



Legislation Details (With Text)

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|------------------------|---|---------------------|---|--------------------|--|
| File #: | Res 0173-2018 | Version: | * | Name: | Removing the statute of limitations for rent overcharges. |
| Type: | Resolution | Status: | | In control: | Filed (End of Session) Committee on Housing and Buildings |
| On agenda: | 2/14/2018 | | | | |
| Enactment date: | | Enactment #: | | | |
| Title: | Resolution calling upon the New York State Legislature to introduce and pass, and the Governor to sign, legislation removing the statute of limitations for rent overcharges. | | | | |
| Sponsors: | Mark Levine | | | | |
| Indexes: | | | | | |
| Attachments: | 1. Res. No. 173, 2. February 14, 2018 - Stated Meeting Agenda, 3. Hearing Transcript - Stated Meeting 02-14-2018, 4. Minutes of the Stated Meeting - February 14, 2018 | | | | |

| Date | Ver. | Action By | Action | Result |
|------------|------|--------------|-----------------------------|--------|
| 2/14/2018 | * | City Council | Introduced by Council | |
| 2/14/2018 | * | City Council | Referred to Comm by Council | |
| 12/31/2021 | * | City Council | Filed (End of Session) | |

Res. No. 173

Resolution calling upon the New York State Legislature to introduce and pass, and the Governor to sign, legislation removing the statute of limitations for rent overcharges.

By Council Member Levine

Whereas, There are approximately one million apartments in New York City which are subject to rent control or rent stabilization; and

Whereas, The New York State Homes and Community Renewal agency is responsible for administering rent regulation laws; and

Whereas, The rent regulation laws set standards for the legal amount of rent an owner may charge, for increases in rents, for removal of a property from rent regulation, and for evictions; and

Whereas, If an owner is found to have overcharged a tenant living in a rent stabilized apartment, that owner may be responsible for treble damages; and

Whereas, In New York City, certain property owners are violating rent regulation laws by charging market rate rents for apartments required to be rent regulated; and

Whereas, In rent controlled apartments, there is a two year statute of limitation for bringing rent overcharge complaints; and

Whereas, In rent stabilized apartments there is a four year statute of limitation for bringing rent overcharge complaints, unless there is evidence of fraud; and

Whereas, If the tenant cannot prove there was a fraudulent scheme to destabilize the apartment, the tenant may have no recourse for years of overcharges; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to introduce and pass, and the Governor to sign, legislation removing the statute of limitations for rent overcharges.

JW/JLC
LS 2392 / Res No. 408
LS 1171
1/3/2018