



GOING ON RENT STRIKE

IN NEW YORK
DURING
COVID19
GUIDE & RESOURCES

COMPILED BY THE RIGHT TO COUNSEL NYC COALITION AND HOUSING JUSTICE FOR ALL

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INTRODUCTION & OVERVIEW

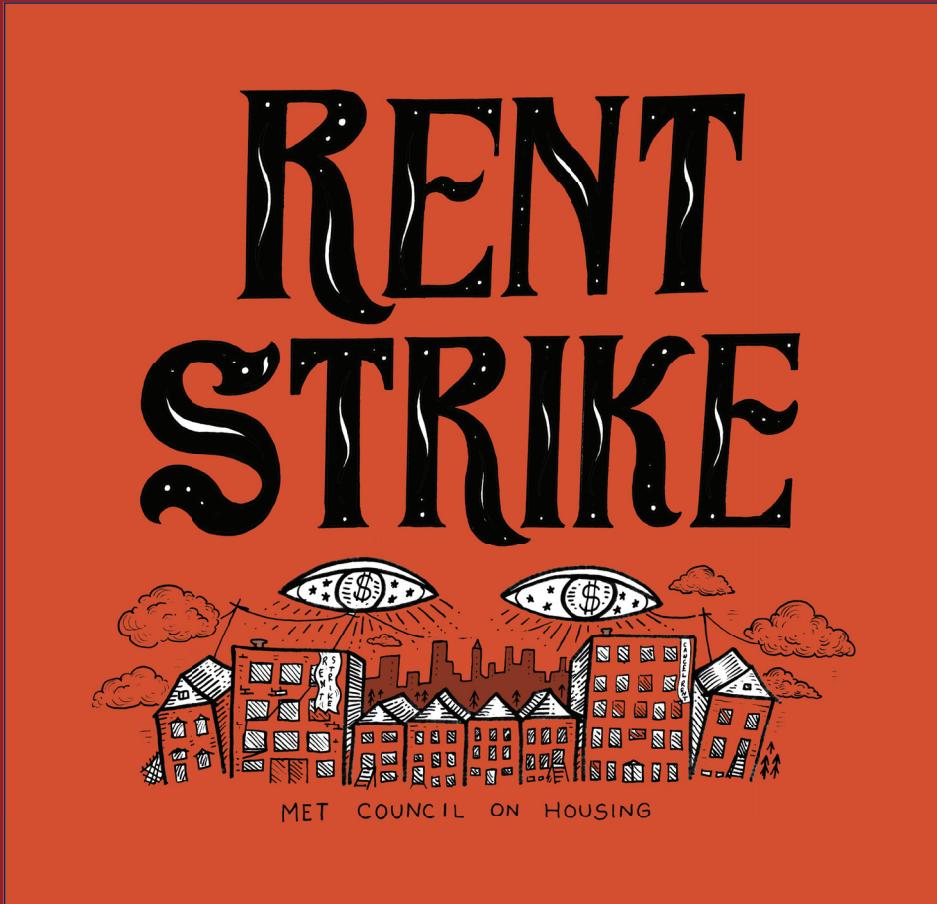


Illustration courtesy of Met Council on Housing.

We are in the midst of an unprecedented public health crisis that has put all of New York on lockdown. All non essential workers have been ordered home and countless have lost their incomes. According to one survey, 39% of New Yorkers don't have enough saved for one month's rent if they lose their jobs.

Across the state, renters, homeless New Yorkers, and advocates are calling on Governor Cuomo to take immediate action to prevent mass displacement and rehouse homeless New Yorkers. Our demands include:

**✓ CANCELLATION OF RENT, MORTGAGE,
AND UTILITY PAYMENTS NOW**

No one should be displaced or go into debt because they can't pay their rent or their mortgage. The eviction moratorium we won was an urgent first step, but we need an automatic and universal cancellation of any rent, mortgage, or utility payments owed or accumulated during the length of this crisis. No one should have to pay rent/mortgages/utilities during this time and banks and landlords should not be allowed to collect payment for these months later.

✓ RENT FREEZE

Landlords must not use this moment to price-gouge or displace ANY tenant who cannot pay the rent (commercial or residential.) All existing rents should be frozen at their current level, and all tenants should have the right to renew their leases.

**✓ RECLAIM OUR HOMES AND INVEST
\$10 BILLION IN HOMES FOR ALL**

92,000 people are homeless — living shoulder to shoulder in shelters, at very high risk of contracting COVID-19. We must immediately rehouse New Yorkers into permanent housing using all vacant property (public or private), expand rental assistance programs and invest in permanent, high-quality public and social housing for everyone. Hardship relief funds should be secured for subsidized housing and/or housing administered by non-profits.

Our public housing system is dangerously unprepared for COVID-19, and the poor quality of the public housing stock puts residents at greater risk of contracting the virus.

We developed these demands after we won one of the most expansive eviction moratoriums in the country. Landlords can't sue, courts are closed and no one can be evicted during the eviction moratorium. But we know it's not enough. Once the moratorium is lifted, evictions will surge. And people can't pay rent now because of COVID-19—a global health pandemic that is no tenant's fault.

At the same time, the Governor has approved a mortgage suspension for landlords, allowing them to restructure the terms and conditions of their mortgage. Therefore tenants will be faced with massive debt when the moratorium lifts, while landlords will be able to pay their mortgage under favorable conditions.

WHY WE MADE A COVID-19 RENT STRIKE TOOLKIT

Our members are among those millions of New Yorkers who find themselves in this position — they are simply unable to pay rent. As tenants across the state are facing rent demands, many have been asking us for support in going on rent strike. We believe that rent strikes are powerful tools when they are organized, but that they are not an end in and of themselves. While we are working on fostering a large-scale, coordinated rent strike, we know that many tenants won't be able to organize their buildings because of physical distancing limitations, or will have concerns and doubts about going on rent strike for the first time. We also know that bold actions invoke increased risk.

We created this toolkit as a guide and source of resources to help folks conduct a rent strike in an organized and more powerful way.

