

David A. Paterson  
Governor



Deborah VanAmerongen  
Commissioner

New York State Division of Housing and Community Renewal  
Office of Rent Administration  
Gertz Plaza  
92-31 Union Hall Street  
Jamaica, NY 11422

May 12, 2009

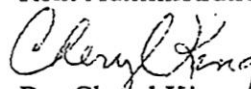
Your request for an opinion letter has been forwarded to me for a reply. You mentioned that you and your husband lived in a rent stabilized apartment in Manhattan, NY from 1976 until you moved to California in 2002. Your son always lived with you, except when he attended college from 1991-1995. After you moved, you renewed your lease twice while your son continued to live in the apartment. After relinquishing your apartment in 2007, you asked Management to grant your son succession rights, which they denied. You also stated that you have been fighting this case in court for almost three years. You ask DHCR to provide an opinion on whether your son has succession rights.

Please be advised that an opinion letter is not intended to address any issues which may be pending before a court of competent jurisdiction. Therefore, it would be inappropriate if we were to comment upon the issues raised. There is a procedure by which a court may certify questions to this agency. This is described in Point B. 8 of Operational Bulletin 93-1, a copy of which is attached.

We trust that we have responded as fully as possible to your inquiry under the circumstances.

Very truly yours,

Michael B. Rosenblatt  
Assistant Commissioner/  
Rent Administration

  
By: Cheryl King  
Senior Attorney

MBR:CK

cc: Deputy Commissioner Torres  
(col-2523)