



**Homes and
Community Renewal**

2022 Overview of Office of Rent Administration (ORA)

Kingston Emergency Tenant Protection Act Presentation

Woody Pascal, Deputy Commissioner, ORA

Anthony Tatano, Assistant Commissioner, Property Management Bureau

April Gray- Huertas, Deputy Bureau Chief, Property Management Bureau

Timothy Carlos, Director, Rent Regulation Unit

Peter Stecker, Director, Compliance and Enforcement Unit

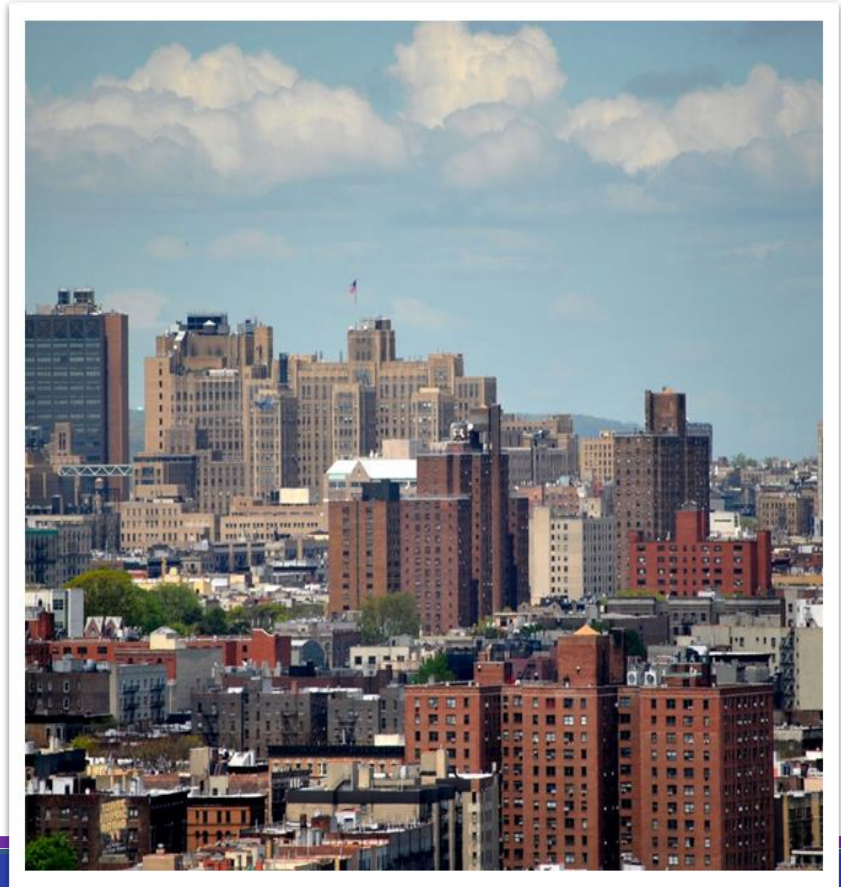
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ORA Mission

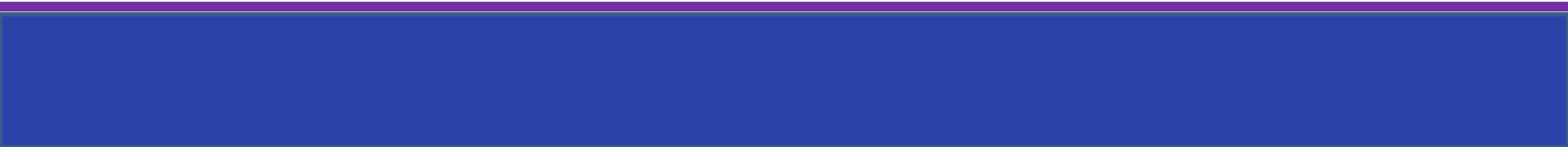
HCR's Office of Rent Administration (ORA) is committed to effectively administering New York State's Rent Laws, which provide decent, affordable housing for millions of New Yorkers. The laws and regulations are designed to afford owners an adequate return on investment while protecting tenants from unlawful rent increases, harassment, and illegal evictions in a market with a persistent shortage of decent affordable rental housing. As the Administrator of the laws and custodian of all rent registration records, the ORA is responsible for responding to applications and legitimate inquiries of tenants and owners of the more than one million regulated apartments.





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Rent Information Bureau





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Rent Information Bureau

- Direct service to the public through a number of units.
- Rent Infoline (833-499-0343) answers 2,000 calls a month using recorded messages and call agents.
- 6 Borough/District Rent Offices now serve walk-in visitors by appointment only.
- Rent Info email address responds to 1,500 emails a month providing standardized responses.
- Rent Registration Unit inputs Initial Registrations filed by owners for new buildings and, as in Kingston's situation, buildings entering the Rent Stabilization system for the first time. Tenants, who are required to be served a copy of their apartment's Initial Registration form by Certified Mail, have a right to challenge the rents and services that are registered. This form contains an "Important Notice to the Tenant" on the back of the form. The unit also processes online Annual Registration filings and amendments as required by law.
- Records Access Unit responds to several hundred requests a month for access to rent registration, copies of orders, case files and rent control records.





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Rent Information Bureau

- ORA website home page is managed and updated continuously and over 27 vital documents have been translated into 10 different languages.
- Translation services are provided upon request through the use of a state approved vendor at the Borough Rent Offices and over the central telephone line.
- The Forms and Website unit placed a Transparency Initiative page on our website that now provides on a quarterly basis, redacted copies of all agency PAR/appeals decisions for all case types.
- Central Records Unit manages all case files, intake, filing, delivery, scanning and disposal.
- Administrative Services processes requests for supplies, repairs , building maintenance and supports personnel processing.



