

**Order Number 3a – Rent Levels for Decontrolled Units  
July 1, 1971 Through June 30, 1972**

**Order Number 3a—Rent Levels for Decontrolled Units—July 1, 1971 Through June 30, 1972**

**PURSUANT TO THE AUTHORITY VESTED IN IT BY THE RENT**

Stabilization Law of 1969, the Rent Guidelines Board hereby establishes and adopts the following guidelines for rent levels of certain decontrolled dwelling units:

*Applicability*

This Order shall apply for the period July 1, 1971 through June 30, 1972 to any dwelling unit which was subject to control under the City Rent and Rehabilitation Law on May 31, 1968, was subsequently decontrolled and is now subject to the provisions of the Rent Stabilization Law. This Order establishes guidelines only for the first lease following decontrol; however, where a decontrol lease was entered into pursuant to paragraph (c) or (d) of Section 2(f) (15) of the Rent Eviction Regulations, this Order does not apply to or modify the terms thereof, but is applicable to the first lease for a term commencing after its expiration or other termination. Any subsequent lease shall be subject to the provisions of Rent Guidelines Board Order No. 3 if executed after June 30, 1971 and before July 1, 1972. In no event may the rent under an existing lease be increased except pursuant to the terms thereof.

*Renewal Leases*

As used in this Order, "renewal lease" means any lease entered into by a tenant in occupancy, whether such occupancy was pursuant to a lease or a statutory tenancy.

The level of fair rent increases for such a renewal lease over the lawful rent actually charged and paid on May 31, 1968 shall be:

—as to dwelling unit of less than four rooms:

25 per cent for a two-year lease; or 35 per cent for a three-year lease

—as to a dwelling unit of four or more rooms:

35 per cent for a two-year lease; or 45 per cent for a three-year lease.

—which percentage increases shall be inclusive of the 10 per cent or the two 10 per cent increases, if any, paid under decontrol leases pursuant to Section 2(f) (15) of the Rent and Eviction Regulations, or any other non-service increases paid since May 31, 1968 pursuant to the Rent and Eviction Regulations. Where a renewal lease to which this Order applies is for a one-year term, the level of fair rent increase shall be that prescribed above for a two-year lease, provided that the owner offers to the tenant a one-year extension of the lease at the same rental.

*Fractional Terms*

For the purpose of this Order any lease or tenancy: (a) for a period up to and including one year shall be deemed a one-year lease or tenancy; (b) for a period over one year and up to and including two years shall be deemed a two-year lease; (c) and for a period over two years and up to and including three years shall be deemed a three-year lease.

*Credits*

Rental charged and paid in excess of the levels of fair rent increase established by this Order shall be fully refunded within 30 days thereafter.

Dated: July 1, 1971

Filed with City Clerk, July, 1971

Roger Starr  
Chairman,  
Rent Guidelines Board

June 20, 1994

ORDER NUMBER 26 - Apartments and Lofts, rent levels for leases commencing October 1, 1994 through September 30, 1995

RECEIVED  
OFFICE OF THE CITY CLERK  
9th JUNE -1  
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NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN THE NEW YORK CITY RENT GUIDELINES BOARD BY THE RENT STABILIZATION LAW OF 1969, as amended, and the Emergency Tenant Protection Act of 1974, as amended, implemented by Resolution No 276 of 1974 of the New York City Council and extended by Chapter 253 of the laws of 1993, and in accordance with the requirements of Section 1043 of the New York City Charter, that the Rent Guidelines Board hereby adopts the following levels of fair rent increases over lawful rents charged and paid on September 30, 1994. These rent adjustments will apply to rent stabilized apartments with leases commencing on or after October 1, 1994 and through September 30, 1995. Rent guidelines for loft units subject to Section 286 subdivision 7 of the Multiple Dwelling Law are also included in this order.

ADJUSTMENT FOR RENEWAL LEASES (APARTMENTS)

Together with such further adjustments as may be authorized by law, the annual adjustment for renewal leases for apartments shall be:

- For **one** year renewal leases commencing on or after October 1, 1994 and on or before September 30, 1995: 2%
- For **two** year renewal leases commencing on or after October 1, 1994 and on or before September 30, 1995: 4%

These adjustments shall also apply to dwelling units in a structure subject to the partial tax exemption program under Section 421a of the Real Property Tax Law, or in a structure subject to Section 423 of the Real Property Tax Law as a Redevelopment Project.

## LEASES ON VACANT APARTMENTS (vacancy allowance)

Where a dwelling unit becomes vacant, the levels of rent increase governing a new tenancy commencing on or after October 1, 1994 and on or before September 30, 1995 are the same levels over rentals charged on September 30, 1994 as those set forth above for lease renewals, except that:

- where the rent charged and paid on September 30, 1994 in a unit in a building with thirty or fewer dwelling units is less than four hundred dollars an additional 10% over the rent charged on September 30, 1994 may be added; and
- except for those units receiving a 10% vacancy allowance, where the rent charged and paid on September 30, 1994 is less than one thousand dollars, an additional 5% over the rent charged on September 30, 1994 may be added.

## SUPPLEMENTARY ADJUSTMENT OF \$15 FOR RENEWAL AND VACANCY LEASES FOR APARTMENTS IN BUILDINGS WITH THIRTY OR FEWER DWELLING UNITS RENTING FOR LESS THAN \$400 PER MONTH ON SEPTEMBER 30, 1994

For a lease for an apartment in a building with thirty or fewer dwelling units with a lawful rent of less than \$400 per month on September 30, 1994, the levels of rent increase for renewal and vacancy leases commencing October 1, 1994 through September 30, 1995 are the same as those set forth hereinabove plus \$15 per month.

## ADJUSTMENTS FOR UNITS IN THE CATEGORY OF BUILDINGS COVERED BY ARTICLE 7-C OF THE MULTIPLE DWELLING LAW (LOFTS)

The Rent Guidelines Board hereby adopts the following levels of rent increase above the "base rent," as defined in Section 286, subdivision 4, of the Multiple Dwelling Law, for units where residential renewal leases are offered pursuant to Section 286, subdivision 3:

- For one year renewal leases commencing on or after October 1, 1994 and on or before September 30, 1995: 2.5%
- For two year renewal leases commencing on or after October 1, 1994 and on or before September 30, 1995: 4.5%

LEASES ON VACANT LOFT UNITS

No "vacancy allowance" is permitted under this order. Therefore, except as otherwise provided in Section 286, subdivision 6, of the Multiple Dwelling Law, the rent charged to any tenant for a vacancy lease commencing on or after October 1, 1994 and on or before September 30, 1995 may not exceed the "base rent" referenced above plus the level of adjustment permitted above for renewal leases.

FRACTIONAL TERMS

For the purpose of these guidelines any lease or tenancy for a period up to and including one year shall be deemed a one year lease or tenancy, and any period over one year and up to and including two years shall be deemed a two year lease.

