

Alert: New Landlord Rental Assistance Program Implemented By New York State

October 7, 2021

Beginning today, the New York State Office of Temporary and Disability Assistance (“OTDA”) has created a new program for landlords called The New York State Landlord Rental Assistance Program (“LRAP”). This program provides rental assistance for landlords whose tenants are unwilling to apply for the Emergency Rental Assistance Program (“ERAP”), or where the tenant vacated the apartment still owing rent. Landlords can apply [here](#).

Landlords who rent out units located in New York State are eligible for LRAP if they meet the following criteria:

- Landlord has a tenant who:
 - vacated an apartment in New York State with unpaid rental arrears;
or
 - is residing in an apartment in New York State who refuses to apply for ERAP and the landlord has reached out to said tenant to encourage participation in ERAP at least 3 times, including 2 in writing.
- Unit rental amount is at or below 150% of the Fair Market Rent (“FMR”) for their location. These limits are based on county and number of bedrooms of the rental unit. Please note that if the monthly rental amount exceeds 150 percent of the FMR, the landlord will be ineligible for assistance. To check the FMR for your county, go here: [FMR by County](#).
- The landlord has documented rental arrears owed for the tenant at their residence for rent costs accrued on or after March 1, 2020. LRAP will not pay for future rental assistance or utility arrears.

There are no citizenship or immigration status requirements to qualify for the program.

For the first 45 days of the program, priority will be given to landlords who own a building with 20 or fewer units. After the first 45 days, applications for all eligible landlords will be processed on a first-come, first-served basis, as long as funds are available.

Consistent with the ERAP program, landlords/owners of units where the current or former tenant household’s rent is limited to a percentage of household income may apply for assistance, but the application will not be assessed for eligibility until all other applications have been considered and will receive assistance only to the extent funds remain available.

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A T T O R N E Y S A T L A W

Note that by accepting LRAP funds on behalf of a tenant who still remains in the unit, the landlord will not be able to evict said tenant for reason of expired lease or holdover tenancy for one year from the receipt of the LRAP payment. An exception to this requirement shall be made if the dwelling unit contains four or fewer units and the property owner or owner's immediate family members intend to immediately occupy the unit for use as a primary residence.

We will continue to update you as more information becomes available on this program, but we encourage all clients who qualify to begin your LRAP applications as soon as possible. Should you have any questions, please contact one of our attorneys.