

FACT SHEET



George E. Pataki, Governor
Joseph H. Holland, Commissioner

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DIVISION OF HOUSING AND COMMUNITY RENEWAL
OFFICE OF RENT ADMINISTRATION

#14 Rent Reductions Due to Decreased Services

Tenants in rent-regulated apartments can file individual and building-wide complaints if the services provided are inadequate. That action could result in a rent reduction.

A building-wide service complaint may relate to lack of elevator service, unsanitary halls, poor security systems, etc. The process of filing is as follows:

A tenant or group of tenants can file a *Statement of Complaint of a Decrease in Building-Wide Services*, [DHCR form RA- 84]; or a tenant can file an *Individual Tenant Statement of Complaint* (DHCR form RA-81) for decreased services in an individual apartment. To obtain a rent reduction based on service reduction, a rent stabilized tenant must specifically request a rent reduction, or if party to a building-wide complaint, must be individually listed as one of the claimants requesting the rent reduction.

The Division of Housing and Community Renewal (DHCR) screens and docket complaints and sends the tenant(s) an acknowledgment with the docket number.

A copy of the tenant's (s') complaint is sent to the owner with a notice to answer the tenant's charges. The owner can respond to the tenant's charges by making the necessary repairs or providing the missing services or stating why the alleged condition was not repaired or remedied. DHCR will send the tenant a copy of the owner's answer if it is relevant to the determination.

The tenant has 20 days from receiving the owner's answer to respond to DHCR.

If the tenant claims that the owner's answer is not accurate, DHCR may order an inspection. Often these questions of fact cannot be resolved without on-site evidence.

If the evidence indicates that the owner failed to maintain required services, DHCR may issue a rent

reduction or, if the tenant fails to request a rent reduction, DHCR will direct the owner to restore the services. A reduction in rent, if ordered, will be in effect until DHCR issues an order restoring the rent. In addition, in rent stabilized apartments, the order finding a reduction in services may bar the owner from collecting any further increases in rent until full services are restored.

Statewide, if a tenant lives in a rent stabilized apartment and receives a rent reduction for an individual apartment or a building-wide service decrease, the order becomes effective the first day of the month following the date when the owner was served with the tenant's complaint. The rent reduction consists of a percentage equal to the guideline increase in effect when the complaint was filed. If more than one tenant applied, the rent reduction affects each tenant who signed the building-wide service complaint application requesting the rent reduction.

If a tenant lives in a rent controlled apartment, the rent reduction based on either an individual apartment or building-wide service decrease becomes effective the first day of the month following DHCR's issuance of the order.

In a building-wide complaint, all NYC rent controlled tenants will receive the reduction whether or not they signed the building-wide service complaint application.

The owner may be ordered to restore full services even though a rent reduction has not been granted. An owner's failure to comply with the DHCR order requiring restoration of services can result in even greater penalties, such as fines.

To have the rent restored to its original amount, an owner must file *Owner's Application to Restore Rent and/or Collect Rent Adjustment* [DHCR form RTP-19]. For rent stabilized apartments outside of NYC, the owner must include a copy of a new *Certificate of Maintenance of Services* with the application. An order will be issued granting or denying the application.

*For more information or assistance, call the DHCR
Rent InfoLine, or visit your Borough Rent Office.*

Central

92-31 Union Hall St. 4th Fl.
Jamaica, NY 11433
(718) 739-6400

Lower Manhattan

156 William Street
9th Floor
South side of 110th St. and below

Brooklyn

250 Schermerhorn St.
3rd Floor
Brooklyn, NY 11201

Bronx

1 Fordham Plaza
2nd Floor
Bronx, NY 10458

Upper Manhattan

163 W. 125th St.
5th Floor
NY, NY 10027
North side of 110th St. and above

Staten Island

60 Bay Street
7th Floor
Staten Island, NY
10301

Nassau County

50 Clinton Street
6th Floor
Hempstead, NY 11550

Rockland County

94-96 North Main St.
Spring Valley, NY 10977

Westchester County

55 Church Street
White Plains, NY 10601