



## Key Metrics of the Rent Regulated System

The Housing Stability and Tenant Protection Act (HSTPA) enacted sweeping changes to state law, greatly strengthening tenant protections for New Yorkers. One of these changes includes a new commitment to increased transparency by reporting on key metrics about the rent regulated system each year. These metrics provide a snapshot of the current rent regulated stock and illuminate trends over time as reporting increases.

As required by Part L of the HSTPA, reporting of key metrics covers unit registrations for the three fiscal years immediately preceding the release of this report; this corresponds to registration years 2019, 2020, and 2021. MCI and overcharge case data are presented by state fiscal year for SFY 2019-20, 2020-21, and 2021-22. The TPU's investigations are presented for calendar years 2019, 2020, 2021.

The following table includes datapoints for the fourteen required metrics, where available. A detailed description of the datapoints, including data definitions, can be found in the Data Definitions and Technical Notes section.

### **Underlying Data 2022**

#### **2022 ORA Rent Report - Rent Regulated Apartment Supporting Data**

<https://hcr.ny.gov/2022-ora-rent-report-rent-regulated-apartment-supporting-data>

#### **2022 ORA Rent Report - Rent Regulated Building Supporting Data**

<https://hcr.ny.gov/2022-ora-rent-report-rent-regulated-building-supporting-data>

Rent Law Metrics	Data-point #	Datapoints	Reporting Geography	Registration Year 2019 SFY2019-20	Registration Year 2020 SFY2020-21	Registration Year 2021 SFY2021-22
(i) the number of rent stabilized housing accommodations within each county;	1	RS units by county	Bronx County	223,543	218,968	208,208
			Kings County	262,688	250,467	236,944
			New York County	264,052	256,444	243,955
			Queens County	166,352	163,792	158,740
			Richmond County	8,917	8,747	8,254
			Nassau County	7,441	7,650	6,625
			Rockland County	2,176	1,987	1,870
			Westchester County	29,082	27,273	24,911
		New York State	964,251	935,328	889,507	
(ii) the number of rent controlled housing accommodations within each county;	2	RC units	New York State			
(iii) the number of applications for major capital improvements filed with the division, the number of such applications approved as submitted, the number of such applications approved with modifications, and the number of such applications rejected;	3	MCI applications filed	New York State	835	339	285
	4	MCI applications approved as submitted	New York State	96	112	221
	5	MCI applications approved with modifications	New York State	257	170	523
	6	MCI applications rejected	New York State	275	44	194
(iv) the median and mean value of applications for major capital improvements approved;	7	Median value of approved MCI applications	New York State	\$107,650	\$110,606	\$168,763
	8	Mean value of approved MCI applications	New York State	\$209,870	\$191,007	\$268,479
(v) the number of units which were registered with the division where the amount charged to and paid by the tenant was less than the registered rent for the housing accommodation;	9	RS units with preferential rents	New York State	311,184	305,062	280,419
(vi) for housing accommodations that were registered with the division where the amount charged to and paid by the tenant was less than the registered rent for the housing accommodation, the median and mean difference between the registered rent for a housing accommodation and the amount charged to and paid by the tenant;	10	Median preferential rent discount	New York State	\$486	\$486	\$479
	11	Mean preferential rent discount	New York State	\$931	\$917	\$884
(vii) the median and mean registered rent for housing accommodations for which the lease was renewed by an existing tenant;	12	Median legal rent for RS units with lease renewal	New York State	\$1,463	\$1,527	\$1,509
	13	Mean legal rent for RS units with lease renewal	New York State	\$1,867	\$1,978	\$1,893
(viii) the median and mean registered rent for housing accommodations for which a lease was signed by a new tenant after a vacancy;	14	Median legal rent for RS units with vacancy lease	New York State	\$2,322	\$2,295	\$2,324
	15	Mean legal rent for RS units with vacancy lease	New York State	\$3,100	\$3,030	\$3,093
(ix) the median and mean increase, in dollars and as a percentage, in the registered rent for housing accommodations where the lease was signed by a new tenant after a vacancy;	16	Median increase in legal rent in units with vacancy lease (\$)	New York State	\$235	\$27	\$0
	17	Median increase in legal rent in units with vacancy lease (%)	New York State	10%	1%	0%
	18	Mean increase in legal rent in units with vacancy lease (\$)	New York State	\$286	\$98	\$2
	19	Mean increase in legal rent in units with vacancy lease (%)	New York State	18%	10%	1%
(x) the median and mean increase, in dollars and as a percentage, in the registered rent for housing accommodations where the lease was signed by a new tenant after a vacancy, where the amount changed to and paid by the prior tenant was the full registered rent;	20	Median increase in legal rent in units with vacancy lease and no previous pref. rent (\$)	New York State	\$216	\$29	\$0
	21	Median increase in legal rent in units with vacancy lease and no previous pref. rent (%)	New York State	14%	2%	0%
	22	Mean increase in legal rent in units with vacancy lease and no previous pref. rent (\$)	New York State	\$249	\$112	-\$4
	23	Mean increase in legal rent in units with vacancy lease and no previous pref. rent (%)	New York State	23%	16%	2%
(xi) the median and mean increase, in dollars and as a percentage, in the registered rent for housing accommodations where the lease was signed by a new tenant after a vacancy, where the amount changed to and paid by the prior tenant was less than the registered rent;	24	Median increase in legal rent in units with vacancy lease and previous pref. rent (\$)	New York State	\$252	\$22	\$0
	25	Median increase in legal rent in units with vacancy lease and previous pref. rent (%)	New York State	6%	1%	0%
	26	Mean increase in legal rent in units with vacancy lease and previous pref. rent (\$)	New York State	\$341	\$78	\$8
	27	Mean increase in legal rent in units with vacancy lease and previous pref. rent (%)	New York State	11%	3%	0%
(xii) the number of rent overcharge complaints processed by the division;	28	Count of overcharge complaints processed	New York State	666	326	546
(xiii) the number of final overcharge orders granting an overcharge;	29	Count of overcharges orders granted	New York State	206	107	198
(xiv) the number of investigations commenced by the tenant protection unit, the aggregate number of rent stabilized or rent controlled housing accommodations in each county that were the subject of such investigations, and the dispositions of such investigations.	30	Count of investigations commenced by TPU*	New York State	2,121	294	2,011
	31	Count of RS and RC units subject to TPU investigations*	Bronx County	1,940	4,330	3,037
			Kings County	3,520	5,209	4,844
			New York County	2,480	4,150	2,855
			Queens County	1,963	1,743	2,072
			Richmond County	11	101	61
			Nassau County	0	30	51
			Rockland County	0	1	14
	Westchester County	512	745	322		
			New York State	10,426	16,309	13,256
32	Disposition of TPU investigations	New York State				

