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TENANTS RIGHTS TO REGAIN OCCUPANCY AFTER FIRE DAMAGE/VACATE ORDER

I am a rent stabilized (or rent controlled) tenant and have been displaced from my apartment due to a fire and/or a vacate order that was issued by a New York City agency or a local municipal agency.

How do I protect my rights to regain occupancy of the apartment?

You need to file an Application for A Rent Reduction Based Upon Decreased Services Individual Apartment (Form RA-81) with DHCR's Office of Rent Administration. The form is available on our website and can be filed either by paper or electronically/online. <https://hcr.ny.gov/living-conditions-and-essential-services>. The form can also be provided to you upon request by calling (833) 499-0343.

- For electronic/online applications, complete the required fields and provide as much information as possible and DHCR staff will investigate the matter.
- For those applications that are going to be submitted on paper, indicate the date of the fire and/or the date of the Vacate Order, the name of the agency issuing the order and if possible a copy of the order.
- Copies of vacate orders are available at [DOB Buildings Information System](#) if the vacate order is issued by the Department of Buildings and [HPD Online](#) if the vacate order is issued by Department of Housing Preservation and Development.

DHCR can review the matter and then issue a written decision/order that sets the legal rent to be paid at \$1 per month. The \$1 a month payment should be paid to the building owner, NOT DHCR, by check or money order and proof of payment should be retained.

The \$1 rent level will remain in effect until the owner files an application with DHCR and receives a DHCR Order Restoring Rent. An order restoring the rent may be issued after the owner has provided access to the apartment to you and then legal rent can be raised to the higher lawful amount. DHCR will notify you using the most recent contact information you provided.

How do I communicate and keep in touch with DHCR if I am no longer in my apartment?

Please include your contact address in your application and if it changes it is important to mail a letter that identifies the new postal address that you want DHCR mail to be sent. Please send your letter DHCR, 92-31 Union Hall Street, Jamaica, NY 11433.

Any mail you send to DHCR needs to cite the Docket number that DHCR assigned to your case and needs to be included on your mailing envelope and on your enclosed letter.

For general information, including any status updates on your case, please call 833-499-0343.

What can I do while I am out of my apartment? Where can I get help?

If NYC has issued a vacate order, you are also entitled to relocation assistance, including temporary housing, through the Department of Housing Preservation and Development. For more information on this process, go to [HPD – Orders](#) or review more information here [HPD – Vacate Order FAQs](#). These documents also provide other sources of resources which can assist you with legal services and other types of support available through NYC agencies.

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