

FACT SHEET



Andrew M. Cuomo, Governor

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

#17 Harassment

Harassment by an owner is a course of action intended to force a tenant out of his/her apartment or to cause a tenant to give up rights granted the tenant by the Rent Stabilization Law or Rent Control Law. No owner or anyone acting for the owner may interfere with a tenant's privacy, comfort, or quiet enjoyment of the tenant's apartment. Interference includes reducing services or engaging in baseless court proceedings. The Rent Code Amendments of 2014 (RCA 2014) expanded such course of conduct to include the filing of false documents with or making false statements to DHCR.

Harassment is a serious violation of a tenant's rights. The New York State Division of Housing and Community Renewal (DHCR) established the Enforcement Unit specifically to handle harassment cases. The Unit is staffed with attorneys who specialize in this area of the rent laws. They respond to all complaints of harassment made within New York State related to rent regulated housing.

Owners found guilty of tenant harassment by an administrative order after a hearing is held, are subject to a fine of \$2,000 for a first offense and up to \$10,000 for each subsequent offense. In addition, DHCR will permit no rent increases once there has been a finding of harassment until there is a finding that the harassment has ended.

Upon receipt of a properly filled complaint form, RA-60H "Tenant's Statement of Complaint(s) - Harassment", the complaint is reviewed to determine an appropriate course of action. The review process may determine that the tenant actually needs to file a complaint of failure to renew lease or decrease in services, as opposed to a harassment complaint and will provide the tenant with the needed form. Those complaints that allege facts that would constitute harassment are assigned to an attorney. A copy of the complaint will be served on the owner and the Enforcement Unit attorney will schedule a conference for the tenant and owner.

The conferences generally result in a written and signed agreement that details the corrective action to be taken by one or both parties. The agreement is then monitored by the DHCR attorney to ensure that any behavior being viewed as harassment has ceased.

Where no satisfactory agreement is reached and/or the owner continues to engage in an unlawful course of conduct, the Enforcement Unit will commence a formal hearing before a DHCR Administrative Law Judge seeking fines against the owner. A formal hearing is held at a DHCR office and requires that the tenant and owner appear in person, to provide testimony. In many instances, this may require several days of attendance.

If you think you are a victim of harassment, you may obtain a *"Tenant Statement of Complaint(s) - Harassment"* (DHCR Form RA-60H), from your Borough or County Rent Office, or write to:

DHCR Enforcement Unit
Gertz Plaza
92-31 Union Hall Street
Jamaica, NY 11433

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

Queens

92-31 Union Hall Street
6th Floor
Jamaica, NY 11433
(718) 739-6400

Lower Manhattan

25 Beaver Street
5th Floor
New York, NY 10004

Brooklyn

55 Hanson Place
7th Floor
Brooklyn, NY 11217

Bronx

1 Fordham Plaza
4th Floor
Bronx, NY 10458

Upper Manhattan

163 W. 125th Street
5th Floor
New York, NY 10027

Westchester County

75 South Broadway
3rd Floor
White Plains, NY 10601