



FINANCE
NEW • YORK
THE CITY OF NEW YORK
DEPARTMENT OF FINANCE

ANSWERS TO THE MOST FREQUENTLY ASKED QUESTIONS ABOUT

THE DISABILITY RENT INCREASE EXEMPTION (DRIE)

1. WHAT IS DRIE?

The Disability Rent Increase Exemption (DRIE) is a program that offers an exemption from future rent increases to tenants with disabilities who meet all of the eligibility criteria. The program also provides an abatement to landlords - a credit they can apply to their property tax - to compensate them for the rent increase they would have received from the tenant who is in the DRIE program.

2. AM I ELIGIBLE FOR DRIE?

Applicants must meet all five criteria to be approved for DRIE:

- (1) Rent an apartment defined as eligible by law;
- (2) Be named on the lease or rent order, be the tenant of record, or be the spouse with a disability of either;
- (3) Receive eligible state or federal disability-related financial assistance;
- (4) Meet the program's income eligibility requirement; and,
- (5) Pay more than one-third of their household's aggregate disposable income for rent.

3. IS MY APARTMENT ELIGIBLE?

Applicants must rent an apartment that is (a) rent-controlled or rent-stabilized, (b) in a Mitchell Lama development, (c) owned by a limited dividend housing company, redevelopment company or housing development fund company incorporated under the private housing finance law, or (d) in a building where the mortgage was federally insured under Section 213 of the National Housing Act.

4. WHAT IS A "TENANT OF RECORD?"

If a DRIE applicant is not named on the lease or rent order, he/she must be a tenant of record for the apartment (or the spouse with a disability of either). The tenant of record may be a spouse, domestic partner, or child who has the legal right to the apartment, also known as the right of succession, after the leaseholder's death.

5. WHAT IS "ELIGIBLE STATE OR FEDERAL DISABILITY-RELATED FINANCIAL ASSISTANCE?"

The applicant with a disability must currently receive any one of the following:

- a. Federal Supplemental Security Income (SSI);
- b. Federal Social Security Disability Insurance (SSDI),
- c. US Department of Veterans Affairs disability pension or compensation; or
- d. Disability-related Medicaid.

6. WHAT IS THE DRIE INCOME REQUIREMENT?

Effective January 1, 2006, due to a 4.1% cost of living increase, applicants may qualify for DRIE if their annual household's aggregate disposable income is less than or equal to \$17,580 for an individual, or \$25,212 for a household with two or more members.

7. WHAT ARE IMPAIRMENT-RELATED AND BLIND WORK EXPENSES?

These are expenses incurred by the applicant with a disability that allow him/her to work, and they can be used to offset income.

8. IF A HOUSEHOLD MEMBER ALREADY HAS SCRIE, CAN ANOTHER MEMBER APPLY FOR DRIE?

No. The law does not permit a household to have both a SCRIE and DRIE benefit at the same time.

9. IF I AM APPROVED FOR DRIE, WILL MY LAST RENT INCREASE BE CANCELLED?

The DRIE law was enacted on October 10, 2005. If you are approved for DRIE by March 15, 2006, your rent will be frozen at the legal rent that was in effect on October 10th. After March 15, 2006, if you are approved for DRIE, your rent freeze will apply to the rent that is in effect on the date of your application.

10. HOW DO I APPLY FOR DRIE?

You can print a DRIE application from Finance's website at **nyc.gov/finance**, call 311 to request an application by mail or call Finance's TAX FAX Service at 212-504-4038 *from your fax machine* (press "#" and enter "367") to receive an application by fax.

You may apply for DRIE any time. Finance will process your application and notify you that you have been approved or denied (generally within 30 days). If you have been approved, we will notify your landlord that you are exempt from any future rent increases.

If you need assistance completing the DRIE application or have questions about eligibility, please call 311, or contact the Mayor's Office for People with Disabilities - 100 Gold Street, 2nd Floor, New York, NY 10038. Telephone: 212-788-2830; TTY: 212-788-2838.

11. DO I HAVE TO REAPPLY FOR DRIE IF I MOVE?

Yes. A new application is necessary to confirm that you still meet all the eligibility criteria, and it will alert Finance to cancel the owner's abatement for your old apartment and credit the owner/building manager of your new building.