

NEW RENT REGULATION EXPLANATION IS GIVEN

New rent regulations to conform with the Housing and Rent Act of 1948 became effective April 1.

Under the new law, rent controls are continued in effect through March 31, 1949, under the administration of the Housing Expediter. It makes no automatic change in rent ceilings and for most tenants their maximum rents under the new law are the same as those which were in effect on June 30, 1947, with the following three types of exceptions:

A. Where a landlord and tenant had voluntarily entered into a written lease increasing the rent up to 15 per cent.

B. Where the local rent office had issued an individual adjustment order changing the rent.

C. Where the Housing Expediter had approved a general increase in the rent level in a rent area or portion of an area in response to a recommendation of a local Rent Advisory Board.

Tenants who have not signed voluntary lease increases are protected for the life of the Housing and Rent Act of 1948, through March 31, 1949.

LEASES INCREASING RENT

Tenants who signed leases on or before last December 31 agreeing to an increase in rent up to 15 per cent are protected by those leases which must run at least through December 31, 1948 and if they expire before March 31, 1949, the new law protects them through the latter date.

The new law gives landlords the right to enter into new lease agreements with tenants provided they are valid written leases entered into voluntarily and in good faith on or before December 31, 1948 and they expire on or after December 31, 1949 at a maximum rent which is no more than 15 per cent above what the ceiling would have been in the absence of a lease on March 30, 1948—the day the new law was enacted. A copy of the lease must be filed within 15 days after execution with the local rent office.

Housing accommodations for which a lease to increase rents under the Housing and Rent Act of 1947 was terminated between January 1, 1948 and March 30, 1948 (the date the new law was enacted) are no longer subject to rent controls.

However, for any housing accommodations on which a lease terminates after March 30, 1948 and before March 31, 1949, the property will remain under rent control. Landlords must file a report with the local rent office if any lease is terminated.

The law contains the provision that the Housing Expediter shall make such adjustments in maximum rents as may be necessary to remove hardships or to correct inequities. This applies not only to individual adjustments but also to Defense-Rental Areas, portions of Areas, and any classes of housing accommodations within such areas.

The new rent regulations continue to list several different grounds under which Area Rent Directors are authorized to make individual adjustments. In accordance with the new law, the regulations provide that in making hardship adjustments, "Due weight shall be given to the question as to whether or not the landlord is suffering a loss in the operations of the housing accommodations."

LOCAL RENT ADVISORY BOARDS

Provision is still made in the rent law for local advisory boards to make recommendations to the Housing Expediter but the provision with reference to the representative character of boards is strengthened to require that members "As a group are representative of the affected interests in the Area."

Boards are to hold hearings in individual adjustment cases at the request of either landlord or tenant. Before making a recommendation to the Housing Expediter on decontrol or the general rent level in an Area, a Rent Advisory Board is now required to hold a public hearing and to observe other procedures stated in the law, as well as to present "adequate and substantial evidence" to support its findings.

If the Housing Expediter does not approve the board's recommendations within 30 days after he received it, he refers the matter to the Emergency Court of Appeals for a final determination.

ENFORCEMENT

Enforcement power is broadened under the new law to the extent that the Housing Expediter is given authority to

seek injunctions against violation of any provision of the rent law. Previously, his power was limited to court injunctions against overcharges. The change permits use of the injunctions against unlawful evictions and any other rent violations.

The tenant still has the right to sue for up to three times the amount of overcharges, plus court costs and reasonable attorney fees.

EVICTION CONTROLS

Under a new provision of the 1948 law no tenant need surrender a housing accommodation unit at least 60 days after he has received a written eviction notice from his landlord, unless the tenant has not paid his rent, or he is violating the obligations of his tenancy or is creating a nuisance. In those cases the time limit before eviction is governed by local law.

The law also specifies that a tenant may be evicted for the following reasons:

A. If a landlord or a member of his immediate family wishes to occupy the quarters.

B. If the landlord has contracted to sell the place to a purchaser for the purchaser's immediate personal occupancy.

C. If the landlord wishes to demolish the structure or to alter it substantially under special conditions.

D. If the landlord seeks to withdraw the place from the rental market (such accommodations cannot thereafter be rented).

E. If housing accommodations have been acquired by the State for public improvement and are rented temporarily before the construction of such improvement.

F. If the landlord is exempt from taxation under Section 101 (6) of the Internal Revenue Code (Non-profit, religious, charitable and educational institutions) and wishes the premises for the purpose of housing staff members.

The tenant in an apartment may not be evicted from a co-operative apartment by the purchaser of stock in the co-operative unless at least 65 per cent of the dwelling units in the structure are occupied by stockholder-tenants.

DECONTROL PROVISIONS

The following types of housing accommodations are controlled by the law.

A. Accommodations in hotels. (The new law does not change the provisions relating to the decontrol of accommodations in hotels.)

B. Motor courts, tourist homes serving transient guests exclusively.

C. Trailers or trailer spaces. (These were previously controlled by the Housing Expediter.)

D. New constructions or constructions completed after February 1, 1947.

E. New construction completed between February 1, 1945 and February 1, 1947 and unrented between the completion date and June 30, 1947. (A new decontrol provision.)

F. Housing accommodations not rented for any successive 24-month period from February 1, 1945 to the enactment date of the new law.

G. Non-housekeeping furnished rooms in private homes where there are no more than two paying guests. (New provision.)

SECURITY DEPOSIT

The law now authorizes the collection of a one-month's rent security deposit if that was the rental practice in the particular area before January 30, 1942, or was customarily required before that date by the same landlord in the renting of the particular housing accommodations involved.

TITLE I—HOUSING

The 30-day Veterans Preference to rent or purchase newly constructed housing accommodations is continued to April 1, 1949. This applies to all For-Sale and For-Rent housing, other than that constructed for owner occupancy, completed after June 30, 1947, and before April 1, 1949. The law requires that all such constructions be offered for sale or rent exclusively to veterans or their families during construction and for 30 days after completion.

The liquidating functions of the Veterans Emergency Housing Act are continued. This includes liquidating the premium payments and guaranteed market programs and investigating complaints growing out of houses built under priority authorization.

Authority of the Housing Expediter to require a permit for construction of amusement or recreational purposes is repealed.

ARMY WEATHER REPORTS

An automatic weather station developed by the United States Army's Signal Corps measures atmospheric data and transmits it via radio to a central weather collection point.



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