

FACT SHEET



Andrew M. Cuomo, Governor

A PUBLICATION OF NEW YORK STATE
DIVISION OF HOUSING AND COMMUNITY RENEWAL
OFFICE OF RENT ADMINISTRATION

21 Special Rights of Senior Citizens

The law grants certain exemptions from rent increases to tenants who are senior citizens.

If a tenant or tenant's spouse is 62 years of age or older and is living in a rent regulated apartment, and the combined household income is at or below the income eligibility level and they are paying at least 1/3 of their disposable income toward their rent, the senior citizen tenant may qualify for the *SENIOR CITIZEN RENT INCREASE EXEMPTION* (SCRIE).

If a tenant qualifies for this program, the tenant is exempt from future rent guidelines increases, Maximum Base Rent increases, fuel cost adjustments, and increases based on the owner's economic hardship and Major Capital Improvements. However, the tenant must pay the additional security deposit.

SCRIE In New York City

In NYC, the Department of Finance (DOF) administers the SCRIE program.

To apply for SCRIE, the tenant of a NYC rent controlled or rent stabilized apartment must file an application with:

NYC Department of Finance
SCRIE/DRIE Exemption
59 Maiden Lane, 19th Floor
New York, New York 10038
Web Site: www.nyc.gov/dof

Tenants may also contact New York City's Citizen Service Center by dialing 311.

In NYC, the income eligibility level currently in effect is at \$29,000. Tenants receiving a NYC Senior Citizen Rent Increase Exemption (SCRIE) may choose a one-or two-year lease renewal. NYC senior citizen tenants may also carry this exemption from one apartment to another upon moving, upon the proper application being made to DOF.

SCRIE Outside New York City

In the counties outside of NYC covered by the Emergency Tenant Protection Act, the New York State Division of Housing and Community Renewal (DHCR) administers the SCRIE program. To apply for SCRIE, the tenant of the rent regulated apartment must file an application with:

DHCR
District Rent Office
75 South Broadway
White Plains, New York 10601
(914)948-4434

Outside NYC, SCRIE is a local option and communities have different income eligibility limits and exemption allowances. Seniors applying for a SCRIE are required to choose a two-year renewal lease. Applications for SCRIE exemptions are made to the Division of Housing and Community Renewal on the Tax Abatement Certificate and Senior Citizen Rent Increase Exemption Application and Order (DHCR form RTP-13). Owners receive certificates for real estate tax payment. If you live in Nassau or Westchester County, call (914) 948-4434, to obtain an application and to inquire about your municipality's income eligibility level.

Municipalities outside of New York City with a SCRIE Program are listed below.

Nassau County

Glen Cove	Town of North Hempstead
	Village of Hempstead
Great Neck Plaza	Village of Thomaston

Westchester County

Village of Dobbs Ferry	
Town of Greenburgh	City of New Rochelle
Village of Hastings on Hudson	
Village of Irvington	Village of Pleasantville
Village of Larchmont	Village of Tarrytown
Town of Mamaroneck	Village of Sleepy Hollow
Village of Mamaroneck	City of White Plains
City of Mount Vernon	City of Yonkers
City of Rye	

Other rights for senior citizens include:

1. If a building is being converted to cooperative or condominium ownership under an Eviction Plan, an "eligible senior citizen" may refuse to purchase the apartment and remain in occupancy as a fully protected rent stabilized tenant with the right to a lease renewal. Rent controlled senior citizen tenants are similarly protected against eviction.

"Eligible senior citizens" are tenants who are primary residents in the apartment and are at least 62 years of age or have a spouse 62 years of age or older on the date the New York State Attorney General accepts the Eviction Plan for filing.

To take advantage of this benefit, an eligible senior citizen in NYC must elect, on forms provided by the Attorney General, to become a "non-purchasing" tenant within 60 days of the date that the Final Offering Plan is presented to the tenants. Outside NYC, there is no formal election requirement.

2. An owner cannot evict a tenant from rent stabilized apartments in NYC for the purpose of owner occupancy, when either the tenant or the tenant's spouse is 62 years of age or older unless the owner provides an equivalent or superior apartment at the same or lower rent in an area near the tenant's apartment.
3. For rent stabilized apartments outside NYC and rent controlled apartments statewide, an owner may not evict a tenant for the purpose of owner occupancy where any member of the tenant's household is 62 years of age or older.

4. A NYC senior citizen with a currently valid SCRIE order is not required to pay any portion of a fuel cost increase that would raise the total rent to over 1/3 of the tenant's household disposable income. A senior citizen who applies for and is granted a SCRIE order within 90 days after receipt of the owner's fuel cost adjustment report, are retroactively exempt from paying any portion of the most recent fuel cost adjustment that would raise the total rent to over 1/3 of the tenant's total household disposable income.

5. A tenant 62 years of age or older may terminate his/her lease, without penalty, in order to move into a health care facility or senior citizen housing complex. If the senior citizen terminates the lease in order to move into a health care facility or senior citizen housing complex, the owner must receive at least 30 days written notice, accompanied by documentation of admission or pending admission to the health care facility or senior citizen housing complex.

6. All SCRIE recipients in any municipality are exempt from:
 - A. Rent reductions for DHCR approved electrical conversions to individual metering (direct or sub-metering), as per the RCA 2014. The cost of electricity remains included in the rent until the SCRIE recipient vacates. The owner is however, permitted to install electric conversion equipment in the apartment when it is occupied by the SCRIE recipient.

 - B. Deregulation of the apartment based on High-Rent High-Income, pursuant to the Rent Code Amendments of 2014 (RCA 2014). Owners shall not serve these tenants with an Income Certification Form and DHCR will not process an Owner's Petition for Deregulation.

For more information or assistance, call the DHCR Rent InfoLine, or call or visit your Borough Office or County Rent Office.

Queens
 92-31 Union Hall Street
 6th Floor
 Jamaica, NY 11433
 (718) 739-6400

Lower Manhattan
 25 Beaver Street
 5th Floor
 New York, NY 10004
 South side of 110th St. and below

Brooklyn
 55 Hanson Place
 7th Floor
 Brooklyn, NY 11217

Bronx
 2400 Halsey Street
 Bronx, NY 10461

Upper Manhattan
 163 W. 125th Street
 5th Floor
 New York, NY 10027
 North side of 110th St. and above

Westchester
 75 South Broadway
 3rd Floor
 White Plains, NY 10601

Rent InfoLine (718) 739-6400
 Web Site: www.nyshcr.org
 Email address: rentinfo@nyshcr.org