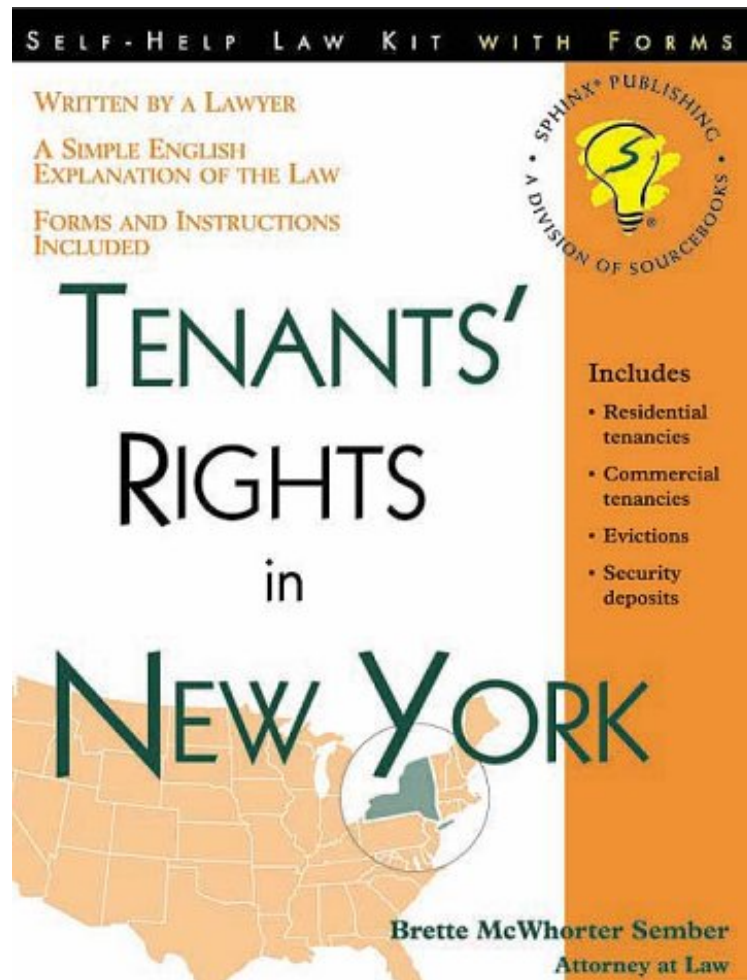


Tenants' Rights in New York

Brette McWhorter Sember

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Thousands of New York tenants are taken to court each year by their landlords and many more give up valuable rights because they don't know what their legal rights are. This book explains in simple language what the legal rights of tenants are and how they can protect those rights. *Tenants' Rights in New York* explains New York's landlord/tenant laws in simple language so you can protect your rights and your investment. This book thoroughly explains what to do and how to do it, with forms, flowcharts and examples from actual cases. Complete with step-by-step instructions and the forms you need, this book can significantly reduce your costs and potential liability as a landlord. It explains and gives guidelines for: Security deposits Evictions Leases Assignments and subleases Discrimination Repair and maintenance Pets Privacy Using Self-Help Law Books Introduction

Chapter 1: General Considerations Relationships Dealing with Your Landlord Dealing with a Manager Dealing with Other Tenants Dealing with Roommates Chapter 2: Laws and Regulations that Apply to Rentals New York Landlord/Tenant Laws New York State Laws Local Laws Federal Laws Condominium and Co-op Rules Deed Restrictions Legal Research Obtaining Assistance Chapter 3: Beginning the Landlord/Tenant Relationship The Application Process Your Credit Report Discrimination Home Businesses Pets Inspecting the Unit Chapter 4: Rent Regulation Rules that Apply to Rent Laws Limiting Rent Rent Control Rent Stabilization Lofts Single Room Occupancies Chapter 5: The Rental Agreement Leases and Rental Agreements Oral and Written Leases Length of the Lease or Agreement Lease Provisions Problems with the Lease Negotiating a Lease Inspecting the Unit How to Get out of a Lease Options Chapter 6: Your Security Deposit Landlord's Method of Holding Notice Interest Getting Your Deposit Back Special Rules Chapter 7: Maintenance and Repairs Landlord's Responsibilities for Maintenance and Repairs Single Family Homes and Duplexes Warranty of Habitability Lead Carbon Monoxide Asbestos Radon Getting Things Fixed Tenant's Responsibilities for Maintenance Improvements by Tenants Chapter 8: Injuries on the Premises Landlords' Liability Landlord Liability for Actions by Tenants Strict Liability Tenants' Liability Chapter 9: Changes during Lease Period Assignments Subleases Roommates Lease Succession Sale or Foreclosure of the Property Changes to the Lease Chapter 10: Problems during Your Tenancy Landlords' Access to Your Unit Retaliatory Conduct by the Landlord Bad Checks Damage to the Premises Death of a Tenant Destruction of the Premises Vacating Early Problems with Other Tenants Neighborhood Problems Chapter 11: Tenant Organization Forming a Tenant Organization Rent Strikes Chapter 12: End of the Tenancy The End of Your Tenancy Damage to the Premises Holding over Tenancies with No Specific Term Early Termination by Tenant Early Termination by Landlord Employment Rentals Options to Cancel a Lease Special Rules for Public Housing Death of a Tenant Chapter 13: Evictions Getting a Lawyer Self-Help by Landlord Surrender or Abandonment Nonpayment Proceeding Holdover Proceeding Courtroom Procedures Your Possible Defenses Your Possible Counterclaims Your Answer Court Appearances Trial Court Personnel Mediation Stipulation Warrant of Eviction Staying the Eviction Yellowstone Injunctions Money Damages and Back Rent Motion for Rehearing Your Appeal Bankruptcy Landlord's Appeal Chapter 14: Self-Service Storage Chapter 15: Mobile Home Owner's Rights Appendix A: New York Statutes Appendix B: Eviction Flowcharts and Legal Holidays Appendix C: Forms Index

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From the Author This is the tenant's guidebook to coping with renting or leasing in New York state. The book not only offers tips for exercising your rights under New York law, but talks about how to communicate with your landlord to get what you want. The book refers directly to provisions in New York law and explains how they impact your life and your rights. It also contains New York City specific information, where the regulations are different. This is a resource guide that lists phone numbers and contact addresses for New York agencies. This book will guide you through the maze you often face as a tenant and tell you where to get help and how to help yourself.

About the Author Brette McWhorter Sember received her B.A. and J.D. from the State University of New York at Buffalo. She practiced law in western New York and gave up her busy practice to write self-help law books and to become a successful freelance writer. She lives with her family in Clarence, New York. Mark Warda received his B.A. from the University of Illinois in Chicago and his J.D. from the University of Illinois in Champaign He practiced law in Clearwater, Florida, then gave up a busy practice to publish self-help law books. He has written and co-authored more than sixty books, including *Land Trusts in Florida* and *How to Negotiate Real Estate Contracts*.