

Information and Resources for NYC Tenants Impacted by COVID-19
Provided by the Mayor's Office to Protect Tenants

[Eviction Restrictions Protect Most Tenants from Eviction Through May 1st](#)

For more information about how these eviction protections might apply to you, contact the City's Tenant Helpline by calling 311 and saying "Tenant Helpline."

- Under a State law called the COVID-19 Emergency Eviction and Foreclosure Prevention Act, you can prevent your landlord from evicting you if you have lost income or increased expenses during the COVID-19 pandemic or if moving from your home would pose a hardship during the pandemic.
- To be protected under this law, you must sign a "Hardship Declaration" and deliver it to your landlord. **The Hardship Declaration form is available in English and Spanish here: <http://nycourts.gov/covid-eefpa.shtml>**
- **If you sign and deliver the Hardship Declaration, you cannot be evicted from your primary residence pursuant to a pending case, and your landlord may not file a new case to evict you from your primary residence, until at least May 1, 2021. You may proactively complete a Hardship Declaration and return it to your landlord whether or not a case is pending against you.**
 - You are responsible for completing the Hardship Declaration truthfully. The Hardship Declaration allows you to declare hardship if:
 - you have lost significant household income; or
 - you have increased expenses related to health impacts or essential work; or
 - child care or other family care expenses during the pandemic have negatively affected your finances; or
 - you have been unable to obtain meaningful employment because of circumstances relating to COVID-19; or
 - you cannot afford to move or would have difficulty securing alternative housing making it a hardship to relocate to another home during the COVID-19 pandemic
 - vacating and moving would pose a significant health risk due to you or a member of your household being over 65 years old or having a disability or underlying medical condition.
 - If an eviction case is already pending against you or if your landlord wants to start an eviction case against you, the court or your landlord is required to send you a Hardship Declaration. However, you do not need to wait to receive the form. **You may proactively complete a Hardship Declaration and return it to your landlord whether or not a case is pending against you [we will provide a link to the Hardship Declaration when it becomes available].**
 - A Hardship Declaration protects you whether or not your landlord has started an eviction case against you.
 - A Hardship Declaration protects you whether or not a warrant of eviction has issued against you. You may even provide the Hardship Declaration to the officer charged with evicting you.

- A Hardship Declaration protects you whether your landlord is trying to evict you for not paying rent or for any other reason, except causing an ongoing nuisance condition for other tenants or substantial danger to the safety of others.
- For more information about how to access free legal services for tenants in New York City, **contact the City's Tenant Helpline by calling 311 and saying "Tenant Helpline"** or visit HRA's Office of Civil Justice's website at www.nyc.gov/civiljustice.
- Tenants who are protected under this law are still responsible for all required rent, fees, penalties or interest under their lease.
- The COVID-19 Emergency Eviction and Foreclosure Prevention Act expires on May 1, 2021, but key protections under the New York State Tenant Safe Harbor Act may continue even after that date. If you have questions about whether the Tenant Safe Harbor Act may apply to you, or questions about your rights after May 1, 2021, **contact the City's Tenant Helpline by calling 311 and saying "Tenant Helpline."**

Information about the eviction process and Housing Court operations:

- **Eviction cases pending as of December 28 in New York City Housing Court are suspended until at least February 26, 2021. Eviction cases commenced from December 29, 2020 through January 27, 2021 will also be suspended for at least 60 days. If you are a respondent in a pending eviction case, you may not be evicted while your case is suspended.** The suspension applies whether your eviction case is for a claim of non-payment of rent or for any other reason (a holdover eviction proceeding).
- If you are facing a pending eviction case (and are not causing a nuisance or danger to others), **you cannot be evicted until at least May 1, 2021 if you provide a Hardship Declaration** to your landlord, to their attorney or agent, or to the Housing Court. Please see above for more information about how to prepare and submit a Hardship Declaration.
- In order to file an eviction case against you in Housing Court, your landlord must prove and demonstrate in Court that they served you with a Hardship Declaration before starting an eviction proceeding against you.
- If you are facing an eviction case, you can receive free legal assistance through **HRA's Office of Civil Justice** and the City's "right-to-counsel" law. To access these services, call 311 and ask for the "Tenant Helpline" or fill out the Mayor's Office to Protect Tenants' Contact Us form.
- **New York City Housing Court is open for cases to restore you to your apartment if your landlord locks you out without a court order, if you need emergency repairs, or if you need critical services like heat or hot water.** You can start these cases electronically or over the phone and you can appear without coming to a court building. For more information, please visit <http://www.nycourts.gov/> or call 833-503-0447 (toll-free).

