

New York City Council
Julie Won
Council Member Julie Won

Office of Council Member Julie Won
37-04 Queens Boulevard, Suite 205
Long Island City, NY 11101
(718) 383-9566
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For residents impacted by the Sunnyside fire on December 20, 2023

If you are a tenant living at 43-09 47 Avenue, Sunnyside, and you want to work together to address repairs or have questions about your tenancy rights:

- Call the [Housing Justice Unit-Group](#) Advocacy helpline at (212) 577-7988, Monday to Friday from 10 a.m. to 4 p.m.
- Email Patrick Langhenry at the Legal Aid Society's Queens Neighborhood Office at pjlanghenry@legalaid.org.

Please note that the Red Cross is at Sunnyside Community Services at 43-31 39th St. They will help you obtain emergency housing.

The [Homeless Rights Project](#) can help displaced tenants who are having trouble with the HPD or DHS shelter systems. You can call the helpline at 800-649-9125, Monday to Friday from 10 a.m. to 3 p.m.

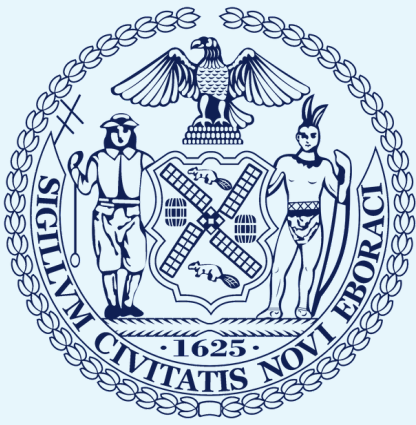
- You have rights while you are staying in a city shelter.
- Families have a right to be sheltered together. Family members need to show they were living at the vacated address (two documents with the address).
- If you or a family member has a disability you have the right to a reasonable accommodation in a shelter. This can include a service animal or emotional support animal with the necessary documentation. <https://legalaidnyc.org/get-help/housing-problems/what-you-need-to-know-about-service-animals-emotional-support-animals-in-shelter/>
- If you speak a language other than English, you have a right to request an interpreter and you have a right to some documents in your preferred language. <https://legalaidnyc.org/get-help/housing-problems/what-you-need-to-know-about-requesting-language-access-services/>

Frequently Asked Questions

- **Do I need to keep paying rent?** If you are the Rent Stabilized leaseholder, you should immediately file an Application for A Rent Reduction Based Upon Decreased Service(s) - Individual Apartment (Form RA-81). DHCR will reduce your rent to \$1 and you will pay that amount until you are authorized to return to the apartment.
 - <https://hcr.ny.gov/system/files/documents/2022/10/ra-81-fillable.pdf>
 - <https://hcr.ny.gov/system/files/documents/2023/11/fact-sheet-14-11-2023.pdf>
- If you are not subject to rent regulation, rent payment will be governed by the terms of your lease. If it is not, you will need to negotiate with the landlord or have a court decide.



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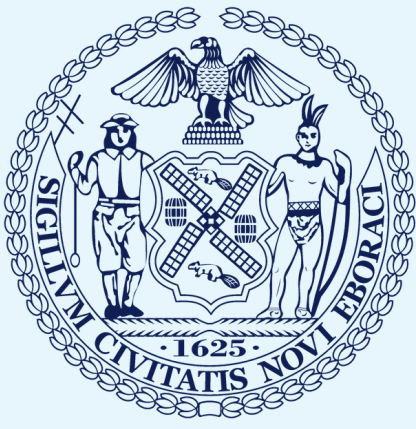


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- **My belongings are destroyed, does the landlord have to cover my losses?** Unfortunately, usually no - they may be willing to negotiate and offer you something to settle your claim and compensate you for your loss, but otherwise you will have to sue them and prove that the landlord was negligent. You will have to find a private attorney to represent you in a damages case or file a claim in small claims court if your claim is for \$10,000 or less. To prove that a landlord was negligent you will have to show that:
 - The landlord knew or should have known about the safety hazard.
 - That the harm caused was foreseeable.
 - That the landlord had a reasonable opportunity to take corrective action.
 - The landlord failed to take reasonable corrective action which caused you harm.
- **How can I access my belongings?**
 - For access or any concerns about your tenancy, contact your landlord or an attorney to help arrange access dates.
- **Does the landlord have to protect my belongings?**
 - The landlord is responsible for safeguarding the building and its contents. Tenants should make a detailed inventory of their belongings in the apartment and collect receipts, pictures, and videos of the items where possible.
 - See above regarding destroyed/missing items.
- **Can I sue the landlord? Yes.**
 - You can file an HPD case in Housing Court or a case in the State Supreme Court for repairs and harassment. The Legal Aid Society can help you with a case about repairs.
 - You can also file a claim for negligence and damages.
- **Do I have a right to return?**
 - For Rent Stabilized tenants who are on the lease or have a succession claim, yes. You should file an Application For A Rent Reduction Based Upon Decreased Service(s) - Individual Apartment (Form RA-81) with DHCR. (See above)
 - You should file this as soon as possible.
 - For subletters and other occupants, it is more complicated. You should speak individually to an attorney.



