

RENT GUIDELINES BOARD

THE CITY RECORD - July 7, 1980

ORDER NUMBER 12--Rent Levels July 1, 1980 Through September 30, 1981.

Pursuant To The Authority Vested In It By The Rent Stabilization Law of 1969, and Chapter 576 of the Laws of 1974, as implemented by Resolution Number 276 of 1974 of the New York City Council and extended by Chapter 203 of the Laws of 1977, the Rent Guidelines Board hereby establishes and adopts the following levels of fair rent increases over lawful

rents charged and paid on June 30, 1980 (including the "stabilizer" and excluding the "April 1979 fuel adjustment," if any) for dwelling units subject to the Rent Stabilization Law of 1969, as amended, for leases commencing between July 1, 1980 and June 30, 1981; and over lawful rents charged and paid on June 30, 1981 for leases commencing between July 1, 1981 and September 30, 1981.

Adjustments for Renewal Leases

Where heat is provided or required to be provided to a dwelling unit by an owner from a central or individual system at no charge to the tenant, the adjustments are as follows:

- For one year leases expiring before October 1, 1982:
11 per cent
- For two year leases expiring before October 1, 1983:
14 per cent
- For three year leases expiring before October 1, 1984:
17 per cent

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

Where heat is not provided or not required to be provided to a dwelling unit by an owner from a central or individual system, the adjustments are as follows:

- For one year leases expiring before October 1, 1982:
5 per cent
- For two year leases expiring before October 1, 1983:
7 per cent
- For three year leases expiring before October 1, 1984:
9 per cent

It is not expected that the Board will convene to discuss fuel costs in the coming year. The Board will discuss the fuel situation at its annual meetings in June as it affects leases signed pursuant to this Order. The Board may also consider any catastrophic change in the Operation and Maintenance Cost Index and order appropriate supplementary adjustments. The Board reserves the right to modify this Order during its term pursuant to this paragraph provided that any further adjustments described in this paragraph shall apply to existing leases only where the lease permits the rental reserved therein to be adjusted pursuant to subsequent determinations of the Rent Guidelines Board during the term of such lease.

Leases on Vacant Apartments

Where a dwelling unit becomes vacant, the levels of rent increase governing a new tenancy commencing on or after July 1, 1980 and on or before June 30, 1981 are the same levels over rentals charged on June 30, 1980 as those set forth above for lease renewals, plus five per cent over the rentals charged on June 30, 1980 on each vacancy of such unit during the effective period of this Order where there has been a change in tenantry in the apartment since July 1, 1975, and plus ten percent over the rentals charged on June 30, 1980 on each vacancy of such unit during the effective period of this Order where there has been no change in tenantry in the apartment since July 1, 1975.

Fractional Terms

Except as to leases on vacant apartments, 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; the same for a period over one year and up to and including two years shall be deemed a two year lease; and the same for a period over two years and up to and including three years shall be deemed a three year lease. As to leases on vacant apartments, for the purpose of these guidelines any lease for a period from one year to less than two years shall be deemed a one year lease; the same for a period from two years to less than three years shall be deemed a two year lease; and the same for a period of three years or more shall be deemed a three year lease.

Electrical Inclusion Adjustment

For a lease for a dwelling unit for which the owner supplies full electrical service for which there is no additional cost charged to the tenant in addition to rent, the applicable lease adjustments as established by this Order are to be 1.5 per cent in addition to the adjustments for renewal and vacancy leases heretofore stated.

Escalator Clauses

Where a lease for a dwelling unit in effect on May 31, 1978 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 Chapter 576 of the Laws of 1974 and Resolution Number 276 of the New York City Council and extended by Chapter 203 of the Laws of 1977, contained an escalator clause for the increased costs of operation and such clause is still in effect, the lawful rental on June 30, 1980, or June 30, 1981, 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 which 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 July 1, 1980 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.

