



# THE CITY RECORD

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## THE CITY RECORD

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## PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

### BOROUGH PRESIDENT - BRONX

#### ■ PUBLIC HEARINGS

A PUBLIC HEARING IS BEING CALLED by the President of the Borough of The Bronx, Honorable Ruben Diaz Jr., on Thursday, August 2, 2018, commencing at 11:00 A.M. The hearing will be held in the



Office of the Borough President, 851 Grand Concourse, Room 206, The Bronx, NY 10451. The following matter will be heard:

#### CD #1-ULURP APPLICATION NO: C 180391 PQX-599

##### Courtlandt:

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD), pursuant to Section 197-c of the New York City Charter, for the acquisition of property, located at 599 Courtlandt Street (Block 2410, Lot 43) to facilitate an affordable housing development.

ANYONE WISHING TO SPEAK MAY REGISTER AT THE HEARING. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS MATTER TO THE BOROUGH PRESIDENT'S OFFICE, (718) 590-6124.

Accessibility questions: Sam Goodman (718) 590-6124, by: Wednesday, August 1, 2018, 5:00 P.M.



jy26-a1

### CHARTER REVISION COMMISSION

#### ■ PUBLIC HEARINGS

#### NOTICE OF PUBLIC HEARING

The City's Charter Revision Commission will hold a public hearing on Tuesday, July 31, 2018, at 6:30 P.M. The New York City Charter Revision Commission will hold public hearings across the five boroughs. The hearings are an opportunity for the public to respond to the Preliminary Staff Report, issued July 17th and available on the Commission's website, at [nyc.gov/charter](http://nyc.gov/charter). The public is encouraged to attend and offer testimony in front of the Commission about the report and on any aspect of the Charter. The hearing will be held at McKee High School, 290 St. Marks Place, Auditorium, Staten Island, NY 10301. This hearing is open to the public.

What if I need assistance to participate in the hearing? This location is accessible to individuals using wheelchairs or other mobility

devices. Induction loop systems, ASL interpreters, and Spanish interpreters will be available. In addition, with advance notice, members of the public may request other language interpreters. Please make language interpretation requests or additional accessibility requests by 5:00 P.M., no later than Friday, July 27, 2018, by emailing the Commission at requests@charter.nyc.gov or calling (212) 386-5350.

**SUBMITTING TESTIMONY**

Written testimony is also encouraged and may be submitted in person at the public hearing, by email to comments@charter.nyc.gov, or through the "Send Comments to the Commission" link on the Commission website, at www.nyc.gov/charter (on the "About" page). All public hearings and meetings will be livestreamed at nyc.gov/charter.



jy20-31

**CITY COUNCIL**

**■ PUBLIC HEARINGS**

**NOTICE IS HEREBY GIVEN** that the Council has scheduled the following public hearings on the matters indicated below:

**The Subcommittee on Zoning and Franchises will hold a public hearing on the following matters in the Committee Room, City Hall, New York, NY 10007, commencing at 9:30 A.M. on Thursday, August 2, 2018:**

**WHAI OYSTER ARK WAHIZZA**

**MANHATTAN CB - 12** **20185391 TCM**  
Application, pursuant to Section 20-226 of the Administrative Code of the City of New York concerning the petition of Sugary Goddess Corp., d/b/a Whai Oyster Ark Wahizza, for a new revocable consent to establish, maintain and operate a small unenclosed sidewalk café, located at 4486-4488 Broadway.

**GRITO MEXICAN GRILL**

**MANHATTAN CB - 12** **20185446 TCM**  
Application, pursuant to Section 20-226 of the Administrative Code of the City of New York concerning the petition of Silvia L. Duran, d/b/a Grito Mexican Grill, for a new revocable consent to establish, maintain and operate a small unenclosed sidewalk café, located at 1555 Saint Nicholas Avenue.

**TWO HANDS**

**MANHATTAN CB - 1** **20185461 TCM**  
Application, pursuant to Section 20-226 of the Administrative Code of the City of New York concerning the petition of Two Hands Tribeca, LLC, d/b/a Two Hands, for a renewal revocable consent to continue, maintain and operate a small unenclosed sidewalk café, located at 251 Church Street.

**CALLE DAO CHELSEA**

**MANHATTAN CB - 4** **20185483 TCM**  
Application, pursuant to Section 20-226 of the Administrative Code of the City of New York concerning the petition of Maxver, LLC, d/b/a Calle Dao Chelsea, for a new revocable consent to establish, maintain and operate a small unenclosed sidewalk café, located at 461 West 23<sup>rd</sup> Street.

Accessibility questions: Land Use Division - (212) 482-5154, by: Tuesday, July 31, 2018, 3:00 P.M.



jy27-a2

**CITY PLANNING COMMISSION**

**■ PUBLIC HEARINGS**

**NOTICE IS HEREBY GIVEN** that resolutions have been adopted by the City Planning Commission, scheduling a public hearing on the following matters, to be held at NYC City Planning Commission Hearing Room, Lower Concourse, 120 Broadway, New York, NY, on Wednesday, August 8, 2018, at 10:00 A.M.

