

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

July 30, 2009

Dear Mr. Marino:

This is in response to your letter dated June 29, 2009.

In your letter, you state that you represent an owner, who for the past 15 years kept fire extinguishers in each hallway, and has serviced them on a semi-annual basis. You ask "Assuming that the removal of the fire extinguishers is not a violation of the Fire Code, can the owner remove them without their removal being considered as a decrease in required services by DHCR?"

The question asked falls outside the scope of the opinion letter process. However, I can provide you with some general information. The service described, is not "de minimis" in nature and a related complaint of decrease in services filed by a tenant(s) would have to be reviewed by DHCR and could be granted, once all of the situation specific evidence and arguments have been reviewed.

I trust that I have answered your question as fully as possible.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce Falbo".

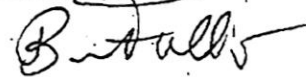
Bruce Falbo
Bureau Chief
Rent Information Bureau

BF/lc
Log #COL-2563

Please note that no reduction in rent or decrease in services nor any modification or substitution of required services may take place prior to the approval of the owner's application by the DHCR, unless required by law for the operation of the building.

I trust that I have answered your question as fully as possible.

Sincerely,



Bruce Falbo
Bureau Chief
Rent Information Bureau

BF:JDL

cc: Deputy Commissioner Torres
LOG #COL-2566
Enclosure