Stabilizer

The one-half per cent "stabilizers" charged in leases pursuant to previous Orders of this Board shall remain in effect until the expiration of such leases and shall be included in the base rents for the purpose of computing subsequent rents or leases adjusted pursuant to this Order.

Special Guideline to Update Special Guideline 6b

In order to aid the Conciliation and Appeals Board in determining fair market rents for housing accommodations as to applications for adjustments of the initial legal regulated rent as may be requested by tenants, the Rent Guidelines Board hereby establishes a special guideline as mandated by Section 12 of Chapter 576 of the Laws of 1974, as extended by Chapter 203 of the Laws of 1977, amending Section YY51-6.0.2(b) (1) of the New York City Administrative Code: for dwelling units subject to the Rent and Rehabilitation Law on June 30, 1979 which subsequently become vacant after June 30, 1980, the 1980-1981 maximum base rent, as it existed or would have existed, plus 15 per cent.

Decontrolled Units

The permissible increase for decontrolled units as defined in Order 3a which become decontrolled after June 30, 1980, shall not exceed the 1980-81 maximum base rent, as it existed or would have existed, plus 15 per cent of such maximum base rent.

April 1979 Fuel Adjustment

Any "April 1979 fuel adjustment" charged pursuant to Order 10b shall not be included in the rent to which a lease adjustment set forth in this Order is applied and it shall not merge with the base rent for the purpose of computing a subsequent rent or lease adjusted pursuant to this Order.

Any "April 1979 fuel adjustment" charged pursuant to Order 10b shall only remain in effect for a rent or lease adjusted pursuant to Order 10b and such charge shall be extinguished when a lease to which it applies expires.

Credits

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

Dated: July 27, 1980

Filed with the City Clerk June 30, 1980

THE CITY RECORD

TUESDAY, JULY 7, 1981

RENT GUIDELINES BOARD

ORDER NO. 12a- Modification of the Terms of Order No. 12 Governing Rent Levels For Leases Commencing on or After July 1, 1980 and on or before September 30, 1981 and Vacancy Adjustments for Leases Commencing on or after July 1, 1981 and on or before September 30, 1981.

PURSUANT TO THE AUTHORITY VESTED IN IT BY THE RENT STABILIZATION Law of 1969, and Chapter 576 of the Laws of 1974, as implemented by Resolution Number 276 of 1974 of the New York City Council and extended by Chapter 203 of the Laws of 1977, and Order Number 12, the Rent Guidelines Board hereby modifies the terms of its Order Number 12 for dwelling units subject to the Rent Stabilization Law, as amended.

Fuel Adjustments for Rent Levels

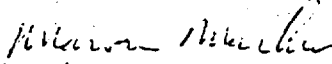
The Rent Guidelines Board, having considered all relevant information and data, hereby determines that no fuel cost adjustments for leases commencing on or after July 1, 1980 and on or before September 30, 1981 are warranted at this time.

It is not expected that the Board will convene to discuss fuel costs in the coming year. The Board will discuss the fuel situation at its annual meetings in June as it affects leases signed pursuant to this Order. The Board reserves the right to modify this Order during its term pursuant to this paragraph provided that any further adjustments described in this paragraph shall apply to existing leases only where the lease permits the rental reserved therein to be adjusted pursuant to subsequent determinations of the Rent Guidelines Board during the term of such lease.

Leases on Vacant Apartments

Where a dwelling unit becomes vacant, the levels of rent increase governing a new tenancy commencing on or after July 1, 1981 and on or before September 30, 1981 are the same levels over rentals charged on June 30, 1981 as those set forth for lease renewals pursuant to the adjustments for renewal leases as set forth in Order Number 12, plus 15 per cent over the rentals charged on June 30, 1981 on each vacancy of such unit during the effective period of this Order.

Dated: June 30, 1981
Filed with the City Clerk June 30, 1981


Marvin Markus, Chairman
Rent Guidelines Board