



**NOTICE OF APARTMENT DEREGULATION PURSUANT TO HIGH RENT VACANCY - 2018**

**MAILING ADDRESS OF TENANT:**

**MAILING ADDRESS OF OWNER/AGENT:**

Name: _____	Name: _____
Number/Street : _____ Apt. No.: _____	Number/Street: _____
City _____	City _____
State, Zip Code: _____	State, Zip Code: _____
	Telephone Number: ( ) _____

1. Previous status of the apartment: Rent Stabilized \_\_\_\_\_ or Rent Controlled \_\_\_\_\_

2. Reason for Deregulation:

High Rent Vacancy - The rent for the subject apartment has been lawfully raised to an amount equal to or greater than the Deregulation Rent Threshold (DRT). The DRT's for 2018 are New York City - \$2,733.75, Nassau - \$2,747.42, Rockland - \$2,733.75, Westchester - \$2,774.72 (\$2,759.70 if tenant pays for heat or hot water).

3. Last Legal Regulated Rent or Maximum Rent \$ \_\_\_\_\_.

The last legal rent or the maximum rent may be verified by the tenant by contacting DHCR. The tenant can contact the DHCR Rent Infoline at (718) 739-6400 and request that a registered apartment rent history be mailed to his or her apartment or the tenant can complete a request for access to public records (Form FOIL-1) and submit it to the attention of the Records Access Officer at the address listed above.

4. Calculation of the rent that qualifies for deregulation:

(Complete Section 4 in its entirety if the apartment was previously subject to rent stabilization. Complete only sub-section 4.5 if the apartment was previously subject to rent control and individual apartment improvements were made).

4.1 Last Legal Regulated Rent (same as # 3) \$ \_\_\_\_\_

(i) Additional Rent Guideline increases, applicable **only** if the last stabilized tenancy was more than 4 years prior to the signing of this lease. \$ \_\_\_\_\_

4.2 Statutory Vacancy Increase

(i) Increase based on (1 year) or (2 year) lease or (Preferential Rent Vacancy Limitation). Circle one. ( \_\_\_\_\_ %) \$ \_\_\_\_\_

(ii) Increase based on length of time (8 years or more) since last vacancy allowance or if no vacancy allowance has been taken, the number of years that the apartment has been subject to stabilization. (0.6% x number of years) \$ \_\_\_\_\_

(iii) Increase based on low rental amount. If applicable complete (a) or (b), but not both.

(a) Previous legal regulated rent was less than \$300 - additional \$100 increase, enter 100 \$ \_\_\_\_\_

(b) If the previous legal regulated rent was \$300 or more but less than \$500 (1) \$100  
 the sum of (i) and (ii) (2) \_\_\_\_\_  
 (1) minus (2). If less than zero, enter zero (3) \_\_\_\_\_

Amount from line (3) \$ \_\_\_\_\_

4.3 Vacancy Allowance, if permitted by NYC Rent Guidelines Board ( \_\_\_\_\_ %) \$ \_\_\_\_\_

4.4 Guidelines Supplementary Adjustment, if permitted by NYC Rent Guidelines Board \$ \_\_\_\_\_

4.5 **Individual Apartment Improvements (IAI)**

**A. Bathroom Renovation (check all applicable items)**

- Complete Renovation (if this box is checked you are not required to check Individual Items)
  - OR**
  - Individual Items  
(Check all applicable items)
  - Sink
  - Shower Body
  - Toilet
  - Tub
  - Plumbing
  - Cabinets
  - Vanity
  - Floors and/or Wall Tiles
  - Other (describe) \_\_\_\_\_
- Total Costs for Parts and Labor \_\_\_\_\_  
 Total Rent Increase (1/40th or 1/60th) \_\_\_\_\_  
**(A)**

**B. Kitchen Renovation (check all applicable items)**

- Complete Renovation (if this box is checked you are not required to check Individual Items)
  - OR**
  - Individual Items  
(Check all applicable items)
  - Sink
  - Stove
  - Refrigerator
  - Dishwasher
  - Cabinets
  - Plumbing
  - Floor and/or Wall Tiles
  - Counter Tops
  - Other (describe) \_\_\_\_\_
- Total Costs for Parts and Labor \_\_\_\_\_  
 Total Rent Increase (1/40th or 1/60th) \_\_\_\_\_  
**(B)**

