



Legislation Text

File #: Res 0016-2006, **Version:** A

Res. No. 16-A

Resolution calling upon the New York State Legislature to amend the Disability Rent Increase Exemption (DRIE) program in order to provide parity with respect to the exemptions provided in the Senior Citizen Rent Increase Exemption (SCRIE) program.

By Council Members Koppell, Avella, Fidler, Foster, Gennaro, Gentile, James, Liu, McMahon, Nelson, Palma, Recchia Jr., Rivera, Stewart, Vann, Weprin, White Jr., Mendez, Lappin, Yassky, Brewer, Jackson, Seabrook, Sears, Felder, Dickens, Sanders Jr., Oddo and The Public Advocate (Ms. Gotbaum)

Whereas, In June of 2005, the New York State Assembly and Senate passed legislation known as the Disability Rent Increase Exemption (DRIE), which extended rent increase exemptions to people with disabilities, and, pursuant to such State enabling legislation, New York City enacted such rent increase exemptions on August 9, 2005; and

Whereas, DRIE was modeled after the Senior Citizens Rent Increase Exemption (SCRIE), State enabling legislation that allowed New York City to enact legislation providing rent increase exemptions to low-income senior citizens (62 years of age or older) who live in rent-regulated apartments, meet certain designated income requirements and spend at least a third of their income on rent; and

Whereas, In June of 2005, the New York State Legislature increased the income caps for seniors participating in the SCRIE program to \$26,000 in 2006, \$27,000 in 2007, \$28,000 in 2008 and \$29,000 in 2009; and

Whereas, However, to be eligible for DRIE, the total household income of all members of a disabled individual's household cannot exceed the maximum income at which such individual would be eligible to receive cash Supplemental Security Income (SSI) benefits under federal law during the relevant year; and

Whereas, The income eligibility cap for the DRIE program is therefore considerably lower than the

income cap for the SCRIE program; and

Whereas, Rent exemptions enable individuals to remain in their homes despite increases in rent, which is crucial for people with disabilities whose homes have, in many cases, been modified to accommodate their needs; and

Whereas, The availability of affordable and accessible housing in New York City for people with disabilities is especially limited; and

Whereas, The same rationale for ensuring that rental costs should not consume a disproportionate amount of the income of senior citizens should apply equally as well to people with disabilities living on similar incomes; and

Whereas, Recognition that people with disabilities in New York City should be entitled to the same housing cost exemptions as the City's senior citizens is apparent in the enactment of the Disability Homeowners Exemption (DHE) and the Senior Citizens Homeowner Exemption (SCHE) legislation by both the State and the City; and

Whereas, These laws provide homeowners who are people with disabilities or senior citizens with property tax exemptions based on annual income limits which are identical; and

Whereas, Just as the DHE and SCHE laws provide parity to homeowners who are people with disabilities and senior citizens with respect to property tax exemption eligibility, renters who are people with disabilities should be eligible to enjoy the same rent increase exemptions available under DRIE that senior citizens enjoy under SCHE; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to amend the Disability Rent Increase Exemption (DRIE) program in order to provide parity with respect to the exemptions provided in the Senior Citizen Rent Increase Exemption (SCRIE) program.

JC/MB/MDP
LS # 224
10/24/06