ESCALATOR CLAUSES

Where a lease for a dwelling unit in effect on May 31, 1968 or where a lease in effect on June 30, 1974 for a dwelling unit which became subject to the Rent Stabilization Law of 1969, by virtue of the Emergency Tenant Protection Act of 1974 and Resolution Number 276 of the New York City Council, contained an escalator clause for the increased costs of operation and such clause is still in effect, the lawful rent on September 30, 1994 over which the fair rent under this Order is computed shall include the increased rental, if any, due under such clause except those charges which accrued within one year of the commencement of the renewal lease. Moreover, where a lease contained an escalator clause that the owner may validly renew under the Code, unless the owner elects or has elected in writing to delete such clause, effective no later than October 1, 1994 from the existing lease and all subsequent leases for such dwelling unit, the increased rental, if any, due under such

escalator clause shall be offset against the amount of increase authorized under this Order.

### SPECIAL ADJUSTMENTS UNDER PRIOR ORDERS

All rent adjustments lawfully implemented and maintained under previous apartment orders and included in the base rent in effect on September 30, 1994, shall continue to be included in the base rent for the purpose of computing subsequent rents adjusted pursuant to this Order.

### SPECIAL GUIDELINE

Under Section 26-513(b)(1) of the New York City Administrative Code, and Section 9(e) of the Emergency Tenant Protection Act of 1974, the Rent Guidelines Board is obligated to promulgate special guidelines to aid the State Division of Housing and Community Renewal in its determination of initial legal regulated rents for housing accommodations previously subject to the City Rent and Rehabilitation Law which are the subject of a tenant application for adjustment. The Rent Guidelines Board hereby adopts the following Special Guidelines:

- For dwelling units subject to the Rent and Rehabilitation Law on September 30, 1994, which become vacant after September 30, 1994, the special guideline shall be the greater of 35% above the maximum base rent as it existed or would have existed, or 40% above the maximum collectible rent paid by the prior tenant.

### DECONTROLLED UNITS

The permissible increase for decontrolled units as referenced in Order 3a which become decontrolled after September 30, 1994, shall not exceed the greater of 35% above the maximum base rent as it existed or would have existed, or 40% above the maximum collectible rent paid by the prior tenant.

## CREDITS

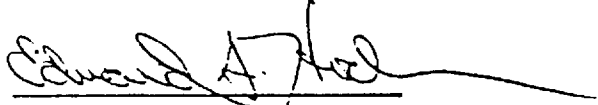
Rentals charged and paid in excess of the levels of rent increase established by this Order shall be fully credited against the next month's rent.

## STATEMENT OF BASIS AND PURPOSE

The Rent Guidelines Board is authorized to promulgate rent guidelines governing apartment units subject to the Rent Stabilization Law of 1969, as amended, and the Emergency Tenant Protection Act of 1974, as amended. The purpose of these guidelines is to implement the public policy set forth in Findings and Declaration of Emergency of the Rent Stabilization Law of 1969 (§26-501 of the N.Y.C. Administrative Code) and in the Legislative Finding contained in the Emergency Tenant Protection Act of 1974 (L.1974 c. 576, §4 [§2]).

The Rent Guidelines Board is also authorized to promulgate rent guidelines for loft units subject to Section 286 subdivision 7 of the Multiple Dwelling Law. The purpose of the loft guidelines is to implement the public policy set forth in the Legislative Findings of Article 7-C of the Multiple Dwelling Law (Section 280).

Dated: June 20, 1994

  
Edward Hochman  
Chairman  
Rent Guidelines Board

# APARTMENT & LOFT ORDER #27

June 27, 1995

ORDER NUMBER 27 - Apartments and Lofts, rent levels for leases commencing October 1, 1995 through September 30, 1996

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN THE NEW YORK CITY RENT GUIDELINES BOARD BY THE RENT STABILIZATION LAW OF 1969, as amended, and the Emergency Tenant Protection Act of 1974, as amended, implemented by Resolution No 276 of 1974 of the New York City Council and extended by Chapter 253 of the laws of 1993, and in accordance with the requirements of Section 1043 of the New York City Charter, that the Rent Guidelines Board hereby adopts the following levels of fair rent increases over lawful rents charged and paid on September 30, 1995. These rent adjustments will apply to rent stabilized apartments with leases commencing on or after October 1, 1995 and through September 30, 1996. Rent guidelines for loft units subject to Section 286 subdivision 7 of the Multiple Dwelling Law are also included in this order.

## 1. ADJUSTMENT FOR RENEWAL LEASES (APARTMENTS)

Together with such further adjustments as may be authorized by law, the annual adjustment for renewal leases for apartments shall be:

For a one year renewal lease commencing on or after October 1, 1995 and on or before September 30, 1996: 2%

For a two year renewal lease commencing on or after October 1, 1995 and on or before September 30, 1996: 4%

An, in addition, a Supplementary Adjustment of \$20 per month to the levels of rent increase for renewal and vacancy leases commencing October 1, 1995 through September 30, 1996, if the apartment is renting for \$400 or less on September 30, 1995.

These adjustments shall also apply to dwelling units in a structure subject to the partial tax exemption program under Section 421a of the Real Property Tax Law, or in a structure subject to Section 423 of the Real Property Tax Law as a Redevelopment Project.

## 2. LEASES ON VACANT APARTMENTS (VACANCY ALLOWANCE)

Where a dwelling unit becomes vacant, the levels of rent increase governing a new tenancy commencing on or after October 1, 1995 and on or before September 30, 1996 are the same levels over rentals charged on September 30, 1995 as those set forth above for lease renewals, plus 8.5 % over the rent charged on September 30, 1995.

## 3. ADJUSTMENTS FOR UNITS IN THE CATEGORY OF BUILDINGS COVERED BY ARTICLE 7-C OF THE MULTIPLE DWELLING LAW (LOFTS)

The Rent Guidelines Board hereby adopts the following levels of rent increase above the "base rent," as defined in Section 286, subdivision 4, of the Multiple Dwelling Law, for units where residential renewal leases are offered pursuant to Section 286, subdivision 3:

--For one year renewal leases commencing on or after October 1, 1995 and on or before September 30, 1996: 2%

## APARTMENT & LOFT ORDER #27

--For two year renewal leases commencing on or after October 1, 1995 and on or before September 30, 1996: 4%

### 4. LEASES ON VACANT LOFT UNITS

No "vacancy allowance" is permitted under this order. Therefore, except as otherwise provided in Section 286, subdivision 6, of the Multiple Dwelling Law, the rent charged to any tenant for a vacancy lease commencing on or after October 1, 1995 and on or before September 30, 1996 may not exceed the "base rent" referenced above plus the level of adjustment permitted above for renewal leases.

### 5. FRACTIONAL TERMS

For the purpose of these guidelines any lease or tenancy for a period up to and including one year shall be deemed a one year lease or tenancy, and any period over one year and up to and including two years shall be deemed a two year lease.

### 6. ESCALATOR CLAUSES

Where a lease for a dwelling unit in effect on May 31, 1968 or where a lease in effect on June 30, 1974 for a dwelling unit which became subject to the Rent Stabilization Law of 1969, by virtue of the Emergency Tenant Protection Act of 1974 and Resolution Number 276 of the New York City Council, contained an escalator clause for the increased costs of operation and such clause is still in effect, the lawful rent on September 30, 1995 over which the fair rent under this Order is computed shall include the increased rental, if any, due under such clause except those charges which accrued within one year of the commencement of the renewal lease. Moreover, where a lease contained an escalator clause that the owner may validly renew under the Code, unless the owner elects or has elected in writing to delete such clause, effective no later than October 1, 1995 from the existing lease and all subsequent leases for such dwelling unit, the increased rental, if any, due under such escalator clause shall be offset against the amount of increase authorized under this Order.

