

FACT SHEET



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

A PUBLICATION OF NEW YORK STATE
DIVISION OF HOUSING AND COMMUNITY RENEWAL
OFFICE OF RENT ADMINISTRATION

#20 Special Rights of Disabled Persons

The law grants certain protections for disabled persons who lawfully occupy rent regulated housing.

Disabled persons are tenants and/or spouses of tenants who have an impairment resulting from anatomical, physiological or psychological conditions demonstrable by medically acceptable clinical and laboratory diagnostic techniques that are expected to be permanent, and prevent the tenant from engaging in any substantial, gainful employment.

Housing protections for disabled tenants include:

1. If a building is being converted to cooperative or condominium ownership under a legal Eviction Plan, tenants who are eligible disabled persons may refuse to purchase their apartments and remain in occupancy as fully protected rent stabilized tenants with lease renewal privileges. Rent controlled tenants are similarly protected. The tenant's disability must be certified as of the date the New York State Attorney General accepts the Eviction Plan for filing.

To take advantage of this benefit, an eligible disabled person in New York City must elect, on forms provided by the Attorney General, to become a "non-purchasing" tenant within 60 days of the date that the Final Offering Plan is presented to the tenants. Outside NYC, there is no formal election requirement.

2. An owner cannot evict a disabled tenant or the spouse of a disabled tenant from rent stabilized apartments in NYC for the purpose of owner occupancy unless the owner provides an equivalent or superior apartment at the same or lower rent in an area near the tenant's present apartment.

3. An owner cannot evict a disabled tenant from rent stabilized apartments outside NYC and rent controlled apartments statewide for purposes of owner occupancy. Moreover, for rent stabilized apartments outside NYC and rent controlled apartments statewide, regardless of the age or physical condition of a tenant, an owner may not evict for purpose of owner occupancy a person who has been a tenant in an apartment in the building for 20 years or more.

The Central Office of the Office of Rent Administration at Gertz Plaza, 92-31 Union Hall Street, Jamaica, NY and the Borough and County Rent Offices are totally accessible buildings, including the bathroom facilities. Staff members at all Rent Offices are available to assist visually-impaired persons with forms and other printed materials. With advance notification, staff members can also provide assistance for tenants and owners with hearing impairments, or serious mobility problems.

If a hearing-impaired person is a party or a witness at a hearing before the Division of Housing and Community Renewal (DHCR), DHCR will provide a signer to interpret the proceedings.

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

Central
92-31 Union Hall Street
4th Floor
Jamaica, NY 11433
(718) 739-6400

Lower Manhattan
156 William Street
9th Floor
New York, NY 10038
South side of 110th St. and below

Brooklyn
250 Schermerhorn Street
3rd Floor
Brooklyn, NY 11201

Bronx
1 Fordham Plaza
2nd Floor
Bronx, NY 10458

Upper Manhattan
163 W. 125th Street
5th Floor
New York, 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 Street
Spring Valley, NY 10977

Westchester County
55 Church Street
White Plains, NY 10601