NOTE: All registration data are as of March 31, 2022. As a result of lags in reporting, previously reported numbers (i.e. previous Annual Reports) are updated to reflect latest data as of March 31, 2022.

\* Reported on a calendar year basis (reporting years are 2019, 2020, 2021)

## DATA DEFINITIONS AND TECHNICAL NOTES

The Housing Stabilization and Tenant Protection Act of 2019, Section L, enumerates fourteen metrics to be included in tabular format for each of the three fiscal years preceding the date the report is due. This iteration of the report includes rent registration data for registration years 2019, 2020, and 2021, which corresponds to registrations that would have been submitted during State Fiscal Years 2019-20, 2020-21, and 2021-22, respectively. Registration years capture lease information (where applicable) for leases that are effective on April 1 of the registration year and lease start dates must be prior to April 2 of the registration year. All registration data is as of March 31, 2022. For case-related metrics, which includes data related to Major Capital Improvements (MCIs) and rent overcharges, data are presented for State Fiscal Years 2019-20, 2020-21, and 2021-22. Tenant Protection Unit (TPU) investigations data are presented for calendar years 2019, 2020, and 2021.

- (i) The number of rent stabilized housing accommodations within each county. Rent stabilized housing accommodations are defined as rent stabilized units registered in annual registrations with Office of Rent Administration, excluding exit registrations. This data is presented by county and for New York State.
- (ii) The number of rent controlled housing accommodations within each county. The current rent registration system does not collect information on rent controlled units. The U.S. Census Bureau's New York City Housing Vacancy Survey provides estimates of rent controlled units within New York City. Those estimates can be found at <https://www.census.gov/programs-surveys/nychvs.html>.
- (iii) The number of applications for major capital improvements filed with the division, the number of such applications approved as submitted, the number of such applications approved with modifications, and the number of such applications rejected. The number of MCI applications filed are defined as the number of applications filed within the given fiscal year. The number of applications approved as submitted, approved with modifications, and rejected are defined as those applications which were processed and closed within the given fiscal year and which were granted as submitted, granted in part, or denied, respectively. Due to variations in processing times for MCI applications, the sum of applications granted, granted in part, and denied may not equal the number of applications filed in a relevant fiscal year.
- (iv) The median and mean value of applications for Major Capital Improvements approved. These values are defined as the median and mean of total approved costs for MCIs that were granted or granted in part in the relevant fiscal year.
- (v) The number of units which were registered with the division where the amount charged to and paid by the tenant was less than the registered rent for the housing accommodation. The report presents the number of units with preferential rents; units with preferential rents are defined as occupied rent stabilized units that are registered with a preferential rent amount that is less than the registered legal rent amount in the relevant registration year. See also additional technical notes for legal and preferential rent amounts.
- (vi) For housing accommodations that were registered with the division where the amount charged to and paid by the tenant was less than the registered rent for the housing accommodation, the median and mean difference between the registered rent for a housing accommodation and the amount charged to and paid by the tenant. The report presents the median and mean difference between the registered preferential and legal rent amounts for occupied rent stabilized units that are registered with a preferential rent amount that is less than the registered legal rent amount for the relevant registration year. See also additional technical notes for legal and preferential rent amounts, below.
- (vii) The median and mean registered rent for housing accommodations for which the lease was renewed by an existing tenant. The report presents the median and mean registered legal rent amounts for occupied rent stabilized units where a lease was signed within the twelve months prior to April 2 of the relevant registration year and at least one tenant was recorded as being the same person on both the prior and relevant registration year for the unit. See additional technical notes below for information on tenant information and tenant matching methodologies, as well as legal and preferential rent amounts.