### 7. SPECIAL ADJUSTMENTS UNDER PRIOR ORDERS

All rent adjustments lawfully implemented and maintained under previous apartment orders and included in the base rent in effect on September 30, 1995 shall continue to be included in the base rent for the purpose of computing subsequent rents adjusted pursuant to this Order.

### 8. SPECIAL GUIDELINE

Under Section 26-513(b)(1) of the New York City Administrative Code, and Section 9(e) of the Emergency Tenant Protection Act of 1974, the Rent Guidelines Board is obligated to promulgate special guidelines to aid the State Division of Housing and Community Renewal in its determination of initial legal regulated rents for housing accommodations previously subject to the City Rent and Rehabilitation Law which are the subject of a tenant application for adjustment. The Rent Guidelines Board hereby adopts the following Special Guidelines:

- For dwelling units subject to the Rent and Rehabilitation Law on September 30, 1995, which become vacant after September 30, 1995, the special guideline shall be the greater of 35% above the maximum base rent as it existed or would have existed, or 45% above the maximum collectible rent paid by the prior tenant.



## APARTMENT & LOFT ORDER #27

### 9. DECONTROLLED UNITS

The permissible increase for decontrolled units as referenced in Order 3a which become decontrolled after September 30, 1995, shall not exceed the greater of 35% above the maximum base rent as it existed or would have existed, or 45% above the maximum collectible rent paid by the prior tenant.

### 10. CREDITS

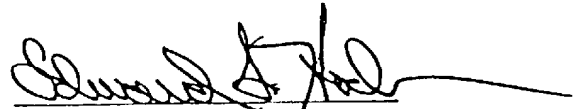
Rentals charged and paid in excess of the levels of rent increase established by this Order shall be fully credited against the next month's rent.

### STATEMENT OF BASIS AND PURPOSE

The Rent Guidelines Board is authorized to promulgate rent guidelines governing apartment units subject to the Rent Stabilization Law of 1969, as amended, and the Emergency Tenant Protection Act of 1974, as amended. The purpose of these guidelines is to implement the public policy set forth in Findings and Declaration of Emergency of the Rent Stabilization Law of 1969 (§26-501 of the N.Y.C. Administrative Code) and in the Legislative Finding contained in the Emergency Tenant Protection Act of 1974 (L.1974 c. 576, §4 [§2]).

The Rent Guidelines Board is also authorized to promulgate rent guidelines for loft units subject to Section 286 subdivision 7 of the Multiple Dwelling Law. The purpose of the loft guidelines is to implement the public policy set forth in the Legislative Findings of Article 7-C of the Multiple Dwelling Law (Section 280).

Dated: June 27, 1995



Edward S. Hochman, Esq.  
Chairman  
Rent Guidelines Board

# Increases Allowed as Established by The Rent Guidelines Board of The City of New York

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## THE CITY OF NEW YORK RENT GUIDELINES BOARD

**June 24, 1996**

**Order Number 28 -- Apartments and Lofts, rent levels for leases  
commencing October 1, 1996 through September 30, 1997**

**NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN THE NEW YORK CITY RENT GUIDELINES BOARD BY THE RENT STABILIZATION LAW OF 1969**, as amended, and the Emergency Tenant Protection Act of 1974, as amended, implemented by Resolution No 276 of 1974 of the New York City Council and extended by Chapter 253 of the laws of 1993, and in accordance with the requirements of Section 1043 of the New York City Charter, that the Rent Guidelines Board hereby adopts the following levels of fair rent increases over lawful rents charged and paid on September 30, 1996. These rent adjustments will apply to rent stabilized apartments with leases commencing on or after October 1, 1996 and through September 30, 1997. Rent guidelines for loft units subject to Section 286 subdivision 7 of the Multiple Dwelling Law are also included in this order.

### **ADJUSTMENT FOR RENEWAL LEASES (APARTMENTS)**

Together with such further adjustments as may be authorized by law, the annual adjustment for renewal leases for apartments shall be:

- For a one year renewal lease commencing on or after October 1, 1996 and on or before September 30, 1997: 5%
- For a two year renewal lease commencing on or after October 1, 1996 and on or before September 30, 1997: 7%

And, in addition, a Supplementary Adjustment of \$20 per month to the levels of rent increase for renewal and vacancy leases commencing October 1, 1996 through September 30, 1997, if the apartment is renting for \$400 or less on September 30, 1996.

These adjustments shall also apply to dwelling units in a structure subject to the partial tax exemption program under Section 421a of the Real Property Tax Law, or in a structure subject to Section 423 of the Real Property Tax Law as a Redevelopment Project.

### **LEASES ON VACANT APARTMENTS (VACANCY ALLOWANCE)**

Where a dwelling unit becomes vacant, the levels of rent increase governing a new tenancy commencing on or after October 1, 1996 and on or before September 30, 1997 are the same levels over rentals charged on September 30, 1996 as those set forth above for lease renewals, plus 9% over the rent charged on September 30, 1996.

## **ADJUSTMENTS FOR UNITS IN THE CATEGORY OF BUILDINGS COVERED BY ARTICLE 7C OF THE MULTIPLE DWELLING LAW (LOFTS)**

The Rent Guidelines Board hereby adopts the following levels of rent increase above the "base rent," as defined in Section 286, subdivision 4, of the Multiple Dwelling Law, for units where residential renewal leases are offered pursuant to Section 286, subdivision 3:

- For one year renewal leases commencing on or after October 1, 1996 and on or before September 30, 1997: 4%
- For two year renewal leases commencing on or after October 1, 1996 and on or before September 30, 1997: 6%

## **LEASES ON VACANT LOFT UNITS**

No "vacancy allowance" is permitted under this order. Therefore, except as otherwise provided in Section 286, subdivision 6, of the Multiple Dwelling Law, the rent charged to any tenant for a vacancy lease commencing on or after October 1, 1996 and on or before September 30, 1997 may not exceed the "base rent" referenced above plus the level of adjustment permitted above for renewal leases.

## **FRACTIONAL TERMS**

For the purpose of these guidelines any lease or tenancy for a period up to and including one year shall be deemed a one year lease or tenancy, and any period over one year and up to and including two years shall be deemed a two year lease.

## **ESCALATOR CLAUSES**

Where a lease for a dwelling unit in effect on May 31, 1968 or where a lease in effect on June 30, 1974 for a dwelling unit which became subject to the Rent Stabilization Law of 1969, by virtue of the Emergency Tenant Protection Act of 1974 and Resolution Number 276 of the New York City Council, contained an escalator clause for the increased costs of operation and such clause is still in effect, the lawful rent on September 30, 1996 over which the fair rent under this Order is computed shall include the increased rental, if any, due under such clause except those charges which accrued within one year of the commencement of the renewal lease. Moreover, where a lease contained an escalator clause that the owner may validly renew under the Code, unless the owner elects or has elected in writing to delete such clause, effective no later than October 1, 1996 from the existing lease and all subsequent leases for such dwelling unit, the increased rental, if any, due under such escalator clause shall be offset against the amount of increase authorized under this Order.

