



NYC Tenants Bill of Rights



Applications & Security Deposits

- ✓ It is illegal for you to be charged a fee for an apartment application beyond a \$20 charge to cover the cost of background and credit checks. (N.Y.RPL §238-a(1)(a)-(b))
- ✓ Security deposits are limited to one month's rent. (N.Y. GOB §§ 7-108-1a(a))
- ✓ You have the right to have your landlord join you in a "walk-through" inspection to determine the condition of the apartment prior to moving in and out and provide a written agreement documenting all damages even after the lease is signed. (N.Y. GOB §§ 7-108-1a(c))
- ✓ Your landlord has fourteen (14) days after you vacate your apartment to provide you with an itemized statement indicating the specific damages and amount of the deposit that they will deduct and the remaining portion of your deposit return. If not done within those 14 days, your landlord must return the full deposit amount to you. (N.Y. GOB §§ 7-108-1a(e))



Discrimination

- ✓ It is illegal for landlords to discriminate in the rental of housing based on actual or perceived race, creed, color, national origin, gender (including gender identity), disability, age, marital or familial status, the presence of children, lawful occupation, sexual orientation, immigration status or domestic violence status. (N.Y. Exec. Law § 296 5(a)(1))
- ✓ You are protected against discrimination based on a lawful source of income: the landlord may not refuse to rent to you based on your intention to pay the rent using child support, social security, section 8 or another rent subsidy. (N.Y. Exec. Law § 292(36))



Heat & Hot Water

- ✓ Your landlord must provide you with both hot and cold water. From 6am to midnight, hot water must register at or above a constant temperature of 120 degrees at the tap, and 110 degrees for tubs or showers equipped with anti-scald valves. (NYC Admin. Code § 27-2031)
- ✓ Your landlord has a duty to provide heat and maintain 68°F between October 1 and May 31 (between 6 a.m. and 10 p.m.) when outside temp is below 55°F, and between 10:00 p.m. and 6:00 a.m. when outside temp is below 40°F. (NYC Admin. Code § 27-2029)



Habitability

- ✓ Your building must be kept in good repair, including clean hallways and public areas, new apartment paint every three years, and extermination services for any rats, mice, roaches, bedbugs, or vermin. Electrical, plumbing, heating and appliances must be kept in good working order. You are entitled to be free of nuisance or harassment by your landlord or other tenants. (NYC Admin. Code §27-(2005- 2072))
- ✓ Your landlord has a duty to conduct repairs even if you have complained or taken legal action. (N.Y. RPL § 223-b)





Rent

- ✓ You cannot be required to pay rent using an electronic billing or payment system. (N.Y. RPL §235-G)
- ✓ You have a 5-day grace period for late rent payment. Late fees are capped at \$50 or 5% of the monthly rent, whichever is less. (N.Y. RPL 238-a 2.)
- ✓ In the case of non-payment proceedings, you have ten (10) days to appear or file before a default can occur. (N.Y. RPAPL §732)



Eviction & Renewal

- ✓ If your landlord is not going to renew your lease, or they plan to raise your rent more than 5%, they must provide you with 30 days of notice in your first year of tenancy. This notice period increases to 60 days in your second year (and for two-year leases) and 90 days thereafter. (N.Y. RPL § 226-c)
- ✓ Your landlord must seek a court warrant to evict you, and unlawful evictions and attempts to force you to vacate are civil and criminal offenses. (N.Y. RPAPL §768)
- ✓ If you are a victim of domestic violence, you may terminate your lease early if not doing so exposes you or your child to substantial risk of physical or emotional harm. (N.Y. RPL §227-C.)



Tenants 62 & Older

- ✓ If you or your spouse are sixty-two (62) years old or older and/or are an individual with a disability, you are entitled to terminate your lease if you can no longer live independently, are relocating to an adult care facility, a residential health care facility, subsidized low-income housing, or other senior citizen housing. (N.Y. RPL §227-a)

Other Resources

This document is intended for informational purposes only and should not be construed as providing legal advice. This document is only a brief summary of laws. The applicability of any or all of the protections described in the document is dependent upon your particular facts and circumstances. Prior to utilizing the information provided in this document, you should consult an attorney. This draft is tailored to those renting/seeking market rate units. Tenants of rent stabilized and controlled units are provided additional legal protections that not addressed here.

For more information, you may refer to the more comprehensive guide called the “ABCs of Housing” which the New York City Department of Housing, Preservation, and Development (HPD) hosts on the city’s website: <https://www1.nyc.gov/assets/hpd/downloads/pdf/renter-resources/abcs-of-housing.pdf>

If you are experiencing housing issues including heat problems, harassment, discriminations or other problems mentioned in this document, call 311, TTD 212-863-6300.

Other Legal Services Provider:

- ✓ **The Legal Aid Society** (212) 577-3300

