Â

Over the past month, the state and city legislatures have passed laws, and the courts have issued decisions, on lead paint, rent regulation and homeless shelters that could alter the housing rights of many New Yorkers.

Homeless Shelter Requirements

In 1981, a court decree mandated that New York City provide shelter to anyone who needed it. The city has since sought to define more precisely and, in some ways, to limit this duty. Their efforts have often conflicted with the demands of advocates for the homeless.

On the issue of shelter eligibility requirements for homeless single adults, a state appellate court recently ruled in favor of the city. The court decided that the Department of Homeless Services can ask shelter seekers to submit to financial and psychological assessments and can expect them to cooperate with therapies that will help them become self-sufficient. Homeless adults must also look for and accept placement in permanent housing when possible. Those who do not comply could be evicted from the shelter system.

The court ruled that the city can establish " reasonable standards to ensure that homeless individuals be required to take steps to achieve self-sufficiency and to reduce their reliance on temporary shelter."

The city had argued that disruptive and uncooperative behavior made shelters dangerous and scared other eligible adults away. But advocates for the homeless have said that harsh rules would force the most dysfunctional adults out of the shelter system and onto the streets.

Keeping the Regulations, But Not The Rent

Tenants in rent-regulated apartments recently got word that their rents can go up 4.5 percent for one-year leases, or 7.5 percent for two-year leases, for lease renewals on or after October 1.

The city's Rent Guidelines Board dropped a percentage point apiece off of their preliminary proposal for rent increase allowances of 5.5 and 8.5 percent, to the disappointment of landlords who claimed their costs had been soaring. Tenants had countered that their apartments were becoming unaffordable, and while they were grateful for the board's decision to lower the proposed increases, they still raged against the highest allowable increases since 1989.

The board also announced the allowable increases for leases of loft tenants and those who occupy single-room occupancy buildings.

Just days after the Rent Guidelines Board reached its decision, the state legislature weighed in on the long-term prospects for rent regulation. The 1997 rent regulations expired on June 15th, and after long nights of negotiation that went nowhere, and a number of short-term extensions of the laws, the legislature agreed to extend the laws without major changes through 2011.

The Republican-led State Senate had the upper hand in the negotiations, forcing the Democrat-heavy State Assembly to either sign onto their bill, or allow rent regulation to evaporate entirely. While (as Gotham Gazette has written) tenant advocates had been hoping for alterations to the 1997 laws that would have saved apartments from deregulation once their maximum allowable rent reached $2000 per month, that provision remained. Tenants decried the decision, and said that it would lead to the deregulation of hundreds of thousands of apartments over the next ten years. Apartments have been leaving regulation, and will continue to do so, due to the high rent vacancy provision, though the exact pace of the change is hard to pin down.

Lead Laws

Tenants finally won one fight, when in early July, the State Court of Appeals invalidated a city law that required the removal of lead paint in apartments housing children aged five or younger. That 1999 law was very controversial (as Gotham Gazette has written), having replaced an

earlier law that required lead paint removal if apartments had children aged 6 or younger. The court's decision reinstated the earlier law, and wider protections for young children in homes filled with lead paint.

Lead from paint can cause numerous health problems in all people, but especially in young children. For them, lead exposure has been linked to damage to the brain and nervous system, behavior and learning problems, slowed growth, hearing problems, and headaches.

Other possible legislative changes to housing in New York City will probably not materialize until after a summer hiatus. That is a good thing, because many New Yorkers may need some time to come to terms with the recent alterations to the rules that govern the way we live.