- (viii) The median and mean registered rent for housing accommodations for which a lease was signed by a new tenant after a vacancy. The report presents the median and mean registered legal rent amounts for occupied rent stabilized units where a lease was signed within the twelve months prior to April 2 of the relevant registration year and no tenant name in the relevant registration year records matches tenant name in the prior registration year records for the unit. See additional technical notes for information on tenant information and tenant matching methodologies, below. See also additional technical notes for legal and preferential rent amounts, below.
- (ix) The median and mean increase, in dollars and as a percentage, in the registered rent for housing accommodations where the lease was signed by a new tenant after a vacancy. The report presents the median and mean difference, in dollars and percent, in the legal registered rent amounts for the relevant and prior registration years for units that were registered as occupied rent stabilized units in both registration years, where a lease was signed within the twelve months prior to April 2 of the relevant registration year, and no tenant name in the relevant registration year records matches tenant name in the prior registration year records for the unit. See additional technical notes for information on tenant information and tenant matching methodologies, below. See also additional technical notes for legal and preferential rent amounts, below.
- (x) The median and mean increase, in dollars and as a percentage, in the registered rent for housing accommodations where the lease was signed by a new tenant after a vacancy, where the amount changed to and paid by the prior tenant was the full registered rent. The report presents the median and mean difference, in dollars and percent, in the legal registered rent amounts for the relevant and prior registration years for units that were registered as occupied rent stabilized units in both registration years, where a lease was signed within the twelve months prior to April 2 of the relevant registration year, where no tenant name in the relevant registration year records matches tenant name in the prior registration year records for the unit, and where there was not a registered preferential rent in the prior registration year. See additional technical notes for information on tenant information and tenant matching methodologies, below. See also additional technical notes for legal and preferential rent amounts, below.
- (xi) The median and mean increase, in dollars and as a percentage, in the registered rent for housing accommodations where the lease was signed by a new tenant after a vacancy, where the amount changed to and paid by the prior tenant was less than the registered rent. The report presents the median and mean difference, in dollars and percent, in the legal registered rent amounts for the relevant and prior registration years for units that were registered as occupied rent stabilized units in both registration years, where a lease was signed within the twelve months prior to April 2 of the relevant registration year, where no tenant name in the relevant registration year records matches tenant name in the prior registration year records for the unit, and where there was a registered preferential rent in the prior registration year. See additional technical notes for information on tenant information and tenant matching methodologies, below. See also additional technical notes for legal and preferential rent amounts, below.
- (xii) The number of rent overcharge complaints processed by the division. The report presents the total number of overcharge orders issued in the relevant fiscal year.
- (xiii) The number of final overcharge orders granting an overcharge. The report presents the total number of overcharge applications granted in the relevant fiscal year.
- (xiv) The number of investigations commenced by the Tenant Protection Unit, the aggregate number of rent stabilized or rent controlled housing accommodations in each county that were the subject of such investigations, and the dispositions of such investigations. These metrics are reported on a calendar year basis. The report presents (1) TPU's investigation totals comprised of registration compliance initiative investigations, audits of registered legal regulated rents, and legal investigations, and (2) the number of rent stabilized units subject to such investigations; this unit data is presented by county and statewide. The dispositions of investigations are unable to be disclosed due to the nature of ongoing investigations.



