



*New York City Rent Stabilization Code
New York City Rent and Eviction Regulations*

*Fourth Annual Update (Air Conditioners) of Section B of Supplement No. 1
to
Operational Bulletin No. 84-4 (September 30, 1987)*

***B) Permissible Charges for the Installation of an Air Conditioner for Both
Rent Controlled and Rent Stabilized Apartments in New York City.***

This Annual Update is issued pursuant to Section 2527.1 l(b) of the Rent Stabilization Code, and Section 2202.4 of the New York City Rent and Eviction Regulations.

An owner may charge a tenant the following amounts for the initial installation of an air conditioner between October 1, 1989 and September 30, 1990:

- (1) \$205.80¹ per annum per air conditioner (\$17.15 per month), where the tenant installs his or her own air conditioner, and “free” electricity is included in the rent. This initial charge is subject to adjustment on October 1, 1990 and each subsequent October 1st thereafter. It will be adjusted either upward or downward depending upon whether the “Price Index of Operating Costs for Rent Stabilized Apartment Houses in New York City,” prepared for the New York City Rent Guidelines Board by ABT Associates, Inc., (or such other research company as the Rent Guidelines Board may choose), shows an increase or decrease in the cost of electricity for electrical inclusion buildings.
- (2) \$205.80 per annum per air conditioner (\$17.15 per month) plus one-fortieth (1/40th) of the cost of the new air conditioner, where “free” electricity is included in the rent and the owner, with the tenant’s written consent, installs a new air conditioner.
- (3) \$5.00 per month per air conditioner, where the tenant installs his or her own air conditioner, which protrudes beyond the window line and pays for his or her own electricity.

These charges will apply to both Rent Controlled and Rent Stabilized housing accommodations in New York City for air conditioners installed on and after October 1, 1989, regardless of any prior, differing charges and procedures. Moreover, except as to the rent increase for the new air conditioner (Item (2) above), none of these charges shall be part of the base rent for the purpose of computing any guidelines or other increases under the Rent Stabilization Law or Code or the New York City Rent Control Law or Regulations.

¹ The 1988 charge (estimated average operating cost) per air conditioner of \$195.26 per annum (\$16.27 per month) increased to reflect a 5.40% increase in the price of electricity for electrical inclusion buildings. See *1989 Price Index of Operating Cost for Rent Stabilized Apartment Housing in New York City*, ABT Associates, Inc., Page 59, May, 1989.

This document is being reissued for informational purposes only.

The original document which contains signatures of authorization is on file at DHCR's Office of Rent Administration.



For air conditioners in electrical inclusion buildings, installed between October 1, 1985 and September 30, 1989, the allowable charge per annum is hereby further reduced to \$205.80 per air conditioner (\$17.15 per month), effective October 1, 1989. For air conditioners initially installed prior to October 1, 1985, the permissible charge is dependent upon the lawful practice then in effect.

Elliot C. Sander
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for Rent Administration