WHO WE ARE

THE RIGHT TO COUNSEL NYC COALITION is a tenant-led broad based coalition that formed in 2014 to disrupt Housing Court as a center of displacement and stop the eviction crisis that has threatened our families, our neighborhoods and our homes for too long. Our Coalition is made up of tenants, organizers, advocates, legal services organizations and more! Right to Counsel is about fighting to reclaim our city and our communities, to keep people in their homes and to de-normalize the violence of evictions.

We are building campaigns for an eviction-free NYC and ultimately for a right to housing. Because our work is grounded in a history of tenant organizing and a belief that housing is a human right, we are now working to ensure that the Right to Counsel law is implemented in a way that upholds that right, that builds tenant power and that transforms the nature of the courts, furthering the dignity and humanity of every tenant. We are running direct action campaigns against NYC's worst evictors, changing the laws to stop evictions, supporting the development of passionate and zealous attorneys committed to tenant power, and expanding and strengthening Right to Counsel so that it extends to all tenants.

HOUSING JUSTICE FOR ALL The Upstate Downstate Housing Alliance is a coalition of over 70 organizations that represents tenants, homeless New Yorkers, and public housing residents from Brooklyn to Buffalo. We are united in our belief that housing is a human right; that no person should live in fear of an eviction; and that we can end the homelessness crisis in our State.

We were founded in 2017 in Albany, NY at a meeting of grassroots community groups who realized that the combination of local organizing and statewide coordination was the only way to solve the housing crisis. We support and amplify local work by knitting together local housing organizations into a campaign infrastructure that is powerful enough to win legislative gains at the statewide level.

In 2019, we used this model to win the strongest tenant protections our State has seen in a generation. In 2020 we are organizing for a #NYHomesGuarantee: an end homelessness, unsafe living conditions, rent hikes and evictions in New York.

Rent Strikes

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History, Power and Strategy

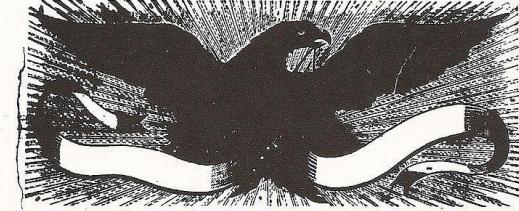


1839

More than 300,000 tenant farmers of large landed estates in the Hudson Valley demanded ownership of the land they occupied, through the Anti-Rent Movement. They formed armed bands to resist evictions, sued landlords, and lobbied the legislature for more than 20 years.

ATTENTION! ANTI-RENTERS!

AWAKE! AROUSE!



A Meeting of the friends of Equal Rights will
be held on July 4th Hoag's Corners
in the Town of Nassau at 12 O'clock.

Let the opponents of Patroonry rally in their strength. A great crisis is approaching. Now is the time to strike. The minions of Patroonry are at work. No time is to be lost. Awake! Arrouse! and

Strike 'till the last armed foe expires,
Strike for your altars and your fires—
Strike for the green graves of your sires,
God and your happy homes!

► The Meeting will be addressed by PETER FINKLE and other Speakers.

First Rent Strike in NYC, 1904

Immigrant Jewish women organize the first rent strike, after a successful boycott of butchers. The rent strikes were combined with pickets and marches! The overwhelming majority of landlords rolled back rents and evictions were avoided. Some tenants even won leases.



The Socialist Party organized rent strikes in Harlem and Brooklyn. Teamster Marshals refused to help evict tenants. 1907-1908



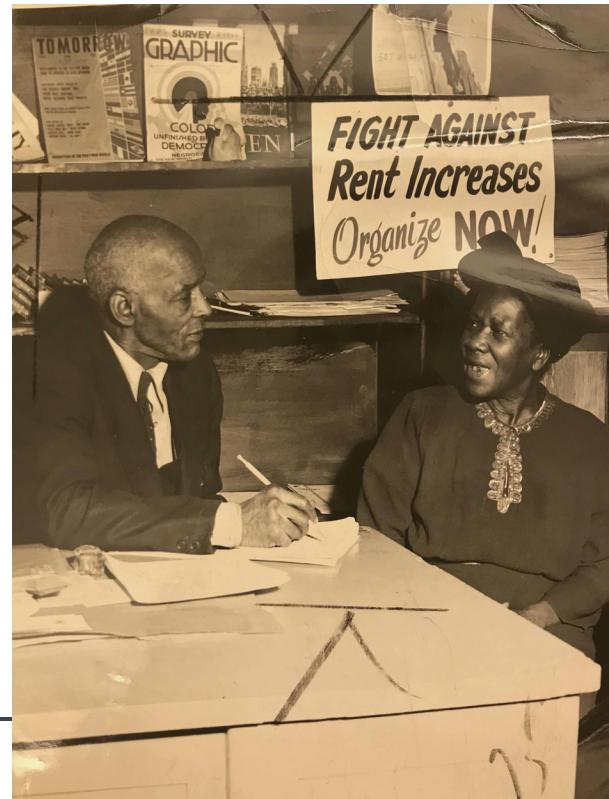
Rent Strikes erupted during WW1, including the No Heat/No Rent Campaign, where 1,000 tenants in 25 buildings in the Bronx went on rent strike. 1917-1918



An eviction in New York City (Library of Congress Prints and Photographs Division)

