



NOTICE OF RGB INCREASE FILING

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INSTRUCTIONS:

1. You must file two (2) copies of this form together with any attachments.
2. You must attach a copy of the Article 7-B Compliance or the Certificate of Occupancy.

FOR OFFICE USE ONLY

DOCKET #: _____

BUILDING INFORMATION

| BUILDING #. | STREET NAME | BOROUGH | IMD #: |
|-------------|-------------|---------|--------|
| | | | |

APPLICANT INFORMATION

NAME: _____

MAILING ADDRESS: _____

UNIT: _____

CITY, STATE: _____

ZIP CODE: _____

DAYTIME PHONE: () _____

BUSINESS PHONE: () _____

FAX NUMBER: () _____

APPLICANT'S RELATIONSHIP TO OWNER: _____

ARTICLE 7-B COMPLIANCE OR CERTIFICATE OF OCCUPANCY

ARTICLE 7-B COMPLIANCE: _____
 (The filing will not be deemed complete without proof of Article 7-B compliance)

THE FINAL CERTIFICATE OF OCCUPANCY FOR
 THE BUILDING WAS ISSUED ON: _____

ATTACH A COPY OF THE FINAL CERTIFICATE OF OCCUPANCY
 (The filing will not be deemed complete without a copy of the final Certificate of Occupancy.)

RENT:

AFFECTED PARTIES: List all affected parties. Affected parties are all occupants of covered residential units in the building, except those units that are exempt from rent regulation. List all affected parties. Indicate each affected party's maximum rent permissible under Loft Board rules.

| <u>NAME</u> | <u>MAILING ADDRESS</u> (Indicate floor or unit number) | <u>MONTHLY RENT</u> |
|-------------|-----------------------------------------------------------|---------------------|
| 1. _____ | _____ | _____ |
| 2. _____ | _____ | _____ |
| 3. _____ | _____ | _____ |
| 4. _____ | _____ | _____ |
| 5. _____ | _____ | _____ |
| 6. _____ | _____ | _____ |
| 7. _____ | _____ | _____ |
| 8. _____ | _____ | _____ |

If there are more than five affected parties, attach a separate sheet listing name, address and rent of all additional affected parties.

AFFIDAVIT RELATED TO NOTICE TO AFFECTED PARTIES

STATE OF NEW YORK)

COUNTY OF _____) ss.

_____, being duly sworn, deposes and says:

1. I am over the age of 18 and reside at _____.
2. I am the [owner][principal/partner/officer/agent of the owner] of the IMD building located at _____.
3. On _____, a letter was mailed by first class mail and certified or registered mail to the affected parties listed on the second page of this notice advising them of the date the compliance w/ Article 7-B or the issue date final Certificate of Occupancy for the building was issued, the maximum rent permissible under Loft Board rules, and their right to elect RGB Board increases applicable to one or two-year leases.
4. A true and correct copy of each of the letters to the affected parties is attached to this application.
5. I am aware that the Loft Board may rely on the truth of any statements herein in granting the rent increases related hereto.

Print Name

Signature

Title

Sworn to before me this _____
day of _____ 200_____

NOTARY PUBLIC

FAILURE TO ATTACH COPIES OF THE LETTERS TO AFFECTED PARTIES WILL CAUSE THIS APPLICATION TO BE INCOMPLETE.

**WAIVER OF RIGHT TO RENT ADJUSTMENT BASED ON COSTS OF OBTAINING FINAL
CERTIFICATE OF OCCUPANCY**

An owner may elect to waive its right to a rent adjustment based on the necessary and reasonable costs of obtaining a final certificate of occupancy (C/O). AN OWNER THAT WAIVES SUCH RIGHT WILL NOT BE ENTITLED TO RECEIVE A RENT ADJUSTMENT BASED ON THE COSTS OF COMPLIANCE. Whether or not an owner waives such right will have no effect on its right to receive RGB Increases under §2-01(i)(1) of the Loft Board rules. Check either A or B. If a waiver is elected, the Loft Board will issue an order setting the initial legal regulated rent based on the information supplied herein.

- ____A. Owner WAIVES its right to a rent adjustment based on the necessary and reasonable costs of obtaining a final C/O.

- ____B. Owner DOES NOT WAIVE its right to a rent adjustment based on the necessary and reasonable costs of obtaining a final C/O. An application or stipulation will be submitted concerning this rent increase in due course.

Print Name

Signature

Title

Pursuant to 29 RCNY §2-01(i)(1):
LETTER TO OCCUPANTS OF COVERED UNITS REGARDING RENT GUIDELINES BOARD RENT
INCREASES

[Name and address of Owner of Managing Agent]

Date: _____

[Name and address of Affected Party]

RE: IMD No. _____

Building Address _____

Unit No. _____

[to be completed by owner]

Dear _____:

Please be advised that the owner has achieved Article 7-B compliance or the Department of Buildings has issued a final Certificate of Occupancy for the building on _____. Section 2-01(i)(1) of Title 29 of the Rules of the City of New York ("RCNY"), the owner is entitled to annual or biannual rent increases equivalent to Rent Guidelines Board (RGB) increases for your unit and intends **to file or collect** such increases. As required by Loft Board rules, we are writing this letter to confirm the maximum permissible rent under Loft Board rules for your unit and to advise you of certain rights you have under the rules.

