

THE CITY OF NEW YORK
RENT GUIDELINES BOARD

THE CITY RECORD

WEDNESDAY, JUNE 16, 1971

Order Number 3 – Rent Levels July 1, 1971 through June 30, 1972

PURSUANT TO THE AUTHORITY VESTED IN IT BY THE RENT

Stabilization Law of 1969, the Rent Guidelines Board hereby establishes and adopts the following levels of fair rent increases over lawful rents actually charged and paid on June 30, 1971, (including "stabilizer", if any) or if an apartment was vacant on June 30, on the last date on which rent was paid on such unit, for dwelling units covered by such law (other than hotel dwelling units):

Lease Renewals

In addition to a one per cent increase here referred to as a "stabilizer", which is subject to adjustment in later years of the lease as explained below:

- For one year leases expiring before July 1, 1973: 7 per cent;
- For two-year leases expiring before July 1, 1974: 9 per cent;
- For three-year leases expiring before July 1, 1975: 12 per cent.

Stabilizer

The one per cent increase affecting all leases to be known as a stabilizer is designed to equalize changes in the yield on capital invested in real estate governed by the Rent Stabilization Law with changes in the yields paid by other long term investments. This charge for 1971-72 is subject to adjustment by the Rent Guidelines Board on any anniversary date of this Order. No such adjustment will increase or decrease the rent (including stabilizer) by more than one per cent in any year of the lease.

The stabilizer governing leases entered into pursuant to Order Number 2 of the Rent Guidelines Board remains in effect for 1971-72.

Leases on Apartments Vacant on June 30

Where a dwelling unit is vacant on June 30, 1971, the levels of fair rent increase governing the new tenancy are the same levels over rental charged on the last date on which rent was paid prior to such vacancy as those set forth above for lease renewals (including stabilizer), plus 10 per cent.

Subleases

Where a dwelling unit is subleased pursuant to a clause which provides that upon the exercise of the privilege of subletting the rent payable to the owner effective upon the date of subletting may be established as if the renewal lease had been a vacancy lease, the levels of fair rent increase governing such tenancy are the same levels over rentals charged on June 30, 1971 as those set forth in this Order for lease renewals (including stabilizer), plus 10 per cent.

Fractional Terms

Except as to leases on vacant apartments, for the purpose of these guidelines any lease or tenancy for a period up to and including one year shall be deemed a one year lease or tenancy; the same for a period over one year and up to and including two years shall be deemed a two year lease; and the same for a period over two years and up to and including three years shall be deemed a three year lease. As to leases on vacant apartments, for the purpose of these guidelines any lease for a period from one year to less than two years shall be deemed a one year lease; the same for a period from two years to less than three years shall be deemed a two year lease; and the same for a period of three years or more shall be deemed a three year lease.

Escalator Clauses

Where a lease for a dwelling unit in effect on May 31, 1968 contained an escalator clause for increased costs of operation, the lawful rental on June 30, 1971 over which the fair rent increase under this Order is computed shall include the increased rental, if any, due under such clause. Moreover, where a lease contained such an escalator clause, unless the owner elects or has elected in writing to delete such clause effective no later than July 1, 1971 from the existing lease and all subsequent leases for such dwelling unit, the increased rental, if any, due under such escalator clause shall be offset against the amount of increase permissible under this Order.

Credits

Rental charged and paid in excess of the levels of fair rent increase established by this Order shall be fully credited against the next month's rent.

Dated: June 11, 1971

Roger Starr
Chairman,
Rent Guidelines Board

Filed with City Clerk
June 14, 1971

Order Number 3a – Rent Levels for Decontrolled Units
July 1, 1971 Through June 30, 1972

Order Number 3a—Rent Levels for Decontrolled Units—July 1, 1971 Through June 30, 1972

PURSUANT TO THE AUTHORITY VESTED IN IT BY THE RENT

Stabilization Law of 1969, the Rent Guidelines Board hereby establishes and adopts the following guidelines for rent levels of certain decontrolled dwelling units:

Applicability

This Order shall apply for the period July 1, 1971 through June 30, 1972 to any dwelling unit which was subject to control under the City Rent and Rehabilitation Law on May 31, 1968, was subsequently decontrolled and is now subject to the provisions of the Rent Stabilization Law. This Order establishes guidelines only for the first lease following decontrol; however, where a decontrol lease was entered into pursuant to paragraph (c) or (d) of Section 2(f) (15) of the Rent Eviction Regulations, this Order does not apply to or modify the terms thereof, but is applicable to the first lease for a term commencing after its expiration or other termination. Any subsequent lease shall be subject to the provisions of Rent Guidelines Board Order No. 3 if executed after June 30, 1971 and before July 1, 1972. In no event may the rent under an existing lease be increased except pursuant to the terms thereof.

Renewal Leases

As used in this Order, "renewal lease" means any lease entered into by a tenant in occupancy, whether such occupancy was pursuant to a lease or a statutory tenancy.

The level of fair rent increases for such a renewal lease over the lawful rent actually charged and paid on May 31, 1968 shall be:

—as to dwelling unit of less than four rooms:

25 per cent for a two-year lease; or 35 per cent for a three-year lease

—as to a dwelling unit of four or more rooms:

35 per cent for a two-year lease; or 45 per cent for a three-year lease.

—which percentage increases shall be inclusive of the 10 per cent or the two 10 per cent increases, if any, paid under decontrol leases pursuant to Section 2(f) (15) of the Rent and Eviction Regulations, or any other non-service increases paid since May 31, 1968 pursuant to the Rent and Eviction Regulations. Where a renewal lease to which this Order applies is for a one-year term, the level of fair rent increase shall be that prescribed above for a two-year lease, provided that the owner offers to the tenant a one-year extension of the lease at the same rental.

Fractional Terms

For the purpose of this Order any lease or tenancy: (a) for a period up to and including one year shall be deemed a one-year lease or tenancy; (b) for a period over one year and up to and including two years shall be deemed a two-year lease; (c) and for a period over two years and up to and including three years shall be deemed a three-year lease.

Credits

Rental charged and paid in excess of the levels of fair rent increase established by this Order shall be fully refunded within 30 days thereafter.

Dated: July 1, 1971

Filed with City Clerk, July, 1971

Roger Starr
Chairman,
Rent Guidelines Board