



**Department of Finance**

**Preston Niblack, Commissioner**

# **ANNUAL REPORT**

The SCRIE and DRIE Ombudspersons  
New York City Rent Freeze Program

The NYC Office of the Taxpayer Advocate

October 1, 2023

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# **New York City Office of the Taxpayer Advocate**

## **The SCRIE and DRIE Ombudspersons Fiscal Year 2023 Annual Report (Reporting Period: July 1, 2022 – June 30, 2023)**

### **Executive Summary**

The Senior Citizen Rent Increase Exemption (SCRIE) ombudsperson and Disability Rent Increase Exemption (DRIE) ombudsperson positions were created by the New York City Council in 2015 to investigate and address issues concerning the Rent Freeze Program.<sup>1</sup> The ombudspersons are situated within the Office of the Taxpayer Advocate (OTA) in the Department of Finance (DOF). As part of their duties, the ombudspersons provide data regarding their work at the end of each fiscal year and make annual recommendations to the commissioner of DOF regarding Rent Freeze Program operations. In the following pages, the ombudspersons deliver their eighth annual report on the New York City Rent Freeze Program. This report covers the period beginning July 1, 2022, and ending June 30, 2023.<sup>2</sup>

During the reporting period, New York City transitioned from pandemic conditions, prompting the Rent Freeze Program to recalibrate its operations. With the reopening of management offices and the cessation of the eviction moratorium, the program saw a sharp escalation in activities, ranging from application volumes to inquiries about benefit status.

Within the Department of Finance, there was a transition from special pandemic procedures back to standard renewal requirements and deadlines. This shift led to a pronounced rise in processing tasks and communication demands on all operational and customer service staff within the program.<sup>3</sup> Many tenants reaching out to the ombudspersons highlighted their dependence on the Rent Freeze Program and expressed concerns about its extended processing and response times. Caseworkers, pro bono attorneys, and other tenant advocates felt that the availability of program information did not meet the heightened interest and urgency of the moment.

This year's recommendations are geared toward eliminating barriers and delays for both applicants and DOF staff during the application and renewal processes, with a particular emphasis on improving access to benefit status details. All recommendations align with DOF's ongoing commitment to ensure that the Rent Freeze Program remains a fair and reliable resource for qualifying New Yorkers.

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<sup>1</sup> References in this report to the "Program" will mean the Rent Freeze Program.

<sup>2</sup> The twelve-month period beginning July 1, 2022 and ending June 30, 2023 is both the ombudspersons' reporting period and DOF's fiscal year. This period may be referred to in this report as the "2022-23 reporting period," "fiscal year 2023," etc.

<sup>3</sup> Based on internal estimates; official numbers for the 2022-23 reporting period are expected to be published in DOF's next *Report on the New York City Rent Freeze Program* in 2024-25. The most recent report, published in 2022, reported figures through 2020.

The ombudspersons put forward their specific recommendations to the DOF commissioner in Part II of this report, focusing on the following key areas:

1. Standardizing protocols for receiving and addressing inquiries about application status.
2. Enhancing applicants' ability to access information about their benefits.
3. Revamping the design of applications and other Rent Freeze Program materials to simplify completion, expedite DOF processing, and ensure accessibility.
4. Informing tenants about essential program features from the outset of their enrollment.
5. Collaborating with the Department of Housing Preservation and Development (HPD) to guide tenants who mistakenly apply to the incorrect department.
6. Initiating a working group to study the feasibility of AI applications to meet current demands and strategize for future integration of AI to benefit Rent Freeze Program staff and participants.

As in previous reporting periods, the ombudspersons performed their duties with an eye toward DOF's larger mission to administer the tax and revenue laws of the City fairly, efficiently, and transparently to instill public confidence and encourage compliance while providing exceptional customer service.

Further information about the Rent Freeze Program is available at [www.nyc.gov/rentfreeze](http://www.nyc.gov/rentfreeze). Information about the Office of the Taxpayer Advocate is available at [www.nyc.gov/taxpayeradvocate](http://www.nyc.gov/taxpayeradvocate).

## **Part I: Introduction**

### **A. Rent Freeze Program Overview<sup>4</sup>**

The Rent Freeze Program’s objective is to help seniors and people with disabilities remain in their homes by “freezing” the dollar amount of their monthly out-of-pocket rent. Any increases in rent beyond the “frozen” amount are covered by a tax credit that is applied as a reduction to the building’s property taxes.

Between 2016 and 2019, the number of Rent Freeze households in New York City increased each year, from 72,299 in 2016 to a high of 75,515 in 2019. In 2020, the total number decreased by 5.1% to a total of 71,665 households, 59,862 of which received SCRIE benefits and 11,803 of which received DRIE benefits. For 2019, the most recent year for which eligibility estimates are available, a total of 135,111 households were eligible for the Rent Freeze Program.

The average age of benefit recipients in 2020 was 77 for SCRIE and 62 for DRIE, and average household size was 1.5 persons for both SCRIE and DRIE. The average number of years that recipients stayed in the program ranged from 7.2 years in Staten Island to 8.5 years in the Bronx and between 9.0 and 9.6 years in Brooklyn, Manhattan, and Queens. A higher number of years in the program correlated with a higher average monthly benefit amount.

### **B. Establishment of Ombudsperson Positions and Reporting Requirements**

Section 11-137 of the New York City Administrative Code establishes the SCRIE and DRIE ombudsperson positions within DOF. This section also states that the ombudspersons’ duties will include:

- (i) *establishing a system for such ombudspersons to receive complaints with respect to each such rent increase exemption program;*
- (ii) *investigating and responding to complaints received [pursuant to (i), above]; and*
- (iii) *making recommendations to the commissioner of finance regarding the administration of each such rent increase exemption program, which may include recommendations for training appropriate department of finance staff members.*<sup>5</sup>

The ombudsperson positions are within the Office of the Taxpayer Advocate, which reports directly to DOF Commissioner Preston Niblack.

In addition to establishing the ombudsperson positions, NYC Administrative Code Section 11-137 requires DOF to submit an annual report to the New York City Council:

*No later than October first of each year, the department of finance shall submit a report to the council for the prior fiscal year, indicating:*

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<sup>4</sup> The figures in Part IA were reported in DOF’s 2022 *Report on the New York City Rent Freeze Program*.

<sup>5</sup> New York City Administrative Code § 11-137 (a)(1).

- (i) *the number and nature of inquiries received by the department of finance and the 311 citizen service center regarding the rent increase exemption programs;*
- (ii) *the number, nature, and resolution of comments and complaints received by the ombudspersons designated pursuant to paragraph one of subdivision a of this section regarding the rent increase exemption programs; and*
- (iii) *any recommendations made by any such ombudsperson to the commissioner of finance regarding the administration of such rent increase exemption programs.*

### **C. Operations of the Rent Freeze Program Ombudspersons**

The ombudspersons primarily assist tenants with applying for, maintaining, or reinstating Rent Freeze Program benefits when they have been unable to resolve their issues through regular DOF channels. As required by the New York City Administrative Code, the ombudspersons' contact information is included on certain SCRIE and DRIE forms and notices, including those related to the denial of an application or its ensuing appeal, the revocation or termination of benefits, and the denial of a tenant's application to take over an existing benefit. The ombudspersons redirect matters unrelated to SCRIE and DRIE to the responsible units within DOF.

The total estimated dollar impact of the ombudspersons' casework in fiscal year 2023 is \$1,469,827 in benefits received.<sup>6</sup> The ombudspersons worked on matters involving tenants residing in 49 of the city's 51 council districts. More information on dollar impact by district is available in Part III and Appendix I of this report.

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<sup>6</sup> See Appendix I.

## **Part II: Recommendations from the Current Reporting Period, Fiscal Year 2023**

### **A. Responses to Status Inquiries**

Due to lengthier application processing times and reduced customer service staffing,<sup>7</sup> the volume of inquiries to our office has nearly doubled, reaching 1,056 this reporting year compared to 588 in the previous year. A significant portion of this increase stems from tenants inquiring about the status of their applications or other submissions, which rose from 244 last year to 397 this year.

Outside of the Office of the Taxpayer Advocate, general Rent Freeze customer service call wait times have also increased. During this period, tenants were redirected to our office after multiple unsuccessful attempts to connect with the Senior & Disabled Programs Unit, often being disconnected following extended waits, or informed that there is no update on their submissions. The recurring issue of not being able to confirm receipt of documents—while simultaneously receiving automated notice letters requesting those very documents—has compounded tenants’ anxieties about their benefit status, leading to additional calls to 311 and DOF.

Ultimately, as discussed below, we advocate for the MyCity Portal, the City’s designated online platform for benefits information, to become the primary source for individual Rent Freeze benefit information. Until that is achieved, the customer service experience for both Rent Freeze tenants and landlords could be substantially improved by creating a dedicated phone line for status checks. This could be complemented by a chatbot designed to filter initial status queries and furnish answers to common questions.