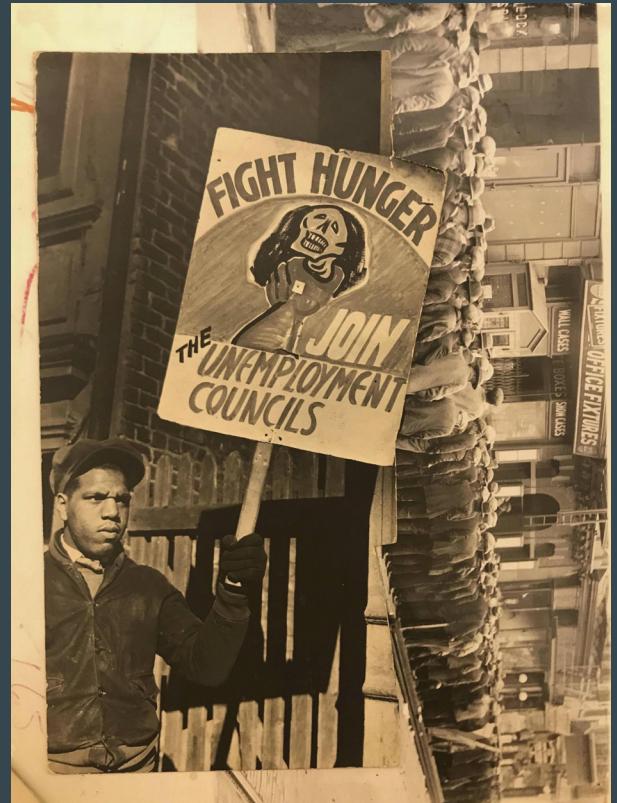
Rent Strikes Become Legal, 1929

Section 755 of the Real Property Law is enacted that allows tenants to withhold rent for lack of basic services.

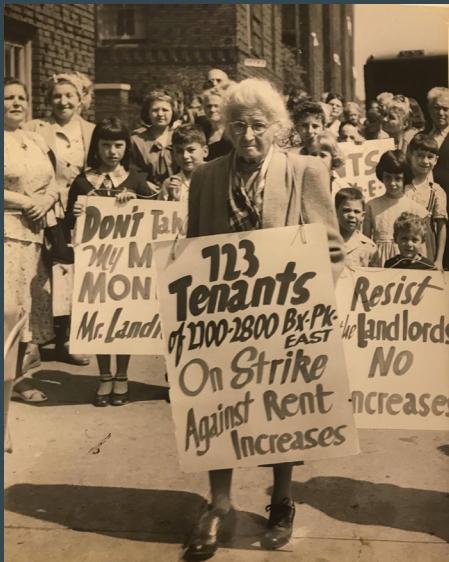


1930's, Tenant and Worker Power Unite

Communist-led Unemployed Councils organized eviction resistance and rent strikes EN MASSE, moving tenants' furniture back in when they were evicted. In certain communist stronghold neighborhoods it was impossible to evict tenants.



More than 200 buildings in the Bronx were on rent strike. Many win rent reductions by threatening to strike, 1930's.



Where landlords moved to mass evict tenants during a rent strike in the Bronx, 4,000 tenants rallied and attacked the police.



Harlem Rent Strike, 1934. Black middle class residents went on strike to protest rent gauging and poor conditions.



The Knickerbocker Village Rent Strike began when tenants moved into a new complex and found it unfinished and unsafe. They set up a legal defense fund, got media coverage, met with officials and won. 1934.



Organizer Jesse Gray, CORE and MFY helped Harlem and Bed Stuy tenants organize rent strikes and rent slowdowns (where tenants would withhold rent, pay and then withhold rent the next month to force the landlord into negotiations). Attorneys famously brought dead rats to court to support striking tenants. 1960's.





THE CASE FOR GOING ON RENT STRIKE IN NYC

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RENT STRIKES ARE POWERFUL

A landlord's business model depends on collecting rents. When a collective group of tenants withholds rents over a sufficient period of time, fighting and delaying in court, while also making demands public through rallies and the press, the only way for the landlord to collect rent is to meet your demands. Rent strikes effectively put the tenants in control.



RENT STRIKES HAVE BEEN USED THROUGHOUT HISTORY

The first rent strike was in 1904, where immigrant Jewish women organized their whole neighborhood on the Lower East Side to go on rent strike because rents were too high. They all won rent reductions. From then until the early 1940's rent strikes were used often and militantly, thousands of people went on rent strike at once, including entire blocks and neighborhoods. Tenants' attitude was if I can't pay the rent and I'm going to get evicted anyway, I might as well fight. When tenants got evicted, other tenants moved their stuff back in. Rent strikes continued in the 60's and then again in the 90's. And they won us many of the laws we enjoy today, like the right to repairs, to live in safe housing, etc.



RENT STRIKES ARE LEGAL

New York Courts have repeatedly held that collective rent strikes are proper in light of the state's statutory warranty of habitability and the statutory (legal) and constitutional protections of freedom of speech and association. Sections 755 of the Real Property Actions and Proceedings Law and sections 230 and 223 of the Real Property Law support the right to organize, to withhold rent for lack of repairs and prohibit landlords from suing tenants in retaliation for organizing. If anyone tells you that rent strikes aren't legal, they are wrong. Many tenants in other cities do not have these same laws; we should use them!



RENT STRIKES HAVE NOTHING TO DO WITH MORALITY

A lot of people feel a sense of obligation to "pay what they owe." But any sense of moral obligation you might feel towards your landlord is most likely unreciprocated. Does he treat you with dignity and respect? Do you get the repairs you need at the quality he would want them for himself? If he hired someone to do a job but they didn't do it, do you think he'd pay them out of a sense of moral obligation or would he withhold payment until he got what he was owed? You don't have a moral or personal relationship with your landlord, you have a contractual one. He's in the business of making money and breaks his contract (lease) with you and the banks (good repair clause in the mortgage), all the time to do so. We're in the business of fighting to live with dignity and respect.



RENT STRIKES ARE A TACTIC, NOT A GOAL

The most successful rent strikes are part of broader campaigns that include rallies, pickets, media, petitions, rent reductions, marches and other tactics to win your goals.



THE CASE FOR GOING ON RENT STRIKE IN NYC

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RENT STRIKES SHOULD BE COLLECTIVE, PUBLIC AND WELL ORGANIZED

- ✓ Rent strikes assert financial pressure on the landlord. The more tenants on rent strike and the longer the strike lasts, the more financial pressure there is.
- ✓ If the landlord thinks you're on rent strike because you can't pay rent, he has little incentive to make repairs or meet your demands, and a lot of incentive to try to evict you. If he thinks the only way he'll get his money is to meet your demands, he has more incentive to meet your demands. It's therefore important that the Tenants' Association (TA) organize a way to withhold rents, either through a bank account through the TA or through a lawyer. It's also important to keep good documentation about communication with the landlord and all of the issues in the building and the work of the TA.
- ✓ Rent strikes should be public to assert as much pressure as you can and to make your demands clear. You can send a demand letter to the landlord, outlining your demands and threatening that a rent strike will begin if your demands aren't met by a particular date, and on that date, you can send an announcement letter putting them on notice that you're officially on rent strike. You can also announce your rent strike to the media, at a press conference or rally; put signs in windows; meet with elected officials, etc. The more public your rent strike is, the more protected you are and the more pressure you create!

