



Painting Rent Controlled Apartments

1 PAGES

Painting and decorating service where required to be supplied by the owner, is considered to be an essential service included in the maximum rent for a rent controlled apartment. Generally, this means that the owner must paint the tenant's apartment at two-year intervals, or at three-year intervals if it was the owner's practice to paint every third year. Effective August 3, 1967, the Housing Maintenance Code of the City of New York was amended to require an owner of a multiple dwelling to paint occupied dwelling units every three years and more often when required by contract or other provision of law.

The painting service which the owner is obligated to provide is based on prior practice. If in the past the owner supplied the paint and the tenant arranged for the painting or the owner painted one or two rooms at a time, continuation of these practices satisfies the painting requirement of the Rent and Eviction Regulations. Past practice of the owner also dictates the color scheme. However, if an owner is painting for the first time, the owner is only required to paint the apartment in a neutral shade. All painting must be done in a workmanlike manner.

Depending on past practice, the painting service may include provision of shades, blinds, wallpaper, trim etc., in addition to plastering and painting.

Where painting has not been an essential service for a rent controlled apartment and the landlord paints for the first time in order to comply with the requirements of the Housing Maintenance Code, the painting is considered to be an increase in services, also called Individual Apartment Improvement (IAI). Upon completion of the painting, the owner must file DHCR Form RN-79b, and must provide evidence going back 10 years to establish that painting was not previously an essential service. The DHCR electronic IAI Notification and the before and after photographs required by the Housing Stability and Tenant Protection Act of 2019 must also be filed.

In buildings that contain more than 35 apartments, the owner can collect a permanent rent increase equal to 1/180th of the cost of the IAI. In buildings that contain 35 apartments or less, the owner can collect a permanent rent increase equal to 1/168th of the cost of the IAI. DHCR will issue an order authorizing the rent increase.



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

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

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

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

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

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