

## **Annual Rent Registration - Application Instructions**

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### **A. General Instructions**

All rent stabilized housing accommodations in the State of New York must be registered annually with the Division of Housing and Community Renewal (DHCR). Registrations are accepted starting April 1 of the registration year and must be submitted no later than July 31 of the registration year.

For individual coop owners (proprietary lessees or holders of unsold shares) and condo unit owners, it is recommended that the Cooperative Board or Condominium Association, or the managing agent acting on behalf of such entity, file with DHCR all of the Annual Apartment Registrations along with the Annual Registration Summary for the building. If this is not possible, the individual owner, or his/her managing agent, should file the registrations with DHCR.

Note: Owners of buildings containing housing accommodations being registered for the first time must file an [Initial Registration](#).

**It is important to remember that the information asked for is for rents, tenancy and services in effect on April 1 of the year being registered.** Please check each registration carefully after completion to make sure all information has been entered correctly.

If after reading the instructions you still have questions concerning registration, contact the Rent Registration Unit via email at [PSU@nyshcr.org](mailto:PSU@nyshcr.org) or via phone at 718-739-6400 (hours are 9am - 5pm EST, business days only).

You will need to complete an Annual Registration Summary for each building in which there are rent stabilized housing accommodations.

You will need to complete an Annual Apartment Registration for each stabilized housing accommodation in New York City and in the municipalities covered by the Emergency Tenant Protection Act. This includes vacant and temporarily exempt apartments as well as permanently exempt apartments that became exempt since the last registration.

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### **B. Change of Ownership/Managing Agent**

If there is a change of ownership or managing agent after the annual registration has been submitted, the successor owner is required to notify DHCR within thirty days by filing form [Report of Change in Identity of Owner/Agent](#).

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### **C. Annual Registration Summary**

Select the Registration Year from the drop down and use the Select button (see the next two paragraphs for how to use the Status and Building Registration Number entries to refine the buildings that are listed). A list of buildings that were previously registered using your assigned provider code will be displayed. If you are a new provider you will need to add all of the appropriate buildings that you are required to register.

To list buildings with a specific status, select the Status from the drop down list and use the Select button. To return to the full list select the blank line in the drop down list and use the Select button. The following are the valid status values that can be selected from the drop down list:

- Leave blank to display a full list of buildings associated with your provider code.
- Select "In Progress" if you want to display a list of only buildings that have been started but not submitted to DHCR for processing.
- Select "Submitted" if you want to display a list of only the buildings and associated apartment registrations that have been completed, certified, and submitted to DHCR for processing.

To list just a specific building, enter the Building Registration Number and use the Select button. If the building was displayed on the original list it will be displayed by itself on the shortened list. To return to the full list remove the Building Registration Number and use the Select button.

If your building is listed, select the building you need to register from the list by using "select" under the Options column. Once the building has been selected the building address information that is on file with DHCR will be displayed. Verify that this is the correct information for the building that you are registering. If the address information is correct continue with entering the registration information for the building. If the address information is not correct, contact the Rent Registration Unit via email at [PSU@nyshcr.org](mailto:PSU@nyshcr.org).

To add a new building, enter the Building Registration Number and select the Add button. Verify that the address displayed for the Building Registration Number is correct. If the address information is correct continue with entering the registration information for the building. If the address information is not correct, use the [Rent Regulated Building Search](#) to search for the correct Building Registration Number for the address. If you still cannot find the building, contact the Rent Registration Unit via email at [PSU@nyshcr.org](mailto:PSU@nyshcr.org). Do not continue with the registration until the correct Building Registration Number and address are located.

Once you have selected, or added, a building the following tabs will allow you to enter the registration information: the Owner/Managing Agent tab is used to enter/modify Owner and Managing Agent information; the Status/Financing tab is used to enter/modify the Building Status, Building Description and Financing Programs information; the Units tab is used to enter/modify the Types of Units in Building Detail.