## **SPECIAL ADJUSTMENTS UNDER PRIOR ORDERS**

All rent adjustments lawfully implemented and maintained under previous apartment orders and included in the base rent in effect on September 30, 1996 shall continue to be included in the base rent for the purpose of computing subsequent rents adjusted pursuant to this Order.

## **SPECIAL GUIDELINE**

Under Section 26-513(b)(1) of the New York City Administrative Code, and Section 9(e) of the Emergency Tenant Protection Act of 1974, the Rent Guidelines Board is obligated to promulgate special guidelines to aid the State Division of Housing and Community Renewal in its determination of initial legal regulated rents for housing accommodations previously subject to the City Rent and Rehabilitation Law which are the subject of a tenant application for adjustment. The Rent Guidelines Board hereby adopts the following Special Guidelines:

- For dwelling units subject to the Rent and Rehabilitation Law on September 30, 1996, which become vacant after September 30, 1996, the special guideline shall be the greater of 40% above the maximum base rent as it existed or would have existed plus the current allowable fuel cost adjustment established pursuant to Section 2202.13 of the Rent and Eviction Regulations, or 50% above the maximum collectible rent paid by the prior tenant plus the allowable fuel cost adjustment.

### **DECONTROLLED UNITS**

The permissible increase for decontrolled units as referenced in Order 3a which become decontrolled after September 30, 1996, shall not exceed the greater of 40% above the maximum base rent as it existed or would have existed plus the current allowable fuel cost adjustment established pursuant to Section 2202.13 of the Rent and Eviction Regulations, or 45% above the maximum collectible rent paid by the prior tenant plus the allowable fuel costs adjustment.

### **CREDITS**

Rentals charged and paid in excess of the levels of rent increase established by this Order shall be fully credited against the next month's rent.

### **STATEMENT OF BASIS AND PURPOSE**

The Rent Guidelines Board is authorized to promulgate rent guidelines governing apartment units subject to the Rent Stabilization Law of 1969, as amended, and the Emergency Tenant Protection Act of 1974, as amended. The purpose of these guidelines is to implement the public policy set forth in Findings and Declaration of Emergency of the Rent Stabilization Law of 1969 (Section 26-501 of the N.Y.C. Administrative Code) and in the Legislative Finding contained in the Emergency Tenant Protection Act of 1974 (L.1974 c. 576, Section 4 [Section 2]).

The Rent Guidelines Board is also authorized to promulgate rent guidelines for loft units subject to Section 286 subdivision 7 of the Multiple Dwelling Law. The purpose of the loft guidelines is to implement the public policy set forth in the Legislative Findings of Article 7-C of the Multiple Dwelling Law (Section 280).

Dated: June 24, 1996  
Edward S. Hochman, Esq.  
Chairman  
Rent Guidelines Board

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# **Increases Allowed as Established by The Rent Guidelines Board of The City of New York**

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## **THE CITY OF NEW YORK RENT GUIDELINES BOARD**

**June 23, 1997  
Order Number 29**

**Apartments and Lofts, rent levels for leases  
commencing October 1, 1997 through September 30, 1998**

**NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN THE NEW YORK CITY RENT GUIDELINES BOARD BY THE RENT STABILIZATION LAW OF 1969**, as amended, and the Emergency Tenant Protection Act of 1974, as amended, implemented by Resolution No 276 of 1974 of the New York City Council and extended by the Rent Regulation Reform Act of 1997, and in accordance with the requirements of Section 1043 of the New York City Charter, that the Rent Guidelines Board hereby adopts the following levels of fair rent increases over lawful rents charged and paid on September 30, 1997. These rent adjustments will apply to rent stabilized apartments with leases commencing on or after October 1, 1997 and through September 30, 1998. Rent guidelines for loft units subject to Section 286 subdivision 7 of the Multiple Dwelling Law are also included in this order.

### **ADJUSTMENT FOR RENEWAL LEASES (APARTMENTS)**

Together with such further adjustments as may be authorized by law, the annual adjustment for renewal leases for apartments shall be:

- For a one year renewal lease commencing on or after October 1, 1997 and on or before September 30, 1998: 2%
- For a two year renewal lease commencing on or after October 1, 1997 and on or before September 30, 1998: 4%

These two adjustments shall also apply to dwelling units in a structure subject to the partial tax exemption program under Section 421a of the Real Property Tax Law, or in a structure subject to Section 423 of the Real Property Tax Law as a Redevelopment Project.

### **PROPOSED VACANCY ALLOWANCE FOR APARTMENTS**

No vacancy allowance is permitted under this order except as provided by sections 19 and 20 of the Rent Regulation Reform Act of 1997.

**SUPPLEMENTARY ADJUSTMENT OF UP TO \$15 PER MONTH FOR  
RENEWAL LEASES FOR APARTMENTS RENTING FOR \$400 OR LESS ON  
SEPTEMBER 30, 1997**

For a renewal lease on a dwelling unit with a lawful rent of \$400 or less per month on September 30, 1997 the levels of rent increase for renewal leases commencing October 1, 1997 through September 30, 1998 are the same as those set forth hereinabove plus a \$15 per month supplementary adjustment provided the monthly rent resulting from application of this level of increase or any portion thereof does not exceed \$415.

### **ADDITIONAL ADJUSTMENT FOR RENT STABILIZED APARTMENTS SUBLET UNDER SECTION 2525.6 OF THE RENT STABILIZATION CODE**

In the event of a sublease governed by subdivision (e) of section 2525.6 of the Rent Stabilization Code, the allowance authorized by such subdivision shall be 5%, provided, however, that this charge shall not be in addition to other sublet adjustments allowed by law or by the New York State Division of Housing and Community Renewal.

### **PROPOSED ADJUSTMENTS FOR LOFTS (UNITS IN THE CATEGORY OF BUILDINGS COVERED BY ARTICLE 7-C OF THE MULTIPLE DWELLING LAW)**

The Rent Guidelines Board proposes the following levels of rent increase above the "base rent", as defined in Section 286, subdivision 4, of the Multiple Dwelling Law, for units where residential renewal leases are offered pursuant to Section 286, subdivision 3:--

- For one year renewal leases commencing on or after October 1, 1997 and on or before September 30, 1998: 2%
- For two year renewal leases commencing on or after October 1, 1997 and on or before September 30, 1998: 4%

For a renewal lease on a dwelling unit with a lawful rent of \$400 or less per month on September 30, 1997 the levels of rent increase for renewal leases commencing October 1, 1997 through September 30, 1998 are the same as those set forth hereinabove plus \$15 per month provided the monthly rent resulting from application of this level of increase or any portion thereof does not exceed \$415.

### **LEASES ON VACANT LOFT UNITS**

No Vacancy Allowance is permitted under this Order. Therefore, except as otherwise provided in Section 286, subdivision 6, of the Multiple Dwelling Law, or by other law, the rent charged to any tenant for a vacancy lease commencing on or after October 1, 1997 and on or before September 30, 1998 may not exceed the "base rent" referenced above plus the level of adjustment permitted above for renewal leases and the supplementary adjustment of \$15, if applicable.

