



Special Rights of Senior Citizens

3 PAGES

AT A GLANCE

This Fact Sheet describes special rights for tenants who are senior citizens.

SUMMARY AND HIGHLIGHTS

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.

DEFINITIONS

Division of Housing and Community Renewal (DHCR):

DHCR is the New York State agency that invests in communities, preserves and protects affordable housing and enforces the state’s rent control and rent stabilization laws.

Senior Citizen Rent Increase Exemption (SCRIE):

Senior Citizen Rent Increase Exemption (SCRIE) helps eligible senior citizens stay in affordable housing with a rent freeze. If their rent goes up, people with SCRIE do not have to pay the higher rent.

SCRIE Process

- Senior citizens need to file an application with supporting documentation with the appropriate government agency.
- The agency will review the application and issue a written decision. If a rent exemption certificate is issued, a “frozen rent” will be established and future increases in rent will not be paid by the tenant. The owner will receive tax benefits instead.

Special Rights

- An owner cannot evict a tenant from a rent stabilized apartment in NYC for personal or immediate family use and occupancy if the tenant or their spouse is 62 or older, has been a tenant for 15 years or more, or is a disabled person unless the owner provides an equivalent or superior apartment at the same or lower rent in a nearby area.
- An owner cannot evict a tenant from a rent stabilized apartment outside of NYC or a rent controlled apartment statewide for personal or immediate family use and occupancy when a member of the household is 62 years or older, or has been a tenant for 15 years or more, or is a disabled person.
- An owner can’t evict a rent stabilized or rent controlled tenant statewide, for personal or immediate family use and occupancy, in buildings converted to a non-eviction cooperative.

FACT SHEET #21: IN DETAIL

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, increases based on the owner's economic hardship and Major Capital Improvements. However, the tenant must pay the additional security deposit. When a current beneficiary permanently leaves the household, a remaining family member may file a transfer application to determine continued eligibility.

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

In NYC, the income eligibility level will increase from \$29,000 to \$50,000 per household starting on July 1, 2014. 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, inquire about your municipality's income eligibility level, or to schedule an appointment to visit the office.

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

Nassau County

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

Westchester County

Village of Croton on Hudson
Village of Dobbs Ferry
Town of Greenburgh
Village of Hastings on Hudson
Village of Irvington
Village of Larchmont
Town of Mamaroneck

Village of Mamaroneck
 City of Mount Vernon
 City of New Rochelle
 City of Rye
 Village of Ossining
 Village of Pleasantville
 Village of Sleepy Hollow
 Village of Tarrytown
 City of White Plains
 City of Yonkers

Other rights for senior citizens include:

1. An owner cannot evict a tenant from a rent stabilized apartment in NYC if the tenant or the spouse of the tenant is 62 years of age or older, or has been a tenant in a dwelling unit in the building for 15 years or more, or is a disabled person unless the owner provides an equivalent or superior apartment at the same or lower rent in a nearby area.
2. An owner cannot evict a tenant from a rent stabilized apartment outside of NYC or a rent controlled apartment statewide when a member of the household lawfully occupying the apartment is 62 years of age or older, or has been a tenant in a dwelling unit in the building for 15 years or more, or is a disabled person.
3. An owner of an apartment or the shares allocated to it cannot evict a rent stabilized or rent controlled tenant statewide, for personal or immediate family use and occupancy, in buildings converted to a non-eviction cooperative.
4. 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.
5. All SCRIE recipients in any municipality are exempt from rent reductions for DHCR approved electrical conversions to individual metering (direct or sub-metering), as per the Rent Code Amendments of 2014 (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.
6. To obtain a Social Security benefit verification letter, you may visit:
www.socialsecurity.gov/myaccount,
 create an account and print a copy instantly.



➤ **Rent Connect:**
rent.hcr.ny.gov

✉ **Ask a question:**
portal.hcr.ny.gov/app/ask

🗣️ **For translation help:**
hcr.ny.gov/language-accessibility

➤ **Our website:**
hcr.ny.gov/rent

To visit a Borough Rent Office, by appointment only, please contact:

QUEENS

92-31 Union Hall Street
 6th Floor
 Jamaica, NY 11433
 718-482-4041

BROOKLYN

55 Hanson Place
 6th Floor
 Brooklyn, NY 11217
 718-722-4778

UPPER MANHATTAN

163 W. 125th Street
 5th Floor
 New York, NY 10027
 212-961-8930

LOWER MANHATTAN

25 Beaver Street
 New York, NY 10004
 212-480-6238

BRONX

1 Fordham Plaza
 4th Floor
 Bronx, NY 10458
 718-430-0880

WESTCHESTER

75 South Broadway
 3rd Floor
 White Plains, NY 10601
 914-948-4434