



Policy Statement 89-10 (September 20, 1989)

***Filing Requirements Upon Vacancy
of Rent Controlled Apartment***

This Policy Statement delineates the procedure which owners are to follow when the legal status of a rent controlled apartment changes because of a voluntary vacating by the tenant. Section 2203.2 (a) of the New York City Rent and Eviction Regulations states that the owner “of a housing accommodation specified in Section 2200.2 (f) (11) (12) and (17) of this Title shall file a report of such decontrol, upon forms prescribed by the administrator, within 30 days following the date of vacancy on or after June 30, 1971, or the date of first rental of such accommodations after decontrol (whichever date shall be prescribed in such form), or June 1, 1962 whichever date is later, unless a decontrol report was heretofore filed as required by the State Rent Commission”.

Pursuant to Section 2203.2 (a) of the Rent and Eviction Regulations, owners are required to file form RA42V-NYC (3/85) (Owner Report of Vacancy) upon the vacancy of a rent controlled tenant. In a building which also has units subject to rent stabilization, under the requirements of the Rent Stabilization Law, owners must also file the following forms in accordance with the instructions contained therein:

- a) RR-1 6/87 (Initial Apartment Registration)
- b) RR-2 6/87 (Initial Apartment Registration Summary)

within ninety days of the initial occupancy by a new tenant.

When the legal status of a rent controlled apartment in a building which is not subject to the Rent Stabilization Law changes, the RA42V is the only form required to be filed. The Rent and Eviction Regulations do not contain any penalty for a failure to file the RA42V form and the failure to file the form does not affect the legal status of the apartment.

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for Rent Administration*

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