



Legislation Text

File #: Res 0327-2018, **Version:** *

Preconsidered Res. No. 327

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

By The Speaker (Council Member Johnson) and Council Members Cornegy, Chin, Rosenthal, Torres, Williams, Perkins, Rivera, Kallos and Constantinides

Whereas, According to the 2017 New York City Housing Vacancy Survey, there are 966,000 rent stabilized units and 21,751 rent controlled units; and

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

Whereas, The rent stabilization and rent control 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, some 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 pass, and the Governor to sign, legislation extending the statute of limitations for rent overcharges.

JLC
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