



STATE OF NEW YORK
DIVISION OF HOUSING AND COMMUNITY RENEWAL
OFFICE OF RENT ADMINISTRATION
GERTZ PLAZA, 92-31 UNION HALL ST
JAMAICA, NY 11433

MARIO M. CUOMO, GOVERNOR
DONALD M. HALPERIN, COMMISSIONER

February 1, 1994

This is in response to your letter, dated January 16, 1994, requesting information regarding two questions.

Where a rent reduction order, based upon a reduction of services is still in effect, the owner may not collect any rent increase for the affected housing accommodation, including an increased security deposit for a barred renewal lease increase.

Section 2523.5(a) of the Rent Stabilization Code provides that the notice of lease renewal (RTP-8) be "On a form prescribed or a facsimile of such form approved by the DHCR... ." As the form used by the owner contains all of the essential elements of DHCR's RTP-8 and is identical thereto except for some minor details, the owner's form is a proper "facsimile" whose use is permitted by the Rent Stabilization Code.

I trust that I have responded to your inquiry.

Very truly yours,

Gary Turk
Deputy Counsel

GT:NG:adh
Log No. G-4507
cc: James Procopio
COL-9007