

ASK THE ADMINISTRATOR

TIME AND TIMETABLES

Everybody gets older. I have recently spoken to elderly RSA Members, and during the course of my conversations I identified issues which are unique to these members.

Life moves very quickly. The days go by slowly but the years fly by! What was easy for us to deal with and remember not that long ago, can and oft times become harder as we age. There are necessary administrative tasks that don't get addressed. That's the way things are.

Among the issues I have seen and counseled Members or their families and friends about recently are:

- Failure to offer a lease or lease renewal for either a one or two year period.
- Failure to timely (within the 90 to 150 day window period) renew leases, resulting in a delay in obtaining increases.
- Failure to properly compute rent increases, so that Owners lose increases in part, or in full.
- Failure to use proper Preferential rent Riders or failure to continue the preferential rent in subsequent renewals.
- Treating a lease renewal as if the unit were now nonregulated and asking for a rent that can result in an overcharge complaint by the tenant. Remember overcharges are treble the amount.

Some of these lease issues can be negated by using the RSA Lease renewal services.

I have also seen:

- Failure to timely renew liability and fire insurance resulting in no actual coverage on the building.
- Failure to evaluate the actual insurance needs of the building wherein instead of being fully covered in the event of a loss, the Owner is a co-insurer with the insurance company because their coverage is too low. That means any claim is

paid on a pro rata share not the full amount of the loss.

- Go over your coverage immediately with your insurance broker or ask RSA Insurance to assist.
- Allowing a Super or third person to control or manage the building and sometimes finding out new tenants have been allowed to move in OR a tenant has been permitted to use the apartment as an Airbnb type unit.
 - Note, if you hire a superintendent or a professional management company there should be a written agreement.
- Failure to perform the required inspections. Such as boiler, elevator, fire, etc.
- Failure to make the needed repairs to apartments or to maintain the premises as required by law.
- Where there is no superintendent (perhaps a code violation) poor and lacking daily upkeep in the premises.
- Failure to register the rents annually with DHCR or other annual NYC filings not being done. Again RSA can assist with those.

If you're finding it harder to manage your property or you're not sure you have done everything that is required or have any questions your best source is an RSA Counselor. Likewise if you see an elderly friend or family member seemingly struggling with handling their property now is the time to jump in and do what you can to straighten things out so that existing issues are rectified and there are no future issues. ■



Article provided by Howard Stern, Esq., Administrator of the RSA Legal Plan for small property owners, whose is solely responsible for its content, snide and political commentary, and cynicism.

Housing Bills Signed *(Continued From Previous Page...)*

A2258-B/S358-B, an act to amend the general business law in relation to prohibiting the unauthorized installation of certain security devices on residential buildings used to control access to common areas of a residential building without the written permission of the owners, board of managers, board of directors, or authorized party. Full text of the decision can be found by visiting <https://tinyurl.com/3m9n33sa>

Lastly, Senate Bill **S4709A/A7758** authorizes a tax abatement for alterations and improvements to multiple dwellings for

purposes of preserving habitability in affordable housing. This bill replaces the J-51 Program that expired in June of last year, aiming to improve with the new Affordable Housing Rehabilitation Program. Under this act, a new subdivision 21 to section 489 to the Real Property Tax Law (RPTL) authorizes New York City to adopt additional laws to provide property tax abatement benefits for eligible construction that is completed after June 29, 2022 and before June 30, 2026, now referred to as the "Affordable Housing Rehabilitation Program". Full text of the decision can be found by visiting <https://bit.ly/47gEltQ>. ■