**NYS Homes and Community Renewal's Expansion of
COVID-19 Rent Relief Program**
(Information provided by the [Mayor's Office to Protect Tenants](#))

What it is

The New York State Legislature established the **COVID Rent Relief Program** to help households who are experiencing a loss of income during the COVID-19 crisis. This program will provide eligible households with a one-time rental subsidy that will be sent directly to the household's landlord. Applicants will not need to repay this assistance. Households can apply for up to four months of rental assistance. The program will not cover the entire rent but will provide funding to cover a portion of the rent for low-income New Yorkers who have experienced income loss.

Who Qualifies?

To qualify for this one-time subsidy, renters impacted by the pandemic must meet all the following criteria:

- Must be a renter and have a primary residence in New York State;
- Must have lost income during the period from April 1, 2020 to July 31, 2020;
- Before March 7, 2020, household income must have been at or below 80 percent of the Area Median Income, adjusted for household size; (Applicants can find their county's area median income, based on household size on the [HCR website](#)) and
- Households must have been "rent burdened" (a tenant's total contractual rent must be greater than 30% of their household's before-tax income) during the months for which they are applying for assistance between April 1, 2020 to July 31, 2020.

Eligibility requirements for the COVID Rent Relief Program have changed. Households no longer need to have been considered "rent burdened" **prior** to the pandemic in order to qualify. "Rent burden" is defined as paying more than 30% of monthly gross (pre-tax) income toward rent.

You are not eligible for the program if you:

- Live in public housing (NYCHA)
- Receive a Section 8 voucher

If you live in public housing or receive a Section 8 voucher and your total household income has decreased, you should contact NYCHA or your voucher administrator to request an Interim Recertification.

Subsidy Calculation

Eligible households can receive a one-time rent subsidy that covers the **difference** between their "rent burden" on March 1, 2020 and their "rent burden" for the months they are applying for assistance. For applicants who were not considered rent burdened on March 1, 2020, the subsidy will be calculated to bring them to the 30 percent rent burden threshold. Households may apply for 1-4 months of assistance during the period from April to July. This one-time subsidy is paid directly to the resident's landlord.

Rent burden is the amount of monthly contractual rent that exceeds 30% of gross household income (total pay before taxes).

Example: Prior to the COVID-19 pandemic, a household's total monthly income was \$3,000 and their monthly rent was \$700. The household was paying 23% of their monthly income toward rent. This household was not rent-burdened prior to COVID. However, due to COVID, their work hours were reduced and their monthly income decreased to \$1,400 during the coverage period while their rent remained the same at \$700. This household was paying 50% ($\$700/\$1,400$) of their monthly income toward rent during the coverage period.

This household would be eligible for a subsidy that covers the increase in their rent burden in excess of 30%. Under this program, the maximum rent burden threshold based on their reduced income during the coverage period would be calculated as $\$1,400(\text{income}) \times 30\% = \420 (maximum rent payment). $\$700$ (total rent) - $\$420$ (maximum rent payment) = $\$280$ (subsidy from this program). The $\$280$ in subsidy from the program would reduce this household's rent burden to 30% for each month they apply for assistance for up to four months.

How to Apply

Applications for COVID Rent Relief Program Available Online at <https://hcr.ny.gov/RRP>. The deadline to submit your COVID Rent Relief Program application is **February 1, 2021**.

Previous Applicants **Do Not** Have to Reapply to Receive Consideration.

For Help Applying

Residents who need help or have questions about their application can contact HCR's COVID Rent Relief Program Call Center for assistance at **833-499-0318** or covidrentrelief@hcr.ny.gov. Call Center representatives are available Monday-Friday 8:30 a.m. until 5 p.m.

You can also **call 311** and ask for the "**Tenant Helpline**" to be connected with tenant support specialists who can help you navigate the application process.

For More Information

We expect this program to be codified in an Executive Order from the Governor, thus the information is subject to change. Please visit <https://hcr.ny.gov/rrp> for more information.