



TENANTS & LANDLORDS WORKING TOGETHER TO FLATTEN THE CURVE



COVID-19 RESOURCES FOR TENANTS & LANDLORDS

Spring 2020

RE: Coronavirus: *What Tenants and Landlords Need to Know*

RUPCO wants to make sure that tenants and landlords have the most up to date information related to COVID-19. There are several resources available that offer daily updates on COVID-19. COVID-19 is a respiratory disease spread between people who are in close contact with one another. Apartment buildings and other shared living spaces pose the increased potential risk of persons spreading the virus. Tenants and Landlords can start preparing for the virus by being proactive with preventative steps and with communication while working as a team.

TENANTS:

Know your rights during the COVID-19 crisis:

- *Landlords cannot participate in “rent gouging,” by increasing rent in order to capitalize on the crisis.*
- *If you have a current lease, your landlord cannot increase your rent until it expires. If you are rent stabilized or rent controlled, the landlord is limited in the amounts it can increase your rent (currently 1.5 percent for a 1 year renewal and 2.5 percent for a 2 year renewal).*
- *For market rate tenants whose lease is expiring or are month-to-month tenants, your landlord must provide you with advance written notice of any rent increases above 5 percent.*
 - *90 days written advance notice if you have lived in your apartment two years or more, or if you have a two-year lease;*
 - *60 days written advance notice if you have lived in your apartment for more than one year, but less than two years;*
 - *30 days advance written notice if you have lived in your apartment for less than one year, or have a lease for less than one years.*



Even if you are given proper advance notice of the rent increase, your landlord cannot charge you the increase in rent unless you accept it by signing a lease, paying the increase, or take another affirmative step.

- *If you refuse to pay the increase, the landlord must go to court to evict you. However, your landlord cannot bring you to court because there is currently a moratorium on both new cases and evictions.*
- *Landlords cannot withhold essential services over failure to pay rent.*
- *A landlord's failure to provide essential services such as hot water or electricity is a breach of the warranty of habitability.*
- *If your landlord has failed to provide essential services to you, you can call your local Code Enforcement office to complain about a loss of essential services such as heat and hot water or other bad conditions. The deliberate disruption or discontinuance of essential services may also constitute harassment as described above.*
- *New York state anti-harassment laws make it illegal for landlords to engage in any action that is intended to force tenants to leave their homes or otherwise give up their rights under law.*
- *Landlords are prohibited from interfering with tenants' privacy, comfort, and quiet enjoyment of their homes. It is a Class A Misdemeanor for a landlord to threaten a tenant, change a tenant's locks, or otherwise try to force a tenant from her apartment without a court order, whether that tenant is paying rent or not.*
- *Landlords are also prohibited from engaging in disruptive construction or renovation projects in your building that interfere with your health, safety, and use of your apartment. These actions could be considered harassment.*
- *Landlords cannot discriminate against or evict a tenant because the tenant, or someone the tenant lives with, has contracted or had COVID-19, or the landlord thinks that the tenant has or had COVID-19.*
- *If you are elderly or have a physical, mental, or medical impairment, which may include a COVID-19 related illness, you are protected from housing discrimination under the federal, state, and city laws, including the New York State Human Rights Law.*
- *Landlords also cannot discriminate against a tenant or treat a tenant differently or unfairly because of their immigration status or because the tenant is from, or looks like the tenant is from, a country where there is a serious COVID-19 outbreak.*
- *Landlords cannot refuse to protect a tenant if the tenant is being harassed by other tenants because the tenant is from, or looks like the tenant is from, a country where there is a serious COVID-19 outbreak.*
- *Posting a notice that someone has an illness would be considered discrimination unless it is necessary to protect the health of others. Generally, there is no need to identify a person who has contracted the coronavirus. Instead, a landlord can post a notice stating that someone within the building has contracted the coronavirus without identifying the person who got ill.*
- *If you have questions or believe you have been a victim of harassment or discrimination of this kind, contact the OAG Civil Rights Bureau by emailing civil.rights@ag.ny.gov or calling 800-771-7755.*
- *If a New York State Sheriff attempts to evict you, you should contact the Sheriff's office and then your local County office's general number to report a violation of the Governor's Executive Order.*
- *If a Landlord locks you out or tries to evict you, also known as "self-help evictions," which are unlawful in New York State, you should call 911 and show the police officer identification, lease, or public utility bill with your name and address.*



Ulster County's Tenants Protection Unit

- *To make a tenant complaint, call 845-340-3232 or please visit: <https://covid19.ulstercountyny.gov/covid-19-tenants-protection-unit-form>*
- *For additional information about COVID-19, please visit: <https://ulstercountyny.gov/coronavirus>*
- *Ulster County COVID-19 Hotline: 845-443-8888*
- *NYS Coronavirus Information Hotline: 888-364-3065*

LANDLORDS:

We recommend that you don't wait until one of your tenants becomes ill, take a few simple actions now to help stop the spread.