#### **1. Standardization**

At present, status inquiries may be handled by various entities, including 311, the Senior and Disabled Programs Unit (which administers the Rent Freeze Program<sup>8</sup>), the External Affairs Division, and the Office of the Taxpayer Advocate. Access to pertinent documents varies by unit and by how the information was submitted. For instance, beyond the universal SCRIE-DRIE Application Lookup tool, OTA’s Rent Freeze ombudspersons utilize both the online Rent Increase Exemption application system and PDF scans of documents uploaded into the online document system. Access to these additional systems by other DOF units is inconsistent; many can access either the information available through RIE or the documents stored online, but not both.

This lack of a unified system likely contributes to incomplete or inconsistent responses. For instance, OTA cannot access Tenant Application Portal (TAP) submissions through the main document repository, as they are stored in a separate system, constraining the ombudspersons’ ability to efficiently handle inquiries regarding TAP submissions.

A fragmented approach with no standardized protocols for status inquiries exacerbates both call volume and wait times, while often yielding responses that are incomplete or insufficient.

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<sup>7</sup> A number of contributory factors affecting processing times are discussed in Part III.C.1, below.

<sup>8</sup> The SDP Unit is part of the Property division within DOF, and in addition to the Rent Freeze Program, administers other tax benefits, such as the Senior Citizen Homeowners’ Exemption and Disabled Homeowners’ Exemption.

Recommendation: DOF should establish a standardized protocol<sup>9</sup> for all personnel responding to SCRIE or DRIE status inquiries, which includes:

- I. Defining the components of a complete response to an application status request and determining the scope of response available through a 311 call.
- II. Identifying a standard set of minimum inputs required from participants to check their status.
- III. Implementing a mechanism allowing staff to confirm, within a few days of physical receipt, whether a document or any form of transmission has been received by SCRIE and entered into the review queue.
- IV. Specifying the level of access to information/documents needed for personnel to examine submitted materials and cross-reference them with processors' notes in the application system.

## **2. Capacity and Wait Times**

### **(a) Dedicated Status Response Inquiry Page**

As previously highlighted, the number of status inquiries has risen significantly over the last reporting period. We expect this trend to persist, particularly given the new income eligibility formula<sup>10</sup> that could fuel greater interest in the program. Establishing an online form or dedicated email address exclusively for application status inquiries could ameliorate wait times for straightforward requests, deliver more uniform and comprehensive responses, and help alleviate the overall increase in wait times.

Recommendation: DOF should create a web inquiry page and/or email address exclusively for handling application status inquiries to improve response times and quality of service.

### **(b) Chatbot**

As the City's workforce initially transitioned to remote work in response to the pandemic, DOF explored incorporating chatbot and/or voicebot technology to provide computer-based responses in certain customer service situations. Although this initiative was paused as employees returned to physical offices, a chatbot could still add significant value to DOF's customer service capabilities, given the consistently high volume of Rent Freeze-related inquiries. For instance, application status inquiries could be routed through a chatbot or voicebot capable of conducting initial status checks, such as confirming receipt dates for specific documents, enumerating pages scanned, or detailing items and deadlines in the most recent pending letter. Should the chatbot's response be insufficient, participants could either opt to speak to specialized status check personnel or refine their inquiry via the web inquiry page.

Recommendation: DOF should resume its investigation into the viability, implementation timeline, and associated costs of incorporating a chatbot and/or voicebot, aiming for seamless integration with other customer service improvements.

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<sup>9</sup> A separate protocol for 311's responses to status requests would be established to account for 311's more limited response times and, as a unit outside of DOF, more restricted document access.

<sup>10</sup> See description of legislation in Part IV.C.2(a).



### (c) MyCity Portal

In March 2023, Mayor Adams inaugurated the first phase of “MyCity,” an online portal that “will allow New Yorkers to go online, easily search, apply for, and track city services and benefits right from their smartphones or computers.”<sup>11</sup> The platform aims to eventually integrate offerings from multiple agencies, including the incorporation of HRA’s AccessHRA system. As of now, the MyCity Portal can guide potentially eligible participants toward the Tenant Application Portal and provide an avenue for initial application submissions online. DOF is currently in discussions with several other agencies regarding the possible integration of TAP with MyCity. In the long term, if the MyCity Portal maintains its role as the primary hub for online benefit resources, we recommend that all of DOF’s application processes and benefit information for the Rent Freeze Program be made accessible via MyCity, whether through enhancements to TAP or another DOF tool.

Recommendation: DOF should continue to work towards integrating all Rent Freeze application procedures, benefit details, and online submission interfaces into the MyCity Portal for comprehensive, user-friendly access.

## B. Improvements to Forms and Other Program Materials

Over the past reporting year, community-based organizations have largely eased their pandemic-related restrictions on in-person interactions. This change has enabled the ombudspersons to offer more extensive one-on-one application assistance and to engage directly with caseworkers, pro bono attorneys, and other tenant representatives to discuss challenges hindering eligible tenants’ participation in the Rent Freeze Program. A recurring area for improvement, cited by both applicants and their representatives, pertains to the content, design, and accessibility of the application forms themselves.

### 1. Application Streamlining

Stakeholders involved in the Rent Freeze Program—whether they are internal teams within City agencies or external applicants and representatives—aim to reduce instances in which eligible tenants are deterred from participating in the program due to perceived or actual complexities in the application process. This is particularly important for a demographic that is often anxious about housing stability and less inclined to seek online assistance.

For example, unnecessary questions in the initial application can create unneeded obstacles, such as, “How many rooms does your apartment have?”<sup>12</sup> Applicants have reported to the

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<sup>11</sup> Office of the Mayor. (2023, March 29). “Mayor Adams Launches First Phase of MyCity Portal to Easily Help New Yorkers Check Eligibility, Apply For, and Track City Services and Benefits” [press release]. <https://www.nyc.gov/office-of-the-mayor/news/217-23/mayor-adams-launches-first-phase-mycity-portal-easily-help-new-yorkers-check-eligibility-#/0>

<sup>12</sup> Note that the Department of Housing Preservation and Development, which also administers SCRIE in certain types of apartments, places the question of room numbers in the “Official Use Only” section of the application, to be filled in by the processor.

ombudspersons that this query generates confusion, as they are unsure which rooms to count.<sup>13</sup> This apprehension can cause delays in the application process. We believe that the forthcoming changes to SCRIE/DRIE income eligibility, prompted by recently enacted state legislation,<sup>14</sup> present an opportune moment for the DOF to revisit the design and content of both the initial and renewal applications. Instead of using the current form as a baseline, DOF should adopt a new approach to the entire application that prioritizes simplicity and accessibility.

The earlier deployment of a simplified application form was also identified as a potential improvement during our dialogues with the Property Division and other internal stakeholders. While this change will necessitate a legislative change beyond the purview of DOF, more frequent use of the simplified application could directly address processing capacity issues while recognizing that the challenges of completing applications often increase as participants age, even as income fluctuations become less common. Given the potential for reducing paperwork and expediting processing times, DOF should engage in discussions among the Property Division, Legal Affairs Division, External Affairs Division, and other stakeholders to assess the feasibility and desirability of implementing a simplified renewal process.

Recommendation: DOF should conduct a comprehensive review of the design and content of Rent Freeze applications, particularly the initial and renewal applications, emphasizing changes aimed at enhancing successful entry and renewal rates within the program. Moreover, DOF should explore other Rent Freeze application process simplifications, such as expanding the use of streamlined application forms like the existing short-form renewal.

## **2. External Requests for Rent Freeze Materials**

As the ombudspersons intensify outreach initiatives and fortify partnerships with community-based organizations, they have become increasingly aware that senior centers and other external entities often serve as vital, and sometimes the sole, conduits to benefits such as SCRIE and DRIE. At present, DOF lacks a centralized mechanism that offers non-profit organizations a timely and uniform procedure for acquiring program materials. Delays in securing these documents can adversely affect these organizations' ability to equip their clients with the necessary resources for a seamless application process and ongoing awareness campaigns related to the Rent Freeze Program.

Recommendation: Building upon the initial steps taken by its External Affairs Division, DOF should institute and prominently feature on its website a streamlined procedure for external partners to obtain Rent Freeze Program materials for distribution within their organizations.

## **3. Site Guidance for Tenant Access Portal**

The introduction of the Tenant Access Portal in 2020 was a significant milestone, allowing tenants to apply online without the need for printing or mailing any documents. While TAP was designed to simplify the application process and serve as a self-service resource, there are areas

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<sup>13</sup> In discussions with DOF's Property Division, the ombudspersons learned that the number of rooms could become relevant in calculating the applicable portion of a major capital improvement. Reliable sources for this information are available that are already accessed by DOF for other purposes and do not involve reporting by the tenant.

<sup>14</sup> See description of legislation in Part IV.C.2(a).

that require improvement, especially as the Department of Finance plans for the renewal application phase of TAP.

Currently, the TAP webpage contains a link to a comprehensive 24-page PDF guide for tenants. While the guide is informative, it is not convenient for the typical SCRIE/DRIE demographic. To refer to the guide, users would need to either print it or keep it open in a separate window, which can be cumbersome, especially for those who are not tech-savvy. The guide's information should be readily available and visible on-screen during the application process to assist users less familiar with navigating web browsers.