RENT STRIKES, COURT & LEGAL SUPPORT

- ✓ Often the threat of a rent strike is enough to win your demands and if not, the rent strike can be a powerful tool to negotiate. Many tenants who go on rent strike are not brought to court.
- ✓ It's always good to talk to a lawyer either way, so that lawyers are prepared if and when tenants get sued. Right to Counsel means that tenants don't have to worry about lawyer's capacity to take their case because they are guaranteed an attorney! But working with attorneys should still be coordinated and intentional.
- ✓ Tenants should work with one legal services provider so that they can best coordinate with the lawyers on strategy, consolidate all of the individual cases so that they are heard on the same day and so that they can build relationships with attorneys.
- ✓ Court dates are great opportunities for direct actions and media! Tenants, community members and allies can all show up in solidarity to support, crowd the courtroom and communicate the legitimacy and seriousness of your demands. Court cases are political; they aren't just about the facts of a case.

WORRIED ABOUT THE BLACKLIST? DON'T! The tenant movement made the state outlaw this practice in June of 2019! It's unclear how it will be regulated but if a future landlord won't rent to you because of your involvement in a court case, you now have a lot of options. And the tenant movement is working hard to make sure this law is strongly enforced.

HOW A COVID-19 RENT STRIKE IS DIFFERENT THAN A TYPICAL RENT STRIKE

In a typical rent strike, tenants collectively withhold their rent money from the landlord as a means of using their economic power as leverage to force the landlord to meet a building wide demand (repairs, or some concession in services, lease terms, et cetera.) Tenants often chose to pay rent into a building-wide escrow account, setting it aside with the intention of paying some or all of it eventually, as leverage to force the landlords to meet their demands.

But today, because of COVID-19, most tenants are unable to pay the rent. Millions of people have lost their jobs or income. The pressure, risk, and goals of a COVID-19 rent strike are therefore much different from a typical rent strike.

- 1** Thanks to the eviction moratorium, tenants who are unable to pay the rent have some breathing room, knowing that they'll have a roof over their head for at least a few months. Faced with other necessities, like food and medical care, the moratorium has bought us some time to worry about housing costs later.
- 2** There is a national movement lifting up tenants' inability to pay the rent. This is good for our campaign, and gives every renter some degree of protection.
- 3** By putting economic pressure on the landlord, tenants can create a crisis for real estate, the most politically influential industry in the State, and win legislative or policy relief.
- 4** We don't know when housing court will reopen, but we know that unless tenants take collective action to #CancelRent now, Housing Court will reopen with a surge of evictions. Collective rent strikes may help us build the power we need to win our demands.

POTENTIAL RISKS AND CONSEQUENCES

In any rent strike, there exists the possibility—even the likelihood—that the landlord faced with sustained nonpayment of rent will sue tenants in court. All tenants deciding to go on rent strike should know this is possible. In a normal rent strike, tenants are protected by saving their rent and/or putting their rents in escrow.

In a COVID-19 rent strike, tenants don't have the money to pay, now or later, and opening an escrow account is difficult if not impossible. Your protection is linked to the collective nature of this fight and the political demands for a rent cancelation. Eviction is still a risk.

But there is reason to be hopeful:

- ✓ First, millions of people who were not previously involved in the housing movement are standing up to demand the state take action to cancel rent. The more people who join in this fight, the more likely we are to win our campaign and the more widespread popular support your rent strike may have.
- ✓ Second, waves of rent strikes are powerful headlines. Landlord retaliation with waves of eviction cases against thousands of rent strikers, will be powerful headlines too. This may not be a quick fight, but with popular support and persistence, we stand a real chance at winning unprecedented economic relief for New York tenants. If you chose to go on a rent strike, it's important to document your fight, as outlined later on in this toolkit.
- ✓ Third, the eviction moratorium has closed down the courts. Unless something changes, there will be a crush of eviction cases when the courts reopen, leading all of these cases to move more slowly. This helps to buy time for anyone that needs it.
- ✓ Finally, low and middle income tenants in New York City have more access to tenant attorneys than ever before — thanks to Right to Counsel. To understand how RTC works and to find a list of RTC attorneys and tenant organizing groups, go to [Eviction Free NYC](#).

EVICTION MORATORIUM FAQ

We won one of the strongest eviction moratoriums in the country and you have a LOT of rights. To understand how the moratorium works, please read our FAQ at the following address:

www.righttocounselnyc.org/moratorium_faq



HOW TO ORGANIZE FOR A RENT STRIKE DURING COVID-19

The coronavirus pandemic has forced New York State and the country into a near total lockdown. In late March 2020, Governor Cuomo signed an executive order for a 90-day moratorium on evictions in the state of New York. While the eviction moratorium is a critical step while we are in this crisis, we need to prepare for when we emerge from it. Unless we take action now, thousands if not millions of New Yorkers who have lost income will lose their homes in the coming months. New York needs to cancel rent outright.

Tenants across the country are bringing attention to the need to cancel the rent. Many are calling for rent strikes. Rent strikes require trust, commitment, and solidarity between you and your neighbors. This toolkit gives you and your neighbors some steps you can take, together, to evaluate if you are ready to go on a strike. If you decide you are going to go on strike, it gives you some ideas for how you can support and protect yourselves during the action.

An organized rent strike is a powerful tactic, but it is not a goal in and of itself. During COVID-19, tenants are organizing to put pressure on their landlords, the real estate industry, and Governor Cuomo to cancel rental obligations so that tenants across the state can stay in their homes, and to make sure that tenants never have to pay back the rent accumulated during this time.

ALL TACTICS DEPEND ON YOUR CONTEXT AND CONDITIONS.

