

THE CITY RECORD

WEDNESDAY, JULY 3, 1985

HOTEL ORDER NO. 15 - Rent Levels for Hotel Units, July 1, 1985 through June 30, 1986.

PURSUANT TO THE AUTHORITY VESTED IN IT BY THE RENT STABILIZATION LAW OF 1969 and Chapter 576 of the Laws of 1974, implemented by Resolution No. 276 of 1974 of the New York City Council and extended by Chapter 203 of the Laws of 1977, and further extended by Chapter 383 of the Laws of 1981, Chapter 403 of the Laws of 1983, amended by Chapter 448 of the Laws of 1983, and Chapter 248 of the Laws of 1985, the Rent Guidelines Board hereby establishes and adopts the following guidelines for levels of fair rent increase over lawful rents charged and paid on June 30, 1985.

Applicability

This Order shall apply to all units in buildings subject to the Hotel Section of the Rent Stabilization Law, as amended, or Chapter 576 of the Laws of 1974 and occupied by a non-transient hotel tenant. With respect to any tenants who have no lease or rental agreement, the level of fair rent increase established herein shall be effective as of one year from the date of the tenant's commencing occupancy, or as of one year from the date of the last level of fair rent increase charged to the tenant, whichever is later. This anniversary date will also serve as the effective date for all subsequent Rent Guidelines Board Hotel Orders, unless the Board shall specifically provide otherwise in the Order. Where a lease or rental agreement is in effect, this Order shall govern the rent increase applicable on or after July 1, 1985 upon expiration of such lease or rental agreement, but in no event prior to one year from the commencement date of the expiring lease, unless the parties have contracted to be bound by this Order as of July 1, 1985, or a subsequent date. In no event shall there be more than one guidelines increase during the term of one guideline period.

As regards any unit for which an increase pursuant to this Order is collectible, demand for such increase shall be made within 90 days of the date of this Order or its effective date, whichever is later, or the increase may only be collected prospectively. That portion of the increase that is to be collected retroactively shall be collectible from a tenant in monthly installments, each installment not to exceed one-half of the monthly increase permitted under this Order. Where the rental period is other than monthly, installments for rental periods prior to the date the increase was demanded shall be prorated accordingly.

Guideline for Rent Increases

The level of fair rent increases over the lawful rent actually charged and paid on June 30, 1985 shall be two (2) per cent.

New Tenancies

For any hotel dwelling unit which is voluntarily vacated by the tenant thereof, the level of rent increase governing a new tenancy shall be the same as the guideline for rent increases set forth above.

Excluded Units

For buildings of more than 30 units this increase shall not apply where more than 5% of the units are vacant for the 60 days preceding the effective date of this Order. In such case the owner will not be allowed the increase unless he can prove to the satisfaction of the State Division of Housing and Community Renewal that he has attempted in good faith to rent said units.

Additional Charges

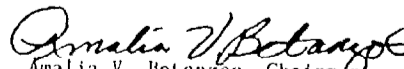
It is expressly understood that the rents collectible under the terms of this Order are intended to compensate in full for all services provided without extra charge to the statutory date for the particular hotel dwelling unit or at the commencement of the tenancy if subsequent thereto. No additional charges may be made to a tenant for such services however such charges may be called or identified.

Special Guidelines

Pursuant to Section YY51-5.0e of the Rent Stabilization Law and Chapter 576 of the Laws of 1974, special guidelines relating to adjustment of initial legal regulated rents are inapplicable to hotel dwelling units, subject to Chapter 448 of the Laws of 1983 as administered by the appropriate agency.

Dated: June 28, 1985

Filed with the City Clerk: June 28, 1985


Amalia V. Betanzos, Chairman
Rent Guidelines Board