

RENT-STABILIZED APARTMENTS: Air-Conditioner Rent Surcharge Chart

Who pays for electricity?	Who installed A/C?	What you can collect (Oct. 1, 2015, through Sept. 30, 2016)	When to start collecting	Comments
A/C INSTALLED ON OR AFTER OCT. 1, 2015, THROUGH SEPT. 30, 2016				
Owner	Owner	\$28.94 per month for each air conditioner installed, plus a permanent monthly rent increase amounting to 1/40th or 1/60th of the cost of the air conditioner. ¹	In the month following the installation.	The \$28.94 surcharge is <i>not</i> included in the tenant's base rent. It is a separate charge subject to adjustment on Oct. 1, 2015, and each Oct. 1 thereafter. The 1/40th or 1/60th rent increase is <i>permanent</i> and is included in the tenant's base rent. ¹ To collect either the surcharge or the permanent rent increase, first get the tenant's written consent to install the air conditioner. To collect the permanent rent increase, also get the tenant's written consent to pay for it. If the apartment is vacant, no consent is required.
Owner	Tenant	\$28.94 per month for each air conditioner the tenant installs.	In the month following the installation.	The \$28.94 surcharge is <i>not</i> included in the tenant's base rent. It is a separate charge subject to adjustment on Oct. 1, 2015, and each Oct. 1 thereafter.
Tenant	Owner	A permanent monthly rent increase amounting to 1/40th or 1/60th of the cost of the air conditioner. ¹	In the month following the installation.	The rent increase is <i>permanent</i> and 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.
Tenant	Tenant	\$5 per month per air conditioner, but only if the air conditioner protrudes beyond the building's window line. ²	In the month following the installation.	The \$5 surcharge is <i>not</i> included in the tenant's base rent. It is a separate charge subject to adjustment on Oct. 1, 2015, and each Oct. 1 thereafter.
A/C INSTALLED ON OR AFTER OCT. 1, 1985, THROUGH SEPT. 30, 2015				
Owner	Owner	Decrease the rent surcharge you have been collecting from \$36.63 to \$28.94 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. ¹	Decrease the monthly surcharge to \$28.94 on Oct. 1, 2015.	The \$28.94 monthly surcharge is <i>not</i> included in the tenant's base rent. It is a separate charge subject to adjustment on Oct. 1, 2015, 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. It is not subject to change. ¹
Owner	Tenant	Decrease the rent surcharge you have been collecting from \$36.63 to \$28.94 per month for each air conditioner the tenant installs.	Decrease the monthly surcharge to \$28.94 on Oct. 1, 2015.	The \$28.94 monthly surcharge is <i>not</i> included in the tenant's base rent. It is a separate charge subject to adjustment on Oct. 1, 2015, 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	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. It is not subject to change. ¹
Tenant	Tenant	Continue to collect any monthly \$5 surcharge per air conditioner that you have been collecting for any air conditioner that protrudes beyond the building's window line. ²	Continue collecting.	The \$5 surcharge is <i>not</i> included in the tenant's base rent. It is a separate charge subject to adjustment on Oct. 1, 2015, and each Oct. 1 thereafter.

¹ Owners can increase the rent by 1/40th of the cost of a new A/C in buildings that contain 35 or fewer units, and by 1/60th of the cost of a new A/C in buildings with 36 or more units.

² The DHCR considers the building's window line as the outside facing of 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.