A rent strike might not be best for your building—you and your neighbors need to decide that collectively. Here are some things to keep in mind as you decide:

- Do you have a majority of tenants on board? The more of you there are, the harder it is for your landlord to single you out. Having a majority of tenants on board shows your power and also minimizes risks of retaliation and harassment.*
- Do you have a coordinating team? A rent strike means a lot of work, and it shouldn't be on just one or two people to coordinate. You need a team of leaders in your building who will coordinate the rent strike, plan other actions and troubleshoot challenges.*
- Do you have a good way to communicate with everyone, in general but also in an emergency?*
- Do you have systems in place to make tenants aware of the risks associated with a rent strike, but also to minimize risks for those who are particularly vulnerable? Households who are particularly vulnerable could be those targeted by the immigration and criminal justice systems, tenants who are not on the lease, tenants who are regularly behind in rent, in and out of court with the landlord, et cetera. Remember! Not everyone faces the same level of risk, and rent strikes are riskier for those who are otherwise marginalized and oppressed in our society: particularly people of color.*

STEPS TO ORGANIZE YOUR BUILDING FOR A RENT STRIKE

1 GET TO KNOW YOUR NEIGHBORS!

Observing the social distancing protocol, doorknock, slip a flier under doors, post a flier in the lobby to ask them how they are doing in this crisis.

- a. Do they need any support with groceries, getting medicine, etc.? Are they worried about paying rent?
- b. Ask them if they are interested in organizing to cancel the rent and let them know there is a statewide campaign calling on Cuomo to do this—there is a whole tenant movement behind them!
- c. Note: *some tenants may be able to pay rent but others may not. If people CAN pay rent, ask them if they are willing to join the rent strike to be in solidarity with their neighbors and to put pressure on the landlord and the governor.*

2 GET CONTACT INFO

Ask your neighbors if you can add them to an email list and/or WhatsApp group for the building so that everyone can stay updated and all tenants can stay in touch.

3 CALL TO ACTION

- a. Ask your neighbors to sign our [petition](#) to the Governor.
- b. See who you can identify to help draft a petition to #CancelRent to the landlord. Draft a [letter](#), informing the landlord of the group's decision to go on rent strike, and asking that the landlord agree to cancel your rent in light of the coronavirus pandemic and the New York shutdown. Include space for signatures. We have included a sample letter in the toolkit. If you don't have a printer, email is fine.
You can get sign ons via WhatsApp. If that's not available, you can write a simpler version by hand.

4 GET AGREEMENT

Share a draft of the letter with your neighbors and explain what the letter is about and the purpose. Leave a rent strike flyer under people's doors. **See the sample flyer** in the toolkit to use. Use the WhatsApp group and/or door knock the building again to ask folks if they are ready to sign on to the letter demanding the landlord cancel rent.

5 ACTION: SEND THE LETTER!

Make sure to state the effective date of the rent strike. We suggest May 1 to align with buildings across the state, but pick a date that makes the most sense for your building.

We are suggesting that you send 4 copies: to your landlord, governor, and state representatives. [Look them up here.](#)

6 MAKE YOUR RENT STRIKE PUBLIC

Put up a sign in your windows, doors, and building to let the public know you are on rent strike. Call your local TV station or neighborhood newspaper to let them know you're on rent strike.

7 FOLLOW UP

Make sure to use the **Rent Strike Tracking Sheet** in the toolkit to keep track of who is on strike. You should also document any instances of threats or harassment from the landlord. Use the WhatsApp group to communicate regularly about building updates, individual support as well as statewide campaign updates and actions.

Normally tenants on Rent Strike would open an escrow account and save their rent money. However, given the current crisis and the widespread loss of jobs and income, this may not be possible. It's really important to use a Rent Strike Tracking Sheet so you know who is on strike, how much money is being leveraged, and so you can coordinate a defense strategy if and when you need legal support. Tracking people's rent means folks have to share how much they pay with the rest of the tenants' association! This isn't easy for a lot of folks and requires trust. This is one of the many reasons why it's important to get to know your neighbors and build solidarity. The more risk you take, the more you have to gain.

8 DOCUMENT AND SUPPORT

We want to know who is on rent strike! If this is a step your building takes, call us to let us know.

- a. [Fill out this form](#) to share your story on a statewide map!
- b. **Text Rent Strike to 646-542-1920**
- c. If you're in NYC, you can call The Met Council on Housing's Hotline at: 212-979-0611, Monday 1:30-8, Tuesday 5:30-8, Wednesday 1:30-8, Friday 1:30-5, for advice and support.
- d. If you're in the Capital District or Upstate NY, you can call the United Tenants of Albany's Housing Hotline, 9am-5pm Monday-Friday at (518) 436-8997, ext. 3, for advice and support.

INDIVIDUAL ACTION

If you aren't able to organize your building, you can still attempt to communicate with your landlord about your personal situation.

- ① **You can use the sample letter**, adding information about your personal experience. Be clear about your ask—how many months forgiveness do you need, how much of a reduction do you need, etc.
- ② **Follow up with your landlord.** Also send the letter to your state representatives and the Governor (find them: www.mygovnyc.org). If your landlord agreed, you won a significant step. Share your success with your neighbors to encourage them to organize a rent strike!
- ③ **Share Your Story:** If no one knows you're taking this action, it's not a rent strike!
 - [Fill out this form](#) to share your story on a statewide map!
 - **Text Rent Strike to 646-542-1920**
 - If you're in NYC, you can also call the Met Council on Housing Hotline to document your rent strike or fill out this form. You can reach them at: 212-979-0611
Hours: Monday 1:30-8, Tuesday 5:30-8, Wednesday 1:30-8, Friday 1:30-5.
- ④ **Get Involved in the Movement:** In the meantime, follow housing justice groups like [Housing Justice for All](#), [The Right to Counsel NYC Coalition](#), or local organizations, to educate yourself further, to hear from others that might be in similar situations, and to get involved in the housing movement.

Remember: an individual withholding rent is not the same thing as a building wide rent strike, where you can leverage the power of many tenants with the same landlord. Try to organize your building before taking individual action!

