



## THE INQUIRING MIND

### Requiring Tenant to Get Renters Insurance

**Q.** May I require my rent-stabilized tenants to get renters insurance?

**A.** Yes, but only if the tenant is signing a vacancy lease. You can include a clause in the vacancy lease requiring the tenant to get renters insurance, says Adam Leitman Bailey of the Manhattan law firm of Adam Leitman Bailey P.C. You can't add this clause to a tenant's renewal lease because the Rent Stabilization Law bars you from changing the terms and conditions of a tenant's lease. Although there are restrictions on what clauses are acceptable in a rent-stabilized vacancy lease, clauses requiring payments to third parties, like requiring tenants to get renters insurance, are permissible, Bailey notes. You just can't include clauses that reduce or restrict services you already provide to the tenants in a building, he says. When you rent to a new tenant, he explains, you must provide all the same services that were included in the rent of the former tenant. Those services are all listed in the Building Registration that was filed with the Division of Housing and Community Renewal, usually around 1984. These so-called "registered services" can't be restricted or reduced in a lease to a new tenant.

For example, you can't refuse to allow tenants to use meeting rooms in a building if you've been allowing them to do so. And you can't add lease clauses that impose fees for things that you've been providing for free, he explains.