### Owner Information

- Use the Options column to perform the necessary action on the owner information. When add or edit is selected enter all information for the owner and when completed select the Update button. If no changes are necessary after selecting add/edit select the Cancel button.
- For a coop building enter the cooperative corporation name. For a condominium building enter the name of the homeowner's association. For all other buildings enter the full name of the building owner or the corporation name for the owner.
- Enter the mailing address for the owner. Please make sure that the address is a valid mailing address so that the correspondence sent from DHCR is received.
- Enter the owner's telephone number and area code and provide an email address. The owner email address will be used in online case processing to serve the owner with tenant filed applications, notices and DHCR orders. This address will remain confidential and not be shared with any other private or government entity.

### Managing Agent Information

- Use the Options column to perform the necessary action on the managing agent information. When add or edit is selected enter all information for the managing agent and when completed select the Update button. If no changes are necessary after selecting add/edit then select the Cancel button.

- Enter the information in the same manner as the owner information was entered. If the managing agent is under 7A Administration, enter "7A" next to the name

### Building Status

- Select the Building Class from the available list of choices.
- Class A refers to multiple dwellings which are occupied, as a rule, for permanent residence purposes. This class includes apartment hotels and all other multiple dwellings except Class B multiple dwellings.
- Class B refers to multiple dwellings which are occupied, as a rule, transiently, as the more or less temporary abode of individuals or families who are lodged with or without meals. This class includes hotels, single room occupancies and rooming houses.

### Building Description

- Select as many as apply to this building.
- A hotel is an inn having thirty or more sleeping rooms.
- Single Room Occupancy is the occupancy by one or two persons of a single room, or of two or more rooms which are joined together, separated from all other rooms within an apartment in a multiple dwelling, so that the occupant(s) thereof reside separately and independently of the other occupant(s) of the same apartment. When a Class A multiple dwelling is used wholly or in part for single room occupancy, it remains a Class A multiple dwelling.
- Garden Apartment Complex consists of certain attached, detached or semi-detached dwelling units, containing six or more housing accommodations having common facilities such as a sewer line, water main or heating plant and operated as a unit under common ownership
- Coop/Condo - enter only one date.
  - Non-Evict Coop/Condo is a building that has become a cooperative or a condominium without the right to evict any non-purchasing tenants.
  - Evict Coop/Condo is a building that has become a cooperative or a condominium with right to evict non-purchasing tenants other than eligible senior citizens or eligible disabled tenants within a specified period of time.
  - Coop/Condo Plan Filed if a coop/condo conversion plan has been declared effective, or has been accepted for filing by the NY Attorney General's Office. Give the date that the plan was declared effective, or if not yet effective, give the date that the plan was accepted for filing.

### Financing Programs

- Select as many as apply to the building.
- If the building receives 421-a tax benefits, enter the number of Income Restricted and Market Rate units in the building.

### Types of Units in Building

- Enter the number of units in the building in each category as of April 1 of the registration year.
- Stabilized/ETPA - a unit that is regulated under the Rent Stabilization Law or the Emergency Tenant Protection Act. Include apartments which were vacant on April 1 and temporarily exempt apartments. An Annual Apartment Registration must be filed for each of these apartments and these units are subject to the annual administrative fee.
- Rent Control - a unit subject to Rent Control. An Annual Apartment Registration should not be filed for these apartments.
- Permanently Exempt - a unit in which the rent is permanently exempt from regulation. Some types of permanent exemptions are provided on the Annual Apartment Registration Exempt Status tab. See also DHCR [Policy Statement 89-7](#). An Annual Apartment Registration must be filed for each apartment that became permanently exempt since the last registration. If apartment is being deregulated pursuant to High Rent Vacancy, the owner must provide the tenant with Form HRVD-N. Please refer to DHCR's [Fact Sheet #36](#) for additional information.

#### D. How to register Vacant and Decontrolled Apartments

See Annual Apartment Registration section below for how to get to an individual apartment registration.

For apartments that are vacant on April 1 of the registration year.

- On the Tenants tab, check the Vacant box
- On the Rent/Changes tab enter the last Legal Regulated Rent charged before vacancy. If the apartment has been continuously vacant for four years from April 1, enter 0.00.
- On the Rent/Changes tab leave the Preferential Rent, Actual Rent Paid and Reason(s) for difference sections blank.

For apartments that became decontrolled since the last annual registration (formerly rent controlled apartments now subject to rent stabilization), the owner must file an Initial Apartment Registration decontrolling the apartment within 90 days of the date the first Rent Stabilized tenant took occupancy and thereafter, Annual Apartment Registrations must be submitted.

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#### E. Annual Apartment Registration

To get to the apartments for the building from the Building List select "apartments" under the Options column. To get to the apartments from the Building Detail page, select the word "apartments" within the "View the apartments associated with this building." sentence. Select the apartment from the list of apartments or select Add an Apartment if the apartment is not listed.

Once you have selected an apartment the following tabs will allow you to enter the registration information: the Address tab is used to enter/modify the street address for the individual apartment; the Tenants tab is used to enter/modify the tenants, vacant status, tenant succeeded status for the apartment; the Exempt Status tab is used to enter/modify the temporary or permanent exempt information for the apartment; the Rent/Changes tab is used to enter/modify the legal regulated rent, actual rent paid and reasons, lease began and expire dates, and rent change reasons; the Changes without DHCR Order tab is used to enter/modify the reason for a rent adjustment that occurred without a DHCR order; the Owner/Managing Agent/Coop-Condo Owner tab is used to enter/modify the owner or managing agent of the apartment.

To navigate to another apartment within the building select the appropriate apartment number from the Apartment Number drop down list and use the **select** option to retrieve the apartment information. To add a new apartment choose the blank value from the drop down list and use the **select** option, enter the new apartment number and then select the Update button.

##### Apartment Street Address

- Enter the Street Number and select the correct Street Name for the apartment's specific street address. Each apartment address should reflect the apartment's individual address.

##### Apartment Number

- Enter the apartment number, room number, or other designation for the apartment. Please note that apartment numbers must be unique within each building. Duplicate apartment numbers in the same building cannot be processed. To make the apartment unique you can append the apartment's street number to the apartment number as follows: 1a(24) where 24 is the street number for the apartment.

##### Tenant(s) in Occupancy

- For each tenant who is named on the lease (including temporarily exempt and permanently exempt units) enter the name.
- If the apartment is vacant on April 1 of the registration year, check the Vacant box.
- If the tenant succeeded to the apartment after June 19, 1997 check the corresponding box. Succeeded means that the owner gave the tenant a renewal lease because the tenant was a family member of the former tenant, the former tenant either having died or vacated the apartment. For additional information on succession please refer to DHCR's Fact Sheet 30, Succession Rights.

### Temporary Exempt

- If the apartment is temporarily exempt from rent stabilization because of the nature of the occupancy or the status of the occupant, select the appropriate reason for the exemption. **YOU ARE NOT REQUIRED TO COMPLETE THE PERMANENT EXEMPT SECTION, RENT SECTIONS OR RENT CHANGES SECTIONS.** Proceed to the Owner/Managing Agent/Coop-Condo Owner tab.
- Transient Occupancy in Hotel/SRO - units in hotels or single room occupancy accommodations housing transient occupants.
- Commercial/Professional (no C/O) - units rented solely for business or professional use on April 1 of the registration year, only if no certificate of occupancy has been issued for commercial or professional use.
- Not Prime Residence - units occupied as of April 1 of the registration year by tenants who do not use the unit as a primary residence.
- Not-For-Profit - units owned by non-profit institutions which are occupied by tenants who are affiliated with that institution, in a building which also contains non-affiliated tenants. However, it should be noted that a building occupied totally by affiliated tenants is permanently exempt from rent stabilization.
- Owner Occupied/Employee - units occupied as of April 1 of the registration year are by the building owner or members of his immediate family in non-coop or non-condo buildings, or by a building employee who is not paying rent.

### Permanent Exempt

- Before you complete the Permanent Exemption section, please carefully review the instructions and explanations for the Temporary Exempt section to make sure that the apartment is actually permanently exempt from rent regulation, rather than simply temporarily exempt. For example, an apartment that is occupied by the building owner or rent-free by an employee of the building owner does not become permanently exempt from rent regulation simply because the building owner or employee moves into the apartment.
- If the apartment became permanently exempt since the last registration indicate the effective date that the apartment became permanently exempt and select the reason for the permanent exemption. If the reason is not listed enter the reason in the Other, Specify box.
- DHCR Policy Statement 89-7 cites some grounds for permanent exemption of apartments from rent stabilization. The Rent Regulations provide additional categories of exemption applicable to this registration. **YOU ARE NOT REQUIRED TO COMPLETE THE TEMPORARY EXEMPT SECTION, RENT SECTIONS OR RENT CHANGES SECTIONS.** Proceed to the Owner/Managing Agent/Coop-Condo Owner tab. If you select High Rent Vacancy or Other as a permanent exempt reason, proceed to the Rent/Changes and/or Changes without DHCR Order tabs and enter any applicable rent change reasons for the permanent exemption of this apartment.
- High Rent Vacancy - If the apartment being registered qualifies for this exemption this reason should be selected and the last Legal Regulated Rent amount and the rent paid per period must be entered. Owners are required to provide the first tenant of a newly deregulated apartment with DHCR notice HRVD-N-SJ detailing the last legal rent, the reason for deregulation and detailed calculations, including Individual Apartment Improvements and costs, which establish the rent qualifying for deregulation. Proceed to the Rent/Changes and/or Changes without DHCR Order tabs entering all reasons for the rent reaching or exceeding the threshold rent amount. Please refer to Deregulation Rent and Income Threshold for the correct threshold rent amount which is based on the year of the annual registration.
- High Rent/High Income - High-rent apartments occupied by high-income tenants are deregulated by order of DHCR in response to the filing of an owner's petition for luxury deregulation. Generally, an owner would indicate this exemption on the annual registration that is due after receiving a final DHCR order granting such in response to the owner's petition for luxury deregulation filed with DHCR. If the apartment being registered qualifies for this exemption this reason should be selected. Please refer to Deregulation Rent and Income Threshold for the correct threshold rent amount which is based on the filing date of the Petition by Owner for

High Income Rent Deregulation application.

- Commercial/Professional(with C/O) - apartments rented for commercial or professional usage with a certificate of occupancy. If the apartment being registered qualifies for this exemption this reason should be selected.
- Coop/Condo Occupied by Owner or Non-Protected Tenant - In addition to NYC cooperative or condominium apartments occupied by an owner or non-protected tenant, the exemption applies to cooperative or condominium apartments in Nassau, Westchester and Rockland counties which were or became vacant on or after July 7, 1993 and which were not previously exempted by local resolution. If the apartment being registered qualifies for this exemption this reason should be selected.
- Substantial Building Rehabilitation - An apartment that has been substantially rehabilitated since the last annual rent registration. If the apartment being registered qualifies for this exemption this reason should be selected.
- Qualifying Expiration of - The financing program has expired for one or all of the following: Section 11-243 or 11-244 (J-51); Section 608; or Section 421-A. If the apartment being registered qualifies for this exemption select the appropriate financing program that has expired.
- Select "Other" for the permanent exempt reason **only** if **none** of the other listed reasons for permanent exemption from regulation listed apply to the apartment. Carefully review all of the reasons for permanent exemption that are listed and if one of those reasons applies select it. If you select "Other" the reason for permanent exemption, you **must** specify a reason.

### Legal Regulated Rent

- Enter the Legal Regulated Rent being charged on April 1 of the year being registered per the lease or rental agreement. Indicate whether the amount is payable monthly or weekly. This might not be the Actual Rent Paid. Do not include in the Legal Regulated Rent any separate charges, either temporary or continuous. For example, do not include charges for: garage and recreational facilities; air conditioners; arrears for DHCR approved increases: window guards; etc. Such separate charges should be indicated in the Actual Rent Paid. NOTE: if the legal regulated rent is in dispute or unknown due to an unresolved legal proceeding, enter 0.00. Proceed to the Other Adjustments and Enter Actual Payment by Tenant sections on the Rent/Changes tab.
- For Multi-Tier Rents - Owners who have been authorized by DHCR to register multi-tiers of Legal Regulated Rents are required to select the Other (Specify) Reason for difference for Actual Rent Paid and enter "MT" followed by the Multi-Tier Docket Number (i.e. MT 123456789G), in the space provided. Owners are also required to enter as the Legal Regulated Rent amount the highest legal regulated rent authorized by the governmental agency or public benefit corporation for the housing accommodation as of April 1 of the year being registered, indicating whether such rent is payable monthly or weekly. In addition, owners must also enter the lowest authorized legal regulated rent in the Actual Rent Paid amount, indicating whether such rent is payable monthly or weekly. (Participating Multi-Tier Programs may include, but are not limited to, the Special Initiatives Program, Neighborhood Entrepreneurs Program, Housing Trust Fund, Single Room Occupancy Program, Vacant Building Program (some units), SIP Occupied Sales Program, Neighborhood Redevelopment Program and the LISC/Enterprise Program).
- For 421-a Units - If the building receives tax benefits pursuant to RTPL, Sec. 421-a, check the appropriate box to indicate whether the apartment is a Market Rate unit or an Income Restricted unit. If the apartment is an Income Restricted unit, fill in the blank providing the household income limitation percentage that applies to the apartment.

### Preferential Rent(registration years 2010 and later)

- If the preferential rent paid on April 1 of the year being registered is different from the Legal Regulated Rent enter the preferential rent paid and indicate whether the amount is payable monthly or weekly.
- The preferential rent paid **must** be less than the Legal Regulated Rent.
- The preferential rent paid field is only for registration years 2010 and later. For years prior to 2010 it is part of the Actual Rent Paid section.

### Actual Rent Paid

- If the actual rent amount paid on April 1 of the year being registered is different from the Legal Regulated Rent enter the actual rent paid and indicate whether the amount is payable monthly or weekly.
- For registration years 2010 and later, the actual rent paid **must** be different from the preferential rent paid.
- For Multi-Tier Rents - Enter the lowest authorized legal regulated rent on April 1 of the year being registered.

See Legal Regulated Rent above for further instructions on multi-tier rents.

### Reason(s) For Difference

- If you entered an Actual Rent Paid amount you must indicate the reason for the difference. If you select Other you must specify the reason in the space provided.
- For Multi-Tier Rents - Select the Other reason and in the space provided enter "MT" followed by the Multi-Tier Docket Number (i.e. MT 123456789G). See Legal Regulated Rent above for further instructions on multi-tier rents.

### Lease in Effect

- Enter the lease began and lease expires dates for the tenant(s) named. Please note the lease began date must be prior to April 2 of the year being registered and the lease expires date must be after April 1 of the year being registered. Indicate if there is no lease by checking the appropriate box.

Provide information for Rent Changes only for rent adjustments that became effective after April 1 of the last registration through April 1 of the year being registered.

### Rent Changes

- If the Legal Regulated Rent has changed since the last annual registration due to one of the reasons listed, select all that apply.
- Note on Second Succession: Under certain circumstances, a family member of a tenant is entitled to succeed or receive a renewal lease in his/her own name after the tenant dies or vacates. For each second such succession where a family member receives a renewal lease, the owner is entitled to all vacancy increases that would apply to a vacancy lease. For additional information on what increases can be collected upon a second succession, please refer to DHCR's Fact Sheet 30, Succession Rights .

### Rent Changes Due to DHCR Rent Adjustment Order

- If the Legal Regulated Rent has changed since the last annual registration as a result of a DHCR rent adjustment order, select all that apply.

### Rent Changes Without DHCR Order

- If the apartment became permanently exempt since the last annual registration due to High Rent Vacancy or Other, OR the Legal Regulated Rent has changed since the last annual registration as a result of rent adjustment without a DHCR order, select all that apply. Enter the month and year that the adjustment was effective and the monthly amount of the increase.
- Rent Adjustments without a DHCR order are calculated by dividing the total cost of the new equipment, furnishings, services, or improvements within the apartment by the value noted below for the year being registered. This is the amortization rate. The result is the maximum amount that the monthly rent can be increased for the apartment's improvement(s).  
For Registration Years up to and including 2011 - divide the total cost of the apartment's improvement (s) by 40.  
For Registration Years 2012 and later - for buildings that contain 35 units or less, divide the total cost of the apartment's improvement(s) by 40; for buildings that contain more than 35 units, divide the total cost of the apartment's improvement(s) by 60.

### Owner/Managing Agent/Coop-Condo Owner

- Select the type of contact that the name and address is being entered for.
- If the apartment is in a cooperative or in a condominium building, select Coop/Condo Owner. Enter the name and address of the coop owner (proprietary lessee or holder of unsold shares) or condo unit owner. The Coop or Condo Owner Affirmation form will be printed with the corresponding tenant copy of the Annual Apartment

Registration form. It is recommended that the individual coop owner (proprietary lessee or holder of unsold shares) or condo unit owner, or the managing agent acting on behalf of such owner, complete and sign the Coop or Condo Owner Affirmation form. This form along with the Annual Apartment Registration form must be served on the tenant in occupancy.

- If the apartment is not a cooperative or condominium building select either Owner or Managing Agent and the name and address will be copied from the information entered on the Building Detail.

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#### **F. How to Submit Completed Registrations to DHCR**

Registrations are accepted starting April 1 of the registration year and must be submitted no later than July 31 of the registration year.

From the Building List page select the "submit" option for the building that you have completed entering the registration information for and are ready to submit.

If there aren't any errors in the building's or the associated apartments' registration information, you will be transferred to the Affidavit and Certification page. Please verify that the correct building has been selected and read the affidavit text carefully. If you can affirm to the text, select the appropriate "Status of person affirming". If you select Officer or Partner you are required to enter the Name of Corporation or Partnership. Enter your password that you used to log into the Owner Rent Regulation Applications system and select the Submit button. See the section below on Printing the Tenant Copy of the Annual Apartment Registration.

If there are errors in the building's or associated apartments' registration information, each error will be listed along with a link to the first tab page for the building or apartment. All errors must be resolved before the building and the associated apartments can be submitted.

Once the registration has been submitted and processed by DHCR the Registration Receipt and Rent Roll will be available for printing under the Forms & Reports tab. Retain the receipt for your records, it will serve as proof of registration. Please note that it may take up to 2 weeks for recently filed registrations to be available for these reports.

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#### **G. Printing the Tenant Copy of the Annual Apartment Registration**

Once the registration information has been submitted, you are required to print a copy of each apartment's Annual Apartment Registration and provide it to the tenant who was in occupancy on April 1 of the registration year. This copy must be hand delivered or mailed to the tenant. If the tenant in occupancy on April 1 of the registration year is not in occupancy at the time of registration, the owner should attempt to forward it to the tenant. If this attempt is unsuccessful, keep the copy together with the postal notice of non-delivery for your records.

To print copies of the Annual Apartment Registrations, select the Forms & Reports tab in the upper right of the page. A list of available print options will be listed, e.g. print all apartment forms for a building, print a form for a single apartment. Select the appropriate print option and enter the necessary Building Registration Number and/or Apartment Number.

The apartment form printing options will print the apartment form along with the Tenant information, in English and Spanish. The Coop or Condo Owner Affirmation page will be printed for each apartment that has Coop/Condo Owner contact information entered on the apartment's Owner/Managing Agent/Coop-Condo Owner tab.

Building Summary forms will also be available for printing.

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## H. Payment of Administrative Fees

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### For NYC Rent Stabilized Apartments

- Section 26-517.1 of the Rent Stabilization Law provides for the imposition of a fee on owners of housing accommodations "subject" to the RSL to defray the cost of administering the law. Failure to pay the administrative fee shall constitute a charge due and owing New York City, and may result in a lien being placed on the property.

### For ETPA Apartments

- Section 8 of the Emergency Tenant Protection Act provides for the imposition of a fee on owners of housing accommodations "subject" to the ETPA to defray the cost of administering the law.
- The legislative body of any city, town or village acting to impose regulation of residential rents pursuant to the provisions of the ETPA may impose on the owner of every building containing housing accommodations subject to such regulation an annual charge for each accommodation.
- If billed by your locality, the failure to pay the prescribed assessment shall constitute a charge due and owing the locality, and may result in a lien being placed on the property.

### For Both New York City Rent Stabilized and ETPA Apartments

- Owners of apartments subject to the Rent Stabilization Law or the Emergency Tenant Protection Act are billed an annual administrative fee per apartment. The administrative fee is assessed against all regulated apartments including apartments which are temporarily exempt. An example of such apartment is one which is occupied by the building's owner or by the building's superintendent. The owner will be billed the administrative fee for such housing accommodation. The owner is also required to file the annual apartment registration form for the temporarily exempt apartment.
- In both New York City and ETPA counties, the fee will not be charged for housing accommodations which are permanently exempt from rent regulation. An example of a permanently exempt apartment is one which is occupied as a doctor's office in accordance with the building's Certificate of Occupancy. [DHCR Policy Statement 89-7](#) contains a detailed list of some apartments which are permanently exempt and for which the owner is not obligated to pay the fee. The instructions contain a description of additional categories of permanently exempt apartments. The owner of a permanently exempt apartment is required to file an annual apartment registration only for the year in which the apartment became permanently exempt.

If you have a question as to whether an apartment is temporarily or permanently exempt, review [DHCR Policy Statement 89-7](#).

The administrative fees discussed in this section are in addition to late-filing surcharges, which are discussed below under "Penalties for Failure to Comply with Rent Registration Requirements".

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## I. Penalties for Failure to Comply With Rent Registration Requirements

The Rent Regulations provide for a retroactive "rent freeze" for failure to comply with the initial or annual rent registration requirements. The late filing of a registration will result in the prospective elimination of this penalty.

The Rent Regulations provide that for proceedings docketed by DHCR on or after July 1, 1991, where all rent increases were lawful but for the owner's failure to register, and where the owner files and serves upon the tenant a late registration, DHCR shall not thereafter find that the owner has collected an overcharge at any time prior to the filing of the late registration. If, however, that late registration is filed subsequent to the filing of a rent overcharge complaint, DHCR shall assess the owner a late-filing surcharge for each apartment affected in the amount of fifty percent of the current rent registration fee for timely-filed registrations. The surcharge, based upon the current

administrative fee in both New York City and ETPA counties is \$5.00.

DHCR may impose a penalty of up to \$250 upon owners for each knowing violation of the Rent Regulations. Owners include, but are not limited to, rental building owners, cooperative corporations, condominium associations, individual cooperative owners (proprietary lessee or holder of unsold shares) and condominium unit owners who have rent regulated tenants, and the owner's managing agents.

Owners of rent stabilized apartments in Nassau, Westchester and Rockland Counties must comply with these registration requirements in addition to filing the required financial and operating expense statements with the County Rent Guidelines Board.