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Property Management Bureau



Property Management Bureau

- Contains the Major Capital Improvement (MCI), Services, Compliance, Enforcement, and Inspections Units.
- Building-wide owner applications for rent increases based on MCIs, hardship, tax abatement offsets and owner applications for modification of building-wide services.
- Tenant applications related to maintenance of individual apartment and building-wide services.
- Tenant complaints of harassment and of non-compliance with DHCR orders.
- Administrative determinations where legal rent or other facts are in dispute.
- Oversees the Inspection Unit for ORA.



Property Management Bureau Major Capital Improvements (MCI)

- Upon application by an owner, ORA is authorized to increase the rents in an ETPA building where the owner has demonstrated that it has completed a Major Capital Improvement (MCI)
- Tenants have 60 days to respond to the owner's MCI application.
- MCI increases are prohibited for buildings with 35% or fewer rent regulated units.
- MCI increases are prohibited if there are hazardous violations on file with the local municipality in addition to immediately hazardous violations.
- MCI increases may be granted based upon reasonable costs.
- Buildings with 35 or fewer units are amortized over 12 years, buildings with more than 35 units are amortized over 12 ½ years.
- MCI increases are effective and collectible on the first day of the first month following 60 days from the mailing date of the order.



Tenant Complaints

Rent stabilized tenants are entitled to protections besides limits on rent increases. ORA is tasked with ensuring these protections by responding to tenant complaints:

- **Services Complaint:** tenant complaint that an owner has not maintained required services in apartment or building (RA-81 and RA-84)
- **Lease Renewal Complaint:** tenant complaint that owner has not offered lease renewal required by ETPA (RA-90)
- **Overcharge Complaint:** tenant complaint that owner has collected rent in excess of legal regulated rent (RA-89)

Note: most of these forms can be completed online at hcr.ny.gov/tenant-owner-forms



Enforcement/Compliance

The Enforcement/Compliance Unit processes two case types:

- **Harassment:** tenant complaint that their landlord has taken action to deprive them of their rights under the law
 - Filed by tenant on Form RA-60H
- **Non-Compliance:** tenant complaint that their landlord has failed to comply with an Agency directive contained in an order
 - Filed by tenant on Form RA-22.1
- After investigation, if warranted, these proceedings may lead to the imposition of civil penalties on the owner by an Administrative Law Judge.



Inspections

- The Inspections Unit conducts inspections of rent regulated apartments for a variety of case types, including services cases, noncompliance matters, and other matters where the Agency needs to visit an apartment or building to make its findings.
 - Example: in a services case, where the parties disagree whether a repair is needed, ORA will order an inspection to determine whether the services have been maintained in a workmanlike manner.
- Inspections are usually made on notice to the tenant and owner who are expected to provide access to the inspector.



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Stabilized Tenancy & Rent Review Bureau



Stabilized Tenancy & Rent Review Bureau

Contains the Overcharge and Owner Eviction Units.

- **Overcharge** - If there is a finding of willful rent overcharge, ORA will require the owner to pay treble damages to the tenant—up to three times the overcharge amount and up to six years pursuant to the Housing Stability & Tenant Protection Act.
- **Lease renewal** - Tenants in rent stabilized apartments may file lease complaint if the owner has not offered a renewal lease (including in succession matters), has changed the terms and/or conditions of the lease, refuses to add a spouse to the lease, or offered an initial lease that is not in accordance with the law.
- **Fair Market Rent Appeals** are complaints disputing the amount of rent charged in newly stabilized apartments that were formerly rent controlled. For jurisdictions that adopt the Emergency Tenant Protection Act (ETPA) after June 14, 2019, tenants may file Fair Market Rent Appeals if the owner raised their rent within a certain look back period to be determined by the local Rent Guidelines Board.
- **Evictions and Demolitions.**
- **Substantial Rehabilitation.**



Petitions for Administrative Review (PAR)

- Each of the processing bureaus has a PAR unit which processes Administrative Appeals.
- A tenant, owner or other interested party, such as a receiver or prior owner has a right to file a PAR challenging the correctness of any order issued by a Rent Administrator.
- The filing of a PAR must be made within 35 days of the date of the Rent Administrator's order.
- Multiple PARs can be generated from a single administrative determination, such as an MCI, which affects many tenants in a building covered by rent regulation.



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NYS Rent Connect

ORA launched NYS Rent Connect, a new online service and self-help assistant that modernizes and simplifies how New York tenants and owners of rent-stabilized and rent-controlled apartments interact with HCR's Office of Rent Administration.

NYS Rent Connect

Tenants and Owners can complete Applications Online:

- Lease issues
- Overcharge complaints
- Defective conditions
- Owner registration

MCI Cases

- File responses to open MCI cases online

NYS Rent Connect Assistant

- Easy access to records and forms
- Info on current rent increases
- Guides to general information and answers to questions



Online Application Center for Owners - Owner Rent Regulation Applications

The Owner Rent Regulation Applications (ORRA) system allows owners to file various applications online using the same User ID and Password. The following are applications currently available and those that are in the planning stages:

- Annual Rent Registration
- Maximum Base Rent (MBR) system
- Owner's Application to Restore Rent
- ETPA survey



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Office of Rent Administration

Rent Infoline 833-499-0343