### **FRACTIONAL TERMS**

For the purposes of these guidelines any lease or tenancy for a period up to and including one year shall be deemed a one year lease or tenancy, and any period over one year and up to and including two years shall be deemed a two year lease.

### **ESCALATOR CLAUSES**

Where a lease for a dwelling unit in effect on May 31, 1968 or where a lease in effect on June 30, 1974 for a dwelling unit which became subject to the Rent Stabilization Law of 1969, by virtue of the Emergency Tenant Protection Act of 1974 and Resolution Number 276 of the New York City Council, contained an escalator clause for the increased costs of operation and such clause is still in effect, the lawful rent on September 30, 1997 over which the fair rent under this Order is computed shall include the increased rental, if any, due under such clause except those charges which accrued within one year of the commencement of the renewal lease. Moreover, where a lease contained an escalator clause that the owner may validly renew under the Code, unless the owner elects or has elected in writing to delete such clause, effective no later than October 1, 1997 from the existing lease and all subsequent leases for such dwelling unit, the increased rental, if any, due under such escalator clause shall be offset against the amount of increase authorized under this Order.

### **SPECIAL ADJUSTMENTS UNDER PRIOR ORDERS**

All rent adjustments lawfully implemented and maintained under previous apartment orders and included in the base rent in effect on September 30, 1997 shall continue to be included in the base rent for the purpose of computing subsequent rents adjusted pursuant to this Order.

### **SPECIAL GUIDELINE**

Under Section 26-513(b)(1) of the New York City Administrative Code, and Section 9(e) of the Emergency Tenant Protection Act of 1974, the Rent Guidelines Board is obligated to promulgate special guidelines to aid the State Division of Housing and Community Renewal in its determination of initial legal regulated rents for housing accommodations previously subject to the City Rent and Rehabilitation Law which are the subject of a tenant application for adjustment. The Rent Guidelines Board hereby adopts the following Special Guidelines:-

For dwelling units subject to the Rent and Rehabilitation Law on September 30, 1997, which become vacant after September 30, 1997, the special guideline shall be the greater of 40% above the maximum base rent as it existed or would have existed, or 50% above the maximum collectible rent paid by the prior tenant plus the allowable fuel cost adjustment.

### **DECONTROLLED UNITS**

The permissible increase for decontrolled units as referenced in Order 3a which become decontrolled after September 30, 1997, shall not exceed the greater of 40% above the maximum base rent as it existed or would have existed, or 50% above the maximum collectible rent paid by the prior tenant plus the allowable fuel cost adjustment.

### **CREDITS**

Rentals charged and paid in excess of the levels of rent increase established by this Order shall be fully credited against the next month's rent.

### **STATEMENT OF BASIS AND PURPOSE**

The Rent Guidelines Board is authorized to promulgate rent guidelines governing apartment units subject to the Rent Stabilization Law of 1969, as amended, and the Emergency Tenant

Protection Act of 1974, as amended. The purpose of these guidelines is to implement the public policy set forth in Findings and Declaration of Emergency of the Rent Stabilization Law of 1969 (§26-501 of the N.Y.C. Administrative Code) and in the Legislative Finding contained in the Emergency Tenant Protection Act of 1974 (L.1974 c. 576, §4 [§2]).

The Rent Guidelines Board is also authorized to promulgate rent guidelines for loft units subject to Section 286 subdivision 7 of the Multiple Dwelling Law. The purpose of the loft guideline is to implement the public policy set forth in the Legislative Findings of Article 7-C of the Multiple Dwelling Law (Section 280).

Dated: June 23, 1997

Edward S. Hochman, Esq. Chairman  
Rent Guidelines Board



# Increases Allowed as Established by The Rent Guidelines Board of The City of New York

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## THE CITY OF NEW YORK RENT GUIDELINES BOARD

June 22, 1998  
Order Number 30

**Apartments and Lofts, rent levels for leases  
commencing October 1, 1998 through September 30, 1999**

**NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN THE NEW YORK CITY RENT GUIDELINES BOARD BY THE RENT STABILIZATION LAW OF 1969**, as amended, and the Emergency Tenant Protection Act of 1974, as amended, implemented by Resolution No 276 of 1974 of the New York City Council and extended by the Rent Regulation Reform Act of 1997, and in accordance with the requirements of Section 1043 of the New York City Charter, that the Rent Guidelines Board hereby adopts the following levels of fair rent increases over lawful rents charged and paid on September 30, 1998. These rent adjustments will apply to rent stabilized apartments with leases commencing on or after October 1, 1998 and through September 30, 1999. Rent guidelines for loft units subject to Section 286 subdivision 7 of the Multiple Dwelling Law are also included in this order.

### **ADJUSTMENT FOR RENEWAL LEASES (APARTMENTS)**

Together with such further adjustments as may be authorized by law, the annual adjustment for renewal leases for apartments shall be:

- For a one year renewal lease commencing on or after October 1, 1998 and on or before September 30, 1999: 2%
- For a two year renewal lease commencing on or after October 1, 1998 and on or before September 30, 1999: 4%

These two adjustments shall also apply to dwelling units in a structure subject to the partial tax exemption program under Section 421a of the Real Property Tax Law, or in a structure subject to Section 423 of the Real Property Tax Law as a Redevelopment Project.

### **PROPOSED VACANCY ALLOWANCE FOR APARTMENTS**

No vacancy allowance is permitted except as provided by sections 19 and 20 of the Rent Regulation Reform Act of 1997.

### **SUPPLEMENTARY ADJUSTMENT OF UP TO \$15 PER MONTH FOR RENEWAL LEASES FOR APARTMENTS RENTING FOR LESS THAN \$450 ON SEPTEMBER 30, 1998**

For a renewal lease on a dwelling unit with a lawful rent of less than \$450 per month on September 30, 1998 the levels of rent increase for renewal leases commencing October 1, 1998 through September 30, 1999 are the same as those set forth hereinabove plus a \$15 per month supplementary adjustment provided the monthly rent resulting from application of this level of increase or any portion thereof does not exceed \$465.

**ADDITIONAL ADJUSTMENT FOR RENT STABILIZED APARTMENTS SUBLET UNDER SECTION 2525.6 OF THE RENT STABILIZATION CODE**

In the event of a sublease governed by subdivision (e) of section 2525.6 of the Rent Stabilization Code, the allowance authorized by such subdivision shall be 5%, provided, however, that this charge shall not be in addition to other sublet adjustments that may otherwise be allowed by law.

**PROPOSED ADJUSTMENTS FOR LOFTS (UNITS IN THE CATEGORY OF BUILDINGS COVERED BY ARTICLE 7-C OF THE MULTIPLE DWELLING LAW)**

The Rent Guidelines Board proposes the following levels of rent increase above the "base rent", as defined in Section 286, subdivision 4, of the Multiple Dwelling Law, for units where residential renewal leases are offered pursuant to Section 286, subdivision 3:

- For one year renewal leases commencing on or after October 1, 1998 and on or before September 30, 1999: 1.5%
- For two year renewal leases commencing on or after October 1, 1998 and on or before September 30, 1999: 3%

**LEASES ON VACANT LOFT UNITS**

No Vacancy Allowance is permitted under this Order. Therefore, except as otherwise provided in Section 286, subdivision 6, of the Multiple Dwelling Law, or by other law, the rent charged to any tenant for a vacancy lease commencing on or after October 1, 1998 and on or before September 30, 1999 may not exceed the "base rent" referenced above plus the level of adjustment permitted above for renewal leases.

