

Owners' and Tenants' Rights and Responsibilities

Owners and tenants have legal responsibilities to each other. The New York City Department of Housing Preservation and Development (HPD) is one of many City and State agencies that enforce those responsibilities. This booklet is designed to help owners and tenants gain an understanding of the rules and regulations affecting housing and provide you with information about where you can receive assistance.

BUILDING OWNERS

Owners must ensure that common areas and individual apartments in their buildings are safe and well maintained in compliance with the Housing Maintenance Code (HMC) and Multiple Dwelling Law (MDL). Among other responsibilities, owners must:

- Provide and maintain security measures, heat, hot and cold water, and good lighting.
- Address leaks, mold, and pest issues immediately and conduct annual inspections for these conditions.
- Provide smoke detectors, carbon monoxide detectors, and ensure appropriate fire egress.
- Protect children by complying with regulations regarding lead-based paint and window guards.
- Post a notice about the availability of the *ABCs of Housing* in the common area of their building (see inside back cover for a sample of the notice that must be posted).
- Post appropriate signage at the building, file appropriate documents with HPD, and provide appropriate notices to tenants.

- Only rent legal residential space for living, as defined by a property's Certificate of Occupancy.
- Maintain records about compliance with lead-based paint regulations.

Owners of residential properties with three or more residential units, and for 1–2 family homes if neither the owner nor the owner's immediate family reside at the property, must register the units annually with HPD at: nyc.gov/propertyregistration.

If the building is rent-stabilized, the owner must register rents annually with NYS Homes and Community Renewal (HCR) at nyshcr.org.

- Property owners cannot lock tenants out of apartments or otherwise harass tenants to leave an apartment. Owners can bring eviction proceedings if tenants do not meet their responsibilities.

Further details about all of the above topics are covered in this document or by going to www.nyc.gov/hpd.

TENANTS

Tenants should expect to live in safe, well maintained buildings that are:

- Free from pests, leaks, mold, and other potentially hazardous conditions.
- Provided with basic services such as heat, hot water, cold water, and electricity.
- Free from harassment by the owner and the owner's employees.

Tenants who are in rent-stabilized units have additional rights related to this status. Tenants can find out if an apartment and/or building has been registered as rent-stabilized by calling HCR at **718-739-6400** or sending an email to rentinfo@nycshr.org.

OWNER ENTRY TO AN APARTMENT

The law provides that a tenant must permit the owner, or his or her agent or employee, to enter the tenant's apartment or other space under his or her control to inspect, make repairs, or make improvements as required by the HMC or other law. The owner must notify the tenant in advance, in writing, of the day and time he or she wishes to access the apartment. The appointment must be between 9am and 5pm during the week, unless otherwise agreed to by the tenant or unless there is an emergency that must be

Tenants have responsibilities to their building owners and other tenants.

- They may not damage the building, intentionally or through neglect.
- Tenants are responsible for the actions of their guests.
- Tenants must respond to annual owner inquiries related to window guards and lead-based paint, and maintain smoke and carbon monoxide detectors.
- Tenants must obey the legal terms of leases, pay rent on time, honor the rights of other tenants, and provide access for repairs.

addressed immediately. When repairs are urgently needed to prevent damage to property or to prevent injury to persons, such as repairs of leaking gas piping or appliances, leaking water piping, stopped-up or defective drains or leaking roofs, or broken and dangerous ceiling conditions, no advance notice is required from the owner, agent, contractor, or workman. Any contractor or agent of the owner must be able to show the tenant that he has been authorized by the owner to enter and do the work.