

## ***Moving the Needle Forward for Housing Justice in May 2024***

May in the Flower City means strolling in Highland Park or celebrating caregivers'/Mother's Day over dinner.

Consider breaking the mold and adding something new this month. Be a housing justice seeker in May. Here are some easy ways:

Add your voice to the **City-Wide Tenant Union's** efforts by asking City Council to approve funding for a new vacancy study. The vacancy study is a required first step for the rent stabilization policy championed by the City-Wide Tenant Union. A new rent stabilization policy would prevent larger landlords from making big rent hikes. According to the Erie News, in February 2024, Rochester rents increased 7.6% over a 12-month period and ranked fourth in the United States. You can read more details about the vacancy study at the end of this article.

Write a letter or schedule a meeting with your City Council member or attend a City Council meeting to share your experience and struggles with housing in Rochester and your support for the City-Wide Tenant Union. If you wish to speak at the next City Council Public Hearing, follow the link **here** to see the instructions (starting towards the bottom of the page at, "To participate in the Public Hearings:").



Elizabeth McGriff, Staff member, City-Wide Tenant Union

If you attend a City Council meeting, you will most likely see Elizabeth McGriff in action maximizing her voice to motivate the Council. Elizabeth successfully fought to save her family home from foreclosure and enlisted the help of clergy who held a prayer vigil in her front yard. The vigil drew media attention to her family's plight. It took a great deal of patience and persistence to negotiate with the banks, but an agreement was reached and she saved her home.

Join the City-Wide Tenant Union by filling in [\*\*their form\*\*](#) and making a pledge to contribute volunteer time or contribute funds.

Or you may contact the REACH Advocacy Team by emailing [\*\*info@reachadvocacy.org\*\*](mailto:info@reachadvocacy.org) to request more information.

You may also enjoy reading the [\*\*Inclusive Policies and Programmes to Address Homelessness\*\*](#), United Nations General Assembly, July 2023.

**Proposed Legislation for the  
May 21, 2024 City Council Meeting -**

**\* \* Please Note \* \***

**For questions, call the City Clerk's Office at 585-428-7421**



**City of Rochester, NY  
Rochester City Council**

City Hall Room 301A • 30 Church Street • Rochester, New York 14614-1290

Miguel A. Meléndez, Jr. Council President, At-Large

**Neighborhoods, Jobs & Housing  
Introductory No.**

141

Council 1

April 30, 2024

TO THE COUNCIL

Ladies and Gentlemen:

Re: Vacancy Study RFP/RFQ Consideration

Council Priority: Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is a Resolution relating to the consideration of a new Vacancy Study through the issuance of an RFP/RFQ to provide a clear understanding of the cost for such a study.

New York State's Housing Stability and Tenant Protection Act of 2019 extended to Upstate municipalities the ability to opt in to rent stabilization under the State Emergency Tenant Protection Act of 1974 (ETPA). To opt in to rent stabilization under ETPA, a municipality must declare a housing emergency that is premised on a rental vacancy rate of less than five percent in the housing stock that would be rent-controlled, as documented by a rental vacancy rate study (Vacancy Study).

In 2021, the City of Rochester conducted a Vacancy Study to determine whether or not it is eligible to opt-in to rent stabilization under ETPA. At that time, the City of Rochester's 2021 Vacancy Study estimated the net vacancy rate among properties that are potentially eligible for rent stabilization at 9.0%, which is above the 5% threshold necessary to invoke rent control.

In December 2023, the State amended the ETPA with regard to Vacancy Studies to specify the information that landlords are required to provide in response to study inquiries; to add penalties and withhold certificates of occupancy to landlords who do not respond; and, if the landlord does not respond, to require the Vacancy Study to deem there to be zero vacancies for all of the nonresponsive landlord's rental units.

The changes in circumstances described above and the passage of time make it prudent to consider whether the City should commission a new Vacancy Study through the issuance of an RFP/RFQ to provide a clear understanding of the cost for such a study.

Respectfully Submitted,

Miguel A. Meléndez, Jr., President  
At-Large

## INTRODUCTORY NO.

141

Resolution No.

### Resolution relating to the consideration of a new rental vacancy rate study

WHEREAS, New York State's Housing Stability and Tenant Protection Act of 2019 extended to the City of Rochester and all other upstate municipalities the ability to opt in to rent stabilization under the State Emergency Tenant Protection Act of 1974 (ETPA);

WHEREAS, in order to opt in to rent stabilization under ETPA, a municipality must declare a housing emergency that is premised on a rental vacancy rate of less than five percent in the housing stock that would be rent-controlled, as documented by a rental vacancy rate study (Vacancy Study);

WHEREAS, in 2021, the City of Rochester conducted a Vacancy Study to determine whether or not it is eligible to opt in to rent stabilization;

WHEREAS, the City's 2021 Vacancy Study estimated the net vacancy rate among properties that are potentially eligible for rent stabilization at 9.0%, which is above the 5% threshold necessary to invoke rent control;

WHEREAS, in Chapter 698 of the Laws of 2023, effective December 8, 2023, the State amended the ETPA again with regard to Vacancy Studies to specify the information that landlords are required to provide in response to study inquiries, to add penalties and withhold certificates of occupancy to landlords who do not respond, and, if the landlord does not respond, to require the Vacancy Study to deem there to be zero vacancies for all of the nonresponsive landlord's rental units; and

WHEREAS, the changes in circumstances described above and the passage of time make it prudent to consider whether the City should commission a new Vacancy Study through the issuance of an RFP or RFQ to provide a clear understanding of the scope and cost for such a study.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby requests that the City Administration issue a request for proposals or qualifications inviting professional consultants to present their qualifications, the scope of work, and the estimated cost for performing a new Vacancy Study in the City of Rochester (Study RFP/RFQ) in accordance with the rent control opt-in provisions of the Emergency Tenant Protection Act of 1974 as last amended in Chapter 698 of the Laws of 2023. Furthermore, the Council requests that the City Administration submit to Council a summary of the responses to the Study RFP/RFQ.

Section 2. This resolution shall take effect immediately.