**FRACTIONAL TERMS**

For the purposes of these guidelines any lease or tenancy for a period up to and including one year shall be deemed a one year lease or tenancy, and any period over one year and up to and including two years shall be deemed a two year lease.

**ESCALATOR CLAUSES**

Where a lease for a dwelling unit in effect on May 31, 1968 or where a lease in effect on June 30, 1974 for a dwelling unit which became subject to the Rent Stabilization Law of 1969, by virtue of the Emergency Tenant Protection Act of 1974 and Resolution Number

276 of the New York City Council, contained an escalator clause for the increased costs of operation and such clause is still in effect, the lawful rent on September 30, 1998 over which the fair rent under this Order is computed shall include the increased rental, if any, due under such clause except those charges which accrued within one year of the commencement of the renewal lease. Moreover, where a lease contained an escalator clause that the owner may validly renew under the Code, unless the owner elects or has elected in writing to delete such clause, effective no later than October 1, 1998 from the existing lease and all subsequent leases for such dwelling unit, the increased rental, if any, due under such escalator clause shall be offset against the amount of increase authorized under this Order.

### **SPECIAL ADJUSTMENTS UNDER PRIOR ORDERS**

All rent adjustments lawfully implemented and maintained under previous apartment orders and included in the base rent in effect on September 30, 1998 shall continue to be included in the base rent for the purpose of computing subsequent rents adjusted pursuant to this Order.

### **SPECIAL GUIDELINE**

Under Section 26-513(b)(1) of the New York City Administrative Code, and Section 9(e) of the Emergency Tenant Protection Act of 1974, the Rent Guidelines Board is obligated to promulgate special guidelines to aid the State Division of Housing and Community Renewal in its determination of initial legal regulated rents for housing accommodations previously subject to the City Rent and Rehabilitation Law which are the subject of a tenant application for adjustment. The Rent Guidelines Board hereby adopts the following Special Guidelines:

For dwelling units subject to the Rent and Rehabilitation Law on September 30, 1998, which become vacant after September 30, 1998, the special guideline shall be 80% above the maximum base rent as it existed or would have existed, plus the allowable fuel cost adjustment, or \$650, whichever is greater.

### **DECONTROLLED UNITS**

The permissible increase for decontrolled units as referenced in Order 3a which become decontrolled after September 30, 1998, shall be 80% above the maximum base rent as it existed or would have existed, plus the allowable fuel cost adjustment, or \$650, whichever is greater.

### **CREDITS**

Rentals charged and paid in excess of the levels of rent increase established by this Order shall be fully credited against the next month's rent.

### **STATEMENT OF BASIS AND PURPOSE**


The Rent Guidelines Board is authorized to promulgate rent guidelines governing apartment units subject to the Rent Stabilization Law of 1969, as amended, and the Emergency Tenant Protection Act of 1974, as amended. The purpose of these guidelines is to implement the

public policy set forth in Findings and Declaration of Emergency of the Rent Stabilization Law of 1969 (§26-501 of the N.Y.C. Administrative Code) and in the Legislative Finding contained in the Emergency Tenant Protection Act of 1974 (L.1974 c. 576, §4 [§2]).

The Rent Guidelines Board is also authorized to promulgate rent guidelines for loft units subject to Section 286 subdivision 7 of the Multiple Dwelling Law. The purpose of the loft guideline is to implement the public policy set forth in the Legislative Findings of Article 7-C of the Multiple Dwelling Law (Section 280).

Dated: June 25, 1998  
Edward S. Hochman, Esq. Chairman  
Rent Guidelines Board


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## Apartment & Loft Order #31

**June 25, 1999**

**Order Number 31 - Apartments and Lofts**, rent levels for leases commencing October 1, 1999 through September 30, 2000.

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN THE NEW YORK CITY RENT GUIDELINES BOARD BY THE RENT STABILIZATION LAW OF 1969, as amended, and the Emergency Tenant Protection Act of 1974, as amended, implemented by Resolution No 276 of 1974 of the New York City Council and extended by the Rent Regulation Reform Act of 1997, and in accordance with the requirements of Section 1043 of the New York City Charter, that the Rent Guidelines Board (RGB) hereby adopts the following levels of fair rent increases over lawful rents charged and paid on September 30, 1999. These rent adjustments will apply to rent stabilized apartments with leases commencing on or after October 1, 1999 and through September 30, 2000. Rent guidelines for loft units subject to Section 286 subdivision 7 of the Multiple Dwelling Law are also included in this order.

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### ADJUSTMENT FOR RENEWAL LEASES (APARTMENTS)

Together with such further adjustments as may be authorized by law, the annual adjustment for renewal leases for apartments shall be:

For a **one**-year renewal lease commencing on or after October 1, 1999 and on or before September 30, 2000: **2%**

For a **two**-year renewal lease commencing on or after October 1, 1999 and on or before September 30, 2000: **4%**

These two adjustments shall also apply to dwelling units in a structure subject to the partial tax exemption program under Section 421a of the Real Property Tax Law, or in a structure subject to Section 423 of the Real Property Tax Law as a Redevelopment Project.

### NO VACANCY ALLOWANCE FOR APARTMENTS

No vacancy allowance is permitted except as provided by sections 19 and 20 of the Rent Regulation Reform Act of 1997.

SUPPLEMENTAL ADJUSTMENT OF UP TO \$15 PER MONTH FOR RENEWAL LEASES FOR APARTMENTS RENTING FOR \$500 OR LESS ON SEPTEMBER 30, 1999. RENTS THAT ARE \$215 OR LESS ON SEPTEMBER 30, 1999 AFTER ANY ALLOWABLE INCREASES IN THIS ORDER ARE APPLIED, WILL BE INCREASED TO \$215.

For a renewal lease on a dwelling unit with a lawful rent of \$500 or less per month on September 30, 1999, the levels of rent increase for renewal leases commencing October 1, 1999 through September 30, 2000 are the same as those set forth hereinabove plus a \$15 per month supplementary adjustment.

For a renewal lease commencing on or after October 1, 1999 through September 30, 2000, on a dwelling unit with a lawful rent of \$215 or less per month after any allowable increase(s) in this Order are applied, the new lawful rent will be \$215.

### ADDITIONAL ADJUSTMENT FOR RENT STABILIZED APARTMENTS SUBLET UNDER SECTION 2525.6 OF THE RENT STABILIZATION CODE

In the event of a sublease governed by subdivision (e) of section 2525.6 of the Rent Stabilization Code, the allowance authorized by such subdivision shall be 0%.

