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## A Landlord-Friendly Ruling

Rent-stabilized tenants have fought for nearly two years to prevent landlords from raising their rents by \$45. But on March 24, the state's highest court has ruled against them, in a decision that will affect more than 300,000 apartments in the city with rents under \$1,000.

Splitting 5-2, the New York State Court of Appeals overturned lower court rulings and ruled in favor of a 2008 Rent Guidelines Board move to allow small dollar increases on rent for apartments with one-year leases that have been occupied for at least six years. The state's rent-regulation legislation already allows landlords to raise rents on some regulated apartments by 4.5 percent, but landlords have argued that the proportional increase doesn't allow them to keep up with the cost of repairs.

"Landlords will say it was a bit of sanity in a very broken system," said Jeffrey Turkel of prominent real estate law firm Rosenberg & Estis; Mr. Turkel represented the pro-landlord Rent Stabilization Association as an intervener in the case. "We're going to give you relief because those apartments are not keeping current with the cost of running those apartments."

Tenant advocates called it a "poor tax," and the Legal Aid Society and Legal Services NYC filed a lawsuit in 2008 saying the board overstepped its authority. They were unsurprisingly disappointed by today's ruling. "We still believe that the law does not permit the board to punish low-income people as they've been doing for the last couple of years," said legal aid lawyer Ellen B. Davidson.

The decision comes as a blow just as tenant advocates fight to renew and strengthen rent regulation up in Albany. On the other hand, it might help rally support behind the claim that rent laws need to be strengthened to properly protect tenants. —*Laura Kusisto*

*For more of our ongoing coverage of the rent-regulation debate, click on [www.observer.com/term/rent-regulation](http://www.observer.com/term/rent-regulation).*