Put a focus on common areas of the building. You can't control what happens inside of a tenant's unit but you can control and be proactive in the common areas. Here are some best practices:

- *Provide antibacterial soap or hand sanitizers at the entrances and exits of the building*
- *Schedule daily cleanings of these areas.*
- *Wipe down areas like hallways, hand railings, locks, doorknobs, elevators, stairwells, and mailboxes as often as twice a day*

The CDC has provided the following recommendations in attempt to contain community spread of COVID-19.

The following guidelines can be provided to tenants in your unit or in your building:

- *Wash your hands well and often with soap and water (for at least 20 seconds) immediately after touching surfaces that are frequently touched by others. If soap and water are not readily available, use an alcohol-based hand sanitizer that contains 60%–95% alcohol*
- *Cover your mouth and nose with a tissue or your sleeve when coughing and/or sneezing*
- *Avoid close contact with sick people*
- *Avoid touching your face, nose, or mouth with unwashed hands*
- *Stay home when you are sick*
- *Clean and disinfect frequently touched objects and surfaces*
- *If you are experiencing any of these symptoms seek care right away. Before you go to the doctor's office or emergency room, call ahead and explain your symptoms and any recent travel, and avoid contact with others*

Landlords should encourage tenants to follow the directives from the Center for Disease Control (CDC) and quarantine themselves in their home.

Whether you're a landlord for a handful of units or a building owner, here's what you need to know about preparedness, communication and tenant safety during the COVID-19 outbreak.



Consider communicating with your tenants about the steps you're taking to keep them safe. This communication can be in the form of a flier posted in the common area of the building or by direct mail. Provide information that covers:

- *Informing tenants that management is aware of the virus and taking precautionary steps (make sure to outline what those steps are)*
- *Information and resources on how tenants can prepare themselves and their families for the virus (for example, information from the CDC or other reliable sources)*
- *Let tenants know that management is monitoring the situation and will keep them informed of any developments that affect the building*
- *Cancel social gatherings, such as meet and greets, apartment complex meetings, or other activities in the building that require people to gather until such a time as it is safe as deemed by the state*

RUPCO can provide you with a template letter that can copied and put onto your company letterhead.

[*SAMPLE Letter*](#)

Links to helpful information from the CDC and other sources.

[*COVID-19 Information and Resources by Google*](#)

[*How COVID-19 Spreads*](#)

[*COVID-19 Symptoms*](#)

[*Prevention and Treatment*](#)

[*Stigma and Resilience*](#)

[*What to Do If You Are Sick With COVID-19*](#)

These resources track the spread of COVID-19:

[*COVID-19 Tracker and State-By-State Health Information*](#)

[*Kaiser Family Foundation Tracker*](#)

Links regarding rules on evictions given the crisis:

[*Cities Restrict/Refuse to Conduct Evictions During COVID-19 Outbreak*](#)

[*Coronavirus and Landlords: Effects on Evictions, Assets, and Liability*](#)

[*National Multifamily Housing Council COVID-19 Webinar Series*](#)

[*FHFA Moves to Provide Eviction Suspension Relief for Renters in Multifamily Properties*](#)

Other Helpful Links

[*National Apartment Association Coronavirus Micro-Webinar: How to Handle Maintenance During COVID-19*](#)

[*COVID-19 guidance for owners and managers of multifamily residential properties*](#)

[*If the coronavirus has you worried about your mortgage, do these four things*](#)

[*COVID-19: FAQ for Residential and Commercial Buildings*](#)

Guidance for Renters

[*Support for Renters: Fannie Mae Disaster Recovery Network*](#)

[*New York eviction suspension statewide*](#)

[*Preventing the Spread of Coronavirus Disease 2019 in Homes and Residential Communities*](#)

[*Utilities across NY to suspend disconnections for customers facing coronavirus hardships*](#)

[*Renters: How to Get COVID-19 Rent Relief*](#)



Additional Resources (Non-Profit/Small Business Support)

[Small Business Administration Disaster Assistance in Response to the Coronavirus](#)

[Coronavirus Emergency Loans: Guide and Checklist for Small Businesses and Nonprofits](#)

[Maintaining Business Continuing During COVID-19 Pandemic](#)

Thank you for taking the time to review this and for taking steps to help our region flatten the curve. Please feel free to contact me at any time if you have questions, comments or concerns.

RUPCO is here to support you.

Michael D'Arcy

845-705-7883

<https://rupco.org/nyslap/>