

Legal Alert: DHCR Issues Advisory Opinion 2020-8 Novel Coronavirus (COVID-19) Guidance

October 7, 2020

Please be advised that the New York State Division of Housing and Community Renewal (DHCR) has issued Advisory Opinion 2020-8. This Advisory Opinion provides that all extensions previously granted by Advisory Opinions 2020-1, 2020-1.2, 2020-2, 2020-3, 2020-4, 2020-6 and 2020-7 have been extended by an additional 30-days to November 3, 2020. This latest advisory opinion can be found [here](#):

This Advisory Opinion was issued despite the fact that DHCR's Gertz Plaza Office of Rent Administration has re-opened.

The critical points of this Advisory Opinion that will likely impact you, are as follows:

- All Agency matters that are not final as of March 13, 2020, or do not involve an emergency condition or harassment, are extended, for the purposes of filing submissions, by **an additional thirty (30) days to November 3, 2020**.
- Any time to otherwise file what would have been, as of the effective date of DHCR's Advisory Opinion, a timely Petition for Administrative Review (PAR) from an order of a Rent Administrator is likewise extended by **thirty (30) days to November 3, 2020**.
- **Unless TPU otherwise expressly requests a response after the issuance of this Advisory opinion**, any time provided to respond to an individualized TPU investigation into a single apartment review **will also be extended by thirty (30) days to November 3, 2020**.
- **Unless otherwise advised**, all Agency hearings, conferences, and continuances of those hearings and conferences **have resumed on an alternate schedule**. Parties will be advised of any subsequent changes or a rescheduled date, if necessary, which may include alternate means to hold those hearings and conferences.
- Public requests for documents under the Freedom of Information Law (FOIL) may continue to be filed online at openfoil.ny.gov. All records access requests, by owners, tenants, and authorized representatives, may continue to be filed through email at ORAreCORDS@nyshcr.org **but not in person**.

DHCR recognizes that the COVID-19 pandemic continues to be an evolving situation, and may issue further supplemental guidance regarding the aforementioned directives.

As always, we will keep you apprised of future developments as they arise.