

Broad Group of Public Health, Housing and Policy Experts File Briefs in Support of New York’s Rent-Stabilization Laws

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Over the past two years, Selendy & Gay, along with The Legal Aid Society and Legal Services New York, has defended the constitutionality of New York’s fifty-year-old rent-stabilization framework. Rent stabilization protects millions of New Yorkers from runaway rent increases and dislocation from their communities by regulating the amount a covered landlord may raise rent each year and the grounds for evicting a covered tenant. The law applies mainly to older apartment buildings in cities, towns, and villages that opt into its protections.

After the state legislature strengthened these protections through the Housing Stability and Tenant Protection Act of 2019, two groups of landlords filed lawsuits against New York City and New York State in the Eastern District of New York seeking to strike down the entire framework of rent stabilization.

Selendy & Gay, The Legal Aid Society, and Legal Services New York obtained permission from the district court for their clients—non-profit tenant-advocacy organizations N.Y. Tenants & Neighbors, Community Voices Heard and Coalition for the Homeless—to intervene in the cases and defend the law. [The district court agreed with their arguments and dismissed the landlords’ claims in September 2020.](#)

The landlords then appealed their losses to the Second Circuit Court of Appeals.

Recognizing the importance of New York’s rent-stabilization framework, a diverse array of groups from around the country filed *amicus curiae* (“friend of the court”) briefs in support of the laws on April 23, 2021. The groups include:

- [SEIU1199 United Healthcare Workers East, New York’s largest healthcare union](#)
- [DC37, New York’s public service workers union](#)
- [Community Service Society](#)
- Met Council, Stuyvesant Town/Peter Cooper Village Tenants Association, P.A.L.A.N.T.E. Harlem, West Side Democrats, Park West Village Tenants Association, Housing Rights Initiative, Stellar Tenants for Affordable Housing, 50 West 93rd Street Tenants Association, Central Park Gardens Tenants Associations
- [National Housing Law Project, KC Tenants Union National Low Income Housing Coalition, Lift the Ban Coalition, Alliance for Housing Justice](#)
- [Los Angeles, San Jose, Santa Monica, Oakland, West Hollywood, County of Santa Clara, City and County of San Francisco, Santa Monica Rent Control Board, Berkeley Rent Stabilization Board](#)
- [Property and Housing Law Scholars Gregory S. Alexander \(Cornell\), Monica C. Bell \(Yale\), Elizabeth Blackmar \(Columbia\), Michael C. Blumm \(Lewis & Clark\), Matthew Desmond \(Princeton\), Paula Franzese \(Seton Hall\), Daniel R. Mandelker \(Wash U\), Richard C. Schragger \(Virginia\), Christopher Serkin \(Vanderbilt\), and Danaya C. Wright \(Florida\) in a brief authored by the Constitutional Accountability Center](#)
- [Public Health Scholars, Emily A. Benfer \(Wake Forest\), Kim M. Blankenship \(American\), Katherine L. Chen \(UCLA\), Gregg Gonsalves \(Yale\), Peter Hepburn \(Princeton\), Dayna E. Keene \(Yale\), Kathryn Leifheit \(UCLA\), Michael Z. Levy \(Penn\), Julia Raifman \(BU\), Vincent J. Reina \(Penn\), David Vlahov \(Yale\) and the Center for Health Policy and Law at Northeastern University School of Law in a brief authored by Emily A. Benfer and the Yale Law School Housing Clinic](#)
- [Housing Policy Scholars: Hilary Botein \(Baruch\), Karen Chapple \(Berkeley\), Lance Freeman \(Columbia\), Edward Goetz \(Minnesota\), Kimberley Johnson \(NYU\), Thomas J. Sugrue \(NYU\), Elvin Wyly \(British Columbia\), Sharon Zukin \(CUNY\)](#)

As the *amicus* brief of the Community Service Society of New York makes clear, the rent-stabilization laws “provide vital social benefits by enabling families to establish long-term homes and empowering neighborhoods and communities to grow and flourish.” 1199SEIU United Healthcare Workers East’s brief provides powerful examples of hardworking New Yorkers—mostly women of color—who live and perform essential work in communities they can afford only because of rent stabilization. All the *amicus* briefs underscore the vital importance of upholding the carefully crafted framework of rent stabilization across the state.

The case is *Community Housing Improvement Program v. City of New York*, No. 20-3366 (2d Cir.). Two related appeals are pending in the Second Circuit, and motions to dismiss in two related cases are pending in the Southern District of New York.

The Selendy & Gay Team

The Selendy & Gay team includes Sean Baldwin, Caitlin Halligan, Michael Duke, Babak Ghafarzade, Sophie Lipman, Sam Breidbart, and Katya Stynes.

Attorneys

- Sean Baldwin
- Caitlin Halligan
- Michael Duke
- Babak Ghafarzade
- Sophie Lipman

- Sam Breidbart
- Katya Stynes

Practices

- Appellate
- Public Interest & Pro Bono