

George E. Pataki
Governor



Joseph B. Lynch
Commissioner

New York State Division of Housing and Community Renewal
Office of Rent Administration
Gertz Plaza
92-31 Union Hall Street
Jamaica, NY 11433

March 19, 2001

This is in response to your letter of November 28. You inquire whether, as a tenant of a rent controlled housing accommodation, you are obligated to sign a lease.

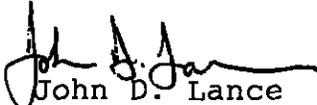
Such tenancies are statutory, as a tenant's right to remain is not derived from a lease agreement with the landlord, but by virtue of the compulsion which the law exerts on the landlord to allow such tenant to stay. Therefore, a tenant of a rent controlled housing accommodation is not required to sign a lease.

We trust that we have fully responded to your inquiry.

Please be advised that this opinion letter is not a substitute for a formal agency order issued upon prior notice to all parties and with all parties having been afforded an opportunity to be heard.

Very truly yours,

Charles Goldstein
Associate Counsel

By: 
John D. Lance
Senior Attorney

CG:JDL

cc: Deputy Commissioner Roldan
(COL-1018)