Additionally, tenants often face challenges when using TAP and have reported difficulties in obtaining technical support. They have expressed that when they contacted DOF's general customer service lines for assistance, they were unable to connect with someone who could provide the required technical help. Given that the Rent Freeze Program serves a demographic that includes older adults who may be less familiar with online processes, it is crucial that DOF offer more accessible support for TAP.

Recommendations: To improve the user experience, DOF should incorporate visual aids and simple, step-by-step instructions directly within the TAP interface. This will make the process more manageable for individuals who may struggle with online navigation. In addition, DOF should explore options that would establish support specifically for TAP and other online submissions. This support should be equipped to handle a range of technical issues, ensuring that users can easily resolve any challenges they encounter while using the portal.

#### **4. Adaptations for Visual Impairments**

The applicant demographics for SCRIE and DRIE will invariably encompass a segment with visual impairments that render completing an application without third-party assistance extremely challenging. The need for external help not only compounds the applicant's burden but also raises the probability of inaccuracies and errors. Although our direct encounters with such cases are limited, the sheer number of New Yorkers living with visual impairments suggests a pressing accessibility issue. While some steps, like the option to enlarge the font size on the Rent Freeze Program website, have been implemented by DOF, other accessibility concerns, such as issues related to colorblindness remain unaddressed.

Recommendation: DOF should actively investigate methods to further enhance the accessibility of the Rent Freeze Program application process for individuals with a range of visual impairments.

### **C. Early Notification of Program Features**

The NYC Rent Freeze Program provides a valuable resource to eligible tenants. However, its full potential can only be realized if tenants are aware of its features and understand how they can be applied to individual circumstances. Community-based organizations and tenants have conveyed to the ombudspersons that awareness and clarity regarding the program's key aspects can often make a significant difference in the benefits realized.

We propose the inclusion of a “welcome packet” along with the initial approval letter for every approved SCRIE or DRIE applicant. This document should be straightforward and written in easy-to-understand language. It would serve as a quick reference guide outlining key features of the Rent Freeze Program. The packet should not overwhelm customers with information, but should focus on the information that will be most useful to the most customers, such as:

- **Renewal Requirement:** Explanation of when to renew and alternative methods to obtain a renewal application.
- **Six-Month Grace Period:** Brief description of rights and obligations between tenant and landlord while renewal is pending.
- **Redeterminations:** Clarity on what this process involves and when it might occur.
- **Benefit Takeovers:** Explanation of the circumstances under which these may happen.
- **Apartment Transfers:** Description of steps to take when moving apartments and the effect on frozen rent.
- **Income Spike:** Explanation of when and how to apply the “income spike” rule.
- **Lack of Lease:** Guidance on possible options if no renewal lease is provided.
- **Weekly Benefit Report Online:** Where to find this and how it can be useful.
- **“One-Third Rule” for Income Eligibility:** Brief explanation of this rule.
- **Walk-In Center Location and Hours:** Information on where to go for in-person help.

Furthermore, the welcome packet can encourage tenants to engage with community-based organizations for additional guidance and support. Mentioning the Tenant Helpline for other tenancy-related issues could also be beneficial.<sup>15</sup>

Recommendation: Alongside each initial SCRIE/DRIE approval letter and benefit takeover approval letter, DOF should include a “welcome packet” that clearly and concisely lists key features of the Rent Freeze Program, emphasizing those aspects that are time-sensitive. This approach will equip tenants with the necessary knowledge to fully benefit from the program.

#### **D. Procedure for DOF-HPD Rent Freeze Issues**

The application process for SCRIE applicants living in housing types overseen by the City’s Department of Housing Preservation and Development (HPD)<sup>16</sup> presents a unique set of challenges. Currently, if an applicant mistakenly sends their SCRIE application to the Department of Finance, they receive a denial letter informing them that SCRIE for their housing type falls under the jurisdiction of HPD. The onus is then on the tenant to figure out the steps for

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<sup>15</sup> Over the past several years, the ombudspersons have received a steadily increasing number of inquiries that, due to the subject matter, ultimately result in a referral to the Tenant Helpline, which is staffed by housing specialists in the Tenant Support Unit of the Mayor’s Public Engagement Unit.

<sup>16</sup> Specifically, Mitchell-Lama developments, Redevelopment Company developments, federally assisted 213 co-ops; or Housing Development Fund Corporation (HDFC) shareholders.

a new application with HPD, which can lead to confusion and potentially abandoned applications.<sup>17</sup>

Rather than a denial letter, which could be mistaken by tenants as indicating general ineligibility, DOF's response to applicants in HPD housing types should be worded as an administrative redirection. DOF and HPD should also coordinate efforts to alleviate the burden on tenants to navigate between the agencies and ensure that eligible applicants are not deterred from accessing benefits. By identifying points of contact within each department, a procedure can be developed to automatically redirect applications submitted to the wrong agency. This proactive approach will minimize confusion for the applicant, ensuring that they are guided through the appropriate channels without bureaucratic hurdles. This is in line with the overall goal of making the application process for the Rent Freeze Program as accessible and straightforward as possible.

Recommendation: DOF should revise its current denial letter to applicants who live in housing types where SCRIE is administered by HPD. DOF should also collaborate with HPD to establish a standard referral system.

## **E. Applied Artificial Intelligence**

The report on The New York City Artificial Intelligence (AI) Strategy issued by the Mayor's office in 2021 included DOF among the agencies with known applications of AI technology.<sup>18</sup> The City's commitment to incorporating artificial intelligence into public services<sup>19</sup> offers exciting prospects for the Rent Freeze Program. As it builds on its existing AI initiatives, DOF may be able to serve the community with increased efficiency, faster processing times, and more targeted support for complex issues.

- Operational Efficiency: AI can be employed to enhance customer service, potentially taking over routine inquiries and sorting them for human agents. This would free up specialists to tackle more complicated issues, providing a more nuanced and effective service. It can also be used in data analytics to understand patterns of applications, rejections, and inquiries, allowing DOF to continually optimize its processes.
- Data Processing: AI technologies such as optical character recognition can be employed to read and process applications, greatly reducing the time it takes for an application to move from submission to approval. Furthermore, AI can analyze these applications to collect valuable data that can be used for future program refinements.
- Targeted Support: With AI's data analytics capabilities, DOF can gain deeper insights into the specific needs and challenges of the Rent Freeze Program's target demographics. This could allow for the design of more customized support and services, increasing both participation and retention rates for eligible residents.

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<sup>17</sup> During past two reporting years, OTA has received approximately 33 such inquiries.

<sup>18</sup> In that report, DOF's Geospatial Data Intelligence team's use of openly available data sources to identify otherwise unrecognized assessment changes is given as an example of an existing AI application that could be expanded and replicated.

<sup>19</sup> E.g., a new position with the title of "Director of Artificial Intelligence and Machine Learning."

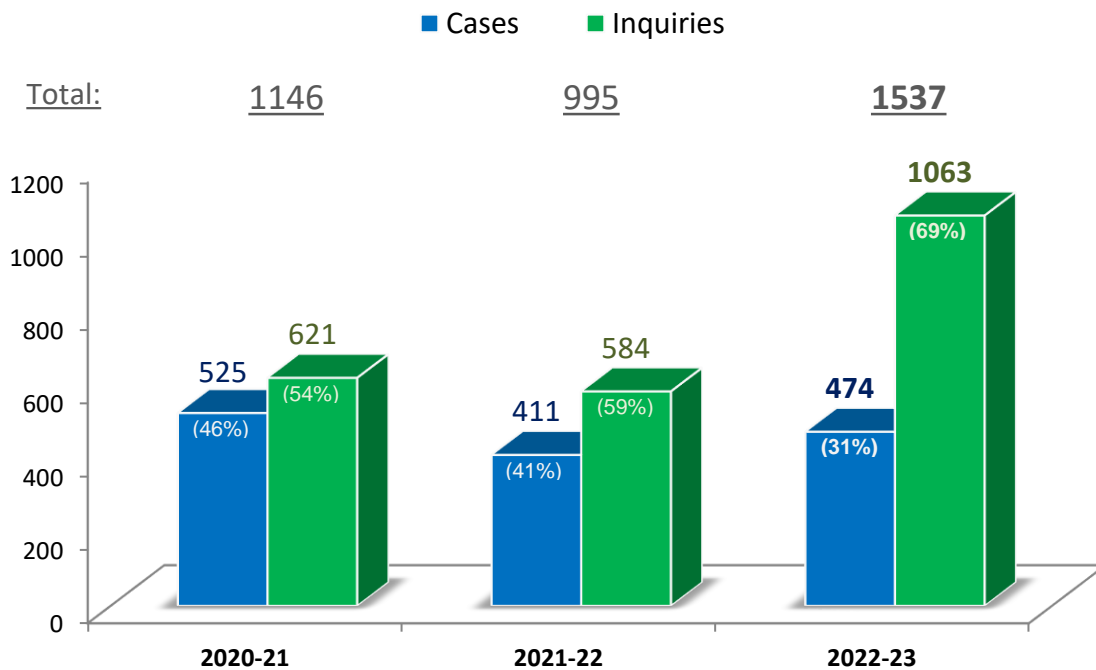
Recommendation: To take advantage of AI's potential, DOF should form a multi-unit working group focused on identifying and implementing AI applications within the Rent Freeze Program. This group should involve personnel with expertise in technology, customer service, and program management, ensuring a comprehensive approach to integrating AI. The group can begin by identifying immediate areas where AI can offer quick wins and proceed to develop a long-term strategy for its implementation, affecting both customer interaction and internal operations.

