

Renters' Rights are Women's Rights!

How Women are Impacted by New York State's Rental Housing Crisis

Policy Brief by the Upstate Downstate Housing Alliance
February 5, 2019





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New York State faces a housing affordability crisis that is felt most acutely by tenants.

Every night, more than 92,000 people in New York State -- many of whom are women, and many of whom are women of color -- sleep in a shelter.¹ The rise in housing costs, combined with a lack of strong tenant protections, is a major contributing factor.

Nearly half of the state's tenants are rent-burdened, paying more than 30% of their income toward rent. A substantial share of tenants, about a quarter, are severely rent-burdened, paying nearly 50% of their income in rent.²

Outside of New York City, renters' rights are nearly non-existent. In New York City, rent stabilization – the largest source of housing for low-and-moderate income New Yorkers – has been under attack for decades.³ Rent stabilization in New York State is no longer working as intended: to provide basic stability for those who rent their homes.

Renters across the State are subject to sudden and permanent rent hikes. In Rochester, New York speculative landlords are buying buildings and evicting every single resident to convert them into luxury condos.⁴ Corporate landlords are harassing tenants in Kingston as gentrification reaches the Hudson Valley.⁵ In Binghamton tenants living in deplorable conditions are unable to fight for repairs because of fear of landlord retaliation.

The impacts of weak rent laws are acutely felt by women-headed households, who are more likely to rent and are more likely to suffer from poverty than male-headed households or mixed gender households.

Among New York State's family households, women are more likely to rent their homes. 64% of women-headed households are renters, and 36% are owners.⁶

Matthew Desmond, who chronicled the struggle between landlords and tenants in his Pulitzer-prize winning *Evicted*, said that “the face of the eviction epidemic is moms and kids, especially poor moms from predominantly Latino and African American neighborhoods. We found that about one in five African American women renters report being evicted at some point in their lives.”⁷

¹ U.S. Department of Housing and Urban Development, 2018 Annual Homeless Assessment Report (AHAR) to Congress.

² American Community Survey, 2017 5 Year Estimates.

³ Community Service Society, “Rent Regulation in New York City: How it works, what went wrong, and how to fix it” January 2019

⁴ Democrat & Chronicle, “Hotel Cadillac shuts down, leaving questions in its wake” June 6, 2018

⁵ Hudson Valley One, “Sunset Garden residents detail complaints against new landlords” December 4, 2018

⁶ American Community Survey, 2017 5 Year Estimates

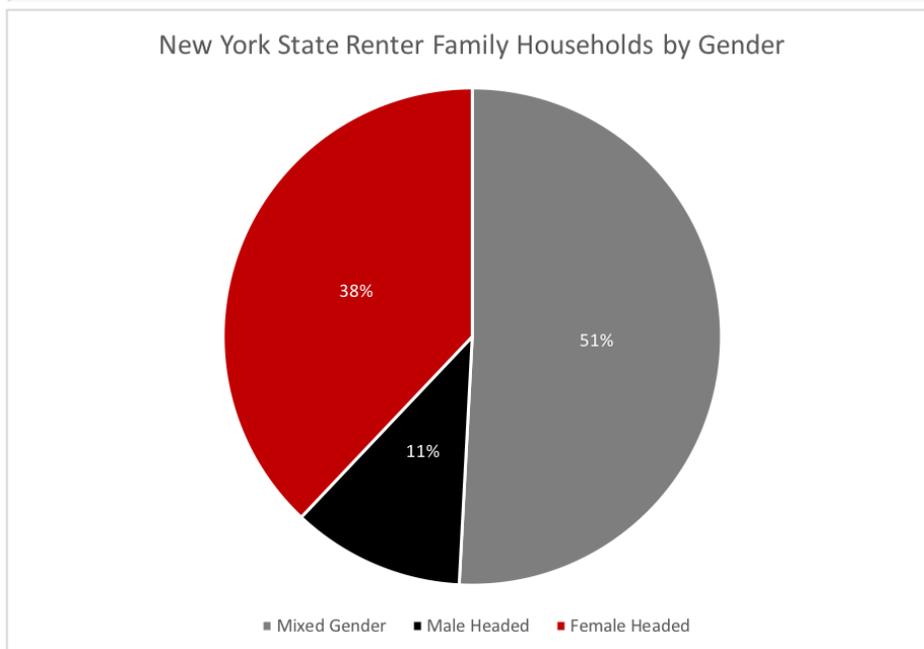
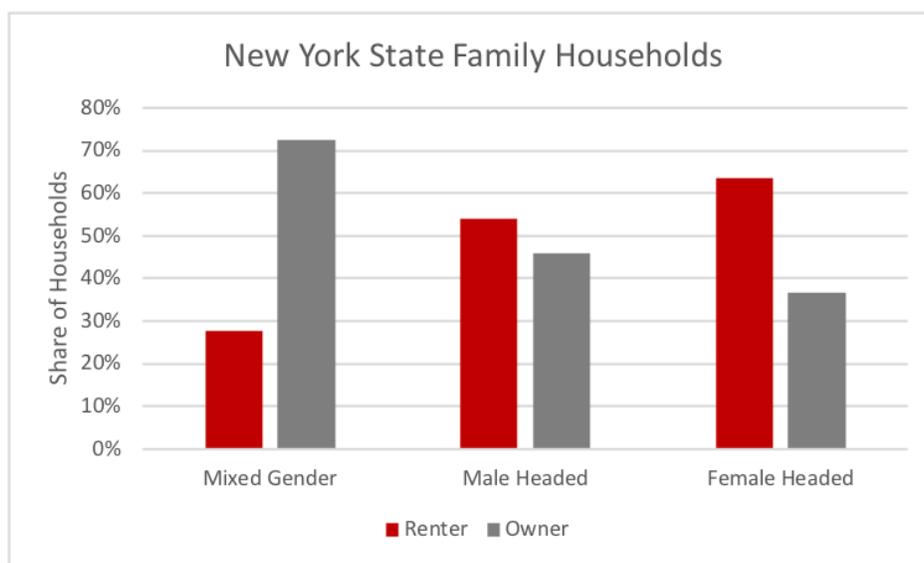
⁷ The Atlantic, “America’s Insidious Eviction Problem” March 1, 2016



