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On January 16th, 2015, Manhattan Legal Services, at 40 Worth Street, hosted AHSSC's presentation "SCRIE, DRIE and Section 8 Rent Subsidies". Rosalind Black, Deputy Director, and Anita Wu, Staff Attorney, spoke about New York City public housing benefits, services and rights. Manhattan Legal Services, a nonprofit legal aid organization with offices in each borough, has legal services available to address issues ranging from immigration, public benefits, employment discrimination, veterans and many more. See office borough specific contact information and hours for services and referral.

Overview of DRIE and SCRIE- NYC rent freeze program is available in the form of either the Senior Citizen Rent Increase Exemption (SCRIE) and Disability Rent Increase Exemption (DRIE). For SCRIE, the individual must be at least 62 years old; have their name on the lease/rent order or have succession rights; lives in a rent stabilized, rent controlled or rent regulated hotel apartment; have a combined household income of \$50,000 or less; and, spend more than 1/3 of monthly income on the rent. If the individual lives in a HDFC Co-op or Mitchell Lama apartment, an application can be addressed to HPD for SCRIE. For DRIE eligibility, the individual must be at least 18 years old; named on the lease/rent order, or have succession rights; lives in a rent stabilized, rent controlled, rent regulated hotel apartment, Mitchell Lama apartment, HDFC Co-op or apartment building where the mortgage was federally insured under Section 213 of the National Housing Act; have a combined income of \$50,000 or less; spend more than 1/3 of monthly income on rent; and, receive disability insurance in the form of SSI, SSDI, or US Dept. of Veterans Affairs disability pension/compensation. Ineligible apartments for SCRIE/DRIE include: NYCHA Public Housing apartment, Section 8 Voucher (partially or fully), non-rent

regulated apartment, sublets apartment (even if the rent is regulated).

Even if the household qualifies for both the SCRIE and DRIE, only one benefit may be claimed. If a DRIE is claimed and the individual turn 62 years old, there is no need to transfer to the SCRIE; the DRIE is still valid and may be kept. There are income eligibility requirements and allowable income calculations used to determine: if the rent is 1/3 more than the combined household income; if rent can be frozen; if increases covers rent freeze; or, if preferential rent applies. Awardees should be aware certain housing charges are not covered by either the DRIE or SCRIE and these include: doorman, maid, janitor, air conditioning services; new equipment, furniture, electrical enhancements, adjustments to individual apartment improvement; security deposits; rental charges for garages; and, utility costs. A landlord's permission is not needed to apply for either benefits; direct application materials and supporting documents must be addressed to the specific agency; all rent must be continued to be paid on time and in full with retroactive credit applied if an award is granted within the 45 days of receipt of application. In cases of denial, an appeal can be filed within 60 days of date of decision. For all awards, there is an end date on the award letter; annual renewal application must be completed on time and can be checked on www.nyc.gov/rentfreeze . There is a 6 months grace period after the benefit expires the landlord must observe to allow a renewal process to be activated; however, the tenant must pay back the difference if the renewal is not granted. Check if there are allowable changes/transfer to the award if awardee intends to move; certain awards are not transferable from one rental unit to another. The Department of Finance must be notified in writing within 60 days of death of the awardee and benefits will be revoked starting the first day of the following month; the surviving household member may qualify for transfer in benefit under specific requirements and an "Application for Benefit Takeover" must be submitted. Any income increases or decreases must be reported with the "Redetermination Application" form within 60 days of income change.

Section 8 Housing- Section 8 is a housing subsidy paid to the landlord directly by the voucher administrator on behalf of the participating family awarded the benefit. The family is expected to pay the difference and it is generally 30% of the family's adjusted income. Section 8 can be applied to a public unit or a unit in a housing project. There are three different administrating agencies in NYC and these are: NYCHA (over 100,000 vouchers), HPD (approximately 30,000 vouchers) and DHCR (comparatively less voucher and is unpublished). Once a voucher is awarded, the awardee must seek an apartment that meets payment standards, occupancy standards and standard for rent reasonableness. NYCHA, HPD and DHCR have different payment standards; check for the specific payment standard with the administrating agency awarding the voucher. Occupancy standards, mostly, depends on family size; however, each agency has different guidelines and the awardee must be aware if the voucher has been downsized from one award year to the next. Vouchers must be activated within certain times lines from award dates or the voucher will expire. NYCHA gives 180 days; HPD gives 120 days; DHCR gives 60 days. Extensions may be granted but has to be requested with appeals filed as an Article 78 proceeding. Once a voucher is awarded and an apartment is approved, an inspection of the unit is performed, the landlord has to sign the lease with the tenant, and, a HAP has to be signed by the landlord to contract with PHA. If the landlord is

suspected of having unlawful reasons for refusing to rent, a discrimination lawsuit can be filed. Income recertification and inspections are annual requirements. Be aware of the tenant's responsibilities to maintain the rental lease agreement and the voucher; termination based on failure to meet requirements set by the landlord and/or the administrative agency is possible. Notices by either the landlord or the administrative agency must be timely and must be provided in the tenant's preferred language. Hearings and appeals must be attended to address eviction and evidence against the tenant. In the course of the proceedings, the tenant is responsible for the tenant's share of the rent only. Succession rights are more likely to be granted if the individual is listed on the annual income recertification form. Check with the specific administering agency for requirement and recertification changes.