

Getting Repairs Done



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Getting Repairs Done

Three Tactics:

- Housing Court case
- Withholding rent
- DHCR complaint

First Document the Problem



Notify the LL in
writing



Call 311 to get an
inspection



Self-
documentation

Photos
Journal
Heat
log

Housing Court Case (HP Action)

This is a case where tenants request that a Housing Court judge order the landlord to fix all housing code violations.

Pros:

- You are on the offense
- You can get other tenants in your building involved for greater effectiveness.
- Faster than other two options
- If the repair is deemed a housing code violation, the judge will order the landlord to fix it.

Cons:

- Going to court costs time and energy.
- If you are not a regulated tenant, the landlord may retaliate and not renew your lease.
- There is no monetary compensation for the time you went without repairs. You only get your repairs done.

How To File an HP Action

Individual or group of tenants

In person at Housing Court:

- 111 Centre St (Manhattan)
- 89-17 Sutphin Blvd (Queens)

\$45 filing fee

- can be waived if low income

Withholding Rent

Pros

- Uses the most powerful leverage you have – your rent
- You may be able to get a percentage of your rent abated (deducted)

Cons

- LL will take you to Housing Court for nonpayment
- Even if the judge orders a partial rent abatement, you must pay all the remaining rent or face eviction

How To Withhold Rent

1

Notify the LL in writing of the condition and that you are withholding rent until it is fixed

2

Proof of sending – email or certified mail return receipt requested

3

Set aside ALL of the rent each month

RENT STRIKE

A rent strike is when a critical mass of tenants withhold their rent.

A rent strike is far more powerful than a single tenant withholding rent.

If you and your neighbors are considering a rent strike, talk to a local tenant organization and a lawyer. It's important to plan carefully, organize well, and get strong commitments from neighbors.

Read the Right To Counsel NYC Coalition [Rent Strike Toolkit](https://www.righttocounselnyc.org/organizing_covid19) at https://www.righttocounselnyc.org/organizing_covid19

DHCR Rent Reduction Order

This is a complaint to the state agency that enforces the Rent Stabilization Code (only available to stabilized tenants)

Pros:

No court appearance - everything is done by mail or online.
May lead to (small) rent reduction

Cons:

Very slow
Not available for market-rate or NYCHA tenants

DHCR Rent Reduction – How To

Notify LL in writing of condition

Call 311 and get HPD to place a violation

Fill out the online DHCR complaint form at

<https://rent.hcr.ny.gov/RentConnect/Tenant/DecreasedServicesOverview>

DHCR will mail copy of complaint to LL and allow time for response

DHCR may send inspector

If DHCR finds condition remains, rent will be rolled back by latest increase and frozen until LL certifies repair

Helpful Websites

- <https://iapps.courts.state.ny.us/webcivilLocal/LCMain> - Housing Court case information
- <http://a836-acris.nyc.gov/Scripts/Coverpage.dll/index> - ACRIS - Department of Finance – research ownership and mortgage history
- <https://whoownswhat.justfix.nyc/en/> - WhoOwnsWhat – find out who owns your building and what else they own
- http://167.153.4.71/hpdonline/provide_address.aspx - HPD building info – look up code violations, complaints, and ownership information
- <http://www.nyc.gov/html/dob/html/home/home.shtml> - Department of Buildings - look up code violations and building permits
- <https://www.justfix.nyc/en/> - JustFix.nyc – tools for requesting repairs from your landlord
- <https://rent.hcr.ny.gov/RentConnect/Tenant/Overview> - DHCR forms - make rent reduction and overcharge complaints; learn about Rent Stabilization rights
- <https://www.righttocounselnyc.org> – Right to Counsel NYC Coalition – learn about Housing Court Right to Counsel program; learn about organizing campaigns to cancel rent and expand tenants rights