The eviction epidemic -- and resulting homelessness crisis -- is harming women of color at an alarming rate. 3.4 million households rent their home in New York State -- a population that has largely been forgotten by current public policy.

More than half of the renter households in the state are occupied by families as opposed to individuals.⁸

Unmarried heads of family households who rent their homes are more likely to be women than men. There are more than three-times as many female-headed family households (38% of renter households) as male-headed households in New York (11% of renter households).⁹

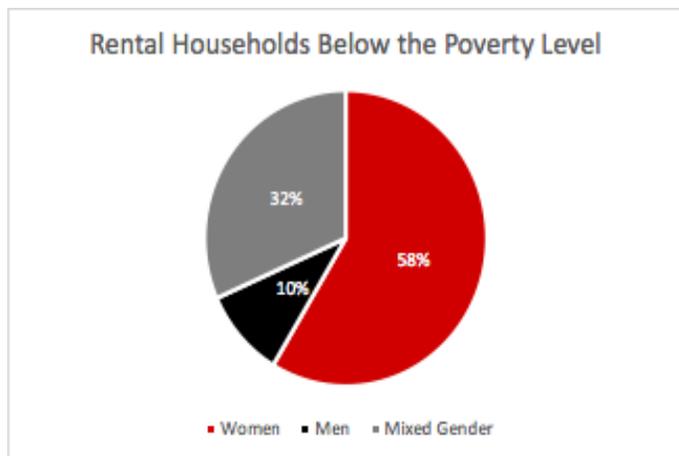


⁸ 2017 American Community Survey, 5 Year Estimates

⁹ Ibid.



New York’s rental family households are more likely to be poor, and 58% of rental households in New York at or below the poverty line have a woman head of household.¹⁰



Of New York’s 4.6 million family households, 11% are at or below the federal poverty level. 79% of households at or below the poverty level are renters, compared with 21% that are homeowners.¹¹

These rental households are much more likely to be headed by women. 58% of renters below the poverty level are women, compared to 10% that are men.

Expanding tenant protections is critical for housing stability for women of color in New York. Too many women of color are living one paycheck away from an eviction. Mothers are forced to choose between medical care, school supplies, or a roof over their children’s head.

¹⁰ 2017 American Community Survey, 5 Year Estimates

¹¹ Ibid.



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The Housing Justice for All campaign is fighting for housing stability for security to 5.5 million renters across New York State. Many of them are women. Read their stories:

Althea Miller immigrated to Flatbush, Brooklyn from Jamaica eight years ago. She is raising her son and granddaughter in her rent stabilized apartment on Albemarle Road, while working at a fast food restaurant.

Last year, when her sister died and her niece moved to Long Island, her landlord showed up at her door — not to offer condolences — but tell her: It's time to get out.

He said if he got her out, he could raise the rents. Flatbush is now the center of gentrification in Brooklyn. He wanted her to go. Althea started learning her rights -- and about the loopholes in the rent laws that allow this to happen: the 20% vacancy bonus landlords get when someone moves out and the individual apartment improvement increases that landlords get when they convert 1-bedroom apartments into 2 bedrooms, or “renovate” rent stabilized apartments.

Althea is still in court, but is leading the fight in the Housing Justice for all Campaign to close these loopholes, as well as others like vacancy decontrol, which has led to the loss of hundreds of thousands of affordable units, and ending big rent increases through Major Capital Improvements and revoking preferential rents.

Maribeth Sheedy is from the Village of Akron in the suburbs of Buffalo. She has been a resident of the Akron Mobile Home Park, now known as Akron Estates, for 13 years. In November 2018, Sunrise Capital Investors (SCI) purchased the community and immediately raised their lot rents (monthly rent she pays for the land her home sits on) nearly 50% -- and then threatened her with eviction if she did not to sign the new lease.

