



Homes and Community Renewal

ANDREW M. CUOMO
Governor

RUTHANNE VISNAUSKAS
Commissioner/CEO

Advisory Opinion 2020-1 Novel Coronavirus (COVID-19) Guidance

In response to the Governor's directive to take every effort to keep New Yorkers safe and mitigate the spread of COVID-19, the novel coronavirus, the following is being directed with respect to processing and other procedures affecting the Office of Rent Administration (ORA) and Tenant Protection Unit (TPU) of the New York State Division of Housing and Community Renewal (DHCR) under The Rent Stabilization Law, The Emergency Tenant Protection Act, and the New York State and City Rent Control Laws.

All Agency matters that are not final as of March 13, 2020, are extended, for the purposes of filing submissions, by thirty (30) days. The Agency will be re-examining the need to further extend these deadlines as the situation evolves. These include:

- Any time provided by ORA notice, bulletin, or regulation to respond to or file any application or administrative proceeding.
 - Excepted from these extensions are: written responses to harassment complaints and service complaints identified by ORA as involving emergency conditions, tenant's applications for a rent reduction that cite emergency conditions such as a vacate order issued by a municipal agency, fire damage requiring a vacatur, no water (apartment wide), inoperable toilet, collapsed or collapsing ceiling or walls, collapsing floor, no heat/hot water (apartment wide), broken or inoperative apartment front door lock, all elevators inoperable, no electricity (apartment wide), window to fire escape (does not open), water leak (cascading water, soaking electrical fixtures), window-glass broken (not cracked), broken/unusable fire escapes, air conditioner broken (summer season).
- Any time to otherwise file what would have been, as of the effective date of this opinion, a timely petition for administrative review (PAR) from an order of an ORA rent administrator.
- Any time provided to respond to an individualized TPU investigation into a single apartment review will be extended, unless TPU otherwise expressly requests a response after the issuance of this Advisory opinion.
- All Agency hearings, conferences, and continuances of those hearings and conferences are postponed. Parties will be advised of a subsequent rescheduled date which may include alternative means to hold those hearings and conferences.
- Public requests for documents under the Freedom of Information Law (FOIL) may continue to be filed online at openfoil.ny.gov. All records access requests, by owners,

tenants, and authorized representatives, may continue to be filed through email at ORAreports@nyshcr.org but not in person.

Please recognize that DHCR's acknowledgement or a potential date for delivery of documents may be delayed. All requests are deemed to be on a thirty (30) day extension or request for adjournment.

This is an evolving situation and updates and modifications to this Advisory Opinion will be made as needed and posted on DHCR's website. Many of the directives contained in this Advisory Opinion may subsequently be further supported or contained in additional legal process but will be considered effective as of the date of this Advisory Opinion.

Please also look at the Governor's State of New York website at www.governor.ny.gov for more information on how to best stay healthy and safe during this period.

Issued:

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