WHILE THESE STEPS APPLY TO ALL TENANTS, HERE ARE A FEW THINGS TO CONSIDER IF YOU

LIVE IN PUBLIC HOUSING If you live in public housing you already have the right to get your rent reduced because your rent is scaled to income. This means that public housing tenants are much more likely to keep their apartments after loss of job or income — even during COVID-19. Tenants should report loss of income to the local housing authority and their contribution should be reduced, potentially down to zero. For this reason, a rent strike based solely on loss of income does not exert the same pressure in public housing as it does in privately owned buildings. However, public housing agencies often take too long to reduce tenants' rent and often move to evict before adjusting rents. Therefore, a collective action could make the agency change its practices and ensure that public housing residents are treated with respect and dignity. Make sure to cc your local elected officials on all letters to the agencies.

For public housing tenants in New York City (NYCHA), there is an additional risk that NYCHA could bring an eviction case administratively to terminate a tenancy for chronic rent delinquency. For NYC public housing tenants, you may have the right to an attorney. Please read the [Right to Counsel fact sheet](#) for public housing tenants.

HAVE A SECTION 8 VOUCHER You can still go on a rent strike with your neighbors by withholding your portion of the rent. You can only withhold the portion of the rent you pay to your landlord; the portion the agency is responsible for will still get paid by the agency. If you cannot pay your portion of the rent, you should contact your administering agency immediately and let them know about your loss of income. You have the right to reduce your portion of the rent based on your loss of income. Because offices may be closed due to COVID-19, this may be a challenge. Keep records of everything and make sure to cc your congressional and state representatives on all letters to the agencies and landlords.

LIVE IN A PROJECT BASED SECTION 8 BUILDING You should follow the steps outlined above for those with vouchers. However, because everyone in your building has Section 8, you have more power to collectively put pressure on the landlord and the agencies.

HAVE ANY OTHER SUBSIDY THAT HELPS PAY YOUR RENT You can still go on a rent strike with your neighbors by withholding your portion of the rent. If you cannot pay the rent because of loss of income, make sure to contact the administering agency immediately to report your loss of income.

TOOLS

- ① Sample Rent Strike Demand Letter**
- ② Sample Initial Outreach Flyer**
- ③ Sample Rent Strike Flyer**
- ④ Petition to Cuomo**
- ⑤ Rent Strike Tracking Sheet**

SAMPLE RENT STRIKE DEMAND LETTER

April X, 2020

Big bad landlord

Re: COVID-19 Rent Cancellation

Dear Landlord:

We are the 999 South 1st Street Tenant Association, a group of tenants living at 999 South 1st Street. A list of our current members is attached. **We write this letter to give you formal notice that due to the COVID-19 public health crisis, we must commence a rent strike, effective May 1, 2020.**

[DOWNLOAD FROM HERE](#)

SAMPLE INITIAL OUTREACH FLYER

***¡Regístrate para ayudar a tus vecinos!
Sign up to help your neighbors!***

Dear Neighbors,

Hello, from [REDACTED] in Apt. [REDACTED]. We have lived here since [REDACTED] but we don't know all of you. Given these uncertain times, we thought this would be a good time to change that! Some important information:

[DOWNLOAD FROM HERE](#)

SAMPLE RENT STRIKE FLYER

Contact me for more
information here:

RENT STRIKE

Contáctame para más
información aquí:

Many of us can't pay rent because of COVID-19, like millions of other renters. This crisis isn't our fault and it shouldn't make us homeless. Join us in a building wide rent strike, calling on the landlord to cancel and forgive our rent. Tenants just like us are going on strike calling on their landlords and the Governor to cancel rent. Let's join them!

A causa del COVID-19, nosotros, como millones de otros inquilinos, tampoco podemos pagar renta. La crisis no es nuestra culpa, y no deberíamos quedarnos sin hogar por ella. Únase a nosotros por una huelga de renta en todo nuestro edificio, apelando al casero para que cancele y perdone nuestra renta. Inquilinos como nosotros se están yendo en huelga también para empujar a sus caseros y al Gobernador a cancelar la renta. Unámosnos a ellos!

HUELG A DE RENTA

[**DOWNLOAD FROM HERE**](#)

PETITION TO CUOMO



[**ACCESS THE PETITION HERE**](#)

RENT STRIKE TRACKING SHEET



[**DOWNLOAD THE SPREADSHEET**](#)

RESOURCES

- ✓ Glossary of Terms**
- ✓ List of Organizing Groups Across NY State**
- ✓ Met Council on Housing Hotline Flyer**
- ✓ Additional Tenant Organizing Manuals**

GLOSSARY OF TERMS

ABATEMENT

A reduction in the rent you owe because of repairs that weren't made, or services that weren't provided like heat or hot water.

ARTICLE 7A

a section of the Real Property Actions and Proceedings Law which allows at least one third of the tenants living in a building to request that the court appoint a new administrator in the place of the building's owner, in response to conditions or acts dangerous to life, health or safety, harassment and/or deprivation of services. When a 7A is appointed, the landlord can't collect rent or manage the buildings, but he is still responsible for the mortgage! This proves to be an effective organizing tool. Also, tenants can request that a particular 7A administration, one they know or trust, be appointed to manage the building.

CERTIFICATE OF NO HARASSMENT

a certification process aimed at discouraging tenant harassment by preventing landlords with a history of harassment from accessing DOB permits to conduct construction, demolition, or renovation projects. This legislation was won by the Coalition Against Tenant Harassment in 2017.

DIVISION OF HOMES AND COMMUNITY RENEWAL (DHCR)

a state agency tasked with overseeing, regulating and enforcing the laws that govern rent stabilization. This agency is part of the New York State Department of Homes and Community Renewal (HCR.)

DOB

The NYC Department of Buildings, an agency which enforces the City's Building Code, Electrical Code, Zoning Resolution, New York State Labor Law and New York State Multiple Dwelling Law.

HOLDOVERS

This is a court action in which your landlord is demanding possession of the apartment and wants to evict you for reasons other than non-payment of rent. If you live in a rent regulated apt, are subsidized, or if you have a lease, the landlord must have a legitimate reason for eviction. A holdover proceeding can be brought against a tenant even if the tenant has paid the rent. Examples are illegally subletting and failing to deal with clutter, to name a few.