## **Part III. Rent Freeze Program Case and Inquiry Statistics for Fiscal Year 2023**

### **A. Total Inventory of Cases and Inquiries**

During the reporting period of July 1, 2022, to June 30, 2023, OTA classified matters managed entirely in-house as “inquiries” and those requiring multi-agency involvement as “cases.”<sup>20</sup> A total of 1,537 cases and inquiries were filed with the ombudspersons, marking a 54% increase from the previous year and setting a new record since the establishment of these roles in 2015. SCRIE-related matters accounted for 80% of this workload, a slight increase from 76% the prior year. The growth rate for inquiries notably outpaced that for cases, rising by an unprecedented 82%.

**SCRIE and DRIE Ombudsperson Total Workload by Fiscal Year**



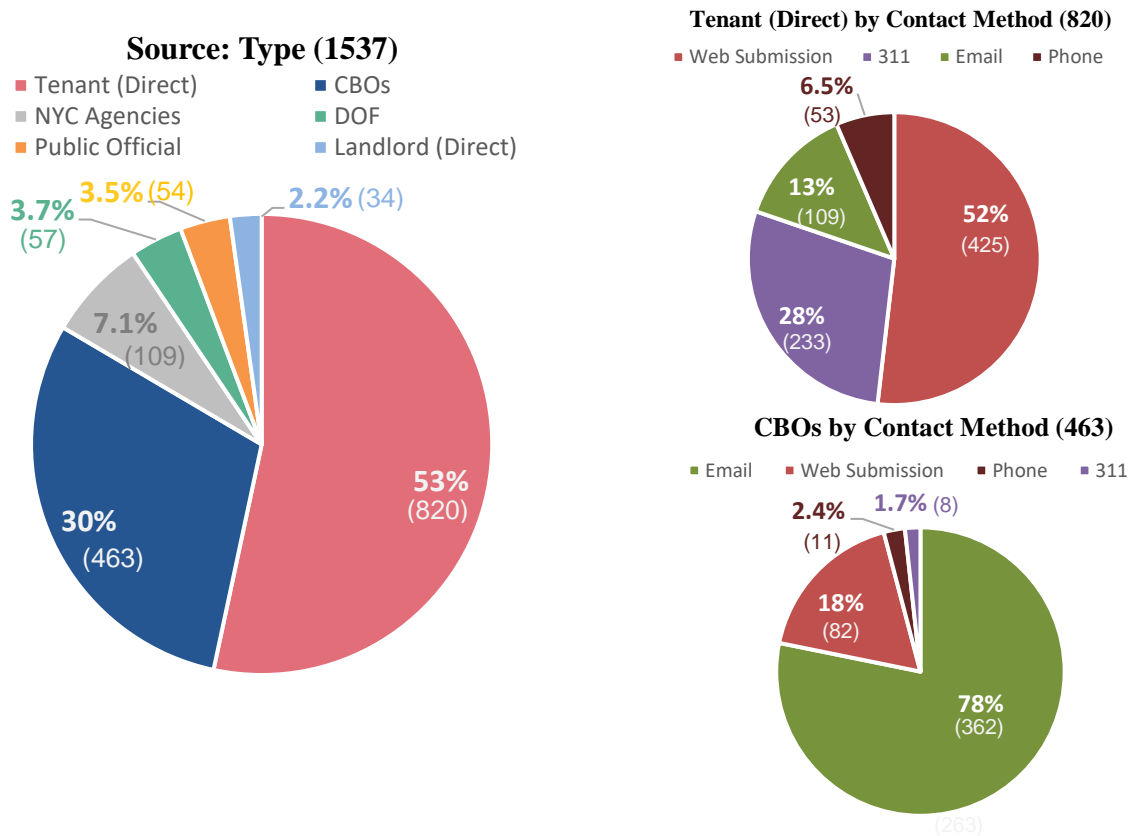
<sup>20</sup> In prior years, “cases” were distinguished from “inquiries” based on level of complexity or length of time.

## B. Cases and Inquiries by Source

The ombudspersons meticulously track the origins of Rent Freeze Program-related cases and inquiries, both in terms of the initiating party and the communication medium. Only 50% of the matters were directly initiated by tenants;<sup>21</sup> the remainder came through third-party intermediaries. Community-based organizations (CBOs) were the leading third-party communicators at 30%, followed by other City agencies (7%), public officials (3.8%), and other DOF divisions (1.2%).

Various communication methods were employed by tenants and CBOs, including emails, online submissions via the Rent Freeze website, phone calls, and written letters. Email was the most prevalent method, making up nearly half of all submissions, although its usage varied by source. This prevalence indicates the success of the ombudspersons' ongoing outreach efforts to CBOs. Tenants, conversely, favored web submissions as their primary means of contact.

### Total Cases and Inquiries by Source for Fiscal Year 2023



<sup>21</sup> The “Tenant (Direct)” source category includes direct contact by the tenant or other individuals acting in a personal capacity to assist the tenant.



## C. Cases and Inquiries by Subject Matter

### 1. Current Year Distribution of Matters

In this section of the report, the ombudspersons present their observations regarding notable changes in the number of matters, when disaggregated by subject matter, as compared to the prior year. The total counts by category for this reporting period are as follows:

Issues Presented	RY2022	RY2023	vs. RY2022
<b>Total<sup>[1]</sup></b>	<b>1365</b>	<b>2068</b>	<b>703↑ (52%↑)</b>
Completing Application – Assistance Required	246	446	200↑ (81%↑)
Submission Status – File Review Required	226	424	198↑ (88%↑)
General SCRIE/DRIE Program Information	120	257	137↑ (114%↑)
Income Requirements/Calculation	84	143	59↑ (70%↑)
Landlord/Owner Noncompliance	83	137	54↑ (65%↑)
Tax Abatement Credit (TAC) Issues	124	119	5↓ (4%↓)
Appeal	58	87	29↑ (50%↑)
Request for Clarification of Notice Received	48	80	32↑ (67%↑)
Paperwork Received by DOF – Response Needed	60	52	8↓ (13%↓)
Request for TAC Report	32	42	10↑ (31%↑)
Redetermination	40	41	1↑ (2%↑)
Application Request	19	35	16↑ (84%↑)
Other Eligibility	10	32	22↑ (220%↑)
Reasonable Accommodation	39	29	10↓ (26%↓)
Benefit Takeover (BTO)	40	28	12↓ (30%↓)
Housing Stability and Tenant Protection Act	31	23	8↓ (26%↓)
Processor Error	30	23	7↓ (23%↓)
Housing Preservation and Development (matters for HPD)	23	16	7↓ (30%↓)
Major Capital Improvement	16	12	4↓ (25%↓)
Issue Unknown <sup>[2]</sup>	3	12	9↑ (300%↑)
Portability (Apartment Move)	15	10	5↓ (33%↓)
Income Spike	13	10	3↓ (23%↓)
Apartment Regulatory Status	4	9	5↑ (125%↑)
Age or Disability Requirements	1	1	[no change]

<sup>[1]</sup> Because a single matter may fall under multiple issue categories, the aggregate sum of all category counts for a reporting year may exceed the total number of cases and inquiries for that year.

<sup>[2]</sup> The “Issue Unknown” category counts incoming communications where no issue information was included and responses from the ombudspersons went unanswered.

The number of total cases and inquiries rose by 52% compared to the prior reporting period. While it is not possible to account for all of the reasons behind the increase, the ombudspersons identified multiple external factors that coincided with issues of operational capacity within DOF. Together, these circumstances brought about not only a significant increase in submissions and inquiries to the Rent Freeze Program, but also a redirection of matters to the ombudspersons that would normally be handled by other DOF personnel.

The discontinuation of pandemic-era extensions for renewals—detailed further in Part IV.A—intensified overall program activity. Customer inquiries in turn increased as DOF sent out warning letters and, eventually, revocation notices. The lifting of pandemic-related restrictions also contributed to a surge in activity as tenants could once again obtain application documents and, in some cases, submit them in person for the first time in at least a year. Adding to the increase in activity were the lifting of the eviction moratorium in January 2022, the expiration of New York State’s Emergency Rental Assistance Program in January 2023, and the Rent Guidelines Board’s announcement, in June 2022, of the highest rent increase since 2013.<sup>22</sup>

Normally, an increase in routine program activity would not necessarily impact the ombudspersons’ case volume. As with all OTA matters, cases and inquiries must meet certain criteria to be directed to the ombudspersons. However, in this reporting period, ombudspersons were increasingly called upon to intervene in matters usually managed by the Property Division, such as routine status checks, due to tenants encountering difficulties in reaching DOF’s SCRIE/DRIE representatives. Moreover, “Failure to Renew” cases, which were not typically handled by the ombudspersons,<sup>23</sup> became more prominent in this reporting period due to either disputes over revocations or an inability to obtain needed assistance. These shifts contributed to a 114% increase in general program-related inquiries.

