

# The New York Times

## Q & A; Who Can Pay for a Rent-Controlled Apartment?

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**Q.** *My disabled father is a tenant in a rent-controlled building. Recently, he had a fall and was taken to the hospital. While he was in the hospital, I had to mail in his rent check. When I called the landlord to find out the address, I was told that they would refuse any check that was not in the tenant's name. I am afraid that if this happens in the future, I will not be able to get a check from my father to the landlord. Is this policy legal?*

**A.** According to **Dov Treiman**, a Manhattan attorney, there are no specific provisions in the law that address whether a landlord can refuse payment from third parties in rent controlled, rent stabilized and other forms of regulated housing. However, **Mr. Treiman** said, "Nearly all landlords have a policy of refusing to accept rent from anyone other than the named tenant and the courts allow them to do so."

The reason is that people outside of the landlord-tenant relationship may try to use acceptance of rent as a method for making a claim to succeed to an apartment after the named tenant has died or left. However, **Mr. Treiman** said that more knowledgeable landlords know the way they can accept payment without losing their rights to choose who gets to live in the apartment. "When the payment is coming from somebody other than the named tenant, who just wants to make sure the rent is kept current during something like a hospital stay, the person making the payment need only sign a statement that the he or she makes no claim on the apartment and then both sides are fully protected."