Maintenance declined, and the lack of snow removal led to dangerous conditions for residents. She and most of her neighbors live on a fixed income and cannot afford rent increases -- so instead they have gone on a rent strike. Due to the lack of inventory of affordable housing, they have no other choice: Maribeth and her neighbors would have a hard time finding a place to live if they left.

Maribeth and her neighbors, like Lori Reiner, are fighting to ensure that there are just-cause eviction protections for all New York tenants -- including those who rent land for their manufactured homes. This would simply require landlords to offer a lease renewal to all good-standing tenants with a reasonable rent increase -- so they can afford to stay in their homes.

Juanita Amador is a renter in Kingston where she lives with three of her 10 children. She moved to Ulster County 18 years ago from the Lower East Side of Manhattan to be closer to her son and her first grandchild

and lives in Sunset Gardens, a 250-unit apartment building that corporate landlord E&M Management recently bought along with several other Kingston buildings.



The first thing E&M did was reduce Juanita's and her neighbors' quality of life. Necessary services like a laundry room were taken away; management began to nickel-and-dime tenants by charging them for water and stopped making repairs. That escalated, and now they are threatening tenants who complain by refusing to renew their leases -- surely trying to bring in new tenants to pay higher rents as Kingston gentrifies.

After Juanita formed the Kingston Tenants' Union, E&M representatives started coming to her apartment in the middle of the night, banging on the door and demanding that she leaves her home. Because Juanita lives in Kingston, she has fewer rights than many New York City tenants.



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The Housing Justice for All campaign is fighting for a legislative agenda that would stabilize neighborhoods and eliminate the control that corporate landlords have over housing in New York State. Our priorities are:

Remove geographic restrictions in the Emergency Tenant Protection Act (ETPA): The ETPA of 1974 allows local municipalities to opt into rent stabilization in the event of a local housing emergency. Under rent stabilization, landlords are subject to regulated rent increases and tenants benefit from the right to a renewal lease. Only municipalities in Nassau, Westchester, and Rockland counties and New York City are eligible to opt in to renters' rights. This geographic restriction should be removed from ETPA so renters can fight to bring rent controls to their communities.

Pass new "good cause" eviction legislation to bring renters' rights to unregulated tenants, including those in smaller buildings and in manufactured home communities (S2892): Rent stabilization only applies to buildings with 6 or more units. More and more, smaller buildings are being bought up by large corporate landlords, and tenants who live in them face escalating rents and displacement. In gentrifying parts of New York City, the housing stock is overwhelmingly smaller buildings. As the housing affordability crisis seeps out of New York City and into the suburbs, it is imperative that we bring rent relief as these residents increasingly come under threat of displacement. Good cause eviction would bring a right to a renewal lease with limited rent increases.

Make preferential rents permanent (S2845/A4349): A preferential rent is a discounted rent that tenants pay when the legally registered rent exceeds the actual market value of the apartment. But when tenants renew their leases, landlords can revert to the higher rent, leading to sudden and massive rent hikes. These rent hikes accelerate gentrification by forcing tenants to give up their homes and move. Some landlords use this "bait-and-switch" tactic to oust tenants quickly to reap the benefits of vacancy bonuses. Some 266,000 families in New York City have preferential rents, and more in the suburban counties—meaning that they may be one lease away from an eviction. This bill mandates that landlords renew rent stabilized leases with increases, if any, based upon the existing rent level the tenant pays.

Eliminate the vacancy bonus (S185/A2351): Under stabilization, landlords receive a 20% "statutory vacancy bonus" every time an apartment turns over. This bonus gives landlords a big incentive to harass and evict tenants from the place their homes. The preferential rent loophole and the eviction bonus are often used together. With these two enactments, the legislature created an outright scam that is victimizing tenants and destroying housing affordability, especially in low-income communities of color, and opened the wound that has led to the bleeding of thousands of units from the system.

Eliminate rent hikes caused by major capital improvements and individual apartment increases: Under our current system, landlords that upgrade building systems and individual apartment finishes pass the costs of those repairs on to tenants. However, many of these building systems repairs are necessary after years of neglect, and landlords often overstate the cost of renovations. We would ban landlords from passing the costs of maintaining and upgrading their investments onto tenants.

End vacancy decontrol (S2591-A/A1198): Under vacancy deregulation, landlords are able to take apartments out of rent regulation when the existing tenant leaves. Rent stabilization should be permanent. If vacancy decontrol is not repealed, the entire rent and eviction protection system will be phased out over time—a windfall for landlords and a catastrophic loss for tenants.



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Rent control relief (S299/A167): Right now, New York has two systems of rent regulation: rent stabilization and rent control, which applies to about 40,000 people. Under the “Maximum Base Rent” system for rent control, tenants can face up to a 7.5% rent increase annually—much higher than rent stabilized tenants. This bill would bring rent control increases in line with the standard RGB increases.