

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.

SCRIE In New York City

If a New York City (NYC) 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 apply for the *SENIOR CITIZEN RENT INCREASE EXEMPTION PROGRAM* (SCRIE). In NYC, the Department of Finance (DOF) administers the SCRIE program. 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. Outside of NYC, SCRIE is a local option and communities have different income eligibility limits and regulations.

In NYC, DOF has established the following income eligibility levels.

effective July 1, 2005	\$25,000
effective July 1, 2006	\$26,000
effective July 1, 2007	\$27,000
effective July 1, 2008	\$28,000
effective July 1, 2009	\$29,000

If a NYC 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. 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.

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

NYC Department of Finance
SCRIE/DRIE Exemption
59 Maiden Lane, 19th Floor
New York, New York 10038
(212) 442-1000

SCRIE Outside New York City

Tenants who are 62 years old or older may qualify for full or partial exemption from rent increases in apartments regulated by ETPA in the eighteen municipalities outside of NYC that have authorized the exemption program. Outside NYC, SCRIE is a local option and communities have different income eligibility limits and exemption allowances.

Senior citizens are eligible if their incomes are below a maximum limit set by the municipality, and they are paying at least one third of their income for rent. The local municipality which sets the income eligibility level needs to be contacted in order to determine the level currently in effect. In ETPA counties, 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.

Municipalities with a SCRIE Program are listed below.

Nassau

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

Westchester

Town of Greenburgh	City of New Rochelle
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.

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
2nd Floor
White Plains, NY 10601