, S185, S2845, S2892 and New York State Assembly bills A1198, A2351, A4349, and A5030 and urges the Governor to sign them into law;

**BE IT FURTHER RESOLVED** that Manhattan Community Board Six (CB6) strongly urges that formerly rent stabilized units that were deregulated using the aforementioned loopholes, as well units that had been illegally deregulated by virtue of the J-51 Tax benefit and were temporarily reregulated as part of a court order but whose protections end when the J-51 tax benefit expires, be reregulated;

**BE IT FURTHER RESOLVED** that Manhattan Community Board Six urges legislators in both chambers of the State legislature to draft a bill removing the geographic restrictions in the Emergency Tenant Protection Act, allowing any municipality across the state to opt-in to rent stabilization;

**BE IT FURTHER RESOLVED** that that Manhattan Community Board Six urges legislators in both chambers of the State legislature to draft a bill preventing landlords from passing the cost of major capital improvements (MCIs) and individual apartment improvements (IAIs) onto tenants.

**VOTE: 28 in Favor 2 Opposed 3 Abstention 0 Not Entitled**

Best regards,



Cody Osterman  
Assistant District Manager

Cc: Hon. Liz Krueger, State Senator  
Hon. Dan Quart, State Assembly Member  
Hon. Richard Gottfried, State Assembly Member  
Hon. Harvey Epstein, State Assembly Member  
Carin van der Donk, Chair, CB6 Housing, Homeless, & Human Rights Committee