### ADJUSTMENTS FOR LOFTS (UNITS IN THE CATEGORY OF BUILDINGS COVERED BY ARTICLE 7-C OF THE MULTIPLE DWELLING LAW)

The Rent Guidelines Board adopts the following levels of rent increase above the "base rent", as defined in Section 286, subdivision 4, of the Multiple Dwelling Law, for units to which these guidelines are applicable in accordance with Article 7-C of the Multiple Dwelling Law:

For **one**-year increase periods commencing on or after October 1, 1999 and on or before September 30, 2000: **1%**

For **two**-year increase periods commencing on or after October 1, 1999 and on or before September 30, 2000: **2%**

### VACANT LOFT UNITS

No Vacancy Allowance is permitted under this Order. Therefore, except as otherwise provided in Section 286, subdivision 6, of the Multiple Dwelling Law, the rent charged to any tenant for a vacancy tenancy commencing on or after October 1, 1999 and on or before September 30, 2000 may not exceed the "base rent" referenced above plus the level of adjustment permitted above for increase periods.

### FRACTIONAL TERMS

For the purposes of these guidelines any lease or tenancy for a period up to and including one year shall be deemed a one year lease or tenancy, and any lease or tenancy for a period of over one year and up to and including two years shall be deemed a two-year lease or tenancy.

### ESCALATOR CLAUSES

Where a lease for a dwelling unit in effect on May 31, 1968 or where a lease in effect on June 30, 1974 for a dwelling unit which became subject to the Rent Stabilization Law of 1969, by virtue of the Emergency Tenant Protection Act of 1974 and Resolution Number 276 of the New York City Council, contained an escalator clause for the increased costs of operation and such clause is still in effect, the lawful rent on September 30, 1999 over which the fair rent under this Order is computed shall include the increased rental, if any, due under such clause except those charges which accrued within one year of the commencement of the renewal lease. Moreover, where a lease contained an escalator clause that the owner may validly renew under the Code, unless the owner elects or has elected in writing to delete such clause, effective no later than October 1, 1999 from the existing lease and all subsequent leases for such dwelling unit, the increased rental, if any, due under such escalator clause shall be offset against the amount of increase authorized under this Order.

### SPECIAL ADJUSTMENTS UNDER PRIOR ORDERS

All rent adjustments lawfully implemented and maintained under previous apartment orders and included in the base rent in effect on September 30, 1999 shall continue to be included in the base rent for the purpose of computing subsequent rents adjusted pursuant to this Order.

### SPECIAL GUIDELINE

Under Section 26-513(b)(1) of the New York City Administrative Code, and Section 9(e) of the Emergency Tenant Protection Act of 1974, the Rent Guidelines Board is obligated to promulgate special guidelines to aid the State Division of Housing and Community Renewal in its determination of initial legal regulated rents for housing accommodations previously subject to the City Rent and Rehabilitation Law which are the subject of a tenant application for adjustment. The Rent Guidelines Board hereby adopts the following Special Guidelines:

For dwelling units subject to the Rent and Rehabilitation Law on September 30, 1999, which become vacant after September 30, 1999, the special guideline shall be the greater of the following:

1. 150% above the maximum base rent as it existed or would have existed, plus the allowable fuel cost adjustment, or
2. The Fair Market Rent for existing housing as established by the United States Department of Housing and Urban Development (HUD) for the New York City Primary Metropolitan Statistical Area pursuant to Section 8(c) (1) of the United States Housing Act of 1937 (42 U.S.C. section 1437f [c] [1] ) and 24 C.F.R. Part 888, with such Fair Market Rents to be adjusted based upon whether the tenant pays his or her own gas and/or electric charges as part of his or her rent as such gas and/or electric charges are accounted for by the New York City Housing Authority.

Such HUD-determined Fair Market Rents will be published in the Federal Register, to take effect on October 1, 1999.

### DECONTROLLED UNITS

The permissible increase for decontrolled units as referenced in Order 3a which become decontrolled after September 30, 1999, shall be the greater of the following:

1. 150% above the maximum base rent as it existed or would have existed, plus the allowable fuel cost adjustment, or
2. The Fair Market Rent for existing housing as established by the United States Department of Housing and Urban Development (HUD) for the New York City Primary Metropolitan Statistical Area pursuant to Section 8(c) (1) of the United States Housing Act of 1937 (42



U.S.C. section 1437f [c] [1] ) and 24 C.F.R. Part 888, with such Fair Market Rents to be adjusted based upon whether the tenant pays his or her own gas and/or electric charges as part of his or her rent as such gas and/or electric charges are accounted for by the New York City Housing Authority.

Such HUD-determined Fair Market Rents will be published in the Federal Register, to take effect on October 1, 1999.

#### CREDITS

Rentals charged and paid in excess of the levels of rent increase established by this Order shall be fully credited against the next month's rent.

#### STATEMENT OF BASIS AND PURPOSE

The Rent Guidelines Board is authorized to promulgate rent guidelines governing apartment units subject to the Rent Stabilization Law of 1969, as amended, and the Emergency Tenant Protection Act of 1974, as amended. The purpose of these guidelines is to implement the public policy set forth in Findings and Declaration of Emergency of the Rent Stabilization Law of 1969 (§26-501 of the N.Y.C. Administrative Code) and in the Legislative Finding contained in the Emergency Tenant Protection Act of 1974 (L.1974 c. 576, §4 [§2]).

The Rent Guidelines Board is also authorized to promulgate rent guidelines for loft units subject to Section 286 subdivision 7 of the Multiple Dwelling Law. The purpose of the loft guidelines is to implement the public policy set forth in the Legislative Findings of Article 7-C of the Multiple Dwelling Law (Section 280).

Dated: June 25, 1999

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Edward S. Hochman, Esq.

Chairman

Rent Guidelines Board



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## Apartment & Loft Order #32

**June 23, 2000**

**Order Number 32 - Apartments and Lofts**, rent levels for leases commencing October 1, 2000 through September 30, 2001.

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN THE NEW YORK CITY RENT GUIDELINES BOARD BY THE RENT STABILIZATION LAW OF 1969, as amended, and the Emergency Tenant Protection Act of 1974, as amended, implemented by Resolution No 276 of 1974 of the New York City Council and extended by the Rent Regulation Reform Act of 1997, and in accordance with the requirements of Section 1043 of the New York City Charter, that the Rent Guidelines Board (RGB) hereby proposes the following levels of fair rent increases over lawful rents charged and paid on September 30, 2000. These rent adjustments will apply to rent stabilized apartments with leases commencing on or after October 1, 2000 and through September 30, 2001. Rent guidelines for loft units subject to Section 286 subdivision 7 of the Multiple Dwelling Law are also included in this order.

### ADJUSTMENT FOR RENEWAL LEASES (APARTMENTS)

Together with such further adjustments as may be authorized by law, the annual adjustment for renewal leases for apartments shall be:

For a **one**-year renewal lease commencing on or after October 1, 2000 and on or before September 30, 2001: **4%**

For a **two**-year renewal lease commencing on or after October 1, 2000 and on or before September 30, 2001: **6%**

These two adjustments shall also apply to dwelling units in a structure subject to the partial tax exemption program under Section 421a of the Real Property Tax Law, or in a structure subject to Section 423 of the Real Property Tax Law as a Redevelopment Project.

