

RENT-STABILIZED APARTMENTS: Air-Conditioner Rent Surcharge Chart

Who pays for electricity?	Who installed A/C?	What you can collect (Oct. 1, 2025, through Sept. 30, 2026)	When to start collecting	Comments
A/C INSTALLED ON OR AFTER OCT. 1, 2025, THROUGH SEPT. 30, 2026				
Owner	Owner	\$36.12 per month for each air conditioner installed, plus a monthly rent increase amounting to 1/168th or 1/180th of the cost of the air conditioner. ¹	In the month following the installation.	The \$36.12 surcharge is not included in the tenant's base rent. It is a separate charge subject to adjustment on Oct. 1, 2025, and each Oct. 1 thereafter. The 1/168th or 1/180th rent increase is included in the tenant's base rent. ¹ To collect either the surcharge or the rent increase, first get the tenant's written consent to install the air conditioner. To collect the rent increase, also get the tenant's written consent to pay for it. If the apartment is vacant, no consent is required.
Owner	Tenant	\$36.12 per month for each air conditioner the tenant installs.	In the month following the installation.	The \$36.12 surcharge is <i>not</i> included in the tenant's base rent. It is a separate charge subject to adjustment on Oct. 1, 2025, and each Oct. 1 thereafter.
Tenant	Owner	A monthly rent increase amounting to 1/168th or 1/180th of the cost of the air conditioner. ¹	In the month following the installation.	The rent increase is included in the tenant's base rent. To collect it, first get the tenant's written consent to your installation of the air conditioner and to paying the increase. If the apartment is vacant, no consent is required.
A/C INSTALLED ON OR AFTER OCT. 1, 1985, THROUGH SEPT. 30, 2025				
Owner	Owner	Increase the rent surcharge you have been collecting from \$34.88 to \$36.12 per month for each air conditioner installed. Continue to collect a permanent monthly rent increase amounting to 1/40th or 1/60th of the cost of the air conditioner unless the IAI requirements under HSTPA apply. ³	Increase the monthly surcharge to \$36.12 on Oct. 1, 2025.	The \$36.12 monthly surcharge is <i>not</i> included in the tenant's base rent. It is a separate charge subject to adjustment on Oct. 1, 2025, and each Oct. 1 thereafter. The 1/40th or 1/60th rent increase that you got when you first installed the air conditioner is <i>permanent</i> and included in the tenant's base rent. ³
Owner	Tenant	Increase the rent surcharge you have been collecting from \$34.88 to \$36.12 per month for each air conditioner the tenant installs.	Increase the monthly surcharge to \$36.12 on Oct. 1, 2025.	The \$36.12 monthly surcharge is <i>not</i> included in the tenant's base rent. It is a separate charge subject to adjustment on Oct. 1, 2025, and each Oct. 1 thereafter.
Tenant	Owner	Continue to collect a permanent monthly rent increase amounting to 1/40th or 1/60th of the cost of the air conditioner. ^{1,3}	Continue collecting.	The 1/40th or 1/60th rent increase that you got when you first installed the air conditioner is <i>permanent</i> and included in the tenant's base rent. ³
<p>1. Owners can increase the rent by 1/168th of the cost of a new A/C in buildings that contain 35 or fewer units, and by 1/180th of the cost in buildings with 36 or more units. If A/C was installed in an apartment registered as vacant in 2022, 2023, 2024, or during a vacancy following a period of continuous occupancy of at least 25 years, owners may qualify to increase rent by 1/144th (for buildings of 35 or fewer units) and 1/156th (for buildings of more than 35 units).</p> <p>2. The DHCR considers the building's window line as the outside facing the building wall, unless the windowsill protrudes beyond the building wall. Then the DHCR considers the sill's outer edge to be the window line.</p> <p>3. The Housing Stability and Tenant Protection Act of 2019 (HSTPA) went into effect on June 14, 2019. If the owner installed the air conditioner on or after June 14, 2019, the DHCR says the rent increase is permanent under the state's 2024 Budget Law.</p>				