The categories of “Completing Applications” and “Submission Status” saw an 80% increase. Contributing factors included the overwhelming call volumes experienced by 311 and DOF’s customer service staff and the inability of these staff members to confirm the receipt of submitted paperwork.<sup>24</sup> The reinstatement of standard timelines for revocations added to this surge,<sup>25</sup> eliciting inquiries from tenants concerned about the status of their recently submitted but unprocessed documents.

In the 2022 annual report, the ombudspersons recommended adaptations to pandemic unemployment insurance policies, acknowledging a wave of tenant questions. Such inquiries persisted in this period, resulting in a 70% increase in the “Income Requirements/Calculation” category.

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<sup>22</sup> The rent increase allowable for rent-stabilized apartments with leases starting between October 2022 and September 2023 was 3.5% for one-year renewals and 5% for two-year renewals.  
<https://rentguidelineboard.cityofnewyork.us/2022-summary-of-guidelines/>

<sup>23</sup> Sometimes referred to by DOF as “FTR” (“failure to renew”) tenants.

<sup>24</sup> The issues surrounding status inquiries are further discussed in connection with the recommendation in Part II.A.

<sup>25</sup> The circumstances surrounding the reinstatement of the revocation timeline are described in Part IV.A.

The number of “Landlord Noncompliance” cases rose by 65%, an increase consistent with the previous period. Concurrently, a high percentage of tenants reported unauthorized rent increases by landlords, suggesting that wider market dynamics, such as the lifting of eviction moratoriums and variable enforcement of housing laws, might be contributory factors.<sup>26</sup>

Lastly, the categories of “Other Eligibility” and “Issue Unknown” saw substantial increases, attributed, respectively, to new legislation affecting Mitchell-Lama apartments and a spike in unresolved voicemails left for the ombudspersons.

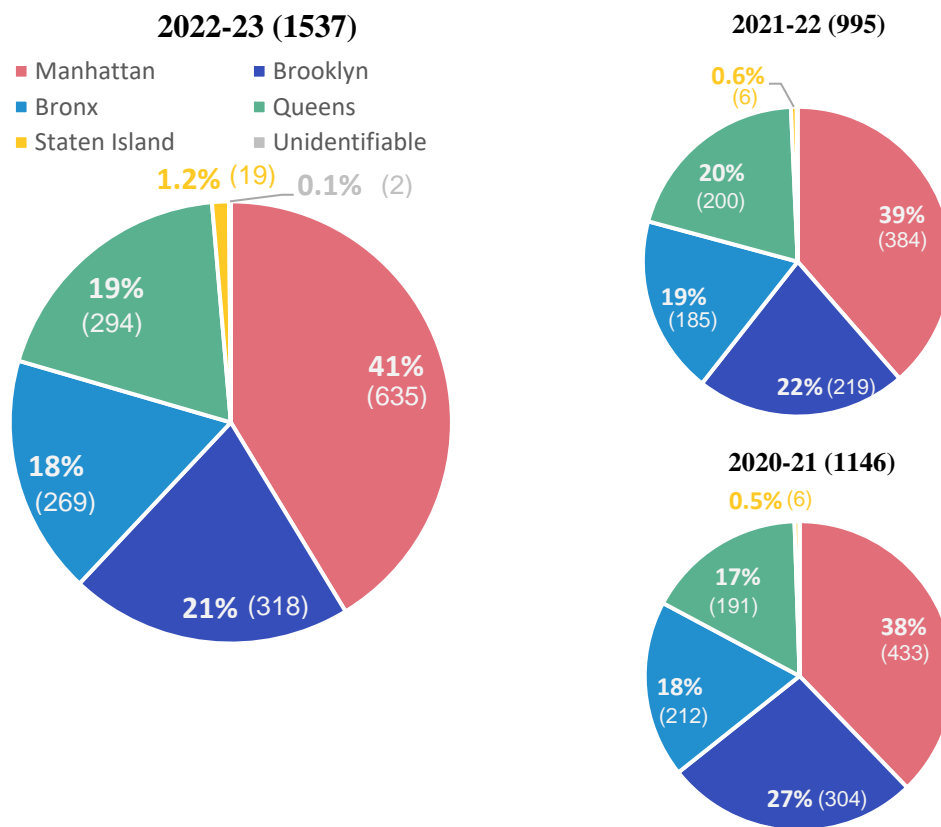
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<sup>26</sup> Beyond providing additional program information to landlords, DOF has limited recourse in instances of landlord noncompliance. Enforcement authority for issues such as rent overcharges lies with the New York State Department of Homes and Community Renewal (DHCR). Tenants who report difficulties in obtaining assistance from DHCR are sometimes redirected by the ombudspersons to the City’s Tenant Helpline.

## D. Cases and Inquiries by Borough

The chart below shows the borough-wise breakdown of SCRIE and DRIE ombudsperson inquiries and cases.<sup>27</sup> The distribution remains relatively in line with previous years<sup>28</sup> and reflects the proportion of rent-regulated units across the five boroughs. Manhattan continues to lead in the total number of cases, succeeded by Brooklyn, Queens, and the Bronx. All boroughs saw an increase, with Manhattan registering the highest year-over-year growth at 65%. Queens, Brooklyn, and the Bronx experienced increases of 47%, 45%, and 45%. While Staten Island displayed a significant 217% rise in case numbers, it remains the least represented, consistent with its fewer rent-regulated units.

**Total Cases and Inquiries by Borough by Fiscal Year**



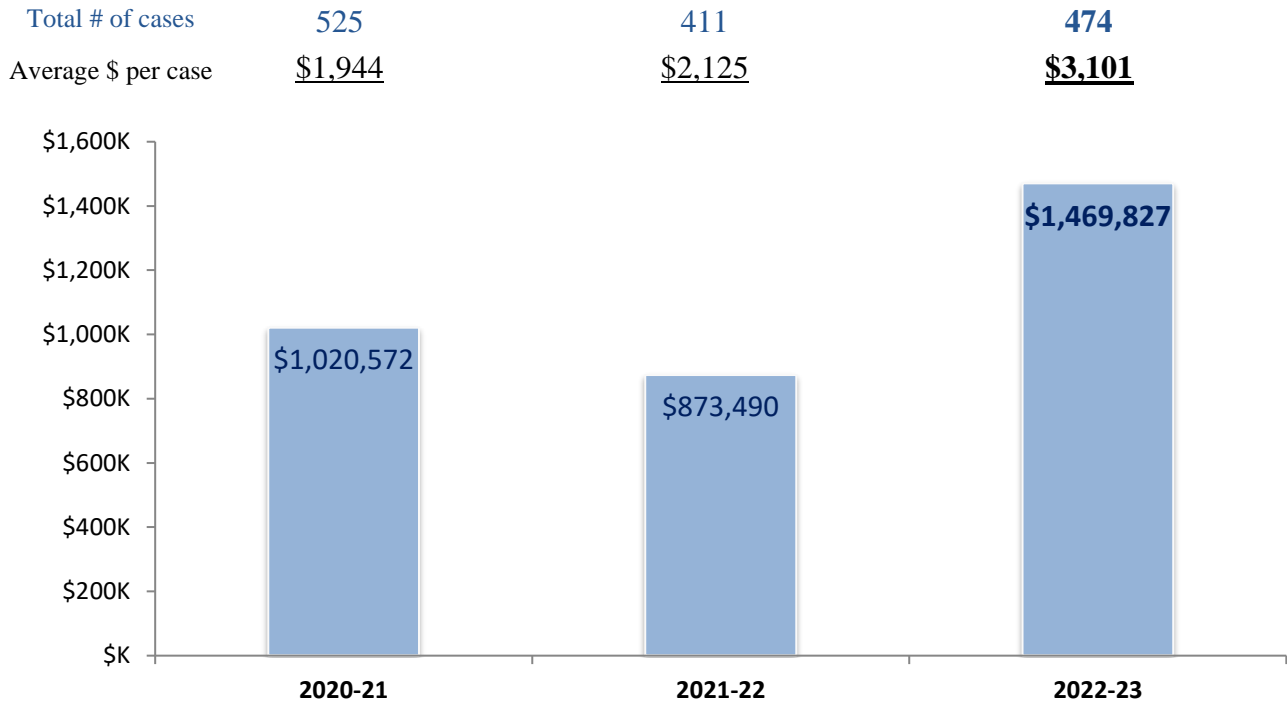
<sup>27</sup> Inquiries from persons outside of the five boroughs or where the tenant’s address was not provided were categorized as “unidentifiable” for purposes of this chart.

<sup>28</sup> DOF’s 2022 *Report on the New York City Rent Freeze Program*.