### NO VACANCY ALLOWANCE FOR APARTMENTS

No vacancy allowance is permitted except as provided by sections 19 and 20 of the Rent Regulation Reform Act of 1997.

SUPPLEMENTAL ADJUSTMENT OF UP TO \$15 PER MONTH FOR RENEWAL LEASES FOR APARTMENTS RENTING FOR \$500 OR LESS ON SEPTEMBER 30, 2000. RENTS THAT ARE \$215 OR LESS AFTER ANY ALLOWABLE INCREASES IN THIS ORDER ARE APPLIED WILL BE INCREASED TO \$215.

For a renewal lease on a dwelling unit with a lawful rent of \$500 or less per month on September 30, 2000, the levels of rent increase for renewal leases commencing October 1, 2000 through September 30, 2001 are the same as those set forth hereinabove plus a \$15 per month supplementary adjustment.

For a renewal lease commencing on or after October 1, 2000 through September 30, 2001, on a dwelling unit with a lawful rent of \$215 or less per month after any allowable increase(s) in this Order are applied, the new lawful rent will be \$215.

### ADDITIONAL ADJUSTMENT FOR RENT STABILIZED APARTMENTS SUBLET UNDER

SECTION 2525.6 OF THE RENT STABILIZATION CODE

In the event of a sublease governed by subdivision (e) of section 2525.6 of the Rent Stabilization Code, the allowance authorized by such subdivision shall be 10%.

ADJUSTMENTS FOR LOFTS (UNITS IN THE CATEGORY OF BUILDINGS COVERED BY ARTICLE 7-C OF THE MULTIPLE DWELLING LAW)

The Rent Guidelines Board proposes the following levels of rent increase above the "base rent", as defined in Section 286, subdivision 4, of the Multiple Dwelling Law, for units to which these guidelines are applicable in accordance with Article 7-C of the Multiple Dwelling Law:

For **one**-year increase periods commencing on or after October 1, 2000 and on or before September 30, 2001: **3%**

For **two**-year increase periods commencing on or after October 1, 2000 and on or before September 30, 2001: **5%**

VACANT LOFT UNITS

No Vacancy Allowance is permitted under this Order. Therefore, except as otherwise provided in Section 286, subdivision 6, of the Multiple Dwelling Law, the rent charged to any tenant for a vacancy tenancy commencing on or after October 1, 2000 and on or before September 30, 2001 may not exceed the "base rent" referenced above plus the level of adjustment permitted above for increase periods.

FRACTIONAL TERMS

For the purposes of these guidelines any lease or tenancy for a period up to and including one year shall be deemed a one year lease or tenancy, and any lease or tenancy for a period of over one year and up to and including two years shall be deemed a two-year lease or tenancy.

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ESCALATOR CLAUSES

Where a lease for a dwelling unit in effect on May 31, 1968 or where a lease in effect on June 30, 1974 for a dwelling unit which became subject to the Rent Stabilization Law of 1969, by virtue of the Emergency Tenant Protection Act of 1974 and Resolution Number 276 of the New York City Council, contained an escalator clause for the increased costs of operation and such clause is still in effect, the lawful rent on September 30, 2000 over which the fair rent under this Order is computed shall include the increased rental, if any, due under such clause except those charges which accrued within one year of the commencement of the renewal lease. Moreover, where a lease contained an escalator clause that the owner may validly renew under the Code, unless the owner elects or has elected in writing to delete such clause, effective no later than October 1, 2000 from the existing lease and all subsequent leases for such dwelling unit, the increased rental, if any, due under such escalator clause shall be offset against the amount of increase authorized under this Order.

SPECIAL ADJUSTMENTS UNDER PRIOR ORDERS

All rent adjustments lawfully implemented and maintained under previous apartment orders and included in the base rent in effect on September 30, 2000 shall continue to be included in the base rent for the purpose of computing subsequent rents adjusted pursuant to this Order.

SPECIAL GUIDELINE

Under Section 26-513(b)(1) of the New York City Administrative Code, and Section 9(e) of the Emergency Tenant Protection Act of 1974, the Rent Guidelines Board is obligated to promulgate special guidelines to aid the State Division of Housing and Community Renewal in its determination of initial legal regulated rents for housing accommodations previously subject to the City Rent and Rehabilitation Law which are the subject of a tenant application for adjustment. The Rent Guidelines Board hereby proposes the following Special Guidelines:

For dwelling units subject to the Rent and Rehabilitation Law on September 30, 2000, which become vacant after September 30, 2000, the special guideline shall be the greater of the following:

1. 150% above the maximum base rent as it existed or would have existed, plus the allowable fuel cost adjustment, or
2. The Fair Market Rent for existing housing as established by the United States Department of Housing and Urban Development (HUD) for the New York City Primary Metropolitan Statistical Area pursuant to Section 8(c) (1) of the United States Housing Act of 1937 (42 U.S.C. section 1437f [c] [1] ) and 24 C.F.R. Part 888, with such Fair Market Rents to be adjusted based upon whether the tenant pays his or her own gas and/or electric charges as part of his or her rent as such gas and/or electric charges are accounted for by the New York City Housing Authority.

Such HUD-determined Fair Market Rents will be published in the Federal Register, to take effect on October 1, 2000.

#### DECONTROLLED UNITS

The permissible increase for decontrolled units as referenced in Order 3a which become decontrolled after September 30, 2000, shall be the greater of the following:

1. 150% above the maximum base rent as it existed or would have existed, plus the allowable fuel cost adjustment, or
2. The Fair Market Rent for existing housing as established by the United States Department of Housing and Urban Development (HUD) for the New York City Primary Metropolitan Statistical Area pursuant to Section 8(c) (1) of the United States Housing Act of 1937 (42 U.S.C. section 1437f [c] [1] ) and 24 C.F.R. Part 888, with such Fair Market Rents to be adjusted based upon whether the tenant pays his or her own gas and/or electric charges as part of his or her rent as such gas and/or electric charges are accounted for by the New York City Housing Authority.

Such HUD-determined Fair Market Rents will be published in the Federal Register, to take effect on October 1, 2000.

#### CREDITS

Rentals charged and paid in excess of the levels of rent increase established by this Order shall be fully credited against the next month's rent.

#### STATEMENT OF BASIS AND PURPOSE

The Rent Guidelines Board is authorized to promulgate rent guidelines governing apartment units subject to the Rent Stabilization Law of 1969, as amended, and the Emergency Tenant Protection Act of 1974, as amended. The purpose of these guidelines is to implement the public policy set forth in Findings and Declaration of Emergency of the Rent Stabilization Law of 1969 (§26-501 of the N.Y.C. Administrative Code) and in the Legislative Finding contained in the Emergency Tenant Protection Act of 1974 (L.1974 c. 576, §4 [§2]).

The Rent Guidelines Board is also authorized to promulgate rent guidelines for loft units subject to Section 286 subdivision 7 of the Multiple Dwelling Law. The purpose of the loft guidelines is to implement the public policy set forth in the Legislative Findings of Article 7-C of the Multiple Dwelling Law (Section 280).

Dated: June 25<sup>th</sup>, 2000

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Edward S. Hochman, Esq. ,

Chairman

New York City Rent Guidelines Board



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