

# **THE CITY RECORD**

**MONDAY, JULY 24, 1989**

## **NEW YORK CITY RENT GUIDELINES BOARD**

**July 7, 1989**

**ORDER NUMBER 19 - Hotels, Rooming Houses and Single Room Occupancy Buildings.** Rent levels to be effective for leases or other rental agreements commencing October 1, 1989 through September 30, 1990.

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN THE NEW YORK CITY RENT GUIDELINES BOARD 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, and in accordance with the requirements of Section 1043 of the New York City Charter that the Rent Guidelines Board hereby adopts the following guidelines for levels of rent increase over lawful rents charged and paid on June 30, 1989.

### **APPLICABILITY**

This Order shall apply to units in buildings subject to the Hotel Section of the Rent Stabilization Law (Sections 26-504(c) and 26-506 N.Y.C. Administrative Code), as amended, or the Emergency Tenant Protection Act of 1974 (L.1974, c. 576 §4[§5(a)(7)]). 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, or as of October 1, 1989, 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 October 1, 1989 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 the effective date of this Order. For those leases or rental agreements which will expire between July 1, 1989 and September 30, 1989 the rent in effect under the expiring lease shall continue in effect through September 30, 1989. In no event shall there be more than one guideline increase during the term of one guideline period.

### **RENT GUIDELINES**

Pursuant to its mandate to promulgate rent adjustments for hotel units subject to the Rent Stabilization Law of 1969, as amended, (§26-510(e) of the N.Y.C. Administrative Code) the Rent Guidelines Board hereby adopts the following rent adjustments:

The allowable level of rent adjustment over the lawful rent actually charged and paid on June 30, 1989 for residential Class A (apartment) hotels, lodging houses and rooming houses (Class B buildings containing less than 30 units) shall be 3.5 per cent.

The allowable level of rent adjustment over the lawful rent actually charged and paid on June 30, 1989 for all other stabilized hotels and single room occupancy buildings shall also be 3.5 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, 1989 shall be 0 per cent.

#### TEMPORARY RENT INCREASE

In addition to the above rent adjustments, a temporary rent increase equal to one quarter of the permanent increase (or .875% of the rent charged and paid on June 30, 1989) may be charged. This temporary increase may be collected only for the effective period of this Order and may not be included in the legal regulated base rent once a new rent is charged under a subsequent Order.

#### 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.

#### STATEMENT OF BASIS AND PURPOSE

The Rent Guidelines Board is authorized to promulgate rent guidelines governing hotel units subject to the Rent Stabilization Law of 1969, as amended, and the Emergency Tenant Protection Act of 1974, as amended. The purpose of these guidelines is to implement the public policy set forth in Findings and Declaration of Emergency of the Rent Stabilization Law of 1969 (§26-501 of the N.Y.C. Administrative Code) and, in the Legislative Finding contained in the Emergency Tenant Protection Act of 1974 (L.1974 c. 576, §4 [§2]).

Date: July 19, 1989

Arthur B. Spector  
Chairman  
Rent Guidelines Board