

THE CITY RECORD

WEDNESDAY, JULY 8 1988

HOTEL ORDER NO. 18 - Rent Levels for Hotel Units, July 1, 1988 through June 30, 1989

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, and Chapter 65 of the Laws of 1987, the Rent Guidelines Board hereby establishes and adopts the following guidelines for levels of rent increase over lawful rents charged and paid on June 30, 1988.

Applicability

This Order shall apply to 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 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 rent adjustment 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, 1988 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, 1988, or a subsequent date. In no event shall there be more than one guideline 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.

Guidelines for Rent Increases

The allowable level of rent adjustment over the lawful rent actually charged and paid on June 30, 1988 for residential Class A (apartment) hotels and rooming houses (Class B buildings containing less than 30 units) shall be 3-1/2 per cent.

The allowable level of rent adjustment over the lawful rent actually charged and paid on June 30, 1988 for all other stabilized hotels and single room occupancy buildings shall be 2 per cent. Except that, if:

- A. 1) The affected building contains 20 or more dwelling units; and
2) ten percent or more of the units have been deliberately withheld from the rental market for a period exceeding thirty days; or
- B. Twenty percent or more of the dwelling units in the building are not registered with the State Division of Housing and Community Renewal pursuant to part 2528 of the Rent Stabilization Code;

then, the allowable level of rent adjustment over the lawful rent actually charged and paid on June 30, 1988 shall be zero (0) 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 guidelines for rent increases set forth above.

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 on 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 26-510(e) 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.

Date: June 30, 1988

Filed with the City Clerk: June 30, 1988



Arthur B. Spector
Chairman
Rent Guidelines Board