



CITY OF NEW YORK

**MANHATTAN COMMUNITY BOARD No. 4**

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**J. LEE COMPTON**  
Chair

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## **Resolution on Restoration of Home Rule Over New York City Rent and Eviction Laws**

**Whereas**, New York City should have the power, through its duly elected mayor and duly elected City Council, to determine the shape and scope of its rent and eviction regulation laws; and

**Whereas**, New York City had such home rule power prior to 1971, and using that power enacted both the City Rent and Rehabilitation Law (city rent control) of 1962 and the Rent Stabilization Law of 1969; and

**Whereas**, the New York State Legislature and Governor Nelson A. Rockefeller enacted legislation in 1971 - known as the Urstadt Law, named for Rockefeller's housing commissioner Charles J. Urstadt - that severely curtailed the City's home rule powers by prohibiting enactment of laws or regulations to strengthen the city's rent laws but allowing enactment of laws or regulations to weaken city rent laws; and

**Whereas**, the New York State Legislature and Governor George E. Pataki tightened the Urstadt Law in 2003 by prohibiting the City Council and Mayor from enacting any law or regulation affecting rents and evictions, except for periodic renewal of the city rent laws and decontrol of classes of housing; and

**Whereas**, the New York City Council passed a resolution in 2003, and a home rule message in 2005, calling on the State Legislature and the Governor to repeal the Urstadt Law and restore home rule powers over rents and evictions to the duly elected New York City officials; and

**Whereas**, the New York State Assembly has, for the past 12 years, passed a bill to repeal the Urstadt Law and restore home rule powers over its rent laws to the City of New York; and

**Whereas**, the leadership of the New York State Senate has refused to allow bills to repeal the Urstadt Law to be released from committee and thus allow such bills to be debated by the members of the Senate; and

**Whereas**, the stock of rent-controlled and rent-stabilized housing constitutes the largest and most important stock of affordable rental housing in New York City, with one of every three residents living in these apartments; and

**Whereas**, this stock of affordable housing is being constantly reduced by various decontrol amendments enacted by the New York State Legislature and the New York City Council over the past twelve years, the most harmful of which has been high rent vacancy decontrol, allowing the permanent deregulation of vacant rent-regulated units when the legal rent reaches \$2000 per month; and

**Whereas**, credible analyses of the impact of these decontrol mechanisms have shown that at a minimum the City of New York has lost 200,000 affordable apartments over the past decade, as rent-regulated apartments are converted on vacancy to deregulated, free market units; and

**Whereas**; credible analyses of the impact of these decontrol mechanisms have shown that the pace of vacancy decontrol has accelerated; and

**Whereas**, there is an urgent need for government to review and evaluate the shape and scope of rent and eviction regulation laws in New York City; and

**Whereas**, this process of review and evaluation is a proper concern for the duly elected officials of New York City;

**Now, therefore be it resolved that** Manhattan Community Board No. 4 calls on the New York State Legislature and Governor to enact legislation to repeal the Urstadt Law and restore home rule powers to the Mayor and New York City Council, and calls on the Mayor of New York City to make enactment of this legislation a top priority for the City of New York.

*Adopted by Manhattan Community Board No. 4 on November 2, 2005.*