

APARTMENT LAW INSIDER'S RBO #45 RENT COMPUTATION FORM FOR VACANCY LEASES

For vacancy leases beginning any time on or after Oct. 1, 2013, through Sept. 30, 2014.

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 2011.

Tenant's Name _____ Apt. # _____

Building Address _____

PART A — BASE RENT

Enter legal regulated rent charged to prior tenant immediately before vacancy _____ line 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;
- Temporary retroactive major capital improvement rent increase; and
- Appliance surcharge permitted by DHCR operational bulletin 2005-1.

PART B — VACANCY BONUS

Enter vacancy bonus percentage increase allowed by Rent Regulation Reform Act of 1997 (*see box below*) _____ line 2

RBO #45 Vacancy Bonus

1-year lease	16.25% increase
2-year lease	20% increase

Multiply line 1 by line 2 (*enter \$ amount*) _____ line 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*) _____ line 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 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. _____ line 5

Multiply line 4 by line 5 (*enter \$ amount*) _____ line 6

RGBO #45 RENT COMPUTATION FORM FOR VACANCY LEASES (continued)**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 line 7

Add lines 3, 6, and 7 (*enter \$ amount*) line 8

PART E – MAXIMUM RENT COMPUTATION

Add lines 1 and 8 (*enter \$ amount*) **MAXIMUM RENT** line 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 line 10

Enter the total from line 8 line 11

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

Add lines 1 and 12 (*enter \$ amount*) **MAXIMUM RENT** line 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*).

COMPUTATIONS