

Legal Alert: DHCR Issues Advisory Opinion 2020-1 Novel Coronavirus (COVID-19) Guidance

March 16, 2020

In response to Governor Cuomo's directive to take every effort to keep New Yorkers safe and mitigate the spread of COVID-19, the novel coronavirus, the New York State Division of Housing and Community Renewal (DHCR) has closed their offices for two-weeks beginning March 16, 2020. This has effectively precluded all in person and mail filings for both tenant and owner applications, responses and submissions. Online filings and applications will continue to be processed. As a result, DHCR has issued Advisory Opinion 2020-1 "Novel Coronavirus (COVID-19) Guidance," which is available at:

<https://hcr.ny.gov/system/files/documents/2020/03/advisory-op-2020-1-final-version.pdf>.

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 thirty (30) days.
- 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 extended by thirty (30) days.
- Any time provided to respond to an individualized TPU investigation into a single apartment review will be extended by thirty (30) days, unless TPU otherwise expressly requests a response after the issuance of DHCR's Advisory opinion.
- All Agency hearings, conferences, and continuances of those hearings and conferences are postponed. Parties will be advised of the rescheduled date.

As the COVID-19 pandemic is an evolving situation, updates and modifications to DHCR's Advisory Opinion may be made as needed and posted on DHCR's website.

We will keep you apprised of future developments as they arise.