

Letter to the Editor

Disagreement With Landlord Group's Group's Argument

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By **Darryl M. Vernon** | July 24, 2019 at 10:00 AM



New York City skylineYour July 17th article, "Landlords File Federal Lawsuit Challenging New York's Rent Control Laws," addresses the argument advanced by a landlord's group that the 2019 Housing Stability and Tenant Protection Act violates the Takings Clause of the Fifth Amendment. In short, landlords now argue that various rights, particularly the right to deregulate apartments under high rent/high income deregulation, have been taken away and they are owed something.

Initially, that argument wouldn't apply to any owner who bought a building before high rent deregulation was given to landlords in around 1993. And of course anyone that had bought a building after that also would have paid a price that reflected the possibility of changes in rent laws. As for the recent Act's changes in rent increases, those changes have occurred most every year. Thus it is hard to see the taking.

If the landlord group truly thinks that there is a taking, do they also think it was a taking when I rented my first rent stabilized apartment in 1978, when there was no high rent/high income deregulation, and then in 1994 suddenly I could lose my apartment? When I first rented it, and agreed to pay a certain rent, could I rely on the fact that under the laws then I would be able to keep my home for as long as I wanted? Of course the answer to that question is no, as most experts say will be the answer to the landlords' argument about a taking.

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