

George E. Pataki
Governor



Judith A. Calogero
Commissioner

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

August 22, 2002

This is in response to your letter of June 3. You state that since September 1995, your son has been submitting rent checks to the owner/manager, who has recently died. In May, your son submitted a rent check which was returned by the new management company with the following statement: "[w]e are not permitted to accept payment of rent from anyone but the legally named tenant," which is yourself. You inquire whether this statement is true.

While there is no regulation or law which prohibits the owner from accepting a rent check from your son, the owner is not required to accept a rent check signed by someone who is not the tenant of record, even if the prior owner accepted such checks.

We have submitted your request for your apartment's rental history, which will be forwarded to you in a separate mailing.

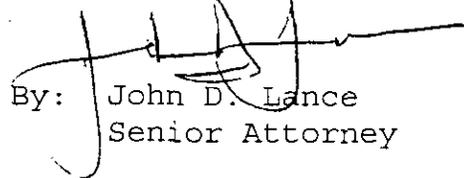
Web Site: www.dhcr.state.ny.us
Email address: dhcrinfo@dhcr.state.ny.us

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-1328)