



New York State
Division of Housing and Community Renewal
Office of Rent Administration

Operational Bulletin 87-1

***1987 Fuel Cost Adjustment
for NYC Rent Controlled Apartments***

Owners who are required to file the 1987 *Landlord's Report, Certification and Notice of Fuel Cost Adjustment Eligibility* - Form RA-33.10 (3/87) based on the fact that they used a fuel in 1986 for which the price declined, may find that the cumulative Fuel Cost Adjustment surcharge to tenants this year may be minimal or zero.

For such owners, the following special procedures have been established, effective immediately:

Owners wishing to minimize the reporting requirements under the Fuel Cost Program may, under these circumstances, elect not to file the 1987 *Landlord's Report, Certification and Notice of Fuel Cost Adjustment Eligibility* by waiving the right to collect the cumulative surcharge for the period January 1, 1987 through December 31, 1987.

Under these special procedures, the owner will have to serve on each affected tenant a *Statement of Waiver* and must file with the New York State Division of Housing and Community Renewal a *Master Schedule of Waiver* indicating the apartment number and name of each tenant who has been served with a *Statement of Waiver* and the cumulative Fuel Cost Adjustment surcharge that had been collectible from each tenant during 1986 (or earlier). If the owner elects to waive the collection of the surcharge, the owner must serve the tenant with the *Statement of Waiver* and file the *Master Schedule of Waiver* with the New York State Division of Housing and Community Renewal by *July 31, 1987*.

An owner who elects to continue this waiver in subsequent years may do so without taking further action. The waiver will automatically remain in effect until such time as the owner, in some subsequent year, files a timely *Landlord's Report, Certification and Notice of Fuel Cost Adjustment Eligibility* pursuant to the rules then in effect, in order to collect the Fuel Cost Adjustment surcharge that may be collectible at that time. For any subsequent year that the owner elects to file and collect the surcharge, the collectible amount will be based upon the amount that was waived in 1987 (if greater than zero) plus or minus any adjustments that would have been made to the cumulative total in the interim if the owner had not waived collection.

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.

