



Legal Alert: NY Senate Passes Bill Expanding Retroactive DHCR Rent Reductions

May 19, 2026

The New York State Senate has passed [S9908A](#), legislation that would expand the retroactive application of New York State Division of Housing and Community Renewal (“DHCR”) rent reduction orders in service reduction proceedings.

If enacted, the bill would require DHCR to calculate rent reductions from the date a reduction in required services allegedly commenced—rather than from the date DHCR serves the complaint on the owner. Currently, delays between a tenant’s filing and DHCR’s processing of the complaint may limit the retroactive effect of rent reduction orders. The bill seeks to eliminate that gap by tying rent reductions to the alleged inception of the condition.

The legislation is likely to increase owners’ retroactive exposure in proceedings involving alleged failures to maintain required services, including heat, hot water, elevator service, repairs, and other building conditions—particularly where administrative delays postpone DHCR’s processing and service of tenant complaints.

The bill further underscores the importance of maintaining thorough documentation concerning complaint receipt, repair efforts, access attempts, and restoration timelines.

The bill has passed the New York State Senate. It is currently pending before the Assembly. If passed, the bill will then be delivered to Governor Kathy Hochul for consideration. We will continue to monitor developments and provide updates as they become available