



Legal Alert: DHCR Issues "Notice of Delinquency" for Missing Annual Registrations

August 16, 2024

The amendments to the Rent Stabilization Law signed into effect by the Governor on December 22, 2023, provided for a significantly enhanced monetary penalty for the failure to timely file annual registrations with the New York State Division of Housing and Community Renewal ("DHCR").

DHCR has started to issue and serve owners of rent stabilized buildings with a "Notice of Delinquency - Registration" where the building is missing annual registration filings. The notice provides that the owner is required to immediately: (1) register the building and/or apartments with DHCR reflecting the rent regulated status and the lawful rent as of April 1st for each rental unit using DHCR's online portal; and (2) serve the tenants of each unit a copy of their apartment registration form. Failure to file the delinquent registrations will result in a Commissioner's Order (appealable only by way of Article 78) imposing a fine of \$500 per unregistered unit for each month the registration is delinquent.

The notice provides a 21-day cure period from the date of mailing to file the delinquent registrations or to respond to the notice with evidence that the registrations have been submitted or are not required to be submitted.

It is critical that owners of rent regulated buildings check their annual registrations, and ensure that all rent stabilized units are properly registered with DHCR through the 2024 filing period. If you have questions regarding your annual registrations filed with DHCR or this notice, please do not hesitate to contact the Administrative Law Department.