



Landlord Tactics Against Tenants During COVID-19: Know Your Rights!



Why is my landlord suddenly asking for my personal financial information?

In early May, Governor Cuomo issued an order saying that until August 20, in order to sue tenants, landlords will need to show that tenants are not facing financial hardship due to COVID-19.

The result: lots of landlords started to ask their tenants for their personal financial information! Some landlords sent google surveys, others sent complicated forms or emails asking for information. Landlords are doing this so they can sue as many tenants as possible in eviction cases when the courts open.

Should I respond to my landlord's request for financial information?

Maybe. Currently, landlords are not supposed to bring non-payment eviction cases against tenants who are eligible for unemployment insurance or experiencing financial hardship due to COVID-19. If you are a tenant who has experienced financial hardship because of COVID-19, telling your landlord this should stop them from suing you in housing court before August 20th.

BUT, do not provide your financial documents (like paystips, bank statements, or tax returns). And **do not fill out any forms** provided by your landlord asking for detailed financial information!

If you do want to notify your landlord that you are facing financial difficulties, and it's safe for you to mail a letter, you could **send a short, general letter** like this and keep a copy:

Dear Landlord:

I am protected by Executive Order 202.28 because I am experiencing financial hardship as the result of COVID-19. Under the Governor's Executive Order you cannot start or continue an eviction proceeding for nonpayment of rent against me.

Sincerely,

If your landlord does start an eviction case against you, your letter will be proof that they knew about your financial hardship and should not have sued you.

Even if your landlord hasn't asked for your financial information, if you have financial hardship because of COVID-19, you could send the very general letter above to try to prevent them from suing you.

You could also send a letter like this **if you receive a rent demand** from your landlord and want to stop them from starting an eviction case.

But do I have to give my landlord my financial information?

No! You have no legal obligation to provide your landlord with information about your current financial situation. Your landlord is just asking for this information so that they can sue you in an eviction case and financial information you provide may be used by your landlord in other ways.

If your landlord wants to sue you in an eviction case, they will probably start a case if you don't respond to their requests for financial information. But you will be able to use COVID-19 financial hardship as a defense in any non-payment case they start.

For tenants who have Section 8 or live in low-income housing or public housing, you are generally required to submit financial information to your landlord each year (or when your circumstances change). That requirement hasn't changed. But that doesn't mean your landlord can suddenly demand new financial information from you because of COVID-19. You have just as much right not to be harassed for your financial information as all other tenants.

If you're not sure whether to give your landlord the financial information they are asking for, you can check with a tenant lawyer by calling: **718-557-1379 or you can call 311 and ask for the Tenant Helpline.**

What if my landlord retaliates against me?

There are laws against landlords harassing tenants. Once you refuse to provide the financial information or if you don't provide everything the landlord wants, that should be the end of the discussion. But what if your landlord won't take no for an answer?

- Keep written notes about what your landlord does, including the date.
- Remember, you are not alone. Join with your other tenants and get organized. It is much harder for your landlord to do this if tenants in your building are united. Learn more about tenant organizing [here](#).
- If your landlord is harassing you, you could take legal action against them. To get legal help to address landlord harassment, **call 718-557-1379 or you can call 311 and ask for the Tenant Helpline.**

My landlord is also demanding that I start making rent payments on-line. Do I have to?

You do not have to pay rent online or use electronic billing now or at any time, even if it is required in a lease. The law says you have the right to pay rent by money order, personal check, cash, or the online system and the landlord has to accept it. For more information, see our [FAQ on Online Rent Payments](#).

Landlord harassment is scary. But you don't have to face it alone! If your landlord is harassing you, he's probably harassing other tenants too. Get to know your neighbors, form a tenants' association and get involved with a [local tenant organizing group](#). Organizing keeps us safe, builds our power, and can stop landlord harassment!

For more information visit: www.righttocounselnyc.org/organizing_covid19 OR housingjusticeforall.org/covid19