## TECHNICAL NOTES

**Registered Legal and Preferential Rent Amounts** – For the purposes of this report, a small number of registration records are omitted from mean, median, and year-over-year rent amount calculations to ensure calculable and interpretable results and to remove overtly errant records.

**Monthly/Weekly Rent Amounts** – Rent amounts are reported by landlords or their agents and may be reported as monthly or weekly amounts, with a small minority reported as weekly. All rent amounts in this report are reported as monthly amounts. Statistical analyses of legal rent amounts that are reported as weekly suggest that they are often flagged erroneously. Converting them to monthly amounts would likely result in exceptionally high rent values that would skew calculations, especially at the mean. Therefore, units with legal rent amounts that are reported as weekly are omitted from all calculations of rent amounts, as well as counts of units with preferential rents, with one exception: Single Room Occupancy (SRO) units. SROs are defined as units in rooming houses and hotels and are not required to have a kitchen or bathroom in each unit. Because these units are often occupied by transient residents, rents are most often collected on a weekly basis. Analyses of legal rent amounts in units flagged as SROs reported as weekly suggest that these are, in fact, weekly rents. Therefore, these observations are included in calculations and converted to monthly rents using the formula  $[\text{RENT AMOUNT}] \times 52/12$ . Additionally, units with both legal and preferential rent amounts and that are in disagreement between monthly and weekly payment (e.g. the legal rent is reported as a weekly amount and the preferential rent is reported as a monthly amount) are omitted from all rent amount calculations, as well as counts of units with preferential rents. In total, omissions due to monthly/weekly rent amount issues account for approximately 0.1 percent of registered units annually.

**Legal Rents Less Than \$1** – Some registered units have registered legal rent amounts that are \$0 or close to \$0. Including these units in calculations of year-over-year changes in rents can lead to extreme values that are not representative of actual changes in the stock or uninterpretable results such as infinity percent changes. Therefore, units with legal rent amounts of less than \$1 are omitted from all rent amount calculations. This omission accounts for less than 0.2 percent of registered units annually.

**Tenant Matching to Determine New and Existing Tenants** –The current rent registration system does not explicitly collect data on the continuity of tenancy for all units in the system across registration years. To identify new and existing tenants, HCR matched tenant names and IDs across registration years for the same unit. Due to variability in how landlords and their agents may enter these data from one year to the next, matching results are typically not 100 percent accurate. Review of a sampling of 2,000 units matched between registration years 2016 and 2017 demonstrated an estimated 98

### COVID IMPACT ON RENT STABILIZED APARTMENT REGISTRATION

The apartment registration data included in this report for years 2020 and 2021 (covering units registered as of April 1st, 2020, and April 1st, 2021, respectively) coincides with the height of the pandemic. As such, these specific years had a noticeable lag in the timing of registrations compared to previous years. HCR's analysis of preliminary data for the 2022 registration cycle (covering units registered as of April 1st, 2022) indicates that the lag has dissipated, and registration trends more closely mirror historic norms.

Additionally, the number of units registered as vacant increased in registration year 2021, to nearly sixty-five thousand in total. This total is above the historic norm of thirty-five to forty thousand units registered as vacant annually prior to the pandemic, and HCR's analysis of preliminary data for the 2022 registration year indicates that the number of units registered as vacant has returned to within the bounds of the historic, pre-pandemic norms.