



THE CASE FOR GOING ON RENT STRIKE IN NYC

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RENT STRIKES ARE POWERFUL

A landlord's business model depends on collecting rents. When a collective group of tenants withholds rents over a sufficient period of time, fighting and delaying in court, while also making demands public through rallies and the press, the only way for the landlord to collect rent is to meet your demands. Rent strikes effectively put the tenants in control.



RENT STRIKES HAVE BEEN USED THROUGHOUT HISTORY

The first rent strike was in 1904, where immigrant Jewish women organized their whole neighborhood on the Lower East Side to go on rent strike because rents were too high. They all won rent reductions. From then until the early 1940's rent strikes were used often and militantly, thousands of people went on rent strike at once, including entire blocks and neighborhoods. Tenants' attitude was if I can't pay the rent and I'm going to get evicted anyway, I might as well fight. When tenants got evicted, other tenants moved their stuff back in. Rent strikes continued in the 60's and then again in the 90's. And they won us many of the laws we enjoy today, like the right to repairs, to live in safe housing, etc.



RENT STRIKES ARE LEGAL

New York Courts have repeatedly held that collective rent strikes are proper in light of the state's statutory warranty of habitability and the statutory (legal) and constitutional protections of freedom of speech and association. Sections 755 of the Real Property Actions and Proceedings Law and sections 230 and 223 of the Real Property Law support the right to organize, to withhold rent for lack of repairs and prohibit landlords from suing tenants in retaliation for organizing. If anyone tells you that rent strikes aren't legal, they are wrong. Many tenants in other cities do not have these same laws; we should use them!



RENT STRIKES HAVE NOTHING TO DO WITH MORALITY

A lot of people feel a sense of obligation to "pay what they owe." But any sense of moral obligation you might feel towards your landlord is most likely unreciprocated. Does he treat you with dignity and respect? Do you get the repairs you need at the quality he would want them for himself? If he hired someone to do a job but they didn't do it, do you think he'd pay them out of a sense of moral obligation or would he withhold payment until he got what he was owed? You don't have a moral or personal relationship with your landlord, you have a contractual one. He's in the business of making money and breaks his contract (lease) with you and the banks (good repair clause in the mortgage), all the time to do so. We're in the business of fighting to live with dignity and respect.



RENT STRIKES ARE A TACTIC, NOT A GOAL

The most successful rent strikes are part of broader campaigns that include rallies, pickets, media, petitions, rent reductions, marches and other tactics to win your goals.



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RENT STRIKES SHOULD BE COLLECTIVE, PUBLIC AND WELL ORGANIZED

- ✓ Rent strikes assert financial pressure on the landlord. The more tenants on rent strike and the longer the strike lasts, the more financial pressure there is.
- ✓ If the landlord thinks you're on rent strike because you can't pay rent, he has little incentive to make repairs or meet your demands, and a lot of incentive to try to evict you. If he thinks the only way he'll get his money is to meet your demands, he has more incentive to meet your demands. It's therefore important that the Tenants' Association (TA) organize a way to withhold rents, either through a bank account through the TA or through a lawyer. It's also important to keep good documentation about communication with the landlord and all of the issues in the building and the work of the TA.
- ✓ Rent strikes should be public to assert as much pressure as you can and to make your demands clear. You can send a demand letter to the landlord, outlining your demands and threatening that a rent strike will begin if your demands aren't met by a particular date, and on that date, you can send an announcement letter putting them on notice that you're officially on rent strike. You can also announce your rent strike to the media, at a press conference or rally; put signs in windows; meet with elected officials, etc. The more public your rent strike is, the more protected you are and the more pressure you create!

RENT STRIKES, COURT & LEGAL SUPPORT

- ✓ Often the threat of a rent strike is enough to win your demands and if not, the rent strike can be a powerful tool to negotiate. Many tenants who go on rent strike are not brought to court.
- ✓ It's always good to talk to a lawyer either way, so that lawyers are prepared if and when tenants get sued. Right to Counsel means that tenants don't have to worry about lawyer's capacity to take their case because they are guaranteed an attorney! But working with attorneys should still be coordinated and intentional.
- ✓ Tenants should work with one legal services provider so that they can best coordinate with the lawyers on strategy, consolidate all of the individual cases so that they are heard on the same day and so that they can build relationships with attorneys.
- ✓ Court dates are great opportunities for direct actions and media! Tenants, community members and allies can all show up in solidarity to support, crowd the courtroom and communicate the legitimacy and seriousness of your demands. Court cases are political; they aren't just about the facts of a case.

WORRIED ABOUT THE BLACKLIST? DON'T! The tenant movement made the state outlaw this practice in June of 2019! It's unclear how it will be regulated but if a future landlord won't rent to you because of your involvement in a court case, you now have a lot of options. And the tenant movement is working hard to make sure this law is strongly enforced.