APARTMENT LAW INSIDER's

RGBO #47 RENT COMPUTATION FORM FOR VACANCY LEASES

For vacancy leases beginning any time on or after Oct. 1, 2015, through Sept. 30, 2016

The rent increases legally permitted upon vacancy and calculated with this form may not be taken more than once in any calendar year, as per the Rent Act of 2015.

TENANT'S NAME ______________________________ APT. # ____________

BUILDING ADDRESS ______________________________

PART A — BASE RENT

Enter legal regulated rent charged to prior tenant immediately before vacancy **1.** ____________

➤ *You may include these items in the line 1 amount:*

- Hardship increase; and
- Major capital improvement rent hike effective on or before the date prior tenant vacated.

➤ *But do not include these items in the line 1 amount:*

- Window guard charge;
- 421-a increase;
- Air-conditioner surcharge;
- Major capital improvement rent hike effective after the prior tenant vacated; and
- Temporary retroactive major capital improvement rent increase.
- Appliance surcharge permitted by DHCR operational bulletin 2005-1.

PART B — VACANCY BONUS

2a. Enter vacancy bonus percentage increase allowed by Rent Regulation Reform Act of 1997 *(see RGBO #47 below):* **2a.** ____________

➤ **RGBO #47 Vacancy Bonus:** **1-year lease = 18% increase**
2-year lease = 20% increase

OR

2b. If outgoing tenant paid a preferential rent, enter the percentage increase allowed by the Rent Act of 2015: **2b.** ____________

➤ **Rent Act of 2015 Preferential Rent Vacancy Increase:**

If Last Vacancy Lease Began —

- **less than 2 yrs. ago = 5% increase**
- **less than 3 yrs. ago = 10% increase**
- **less than 4 yrs. ago = 15% increase**
- **4 or more yrs. ago = 20% increase**

Multiply line 1 by line 2a *OR* 2b *(enter $ amount)* **3.** ____________

PART C — LONG-TERM PRIOR TENANT INCREASE

If you collected a vacancy allowance or vacancy increase within the eight years prior to the start date of the lease, skip lines 4 and 5, and enter 0 on line 6. If you have not collected a vacancy allowance or vacancy increase within the eight years prior to the start date of the lease, follow the instructions for lines 4, 5, and 6.

Multiply line 1 by .006 *(enter $ amount)* **4.** ____________

Enter the number of years prior to the start date of the lease since you have gotten a vacancy allowance or vacancy increase for the apartment. If you have never gotten a vacancy allowance or

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RGBO #47 RENT COMPUTATION FORM FOR VACANCY LEASES *(continued)*

vacancy increase for the apartment since it first became subject to rent stabilization, enter the number of years since the apartment first became subject to rent stabilization. If the number of years includes partial years, round down—that is, do not count anything less than a full year. **5.** ____________________

Multiply line 4 by line 5 *(enter $ amount)* **6.** ____________________

PART D — LOW-RENT INCREASE

If the rent on line 1 is $299.99 or less, enter $100 on line 7.
If the rent on line 1 is $300 or more, enter 0 on line 7 **7.** ____________________

Add lines 3, 6, and 7 *(enter $ amount)* **8.** ____________________

PART E — MAXIMUM RENT COMPUTATION

MAXIMUM RENT: Add lines 1 and 8 *(enter $ amount)* **9.** ____________________

Line 9 shows the maximum rent that can be charged on the tenant's apartment if the monthly rent on line 1 is $299.99 or less, or $500.01 or more. If the legal regulated rent on line 1 is at least $300, but no more than $500 per month, complete Part F, below.

In addition to the maximum rent that can be charged on line 9, you may collect any surcharges or increases to which you are entitled (e.g., window guard charge, 421-a increase, air-conditioner surcharge, new improvement/equipment increase, appliance surcharge).

Remember that for individual apartment improvements completed in buildings with more than 35 apartments, the owner is allowed to permanently increase the legal regulated rent by 1/60th of the cost of the improvements. But for improvements done in apartments located in buildings containing 35 or fewer units, the permitted increase is still 1/40th of the cost of improvements.

PART F — MINIMUM $100 INCREASE

(Complete this section ONLY if the legal regulated rent on line 1 is at least $300, but no more than $500 per month.)

Enter $100 on line 10 **10.** __________________

Enter the total from line 8 **11.** __________________

Enter either the amount on line 10 or line 11, whichever is greater **12.** __________________

MAXIMUM RENT: Add lines 1 and 12 *(enter $ amount)* **13.** __________________

Line 13 shows the maximum rent that can be charged on a tenant's apartment if the rent on line 1 is at least $300, but no more than $500 per month.

In addition to the maximum rent that can be charged on line 13, you may collect any surcharges or increases to which you are entitled *(e.g., window guard charge, 421-a increase, air-conditioner surcharge, new improvement/equipment increase).*