### E. Dollar Impact of Ombudspersons' Work

The financial ramifications of the ombudspersons' work can be quantified via the increase in tax abatement credits issued under the Rent Freeze Program. For this reporting year, the total monetary benefit conferred to SCRIE/DRIE tenants and landlords amounted to \$1,469,827, averaging \$3,101 per case. These figures represent historic highs, echoing the overall uptick in program activity.

#### Ombudspersons' Dollar Impact by Reporting Year



## **Part IV. Ongoing Developments**

### **A. Revocation Timeline**

The Rent Freeze Program initially approves tenants for a specific benefit period, after which tenants are required to submit periodic renewal applications within an established timeframe. According to standard procedures, tenants failing to meet renewal deadlines are removed from the program unless they secure a deadline extension from DOF. However, in light of the COVID-19 pandemic, a moratorium on terminating benefits was instituted in spring 2020. Although benefits were not revoked, transitioning these benefits to a new lease renewal period would eventually require the tenant to submit a complete renewal application. During this interim, the tenant's benefit status was considered "pending," and landlord credits were suspended until the renewal process was complete.

Between late 2021 and early 2023, DOF sent four separate renewal reminder notifications to tenants, spaced several months apart. Additionally, landlords received requests for information if their tenants had not responded. DOF's Property and External Affairs divisions, along with the Mayor's Public Engagement Unit's Rent Freeze Team, embarked on an extensive tenant outreach initiative. This campaign targeted thousands of tenants who had not submitted renewals more than one year past the statutory grace period. After DOF announced, in spring 2022 and early 2023, that revocations might soon resume, the ombudspersons engaged with key community-based organizations, urging them to assist their clients in completing overdue renewals and other pending applications.

In May 2023, the program issued its first "failure to renew" revocations in over three years. These letters explained that benefits were revoked due to incomplete renewal documentation. Due to longer processing times, some tenants who had submitted their required documentation prior to May 2023 nevertheless received revocation letters, as their submissions were still awaiting processing. This led to numerous inquiries to the ombudspersons to dispute the revocation or obtain clarification, as indicated in Part III.C.

As of the writing of this report, the program has reverted to its pre-pandemic renewal schedule, including the standard revocation protocols for non-renewal. Over recent months, SDP has issued hundreds of revocation letters, as well as reversing revocations for some tenants whose documents were submitted prior to revocation. The volume of applications versus the available processing personnel continues to result in the sending of revocation letters to tenants who have submitted documents which DOF has not yet reviewed.

### **B. Outreach**

The ombudspersons' outreach efforts during this reporting period prioritized SCRIE/DRIE training and application support. These services were mainly conducted through nonprofit organizations and were more than double the number of in-person events compared to the previous reporting period. Primary venues for these activities were senior centers and events, along with public sector collaborations such as enrollment clinics organized by city council and state assembly members. The latter have resulted mainly from new outreach relationships established during the previous reporting period.

In addition to specialized SCRIE and DRIE events, the ombudspersons participated in broader community activities where these programs were featured alongside other benefit programs. In a departure from their typical program-centric events, the ombudspersons also engaged in a financial wellness panel discussion. This event was co-sponsored by governmental and private sector entities and attracted an audience of prospective applicants who were not previously familiar with the Rent Freeze Program. Moreover, this year's outreach strategy incorporated more inter-agency collaborations than ever before. Notable examples include an enrollment event coordinated with the Housing Preservation and Development SCRIE team, visits to the Mayor's Older Adult Centers, participation in the Department of Transportation's Grandparent Safety Week, and safety awareness initiatives hosted by the Mayor's Office of Immigrant Affairs.

The year's events concluded with discussions of further outreach and collaboration opportunities, such as more advanced trainings and recurring application workshops. The ombudspersons have begun discussions, within DOF and with other agencies, regarding outreach efforts through new media and targeted marketing campaigns.

## **C. Legislation**

The following are legislative items passed or proposed during the reporting period and notable in relation to DOF's administration of the Rent Freeze Program:

### **1. New York City: Rule Change for Preferential Rent Tenants**

Effective for renewal periods commencing on or after March 27, 2023, tenants who are under a preferential rent scheme and who initially benefited from the program prior to June 2, 2019, will have their frozen rent set at the rate that was in place on June 1, 2019. For those who began receiving benefits on or after June 2, 2019, the frozen rent will be determined as the greater of either the preferential rent stipulated in the lease prior to initial application or one-third of the tenant's total monthly household income. In cases where this rule change leads to a frozen rent higher than the existing preferential rate, OTA is investigating the possibility of allowing these tenants to reenter the program as new applicants, thereby securing at least the same level of benefits granted to new entrants to the program.

### **2. New York State**

#### **(a) *Income Eligibility***

In accordance with a major amendment to the program's governing law, the calculation of income eligibility will now utilize the federal adjusted gross income (AGI) of all household members as the initial basis for assessment. For tenants who were first granted benefits before the cutoff date of July 1, 2024, the income calculation will be calculated according to the pre-existing method, provided that this earlier formula yields a lower aggregate household income. For the City's Rent Freeze Program, these changes will be implemented upon the adoption of conforming language in the City's Administrative Code.

**(b) *Former Mitchell-Lama Apartments***

Recent amendments to New York State real property tax exemption laws allow apartments in certain former Mitchell-Lama buildings to qualify for benefits if the tenant otherwise meets SCRIE or DRIE eligibility requirements. DOF is working with HPD to develop materials to assist potential applicants who may qualify under these amendments. OTA continues to communicate information and updates with external stakeholders and partners.

**(c) *Notable Legislative Proposals***

**(i) Income-Based Limitation of Tenant’s Rent Portion**

To qualify for the Rent Freeze Program, a tenant must be spending at least one-third of their monthly income on rent. Beyond establishing eligibility, the one-third income rule is currently used to elevate a tenant’s frozen rent when this fraction surpasses the pre-existing frozen rent upon renewal. Proposed bills S569/A2974 seek to repurpose this one-third income calculation as an affordability safeguard, rather than simply a restriction of the benefit amount. If enacted, this legislation would ensure that the rent frozen by the program would not surpass one-third of a tenant’s cumulative monthly household income. This proposed change addresses a growing concern—specifically, the challenge facing seniors and disabled individuals in managing basic living expenses on a fixed income, especially when exacerbated by unusually high inflation.

**(ii) Required Notice of Potential Program Eligibility**

As highlighted in Part I, while 72,665 households participated in the program in 2020, DOF estimated that upwards of 135,000 households were potentially eligible as of 2019. Proposed bills S429/A679 aim to enhance tenant awareness by mandating periodic notifications about the program, particularly in conjunction with events that affect rental rates. Should this legislation be enacted, both City and State agencies, as well as landlords operating under housing laws, would be required to include information on potential eligibility for the program in specific tenant communications.

**(iii) Threshold Criteria for Frozen Rent Increases**

Under existing protocols, redetermination applications permit tenants to receive a reduction in their frozen rent, but only if they experience a permanent income decline of greater than 20%. Conversely, an increase in frozen rent requires neither a minimum percentage increase nor “permanency,” instead taking effect if a tenant’s monthly income exceeds their existing frozen rent amount. Importantly, once applied, such an increase becomes irrevocable unless the tenant meets the requirements for redetermination and submits a timely application. Proposed bills S706/A724 seek to standardize these divergent processes. If enacted, these bills would stipulate that frozen rent increases could only be implemented if a tenant’s income rises by a minimum of 20% and that increase is deemed to be “permanent.” This legislative change would mitigate the risk of tenants facing irrevocable frozen rent increases due to temporary fluctuations in income.

**(iv) Two-Year “Income Spike”**

Proposed Bill S6383 introduces a two-year grace period during which tenants, once removed from the program due to income ineligibility, can regain their previous frozen rent amount if reapproved as initial applicants. Under the current framework, the window for reapplication is



limited to one calendar year post-revocation. This often complicates situations in which tenants experience abnormal income increases—such as those related to seasonal work—that span multiple calendar years, subsequently disqualifying them from reverting to their former frozen rent amounts when their income normalizes. Extending the reapplication period to two years would afford tenants the opportunity to retain the intended benefits of the existing legislative framework by reverting to their prior rent levels, depending on their income level upon reapplication.

## **Part V: Success Stories**

### **Completing a Renewal Application Complicated by Domestic Violence**

A DRIE applicant submitted a renewal application and later received a request from DOF for additional income information regarding another household member. This prompted confusion and concern on the part of the applicant, who lives alone. To resolve this matter, the applicant sought clarification from the DRIE ombudsperson.

Upon reviewing the situation, the ombudsperson found that the applicant had included her former partner's income information in a previous application. Conversations with the tenant revealed that she had been a victim of domestic violence inflicted by this former partner. Fortunately, the tenant had successfully severed ties with him.

DOF's standard policy for DRIE requires applicants to submit documentary evidence, such as an updated driver's license, to confirm the relocation of a household member. Given the sensitive nature of this case, the Office of the Taxpayer Advocate lobbied for a policy exception. The ombudsperson requested that the Property Division consider an NYPD incident report as adequate proof for removing the former partner from the household application.

Acknowledging the special circumstances, the Property Division accepted the NYPD incident report as sufficient evidence, allowing the applicant to finalize her renewal application without any additional challenges.