**C. Other (check all applicable items)**

- Doors
  - Windows
  - Radiators
  - Light Fixtures
  - Electrical Work
  - Sheetrock
  - Other (describe) \_\_\_\_\_
- Total Costs for Parts and Labor \_\_\_\_\_  
 Total Rent Increase (1/40th or 1/60th) \_\_\_\_\_  
**(C)**

\$ \_\_\_\_\_  
**Total IAI Rent Increase  
 (Sum of (A)(B) and (C))**

5. New Rent - Qualifying for Deregulation (must be equal to or greater than the DRT) \$ \_\_\_\_\_

6. Actual Rent paid \$ \_\_\_\_\_

I certify that the information provided in this notice is accurate and complete to the best of my knowledge and that I am complying with the requirements of the registrations cited in this notice and attached information and instructions.

\_\_\_\_\_  
 Print Name of Owner or Owner's Agent

\_\_\_\_\_  
 Signature and Date

## Information and Instructions

- Relevant Code Sections  
Rent Stabilization Code 2520.11(u)  
Tenant Protection Regulations 2500.9(s)
- This notice is required to be served, by the owner, on the first tenant of the housing accommodation after the unit becomes exempt/deregulated from the rent laws. Although this form is promulgated by DHCR, the regulations do not require DHCR to review the accuracy of the contents of the completed form and the form is not required to be served on DHCR. However, DHCR on its own initiative may conduct audits of these notices.
- This notice is required to be sent by **certified mail** to the tenant, within 30 days after the tenancy commenced or after the signing of the lease by both parties, whichever occurs first, or shall be delivered to the tenant at the signing of the lease.
- In addition, the owner shall send and certify to the tenant a copy of a **registration** statement for such housing accommodation filed with DHCR indicating the exempt/deregulated status and the last legal regulated rent. It shall be sent within 30 days after the tenancy commences or the filing of said registration, whichever occurs later.
- For previously rent controlled apartments, an owner may charge a market rent that is subject to challenge by the filing of a Fair Market Rent Appeal. In the actual calculation of a fair market rent, DHCR will give consideration to the applicable fair market rent guidelines established annually by the NYC Rent Guidelines Board and/or to rents generally prevailing for housing accommodations located in the same area as the housing accommodation under review, in addition to the IAI information provided here. See NYCRR 2522.3(e).
- For previously rent controlled apartments, the tenant may challenge the deregulation by filing a Fair Market Rent Appeal with DHCR within 90 days of service of this notice or service of a copy of the above referenced registration statement, whichever occurs first.
- For previously rent stabilized apartments, the tenant may challenge the deregulation by filing an Overcharge complaint with DHCR within four years of the commencement date of the lease.
- DHCR may convert a Fair Market Rent Appeal or overcharge complaint to the appropriate complaint based on the previous regulatory status of the apartment.
- If the last stabilized tenancy was more than 4 years prior to the signing of this lease see RSC 2526.1a (3)(iii) and TPR 2506.1(a)(3)(iii) or DHCR Fact Sheet # 5 - Vacancy Leases, which may entitle the Owner to additional rent guideline increases over the last stabilized tenancy.
- The Rent Act of 2015 modified the **Deregulation Rent Threshold (DRT)** for both High-Rent Vacancy Deregulation and High-Rent High-Income Deregulation. The DRT for both kinds of deregulation was increased to \$2,700 and will be increased on January 1, 2016 and each January 1st thereafter by the one year renewal lease guideline percentage issued the prior year by the rent guidelines board for the locality.
- The Rent Act of 2015 modified the vacancy allowance that an owner can add to the legal regulated rent when the vacating tenant was paying a preferential rent. If a vacating tenant was paying a preferential rent, the vacancy lease rent increase that can be applied to the vacating tenant's legal rent will be limited to 5% if the last vacancy lease commenced less than two years ago, 10% if less than three years ago, 15% if less than four years ago and 20% if four or more years ago.