RENT-CONTROLLED APARTMENTS: Air-Conditioner Rent Surcharge Chart

Who pays for electricity?	Who installed A/C?	What you can collect (Oct. 1, 2025, through Sept. 30, 2026)	When to start collecting	Comments
A/C INSTALLED ON OR AFTER OCT. 1, 2025, THROUGH SEPT. 30, 2026				
Owner	Owner	\$36.12 per month for each air conditioner installed, plus a monthly rent increase amounting to 1/40th or 1/60th of the cost of the air conditioner. ¹	<ul style="list-style-type: none"> • \$36.12. After you file form RN-79b (12/22) with the DHCR and get an order authorizing you to collect the surcharge. • 1/168th or 1/180th increase.¹ In the month following the date you file form RN-79b (12/22) with the DHCR. You do not need a DHCR order to collect this increase. 	Add the \$36.12 surcharge to maximum collectible rent (MCR) and maximum base rent (MBR). When calculating future MBR increases, deduct the surcharge. Add the 1/168th or 1/180th rent increase to the MCR and MBR. ¹ To collect the 1/168th or 1/180th increase, first get the tenant's written consent to install and pay for the air conditioner on form RN-79b (12/22). The tenant's written consent is not required to collect the surcharge. For both the 1/168th or 1/180th increase and surcharge, file form RN-79b (12/22) with the DHCR.
Owner	Tenant	\$36.12 per month for each air conditioner the tenant installs.	After you file form RN-79b (12/22) with the DHCR and get an order authorizing you to collect the surcharge.	Add the \$36.12 surcharge to the MCR and MBR. When calculating future MBR increases, deduct the surcharge.
Tenant	Owner	A monthly rent increase amounting to 1/168th or 1/180th of the cost of the air conditioner. ¹	In the month following the date you file form RN-79b (12/22) with the DHCR. You don't need a DHCR order to collect this increase.	Add the 1/168th or 1/180th rent increase to the MCR and MBR. To collect the increase, first get the tenant's written consent to your installation of the air conditioner and to paying the increase. Then file form RN-79b (12/22) with the DHCR.
A/C INSTALLED ON OR AFTER OCT. 1, 1985, THROUGH SEPT. 30, 2025				
Owner	Owner	Continue to collect the same rent surcharge and rent increase you were entitled to collect when you originally installed the air conditioner. ³	Continue collecting.	Add the surcharge to the MCR and MBR. When calculating future MBR rent increases, deduct the surcharge. The rent increase you got when you first installed the air conditioner is included in the MCR and MBR.
Owner	Tenant	Continue to collect the same rent surcharge you were entitled to collect when the tenant originally installed the air conditioner.	Continue collecting.	Add the surcharge to the MCR and MBR. When calculating future MBR increases, deduct the surcharge.
Tenant	Owner	Continue to collect the same rent increase you were entitled to collect when you originally installed the air conditioner. ³	Continue collecting.	The rent increase you got when you first installed the air conditioner is included in the MCR and MBR.
<p>1. Owners can increase the rent by 1/168th of the cost of a new A/C in buildings that contain 35 or fewer units, and by 1/180th of the cost in buildings with 36 or more units. If A/C was installed in an apartment registered as vacant in 2022, 2023, 2024, or during a vacancy following a period of continuous occupancy of at least 25 years, owners may qualify to increase rent by 1/144th (for buildings of 35 or fewer units) and 1/156th (for buildings of more than 35 units).</p> <p>2. The DHCR considers the building's window line as the outside facing the building wall, unless the windowsill protrudes beyond the building wall. Then the DHCR considers the sill's outer edge to be the window line.</p> <p>3. The Housing Stability and Tenant Protection Act of 2019 (HSTPA) went into effect on June 14, 2019. If the owner installed the air conditioner on or after June 14, 2019, the DHCR says the rent increase is permanent under the state's 2024 Budget Law.</p>				