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BET TZEDEK CLINIC'S CLASS ACTION SETTLEMENT RESTORES RENT FREEZE BENEFITS FOR UP TO 20,000 ELDERLY AND DISABLED LOWER-INCOME NYC TENANTS



July 27, 2018

New York City's Rent Freeze Program (RFP) freezes the rents paid by lower-income elderly and disabled rent-regulated tenants—in many cases for decades—and provides landlords with tax credits to cover the portion of the legal regulated rent not being paid by the tenant.

Tenants must renew their RFP benefits every two years, but some eligible tenants may be unable to complete the renewal process because of their disabilities. When this happened, Cardozo Law's Bet Tzedek Clinic stepped in to help.

Since the City terminated these valuable benefits, rents became unaffordable and many tenants were forced to move from their affordable apartments or to pay a greater portion of their often limited, fixed incomes for rent. Professor Leslie Salzman, co-director of Cardozo Law's Bet Tzedek clinic and her students, along with co-counsel at JASA Legal Services for the Elderly in Queens and Northern

RELATED NEWS

February 15, 2019

[Students Showcase Their Work in Human Rights, Divorce Mediation and Securities Arbitration Clinics \(/news/students-showcase-their-work-human-rights-divorce-mediation-and-securities-arbitration-clinics\)](#)

Dean Melanie Leslie offered Cardozo's clinic students the opportunity to recount their experiences with hands-on clinical work, through a series of luncheon presentations for faculty and staff.

June 29, 2018

[Two Cardozo Clinics Win Client's Criminal Appeal and Release from Prison; A Third Cardozo Clinic Fights to Keep Him in the Country \(/news/two-cardozo-clinics-win-client%E2%80%99s-criminal-appeal-and-release-prison-third-cardozo-clinic-fights\)](#)

The first Cardozo clinic won his appeal. The second Cardozo clinic convinced the jury in a

Manhattan Legal Services, filed a class action to challenge the City's failure to provide additional time to meet agency deadlines as a reasonable accommodation required by the Americans with Disabilities Act.

After the Court certified a class of current and future RFP beneficiaries, the parties spent over 18 months negotiating a detailed and comprehensive settlement that was approved by the Court last week, in an order congratulating the parties for their outstanding accomplishment on behalf of New York City residents eligible for the program.

Under the final settlement, the City Department of Finance has adopted a formal rule and policy providing individuals with disabilities the right to request an extension of time to meet any RFP deadline as a reasonable accommodation of their disability. In addition, the 20,000 current members of the certified class have been offered the opportunity to request restoration of their prior frozen rents and reimbursement of any excess rent payments made back to 2011. The ability to maintain frozen rents under the program keeps tens of thousands of lower-income elderly and disabled tenants in decent, affordable housing—often for the duration of their lives. Over 60,000 individuals currently participate in the program and the City estimates that over 155,000 individuals are eligible for the program.

"At the same time as the City's Department of Finance was engaged in a campaign to increase participation in the Rent Freeze Program, current recipients were losing these critical benefits because the Agency lacked a reasonable accommodation policy for those who needed additional time to meet a program deadline because of a disability," said Professor Salzman. "Once the Department began to see that the lack of a reasonable accommodation policy was counter-productive, and that elderly and disabled New Yorkers were at risk of losing long-term affordable housing, the Agency worked with Plaintiffs to develop a robust new rule allowing disability-related extensions of time, and agreed to restore class members to the position they would have been in had they not lost their benefits for disability-related reasons."

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two-week-long retrial that he was not guilty.

April 26, 2018

[Indie Film Clinic Hosts Pop-Up Clinic for NYC Filmmakers \(/news/indie-film-clinic-hosts-pop-clinic-nyc-filmmakers\)](#)

As the Tribeca Film Festival takes New York City by storm, Cardozo's own Indie Film Clinic had a role in the action as they presented, in partnership with Tribeca Film Institute, a pop-up clinic which offered free legal advice to filmmakers around the city.

November 1, 2017

[City Council, With Help From Immigration Justice Clinic, Ensures Immigrant Safety While Using City Services \(/news/city-council-help-immigration-justice-clinic-ensures-immigrant-safety-while-using-city-services\)](#)

Starting November 1, 2017, New York City's immigrant community no longer has to worry about the threat of deportation when accessing city services, regardless of their immigration status.

May 12, 2017

[Immigration Justice Clinic Wins Freedom for Client Facing Deportation \(/news/immigration-justice-clinic-wins-freedom-](#)

[client-facing-deportation\)](#)

The Kathryn O. Greenberg Immigration Justice Clinic had a big victory this week when one of their clients, "Mr. L.," a Jamaican national, won his quest to avoid deportation. He was facing the possibility of torture or death if he returned to Jamaica.