

David A. Paterson  
Governor



Deborah VanAmerongen  
Commissioner

New York State Division of Housing and Community Renewal  
Office of Rent Administration  
Gertz Plaza  
92-31 Union Hall Street  
Jamaica, NY 11433

January 27, 2009

This is in response to your request for an agency opinion.

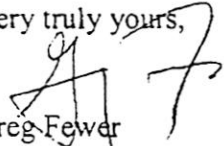
In your letter, you state that you have been a tenant in a rent stabilized building and its attached garage for over forty years; that for the past fifteen years, you have had two cars which you self-parked in an assigned double space; that for the past ten years, you have paid rent of \$223.86 for the two cars; that you have been informed by management that all cars would soon be valet-parked only and the monthly rate would be increased to \$165.00 per car as of November 2008 and subsequently to \$275.00 per car. You inquire whether this is legitimate and whether you have any recourse.

Regarding the change to valet parking, please be advised that if the garage space is a required service under rent stabilization, the owner may not arbitrarily modify it without seeking permission from this agency. Regarding the rent you are charged for the parking space, we do not adjudicate overcharge complaints in opinion letters. If the garage rent is a rent stabilized rental, you are advised to file an overcharge complaint with this agency to determine if the garage rent constitutes an overcharge.

We trust we have answered your inquiry.

Please be advised that this opinion letter is not a substitute for a formal agency order issued upon prior notice to all parties, such parties having been afforded an opportunity to be heard.

Very truly yours,

  
Greg Fewer  
Director,  
Policy Unit

GF:MM:lp  
cc: Deputy Commissioner Torres  
OL #2486