### **Correcting DOF's Mistake in Overlooking a Benefit Takeover Application**

A disabled widow encountered a complex issue when her application for a Rent Freeze benefit takeover was rejected by DOF. Her late husband had been the designated SCRIE recipient. Following his passing, the applicant was eligible for DRIE but did not meet the age criteria for SCRIE. Consequently, she needed to file a SCRIE-to-DRIE transfer application. Unfortunately, she initially submitted a SCRIE takeover renewal application in error, rather than the appropriate transfer form. Even after submitting the correct paperwork, she did not receive an approval notice to inherit her husband's benefits. Faced with this challenge, she reached out to the DRIE ombudsperson for assistance.

Upon an independent review of the prior applications, the ombudsperson discovered that the DOF processor had only evaluated the incorrect application and inaccurately marked the takeover application as having been processed. The ombudsperson promptly alerted the Property Division to this mistake. As a result, the applicant received approval for the benefit takeover, enabling her to maintain the frozen rent rate originally established when her husband had first qualified for the benefit. This outcome provided significant relief to the widow, who had been struggling financially.

From OTA, the widow received the support she desperately needed during a difficult period. As a result, she was granted a SCRIE benefit that represented a substantial portion of her limited income.

## **Communicating a Tenant's Circumstances to SCRIE**

A tenant reached out to the ombudsperson for guidance on how to respond to a third notice requesting additional documents to support her benefit takeover application. She had applied for this benefit because her ex-spouse, who was the original SCRIE tenant of the apartment, had abruptly moved out. Although the couple had legally separated years earlier, financial constraints had forced them to continue sharing the living space. However, a recent housing offer from a family member enabled the ex-spouse to relocate to another state.

To validate her application, the tenant initially submitted decade-old separation papers, leading DOF to request more conclusive evidence of her ex-spouse's departure. The tenant had never participated in SCRIE renewals before and was unaware that her ex-spouse had not reported their separation or any spousal support payments. The tenant faced the challenge of providing recent proof of her ex-spouse's move, a task made more difficult by his decreasing responsiveness. Additionally, the landlord refused to remove the ex-spouse's name from the lease. Though she submitted several documents indicating her ex-spouse's new out-of-state address, she continued receiving notices for additional verification.

Misinterpreting the vague language in the SCRIE notices, the tenant assumed some documents might have been lost and only realized her mistake upon consulting the ombudsperson. This discussion provided her the opportunity to clarify her unique living situation and the reasons for her staggered submissions. The ombudsperson recommended alternative documents for validation and spoke with Rent Freeze staff to clarify the tenant's situation.

The ombudsperson also informed the tenant that she might qualify for a redetermination due to the change in household income. Unaware of this aspect of the program, the tenant received guidance on the application process and submitted it promptly, along with updated documentation from her ex-spouse.

After receiving the complete set of information, DOF approved her benefit takeover application on the same day, followed by the redetermination and the renewal. The approval, coupled with the redetermination, saved the tenant approximately \$12,500 in rent for the current lease period alone.

## **Preserving SCRIE for a Tenant**

A staff member from a state senator's office reached out to the SCRIE ombudsperson with a query of significant complexity. The staffer had been approached by the son of a long-term tenant, who had recently become a SCRIE beneficiary for the first time after residing in her current apartment for over half a century.

The apartment presented a unique circumstance: it originally consisted of two distinct units that were merged into a single residence before the current tenant took occupancy. Despite the unit's transformation into a single domicile, two separate leases remained—one accounting for 40% of the total rent, and the other for the remaining 60%. While SCRIE approved a benefit based on one of these leases, the tenant was informed that the second lease could not be processed. This limitation was due to the architectural constraints of the Rent Freeze application system, which

could not accommodate data from two separate leases for a single applicant and would likewise not permit the calculation of a second SCRIE abatement for one applicant.<sup>29</sup>

However, the ombudsperson identified a specific provision within the New York Real Property Tax Law that was applicable to this unique situation. This provision explicitly allows for the approval of SCRIE benefits on two leases under particular conditions: 1) both units must be rent-regulated, and 2) the tenant must have occupied the amalgamated apartment for a minimum of two years. Both criteria were met in this case.

Following confirmation from the Legal Affairs Division, DOF permitted the tenant to submit a second application and collaborated with FIT to adapt the processing system to accept both leases. Despite this progress, one challenge remained: the tenant had not been able to procure a signed copy of the second lease from the property management. After multiple unsuccessful attempts, the tenant's son sought the intervention of the SCRIE ombudsperson. Subsequent to extensive communications involving the ombudsperson, the tenant, property management, and their legal counsel, the landlord eventually supplied the signed lease.

The ombudsperson successfully closed the case nearly a year after its initial introduction to OTA, enabling the tenant to fully benefit from SCRIE as stipulated by law.

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<sup>29</sup> This is an intended feature that reflects the prohibition on a tenant having SCRIE benefits on more than one apartment at a time.

## **Part VI: DOF Actions on Prior Recommendations**

The following describes the status of recommendations made by the ombudspersons in prior annual reports. Direct quotations from the prior recommendations are italicized in this section.

### **2022: Treatment of Special Unemployment Compensation in Income Years 2020 and 2021**

In 2020, in response to unintended frozen rent increases due to operational changes in the Rent Freeze Program following the implementation of the Housing Stability and Tenant Protection Act of 2019, the ombudspersons proposed the following:

*For the Rent Freeze Program, the approach best aligned with the greater program objectives would be an exclusion of supplemental pandemic unemployment compensation from Rent Freeze income calculation, particularly in the following contexts. DOF should pursue the statutory changes required to effect recommendations (1) and (2) below.*

- Where the income calculation is based on income year 2020 or 2021, and one-third of monthly income exceeds the existing frozen rent, a SCRIE or DRIE applicant's frozen rent should not be increased if the annualized amount of the increase is equal to or greater than the amount of supplemental federal unemployment benefits, if any, included in the income calculation*
- Tenants whose income exceeded the Rent Freeze Program's eligibility limits due to their receipt of supplemental federal unemployment benefits should be eligible to apply for a redetermination or benefit takeover based on their pre- or post-unemployment benefit income.*

DOF Action: DOF is currently evaluating possible solutions. If an agreed-upon solution aligns with DOF's legislative priorities, the ombudspersons will actively support and monitor the legislative process.

### **2022: Readjusting Frozen Rent After Increase Under One-Third Rule**

Prior Recommendation: *In instances where a tenant's frozen rent increases because one-third of the tenant's monthly household income is greater than the current lease rent, the Rent Freeze Program should reverse that increase, depending on the tenant's income in subsequent renewal periods.*

DOF Action: OTA is currently researching whether legislative action is necessary for this change, while also seeking further dialogue with other internal units.

### **2022: Expanding Training Protocols Across DOF**

Prior Recommendation: *The Property Division, External Affairs Division, and other DOF operations should create a repository of informational resources and make available an annual training calendar to DOF personnel who work on Rent Freeze matters.*

DOF Action: OTA is currently assessing training methods for DOF staff at various levels and is collaborating with Property and External Affairs to establish a repository of program information.

## **2022: Increasing Tenant Resources through the Tenant Access Portal**

Prior Recommendation: *DOF should explore widgets or other interface components, such as those mentioned above, to enhance the user experience and make it easier for customers to complete their applications on time.*

DOF Action: DOF is preparing to launch Phase 3 of TAP, which will enable renewal applicants to submit their applications online. In the meantime, FIT and Property are actively reviewing options for implementation.

## **2022: Facilitating Retrieval of Management/Owner Information**

Prior Recommendation: *DOF should provide video training or materials that explain how to read the monthly Landlord Letter and facilitate access to online Rent Freeze tax abatement information.*

DOF Action: OTA is in discussions with internal and external partners, including the Property Division and the Mayor's Public Engagement Unit, to explore educational videos and additional outreach opportunities.

## **2022: Outreach Expansion**

Prior Recommendation: *(1) DOF should explore outreach strategies, including a digital campaign, designed to capture the attention of those who are best positioned to assist program applicants, starting with family members and friends. (2) Personnel from DOF divisions including Property, Legal Affairs, External Affairs, and OTA should meet biannually with key CBOs to convey information and field questions.*

DOF Action: DOF is planning a digital campaign for public spaces, like subway stations, to attract the attention of family and friends. Comprehensive training programs for external partners, including the NYC Mayor's Public Engagement Unit, are also in development. Additionally, OTA and External Affairs are working to resume biannual stakeholder meetings with CBOs.