HP ACTIONS

This is a court case a tenant, or a group of tenants can bring against a landlord to force them to make repairs or provide services. A case can be started when the landlord is not providing services (such as heat, hot water, locked doors, extermination, or cleaning), or not making repairs in an apartment or in the common areas of the building.

LIMITED-EQUITY

a form of affordable co-op housing, reserved for residents under a certain income threshold. Housing Development Fund Corporations are a special type of limited equity housing cooperative in New York City which is incorporated under Article XI of the New York State Housing Finance Law. Under this law, the city of New York is able to sell buildings directly to tenant or community groups to provide low-income housing. Many HDFCs were created through a process of co-op conversion of a foreclosed, city-owned property. As of 2008, over 1,000 HDFC cooperatives have been developed in the city. Limited-equity co-ops in general constitute around $\frac{1}{3}$ of all co-op units in New York City; the remaining $\frac{2}{3}$ are market-rate co-ops, which are bought and sold at the market price and are generally unaffordable.

MAXIMUM BASE RENT (MBR)

a rent regulation system in which a maximum allowable rent is established for each rent controlled unit. The rents are established according to a formula calculated to reflect real estate taxes, water and sewer charges, operating and maintenance expenses, return on capital value and vacancy and collection loss allowance. The Maximum Base Rent (MBR) is updated every two years by a factor that incorporates changes in these operating costs. Every two years, the landlord may increase the rent up to 7.5% until the MBR is reached.

MCI

Major Capital Improvements. When owners make major systems improvements or installations to a building subject to the rent stabilization or rent control laws, they can apply to DHCR for approval to raise the rents permanently of the tenants based on the actual, verified cost of improvement or installation. The MCI allows the landlord to take the cost of needed improvements and pass it on to all tenants in the building through permanent increases in their rents, at a monthly rate of 1/84 th of their costs. (In other words, even when the landlord has recouped his costs through the increases in rents, the rents never go back down.) Some examples of MCI items include boilers, windows, electrical rewiring, plumbing and roofs. Increases in rent for MCIs are not supposed to exceed 6% of the rent, per year.

NONPAYMENT PROCEEDINGS

Getting sued for back rent. Most cases in Housing Court are brought by landlords against tenants for nonpayment of rent. The law requires landlords to first demand the rent – in writing or orally. Tenants should then receive the papers used to start the case in court from a process server. Once you have received the petition, you have five days to go to the court and file your “answer.” You can tell the court your defenses and you will be given a date to come back to court for a hearing. On your hearing date you will either settle your case with the landlord or go to trial.

NYCHA

New York City Housing Authority is the city agency that oversees New York City’s public housing stock.

PUBLIC HOUSING

More than 400,000 New Yorkers reside in NYCHA’s 328 public housing developments across the City’s five boroughs. This housing is meant for low and middle income New Yorkers and is fixed at 30% of your income. 270,000 people are on NYCHA’s waiting list.

RENT CONTROL

in New York City, a form of rent regulation which applies to those who have been living continuously in an apartment since July 1, 1971, or be the qualifying family member who succeeded to such tenancy. When vacant, the unit becomes rent stabilized. Rent control, like rent stabilization, is governed by the State.

RENT STABILIZATION

in New York City, the most expansive form of rent regulation, also administered by the State, covers apartments in buildings of six or more units, built before 1974, where rents are under a certain rent threshold (currently 2,700). Rent stabilization means that the landlord must renew your lease and that the city appointed rent guidelines board decides on rent increases instead of your landlord. Rent stabilized tenants are also protected by many more laws that protect tenants rights. Today, there are about a million rent stabilized apartments.

RENT STRIKE

the collective withholding of rent, as a display of tenants’ power.

REZONING

changing the governmental classification and permitted uses of land in a particular neighborhood, often to allow for greater real estate development.

RGB

the Rent Guidelines Board, a 9-member board appointed by the mayor that votes every year on how much rents can go up at the time of lease renewal for rent-stabilized and rent-controlled tenants. There are 5 public members, 2 tenant members and 2 landlord members.

SECTION 8 VOUCHER

Section 8 vouchers provide rental subsidy to tenants. They allow tenants to pay only 30% of their income in rent. If the rent exceeds 30% of their income in rent, the Government pays the difference. Section 8 vouchers can be administered by NYCHA, DHCR or HPD. You can no longer apply for Section 8 as it is closed. Tenants are still on waiting lists and vouchers are still given out in the case of emergencies such as domestic violence, fires, vacate orders, etc.

SINGLE RESIDENCE OCCUPANCY (SRO)

a type of housing composed of single bedrooms and shared amenities, including shared kitchens and bathrooms, typically aimed at low-income residents.

SPECULATION

the practice of buying an asset (such as a building) with the expectation that its price will soon rise. It is also the practice of engaging in risky financial transactions in an attempt to profit from short term fluctuations in the market value. In housing, this can look like investors buying a building, actively displacing low income tenants, recruiting higher income ones, and then selling the building to make a short term profit.

TENANT HARASSMENT

a variety of different tactics used by a landlord or an agent of the landlord that are intended to make tenants uncomfortable, harassed, intimidated and even to force them to move out. This can include failure to make needed repairs, frivolous and repeated lawsuits, frivolous charges, utility shut-offs, intervening in tenants' ability to organize, retaliation for enforcing tenants' rights, buy-outs, and other illegal or intimidating activity.

WAREHOUSING

a practice in which landlords hold their properties vacant, contributing to the housing shortage in urban areas like New York City. Anti-warehousing laws include those that require landlords to rent all of their housing units or pay a tax penalty for holding properties vacant.

WARRANT OF HABITABILITY

a law that the tenant movement won, requiring landlords to maintain apartments as safe and habitable. Units must have hot water, heat services, a functional electrical system, functional plumbing and smoke detectors, doors and windows with locks, and no pests.

