

## New York State Tenants Rights [https://ag.ny.gov/sites/default/files/tenants\\_rights.pdf](https://ag.ny.gov/sites/default/files/tenants_rights.pdf)

**Below are some of the issues that are addressed in the Tenants Rights Guide.**

**Important:** A tenant can be legally evicted only after the landlord has brought a court proceeding and has obtained a judgment of possession, and only a sheriff, marshal or constable can carry out a court ordered warrant to evict a tenant. Landlords may not take the law into their own hands and evict a tenant by use of force or unlawful means. For example, a landlord cannot use threats of violence, remove a tenant's possessions, lock the tenant out of the apartment, or willfully discontinue essential services such as water or heat. When a tenant is evicted, the landlord must give the tenant a reasonable amount of time to remove all belongings; the landlord may not retain the tenant's personal belongings or furniture (RPAPL §749; Real Property Law § 235). *A tenant evicted from an apartment in a forcible or unlawful manner is entitled to recover triple damages in a legal action against the landlord.*

**Retaliation** Landlords are prohibited from harassing or retaliating against tenants who exercise their rights. For example, landlords may not seek to evict tenants solely because tenants (a) make good faith complaints to a government agency regarding violations of any health or safety laws; (b) take good faith actions to protect their rights under the lease; or (c) participate in tenant organizations. Tenants may collect damages from landlords who violate this law, which applies to all rentals except owner-occupied dwellings with fewer than four units (Real Property Law § 223-b).

**Harassment** A landlord is prohibited from any action intended to force a tenant out of an apartment or to compel a tenant to give up any rights granted the tenant by law. No landlord, or any party acting on the landlord's behalf, may interfere with the tenant's privacy, comfort, or quiet enjoyment of the apartment. Harassment may take the form of physical or verbal abuse, willful denial of services, or multiple instances of frivolous litigation. If a landlord lies or deliberately misrepresents the law to a tenant, this may also constitute harassment.

**Heating Season** Heat must be supplied from October 1 through May 31 to tenants in multiple dwellings. If the outdoor temperature falls below 55°F between the hours of six a.m. and ten p.m., each apartment must be heated to a temperature of at least 68°F. If the outdoor temperature falls below 40°F between the hours of ten p.m. and six a.m., each apartment must be heated to a temperature of at least 55°F (Multiple Dwelling Law § 79; Multiple Residence Law § 173; NYC Admin. Code § 27-2029).

**Hot Water** Landlords must provide all tenants of multiple dwellings with both hot and cold water. Hot water must register at or above a constant temperature of 120 degrees at the tap. If a tub or shower is equipped with an anti-scald valve that prevents the hot water temperature from exceeding 120 degrees, the minimum hot water temperature for that tub or shower is 110 degrees (Multiple Dwelling Law § 75; Multiple Residence Law § 170; NYC Admin. Code § 27-2031).