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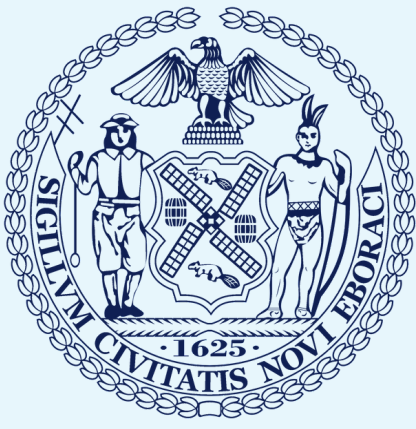


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- **Can I break my lease, or will there be consequences?** You can break your lease if your apartment is uninhabitable. The DOB vacate order in this case should be a basis for breaking your lease if you want to.
 - If you have your lease, check to see if there is language about breaking the lease.
 - Talk to your landlord about breaking the lease and if they agree, get an agreement in writing.
 - If the landlord will not agree then you need to put your statement to the landlord in writing that you are breaking the lease and why.
 - <https://legalaidnyc.org/get-help/housing-problems/what-you-need-to-know-about-breaking-your-lease/>
- **How can I find a new apartment?** Unfortunately, there are few resources to help tenants find new apartments. HPD has an advice sheet for finding a new apartment.
 - <https://www.nyc.gov/site/hpd/services-and-information/apartment-hunting-tips.page#>
 - <https://nyhousingsearch.gov/>
 - <https://housingconnect.nyc.gov/PublicWeb/>
 - Section 8 voucher holders can go to [AffordableHousing.com](https://www.affordablehousing.com/)
 - Apartment locator websites such as StreetEasy, Zillow, Apartments.com, ApartmentFinder.com, etc.
- **What rights do undocumented residents have?**
 - Undocumented tenants who are rent-stabilized leaseholders have the same right to a reduction in their rent and right of return as any other leaseholder.
 - Undocumented tenants also have the same rights to shelter.
 - Undocumented tenants may have more limited rights to public benefits.
 - If you have members of your household who are documented or who are US citizens, those household members may be eligible for benefits.
 - If we have a summary of immigration-related benefits that would be useful.
- **Resources for mental health and wellbeing:**
 - You may have access to such care through your health insurance. Otherwise, the city does have some resources for people who are uninsured.
 - Mental Health Services 1-800-LIFENET is a confidential, toll-free helpline for New York City residents. The hotline's staff of mental health professionals helps callers find the most appropriate mental health and substance abuse services for their needs. This line is operated by the Mental Health Association of New York City in partnership with the Department of Health and Mental Hygiene.



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- LIFENET operates 24 hours per day/7 days per week and offers separate toll lines for Spanish, Mandarin, Cantonese, and Korean:
 - Spanish speakers: 1-877-298-3373
 - Mandarin, Cantonese, and Korean speakers: 1-877-990-8585
- Community Health Centers also provide mental health care on a sliding fee scale. Centers vary in the range of services provided. Please contact the center in which you are interested to verify if mental health services are offered as well as location and hours of operation. https://www.chcanys.org/?src=directory&view=Membership_Directory&srctype=hc_map_layout
- **If uninsured how can residents receive medical support?** The City has a list of resources for free or low-cost healthcare resources.
 - <https://www.nyc.gov/site/ochia/coverage-care/low-cost-care.page#>
- **Does the landlord cover health care expenses?** Usually, they do not unless you prevail in a lawsuit against them for negligence.
- **How can we file a class action? Who can we sue?** You should speak to a private attorney about filing a class action and deciding who to sue. You may have claims against the landlord, their contractors or engineers, or the City of New York. To talk to a private lawyer, you can seek a referral from either the Bronx County Bar Association or the New York City Bar Association, (see below). If you are going to sue the city, you must file a notice of claim against the city within **90 days** of the occurrence.
 - New York City Bar Association Attorney Referral Service:
 - <https://www.nycbar.org/get-legal-help/>
 - Call **212-626-7373** or request a lawyer online (**en Español 212-626-7374**)



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