

# FACT SHEET



Andrew M. Cuomo, Governor

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

## #8 Emergency Tenant Protection Act of 1974 (ETPA) Chapter 576 Laws of 1974 as Last Amended

This bulletin provides only general information concerning ETPA. For specific information, refer to the full text of the Act.

In Nassau, Rockland and Westchester counties, rent stabilization applies to non-rent controlled apartments in buildings of six or more units built before January 1, 1974 in localities that have declared an emergency and adopted ETPA. In order for rents to be placed under regulation, there has to be a rental vacancy rate of less than 5% for all or any class or classes of rental housing accommodations. Some municipalities limit ETPA to buildings of a specific size, for instance, buildings with 20 or more units.

Certain types of housing accommodations are not included in the provisions of ETPA, for example: housing accommodations in buildings containing less than six dwelling units; rent controlled apartments; motor courts; tourist homes; nonprofit units; governmentally supervised housing; and housing accommodations in buildings completed on, or after, January 1, 1974.

The Rent Regulation Reform Act of 1993 (RRRA) exempts certain apartments from regulation. See Fact Sheet #1, "*Rent Control and Rent Stabilization*," for information on the deregulation of high rent apartments and the deregulation of high rent apartments occupied by high income tenants. Apartments in buildings converted to co-op or condo ownership that are or become vacant on or after July 7, 1993 are exempt from rent regulation.

Each municipality declaring an emergency and adopting local legislation pays the cost of administering ETPA. In turn, each municipality can charge the owners of housing accommodations a fee up to \$10 per unit per year as the Act provides.

The local rent guidelines boards (one each in Nassau, Rockland, and Westchester counties) set maximum allowable rates for rent increases in stabilized apartments. These guidelines rates are set once a year and are effective for leases beginning on or after October 1st of each year.

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

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