According to our records, the rent for your unit is \$_____ per month. This amount includes any increases and escalations permitted under the Loft Board's Interim Rent Guidelines (29 RCNY §§2-06, 2-06.1 and 2-06.2) and the code compliance rent increases permitted under Multiple Dwelling Law §286(2)(ii) and Loft Board rule §2-12. It does not include the RGB increases provided under section 2-01(i)(1) of the Loft Board rules.

According to 29 RCNY §2-01(i)(1)(iv), IF YOU DISPUTE THE STATED MAXIMUM PERMISSIBLE RENT UNDER THE LOFT BOARD RULES FOR YOUR UNIT, YOU MUST NOTIFY THE LOFT BOARD AND THE OWNER IN WRITING OF THE AMOUNT IN DISPUTE AND THE REASON YOU DISPUTE THE MAXIMUM RENT WITHIN 45 CALENDAR DAYS OF THE DATE THIS LETTER WAS MAILED TO YOU. FAILURE TO NOTIFY THE LOFT BOARD WITHIN SUCH 45-DAY PERIOD SHALL BE DEEMED TO BE AN ACCEPTANCE BY YOU OF THE MAXIMUM RENT PERMISSIBLE UNDER LOFT BOARD RULES AS STATED ABOVE.

RENT ADJUSTMENT BASED ON CODE COMPLIANCE COSTS

The Owner Elects to:

- Waive its right to a rent adjustment based on the necessary and reasonable costs of obtaining a final article of occupancy or
- does not waive its right to a rent adjustment based on the necessary and reasonable costs of obtaining a final Certificate of Occupancy.

RENT TERM

Under subsection 2-01(i)(1)(iii) of the Loft Board rules, you are entitled to elect whether the RGB percentage increases applicable to one-year leases or two-year leases. Such election shall be binding upon you for the entire period prior to registration of the building with the New York State Division of Housing and Community Renewal. For your information, the one and two-year percentage rent increases established by the RGB for 2[] are _____% and _____% respectively. These increases will result in a new rent for your unit of _____ for a one-year increase or _____ for a two-year increase.

According to the Loft Board regulations, IF YOU WISH TO MAKE AN ELECTION, YOU MUST NOTIFY THE LOFT BOARD IN WRITING OF YOUR ELECTION WITHIN 45 CALENDAR DAYS OF THE DATE THIS LETTER WAS MAILED TO YOU. FAILURE TO NOTIFY THE LOFT BOARD WITHIN SUCH 45-DAY PERIOD SHALL BE DEEMED TO BE AN ELECTION TO BE GOVERNED BY INCREASES APPLICABLE TO ONE-YEAR LEASES.

All letters relating to the above matters from you to the Loft Board must be in the form enclosed with this letter. They should also be signed by you and sent to the following address:

**NEW YORK CITY LOFT BOARD
280 BROADWAY, 4TH FLOOR
NEW YORK, NEW YORK 10007**

If you have any questions regarding the maximum rent permissible under the Loft Board rules for your unit, you may call the undersigned at _____, and if you have any questions about the Loft Board rules you may call the Loft Board at (212) 566-5663.

Sincerely,

Print Name

Signature

Title

Pursuant to 29 RCNY §2-01(i)(1)

RGB RENT INCREASE
TENANT RESPONSE FORM

Name and address of owner or applicant

NEW YORK CITY LOFT BOARD
100 GOLD STREET, 2nd FLOOR
NEW YORK, NEW YORK 10038-1605

RE: IMD No. _____

Building Address _____

Unit No. _____

[To be completed by owner]

Ladies and Gentlemen:

1. MAXIMUM RENT PERMISSIBLE UNDER LOFT BOARD RULES

Check either A or B. If you check B, fill in the rent amount and provide copies of three recent cancelled rent checks.

_____A. I hereby confirm that the stated maximum rent permissible under Loft Board rules for my unit is correct as set forth in the letter from the owner.

_____B. I hereby dispute the stated maximum rent permissible under Loft Board rules for my unit as set forth in the letter from the owner. I believe the maximum rent permissible under Loft Board rules is \$_____. I have enclosed copies of three monthly rent checks for the following recent months: _____, _____, and _____. My reasons for disputing the maximum rent are as follows:

Attach a separate rider if additional space is necessary.

2. ELECTION FOR RGB INCREASES

Check either A or B. If neither is selected, a one-year period will be assumed. Please complete this section even if you dispute the maximum rent permissible in Section 1.

_____A. I hereby elect to have rent increases governed by Rent Guidelines Board increases applicable to one-year leases.

_____B. I hereby elect to have rent increases governed by Rent Guidelines Board increases applicable to two-year leases.

Sincerely,

Date

Signature

Print Name: