



New York State
Division of Housing and Community Renewal
Office of Rent Administration

Operational Bulletin 2014-3
(Replaces Operational Bulletin 85-1)

*New York City Lease Rider and Emergency Tenant Protection Act (ETPA)
Standard Lease Addenda for Rent Stabilized Tenants*

Introduction

Pursuant to Section 26-511(d) of the New York City Rent Stabilization Law (RSL) and Section 8630 (a) of the Emergency Tenant Protection Act (ETPA), the State Division of Housing and Community Renewal (DHCR), has promulgated a New York City Rent Stabilization Lease Rider and an ETPA Standard Lease Addenda.

Consistent with changes to the Rent Stabilization Code (RSC) and the Tenant Protection Regulation (TPR) made by the Rent Code Amendments (RCA) of 2014, the DHCR has revised the substantive provisions in the lease rider, service provisions and penalties. The rider and these changes have formed the basis for the companion ETPA Standard Lease Addenda. The Addenda has certain provisions that are unique to it, in accordance with the requirements of the TPR regulations which in certain instances vary from the Rent Stabilization Code.

- 1) Substantive Provisions and Service of Rider/Addenda
 - a) Owners must provide every rent stabilized tenant with a copy of the Rider/Addenda at the offering of a vacancy or renewal lease, personally or by mail.
 - b) The Rider/Addenda contains the following elements:
 - The identity of the subject address and apartment.
 - The signature of the tenant and owner, to be affixed at the offering and execution of the lease, respectively.
 - Information on the rent paid by the previous tenant and a detailed summary of Individual Apartment Improvements (IAI) and related costs and rent increases as well as vacancy and longevity allowances which enable a tenant to understand how the the new legal regulated rent for the apartment was calculated. This section also includes a notification to the tenant of his or her right to request from the owner, detailed IAI supporting documentation (e.g., invoices, cancelled checks, etc.) at the time the lease is being offered or within 60 days after it is executed, by certified mail. The owner shall provide such documentation within 30 days of that request by certified mail or in person with a signed acknowledgement of receipt.
 - A description of rights and duties of owners and tenants under the RSL, RSC, TPR and other laws including information on Preferential Rents, Air Conditioner Surcharges, High Rent Vacancy Deregulation and IAI notification requirements.

This document is being issued for informational purposes only.

The original document which contains signatures of authorization is on file at DHCR's Office of Rent Administration.

2) Penalties

- a) A tenant who is not served with a copy of the Rider/Addenda when signing a vacancy or renewal lease may file form RA-90/ RA-90 ETPA "Tenant's Complaint of Owner's Failure to Renew Lease and/or Failure to Furnish a Copy of a Signed Lease". The failure to properly serve the Rider/Addenda or provide information as required by the Rider/Addenda may result in the complaint being treated as a specific overcharge complaint. DHCR may issue an order directing a refund of any payment inappropriately made plus all penalties otherwise due in an overcharge proceeding.

3) Availability of Rider/Addenda

Copies of the Rider/Addenda will be made available from Blumberg's Law Products and other legal stationery stores, the Rent Stabilization Association and the Real Estate Board of New York Inc.

Copies of the Rider/Addenda are available for informational purposes only, in languages required by DHCR's Language Access Plan and can be viewed at www.nyshcr.org. However, the Rider/Addenda is required to be offered and executed in English only, at the issuance of a vacancy lease or renewal lease. The DHCR RTP-8 and DHCR RTP-8 ETPA Renewal Lease Forms are only required to be offered and executed in English.

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