



## MEMORANDUM IN SUPPORT

April 20, 2009

The Real Rent Reform Campaign strongly supports the following bill which passed the State Assembly on February 2 and was introduced in the State Senate on February 13:

- S2237-A** Stewart-Cousins, Krueger, Adams, Addabbo, Aubertine, Breslin, Diaz, Duane, Hassell-Thompson, Huntley, Monserrate, Montgomery, Onorato, Oppenheimer, Padavan, Parker, Perkins, Schneiderman, Serrano, Squadron, Stavisky, Thompson, Sampson (*in Committee on Housing, Construction and Community Development*)
- A2005** Rosenthal, Silver, Brennan, Lopez V, Lentol, Wright, Diaz, Jeffries, Bing, Latimer, Camara, Brook-Krasny, Peralta, Boyland, Greene, Kellner, Lancman, Schimel, Maisel, Kavanagh, Gottfried, Dinowitz, Millman, Mayersohn, Powell, Lavine, Colton, Nolan, O'Donnell, Titus, Farrell, Ortiz, Espaillat, Benedetto, Hooper, Jacobs, Robinson, Rivera N, Zebrowski, Glick – Multi-sponsored by Benjamin, Bradley, Brodsky, Cook, Jaffee, Markey, Meng, Peoples, Perry, Pheffer, Pretlow, Rivera J, Spano, Weisenberg (*Passed February 2*)

This bill is the single most important step the Legislature can take to reverse the loss of our dwindling affordable rental housing stock in the downstate metropolitan region. A2005 repeals vacancy decontrol as it applies to New York City and the suburban counties of Nassau, Westchester and Rockland, for both rent-controlled and rent-stabilized apartments. The bill also re-regulates at least some of the units that have been decontrolled.

This ill-conceived decontrol measure, inserted into state law in 1993 and 1997, and into New York City rent laws by action of the City Council in 1994, has resulted in the loss of at least 200,000 affordable apartments over the last 15 years, possibly as many as 300,000. The pace of decontrol has accelerated. If it is not repealed, the entire rent and eviction system will be phased out – faster than most observers realize.

Vacancy decontrol is the root cause of all the distortions that one now sees in the downstate rental market. The uptick in harassment, overt and subtle; speculative

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purchasing and flipping of rent-stabilized and Mitchell-Lama properties at prices that vastly exceed reasonable commercial standards; increased evictions, and increases in aggressive attempts at eviction by means such as owner use, non-primary residence, and similar tactics – all of this can be laid at the door of vacancy decontrol.

If vacancy decontrol is repealed, 90 percent of this bad landlord behavior disappears from our society.

Above all, vacancy decontrol has exacerbated the affordability crisis in the downstate rental market.

In addition vacancy decontrol locks tenants into their current homes, making it impossible for anyone to move.

The overarching purpose of rent regulation is not merely to protect tenants in place, but to preserve the supply of affordable rental housing for future use – for households who will need a home in the next generation.

This essential aspect of rent regulation is lost with vacancy decontrol. Once an apartment is deregulated, it is affordable only to those who can somehow pay market rents – which most people cannot.

And the tenants who move into deregulated apartments lack basic rent and tenure protections. There is no limit on how much the landlord can raise the rent in future, and the landlord can choose not to renew the tenant's lease, resulting in arbitrary termination of tenancies and evictions without good cause. Tenants in market-rate apartments are afraid to complain of bad conditions for fear of retaliatory eviction.

It is time that rent protection laws are seen for what they are: an essential municipal service. Rent regulation is by far the largest and most important affordable housing program in New York State.

The R<sup>3</sup> Campaign strongly supports S2237/A2005 and urges prompt enactment of this most important legislation.