



JAMES G. DIBBINI
& ASSOCIATES, P.C.
Attorneys At Law
TRUST. COMMITMENT. INTEGRITY.



□ **DHCR Tenant Complaints on the Rise: Are You Prepared?**

At James G. Dibbini & Associates, P.C., we are seeing a notable increase in complaints filed by tenants with the New York State Division of Housing and Community Renewal (DHCR). A growing number of these complaints involve allegations of failure to renew a lease or illegal rent increases.

This trend signals an urgent need for vigilant recordkeeping and compliance readiness for all property owners and landlords operating under rent stabilization laws.

□ **Why Are Complaints Increasing?**

The rise in DHCR complaints stems from:

- Tenant awareness of rent overcharge protections.
- Scrutiny over improvements used to justify rent increases.
- Recent regulatory changes, including NYS DHCR [Operational Bulletin 2024-2](#).
- Activist and legal aid organizations encouraging tenants to file challenges.

These factors are prompting deeper investigations by DHCR, especially into rent histories and the legitimacy of IAIs and MCIs.

□ **What Records Should You Maintain?**

To defend against tenant complaints and justify lawful rent increases, landlords must be prepared to produce comprehensive records dating back to no later than 2015, including:

- □ Leases for all tenants.
- □ Rent ledgers and payment history.
- □ IAI-related documentation:
 - Contracts with licensed contractors.
 - Invoices and itemized receipts.
 - Cancelled checks showing payment.
 - Work permits, inspection reports, and certificates of completion.
 - Before-and-after photographs of work done.
- □ MCI-related documentation:
 - Proof of building-wide improvements.
 - DHCR-approved applications.
 - Engineering or architectural certifications, if applicable.

These documents serve as your main defense in the event of a tenant's rent overcharge complaint or challenge to a rent increase.

⚖️ Risks of Incomplete Documentation

If a landlord cannot produce proper documentation upon DHCR request, the agency may:

- Disallow the claimed rent increases.
- Roll back the legal rent to the base date.
- Impose treble damages—tripling the amount owed to the tenant.

This can lead to tens of thousands of dollars in liability, including refunds and penalties.

☐ How We Can Help

Our firm is prepared to assist you with:

- Conducting a compliance audit of your current records.
- Preparing responses to active DHCR complaints.
- Advising on best practices for tenant communication and lease documentation.

☐ Contact Us

If you receive a DHCR complaint or simply want to ensure your property is fully compliant, contact us today to schedule a consultation. Protect your investment by staying ahead of enforcement trends. Feel free to contact James at 914-240-8270 or jdibbini@dibbinilaw.com.

The attorneys at James G. Dibbini & Associates, P.C. collectively have over 70 years of experience providing legal services in the areas of:

- [Landlord & Tenant Law](#)
- [DHCR Representation](#)
- [Business Formations](#)
- [Commercial & Residential Real Estate Closings](#)
- [General Business Law](#)
- [Civil Litigation](#)
- [Zoning Issues and Variances](#)
- [Housing and Building Code Violation Matters](#)
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