**APPENDIX I**  
**Ombudspersons' Case and Inquiry Dollar Impact by City Council District**

District/ Council Member	Number of Inquiries				Number of Cases				\$ Impact*			
	FY2020	FY2021	FY2022	FY2023	FY2020	FY2021	FY2022	FY2023	FY2020	FY2021	FY2022	FY2023
1 C. Marte	14	11	13	28	6	14	9	11	\$13,558	\$52,219	\$18,308	\$8,854
2 C. Rivera	24	21	15	38	11	20	6	10	\$9,610	\$12,333	\$16,029	\$16,957
3 E. Bottcher	32	37	35	56	18	32	23	28	\$98,304	\$45,105	\$57,477	\$97,456
4 K. Powers	24	19	15	46	14	21	13	14	\$32,662	\$16,737	\$39,496	\$58,108
5 J. Menin	35	20	13	28	13	18	8	18	\$14,278	\$37,265	\$906	\$57,166
6 G. Brewer	20	26	30	40	10	18	20	26	\$20,210	\$54,240	\$16,309	\$79,030
7 S. Abreu	16	23	28	60	18	14	24	30	\$43,037	\$79,107	\$47,988	\$99,452
8 D. Ayala	6	9	8	15	4	7	3	7	\$2,415	\$11,016	\$2,272	\$14,776
9 K. Jordan	15	15	19	31	15	14	7	8	\$11,523	\$26,082	\$5,016	\$11,784
10 C. De La Rosa	44	57	51	92	24	45	36	39	\$104,985	\$108,004	\$106,196	\$136,650
11 E. Dinowitz	9	19	15	31	10	6	13	14	\$31,271	\$3,382	\$14,950	\$54,932
12 K. Riley	8	12	6	20	7	5	4	7	\$4,179	\$26,591	\$23,931	\$7,137
13 M. Velázquez	7	10	7	12	3	10	7	9	\$10,951	\$22,933	\$20,436	\$11,192
14 P. Sanchez	18	31	19	30	10	20	13	15	\$38,883	\$32,551	\$49,735	\$58,555
15 O. Feliz	5	11	13	34	8	11	10	8	\$31,575	\$7,319	\$7,544	\$25,380
16 A. Stevens	12	18	22	18	8	13	20	11	\$11,695	\$30,776	\$17,118	\$29,152
17 R. Salamanca Jr.	3	6	7	16	4	10	6	7	\$3,675	\$6,180	\$2,328	\$27,617
18 A. Farías	6	8	7	12	2	8	5	4	\$22,314	\$7,342	\$19,577	\$5,600
19 V. Paladino	1	5	1	5	2	3	0	4	\$0	\$5,010	\$0	\$32,862
20 S. Ung	7	9	16	25	11	13	28	17	\$34,181	\$10,728	\$108,184	\$85,789
21 F. Moya	6	6	7	10	8	4	3	3	\$10,411	\$21,577	\$1,524	\$16,116
22 T. Cabán	4	6	7	10	8	5	5	7	\$6,737	\$24,641	\$15,639	\$7,596
23 L. Lee	9	6	6	3	6	10	6	6	\$28,439	\$22,297	\$684	\$1,329
24 J. Gennaro	6	12	7	23	5	3	4	7	\$21,018	\$2,629	\$15,736	\$24,008
25 S. Krishnan	6	10	7	30	5	6	10	14	\$3,678	\$13,675	\$11,391	\$97,184
26 J. Won	7	11	7	14	9	8	12	8	\$21,956	\$13,298	\$38,477	\$8,801
27 N. Williams	1	4	4	9	3	6	5	10	\$528	\$7,322	\$5,547	\$14,987
28 A. Adams	1	1	1	0	0	0	0	0	\$0	\$0	\$0	\$0
29 L. Schulman	21	18	19	33	9	17	17	11	\$39,642	\$28,303	\$52,478	\$84,772
30 R. Holden	2	2	2	7	0	2	1	3	\$0	\$3,584	\$543	\$2,326
31 S. Brooks-Powers	2	6	6	5	2	6	2	1	\$1,300	\$6,088	\$0	\$338
32 J. Ariola	1	5	4	6	1	2	2	3	\$1,170	\$2,038	\$6,427	\$7,007
33 L. Restler	6	6	4	11	4	8	5	10	\$21,244	\$7,801	\$19,923	\$18,086
34 J. Gutiérrez	6	10	7	13	5	9	2	7	\$13,614	\$6,377	\$0	\$8,650

District/ Council Member	Number of Inquiries				Number of Cases				\$ Impact*			
	FY2020	FY2021	FY2022	FY2023	FY2020	FY2021	FY2022	FY2023	FY2020	FY2021	FY2022	FY2023
35 C. Hudson	15	11	11	16	6	12	5	12	\$10,859	\$11,259	\$4,748	\$8,777
36 C. Ossé	2	3	2	7	5	10	1	2	\$2,763	\$18,062	\$229	\$778
37 S. Nurse	3	6	3	4	3	9	2	4	\$965	\$4,853	\$3,853	\$749
38 A. Avilés	5	3	8	6	0	4	1	4	\$0	\$1,773	\$486	\$728
39 S. Hanif	8	12	9	11	3	18	10	5	\$1,247	\$26,921	\$39,750	\$8,516
40 R. Joseph	17	25	21	45	12	24	12	15	\$27,185	\$43,688	\$17,343	\$46,974
41 D. Mealy	8	14	9	16	5	10	11	3	\$16,339	\$2,581	\$15,270	\$1,858
42 C. Barron	5	4	6	10	3	2	2	3	\$4,824	\$1,291	\$0	\$14,749
43 J. Brannan	10	7	13	14	4	5	10	8	\$2,345	\$3,640	\$12,815	\$18,006
44 K. Yeger	3	8	6	19	1	6	3	6	\$1,382	\$22,255	\$6,808	\$59,960
45 F. Louis	6	18	9	11	2	15	6	8	\$912	\$49,989	\$6,372	\$31,708
46 M. Narcisse	2	4	4	3	0	5	1	0	\$0	\$21,329	\$0	\$0
47 A. Kagan	4	8	10	9	2	3	3	2	\$8,763	\$17,075	\$14,945	\$9,134
48 I. Vernikov	11	20	14	23	9	9	5	7	\$17,836	\$36,580	\$8,704	\$40,499
49 K. Hanks	0	0	4	5	0	1	1	6	\$0	\$407	\$0	\$8,614
50 D. Carr	4	1	0	3	0	3	1	5	\$0	\$4,320	\$0	\$9,129
51 J. Borelli	0	0	0	0	0	0	0	0	\$0	\$0	\$0	\$0
N/A**	45	7	27	50	5	1	8	7	\$0	\$0	\$0	\$0
<b>Total</b>	<b>532</b>	<b>621</b>	<b>584</b>	<b>1063</b>	<b>323</b>	<b>525</b>	<b>411</b>	<b>474</b>	<b>\$804,463</b>	<b>\$1,020,572</b>	<b>\$873,490</b>	<b>\$1,469,827</b>

\*Because dollar impact is calculated according to increases in tax abatement credit, matters that do not implicate a change in the tax abatement credit amount (e.g., a renewal without a rent increase) can result in a \$0 dollar impact even if successfully resolved.

\*\*Inquiries from persons outside of the five boroughs or where the tenant's address was not provided were categorized as "N/A" for purposes of this chart.



## APPENDIX II

### Glossary of Terms

**Appeal:** A request, which may be submitted on the DOF Application for Appeal, for reconsideration of a DOF determination. Most often, appeals ask for reexamination of denied Rent Freeze applications or revoked Rent Freeze benefits.

**Benefit Takeover Application:** An application to take over the benefit of a Rent Freeze Program beneficiary who has died or permanently vacated the apartment.

**CBO:** Community-based organization.

**DHCR:** The New York State Division of Homes & Community Renewal.

**DOF:** The New York City Department of Finance.

**Frozen Rent:** The amount of reduced rent, set in accordance with the applicable Rent Freeze Program laws, that the tenant must pay to the landlord.

**HSTPA:** The New York State Housing Stability and Tenant Protection Act of 2019.

**Legal Rent:** The maximum rent that a landlord can charge a tenant for a rent-regulated unit according to applicable law.

**MCI:** Major capital improvement. Authorization of an MCI by DHCR generally includes a rent increase to compensate a landlord for the cost of building-wide renovations.

**Preferential Rent:** DHCR defines “preferential rent” as a rent that an owner agrees to charge that is lower than the legal regulated rent the owner could lawfully collect.

**Reasonable Accommodation:** In the context of DOF programs, a reasonable accommodation is a modification or adjustment to program requirements that is necessary for an applicant or program participant with an impairment to apply for or participate in the program. For Rent Freeze applicants, the most common requests involve an extension of time given as a reasonable accommodation for a person with an impairment to complete the renewal process. Applications for reasonable accommodation are referred to the Department of Finance’s disability service facilitator.

**Redetermination:** An adjustment to a tenant’s frozen rent amount after a permanent loss of 20% or more of the tenant’s combined household income as compared to the income reported in the tenant’s last approved application. In order to be considered for a redetermination, a tenant must submit a redetermination application to the Rent Freeze Program.

**SDP Unit:** DOF’s Senior and Disabled Programs Unit. The SDP Unit is responsible for administering the Rent Freeze Program.

**TAC:** Tax abatement credit; the amount credited on a landlord's property tax bill in accordance with the Rent Freeze Program.

**Tenant Representative:** A person designated by a tenant to receive copies of all SCRIE or DRIE notices sent to the tenant. A tenant representative can assist the tenant with the application process.