



# Commercial Tenant Harassment

# Who is USBnyc?



United for Small Business NYC (USBnyc) is a coalition of community organizations across New York City fighting to protect New York's small businesses and non-residential tenants from the threat of displacement, with a particular focus on owner-operated, low-income, minority-run businesses that serve low-income and minority communities.

# What have we won? Storefront Vacancy Registry



The City now has to maintain a public and searchable database - a **Storefront Registry** - that shows counts of vacant and occupied first and second floor commercial spaces, as well as average and median rents by council district, borough and citywide. Landlords are required to report information by property, and the city is also required to publish a searchable database of specific property information. These databases will allow policymakers, advocates, and community members to track vacancy trends in their own neighborhoods and communities while holding landlords accountable for failing to register.

# Commercial Lease Assistance Program



In 2018 the coalition fought the Commercial Lease Assistance program. Business owners can seek free legal advice from an attorney

# Commercial Anti Harassment Law



In 2016, United for Small Business NYC organized to help pass the first-in-the-country Commercial Tenant Anti-harassment Law (§ 22-902), which established a legal definition of commercial tenant harassment and gave commercial tenants the right to sue their landlord in court. The intention of the law was to serve as a tool for non-residential tenants to fight back against harassment and displacement from landlords. But, the lack of enforcement leaves tenants with the burden to prove they are being harassed and take their landlords to court.

# What is considered Commercial Tenant Harassment?

- Changing locks without tenants' permission
- Repeated or long-term interruptions or discontinuances of one or more essential services (such as electricity, water or heating).
- Removing any personal property belonging to the tenant, their employees, subtenants or customers from the leased premises.
- Commencing unnecessary construction or repairs on or near the leased premises, which substantially interferes with the tenant's business.



# Merchants speak/organizers share stories

## Why is this happening?

- The rules are unfair. Even if a small business has a lease, it might not include a right to basic things like heat, hot water, or repairs.
- Lease agreements are crafted by landlords to shift financial burdens, maintenance responsibilities, and other liabilities onto the tenant while landlords retain the benefits of steady income and property appreciation.
- This is especially true in neighborhoods where immigrants and people of color live.



## What do we need?

- Landlords should be held fully responsible for maintaining the leased property and ensuring it remains safe, functional, and up to code.
- These terms should be restructured to ensure that landlords maintain their spaces adequately, fostering a fairer, more stable leasing environment.
- The City to invest in merchant organizing
- Expansion of CLA program