ORGANIZING GROUPS ACROSS NY STATE

New York State Tenant Organizing Groups

Organization	Region	Phone	Website
Citizen Action of NY	Buffalo, Rochester, Utica, Binghamton, Albany, Kingston	518-465-4600	www.citizenactionny.org
Citywide Tenant Union	Rochester	585-653-8352	www.rochestercitywidetenantunion.org
Community Voices Heard	New York City, Hudson Valley	914-514-7632 (Newburgh) 845-541-1122 (Poughkeepsie) 914-314-2018 (Westchester)	www.cvaction.org
Make the Road NY	New York City, Long Island, Westchester County	631-231-2220 (Long Island) 914-948-8466 (Westchester) 718-418-7690 (New York City)	maketheroadny.org/contact
New York Communities for Change	New York City, Nassau County	347-410-6919	www.nycommunities.org
PUSH Buffalo	Buffalo	716 884-0356	www.pushbuffalo.org
Nobody Leaves MidHudson	Hudson Valley	845-481-0703	
United Tenants of Albany / Housing For All	Albany and some surrounding areas	518-436-8997	www.utalbany.org
Troy DSA	Troy	(no phone number available yet)	capitaldistrictdsa.org
Mount Vernon United Tenants	Mt Vernon	914- 699-1114	mvut.org
Syracuse Tenants Union	Syracuse	No Phone Yet	www.facebook.com/SyracuseTenantPower
New Paltz Tenants Union	New Paltz	No Phone Yet	newpaltztenantunion.com
Kingston Tenants Union	Kingston, NY		kingstontenantsunion.org
PLOT Binghamton	Binghamton, NY	516-743-5698	www.facebook.com/BingPLOT
Kites Nest	Hudson, NY	518-945-8445	www.kitesnest.org
Legal Services of Central NY	Utica, NY	315-703-6500	www.lscny.org

NYC, Neighborhood Specific

This isn't an exhaustive list, for more resources go to www.evictionfreenyc.org.

Organization	Borough	Region	Phone	Website
Northwest Bronx Community and Clergy Coalition (NWBCCC)	Bronx	Norwood, Fordham, Northwest Bronx, Mount Hope, Morris Heights, Tremont	718-584-0515	northwestbronx.org
Community Action for Safe Apartments (CASA)	Bronx	Southwest Bronx	718-716-8000	casapower.org
Banana Kelly Community Improvement Association	Bronx	Longwood, Hunts Point, Morrisania, Mott Haven, Melrose	718-328-1064	www.bkciaync.org
Los Sures	Brooklyn	South of Williamsburg	718-387-3600	www.southsideunitedhdfc.org
Crown Heights Tenants Union	Brooklyn	Crown Heights	212-479-3358	www.crownheightstenantunion.org
Neighbors Helping Neighbors	Brooklyn	South Brooklyn, Sunset Park, Bay Ridge, Park Slope Borough Park	718-686-7946	www.nhnhome.org
Carroll Gardens Association, Inc./ Southwest Brooklyn Tenant Union	Brooklyn	Red Hook, Gowanus, Columbia Waterfront, Carroll Gardens, Cobble Hill, Brooklyn Heights	718-243-9301	www.cganyc.org www.swbtu.org
St. Nicks Alliance	Brooklyn	Williamsburg, Greenpoint, Bushwick	718-388-9190	www.stnicksalliance.org
UHAB	Brooklyn	East Harlem, Inwood, Crown Heights	212-479-3389	www.uhab.org
Flatbush Tenant Coalition	Brooklyn	South Crown Heights, Flatbush, East Flatbush	718-635-2623	www.flatbushpower.org
Cooper Square Committee	Manhattan	East Village, Stuyvesant Town, Lower East Side	212-2288210	coopersquare.org
Goddard Riverside Law Project	Manhattan	SRO-Westside of Manhattan from 14th Street to the tip of Manhattan. Apartments from 91st-116th Street	212-799-9638	www.goddard.org/grcc/programs/goddardlawproject
Good Old Lower East Side (GOLES)	Manhattan	East Village, Lower East Side, Chinatown, Two Bridges	212-5332541	www.goles.org
Housing Committee of Riverside Edgecombe Neighborhood Association (RENA)	Manhattan	Harlem, Washington Heights	212-2342285	www.facebook.com/RENAorganization
Tenants & Neighbors	Manhattan	Inwood, Washington Heights, Harlem, East Harlem	212-6084320	tandn.org
Housing Conservation Coordinators	Manhattan	Hell's Kitchen, Chelsea, Manhattan Valley, Parts of Harlem	212-541-5996	www.hcc-nyc.org
Met Council on Housing	Manhattan/ Citywide	Inwood and Washington Heights, Other large complex Citywide	212-979-0611	metcouncilonhousing.org
Woodside on the Move, Inc. - Western Queens	Queens	Jackson Heights, Maspeth, Rego Park, Kew Gardens, Elmhurst, Corona, Flushing, Forest Hills, Kew Gardens Hills	718-4768449	www.woodsideonthemove.org
Catholic Migration Services	Queens	Long Island City, Sunnyside, Woodside, Jackson Heights, Elmhurst, Corona and Jamaica	347-472-3500	www.catholicmigration.org
Chhaya CDC	Queens	Jackson Heights, Jamaica, Richmond Hill	718-478-3848	chhayacdc.org
CAAAV	Queens/ Manhattan	Queensbridge Houses/ Chinatown	212-4736485	caav.org

MET COUNCIL ON HOUSING HOTLINE FLYER

PROBLEMS WITH
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COME ASK QUESTIONS AND LEARN YOUR
RIGHTS WITH MET COUNCIL ON HOUSING

TENANTS' RIGHTS HOTLINE

English & Spanish

212-979-0611

Mon & Wed: 1:30-8:00PM

Tue: 5:30-8:00PM

Fri: 1:30-5:00PM



ADDITIONAL TENANT ORGANIZING MANUALS

- ✓ ***Philly Tenants Union's COVID 19 Tenant Organizing Guide***

[DOWNLOAD FROM HERE](#)

- ✓ ***Autonomous Tenants Union's COVID 19 Tenant Organizing Toolkit***

[DOWNLOAD FROM HERE](#)