**BOROUGH OF THE BRONX**

**No. 1**

**HEBREW HOME FOR THE AGED**

**CD 8** **C 180321 ZSX**  
**IN THE MATTER OF** an application submitted by Hebrew Home for the Aged at Riverdale, Inc., The Hebrew Home for the Aged at Riverdale Foundation, Inc., and Hebrew Home Housing Development Fund Company, Inc., pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit, pursuant to Section 74-901(a) of the Zoning Resolution to modify the use regulations of Section 22-13, to allow a long-term care facility (Use Group 3) in an

R1-1 District (Block 5933, Lot 55), on property, located at 5701-5961 Palisade Avenue (Block 5933, Lots 55, 210, 224, 225 and 230), in R1-1 and R4 Districts, within the Special Natural Area District (NA-2).

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271.

**No. 2**

**BARTOW AVENUE ANIMAL SHELTER**

**CD 10** **C 180346 PSX**  
**IN THE MATTER OF** an application submitted by the Department of Health and Mental Hygiene and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection of property, located at 2050 Bartow Avenue (Block 5141, p/o Lot 1085), for a full service animal shelter, veterinary clinic and accompanying office space facility.

**No. 3**

**LSSNY EARLY LIFE CENTER 2**

**CD 2** **C 160161 PQX**  
**IN THE MATTER OF** an application submitted by the Administration for Children's Services and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property, located at 888 Westchester Avenue (Block 2696, Lot 30), for continued use as a child care facility.

**No. 4**

**WATSON AVENUE EARLY CHILDHOOD CENTER**

**CD 9** **C 160160 PQX**  
**IN THE MATTER OF** an application submitted by the Administration for Children's Services and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property, located at 1880 Watson Avenue (Block 3732, Lot 39), for continued use as a child care facility.

**BOROUGH OF BROOKLYN**

**No. 5**

**PAL ARNOLD & MARIE SCHWARTZ EARLY LEARN CENTER**

**CD 5** **C 160331 PQK**  
**IN THE MATTER OF** an application submitted by the Administration for Children's Services and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property, located at 452 Pennsylvania Avenue (Block 3805, Lot 26), for continued use as a child care facility.

**No. 6**

**180 MYRTLE AVENUE TEXT AMENDMENT**

**CD 2** **N 180188 ZRK**  
**IN THE MATTER OF** an application submitted by Red Apple Real Estate, pursuant to Section 201 of the New York City Charter for an amendment to the Zoning Resolution of the City of New York, modifying Article X, Chapter 1, Section 11 (Special Ground Floor Use Regulations within the Special Downtown Brooklyn District) and related Sections.

Matter underlined is new, to be added;  
Matter ~~struck out~~ is to be deleted;  
Matter within # # is defined in Section 12-10;  
\* \* \* indicates where unchanged text appears in the Zoning Resolution

**ARTICLE X**

**SPECIAL PURPOSE DISTRICTS**

**Chapter 1**

**Special Downtown Brooklyn District**

\* \* \*

**101-10**

**SPECIAL USE REGULATIONS**

\* \* \*

**101-11**

**Special Ground Floor Use Regulations**

Map 2 (Ground Floor Retail Frontage), in Appendix E of this Chapter, specifies locations where the special ground floor #use# regulations of this Section apply.

#Uses# within #stories# that have a floor level within five feet of #curb level#, and within 50 feet of the #street line#, shall be limited to #commercial uses# listed in Use Groups 5, 6A, 6C, 6D, 7A, 7B, 8A, 8B, 8D, 9, 10, 11, 12A, 12B and 12C, where such #uses# are permitted by the underlying district. In addition, libraries, museums and non-commercial art galleries shall be permitted. In addition, all non-residential #uses# permitted by the underlying district shall be permitted for buildings fronting on Myrtle Avenue between Ashland Place and Fleet Place. A #building's street# frontage shall be allocated exclusively to such #uses#, except for Type 2 lobby space, entryways or entrances to subway stations provided in accordance with the provisions of Section 37-33 (Maximum Width of Certain Uses). However, loading berths serving any permitted #use# in the #building# may occupy up to 40 feet of such #street# frontage provided such #street# frontage is not subject to curb cut restrictions as shown on Map 5 (Curb Cut Restrictions) in Appendix E of this Chapter.

The regulations of this Section are modified as follows:

(a) Fulton Mall Subdistrict

For #buildings# in the Fulton Mall Subdistrict, Use Group 6A shall not include post offices, dry cleaning, laundry, or shoe and hat repair establishments. Use Group 6C shall not include automobile supply establishments, electrolysis studios, frozen food lockers, loan offices or locksmiths. Use Group 8A shall not include billiard parlors, pool halls, bowling alleys or model car hobby centers. Use Group 9 shall be prohibited except for typewriter stores. Use Group 10 shall not include depositories for office records, microfilm or computer tapes. Use Groups 6D, 7A, 7B, 8B, 8D, 11, 12A and 12C shall be prohibited. Furthermore, no bank or off track betting establishment shall occupy more than 30 feet of frontage at the ground floor of any #building# along the #street line# of Fulton Street. Any establishment that fronts on the #street line# of Fulton Street for a distance greater than 15 feet shall provide an entrance on Fulton Street.

(b) Atlantic Avenue Subdistrict

Automotive service stations are not permitted. No bank, loan office, business or professional office or individual #use# in Use Group 9 shall occupy more than 50 feet of linear frontage on Atlantic Avenue. Moving and storage uses in Use Group 7 are permitted on the ground floor of a #building# only if such #use# is located at least 50 feet from the front wall of the #building# in which the #use# is located. Any #buildings developed# after June 28, 2004, or portions of #buildings enlarged# on the ground floor level after June 28, 2004, on a #zoning lot# of 3,500 square feet or more shall have a minimum of 50 percent of the ground #floor area# of the #building# devoted to permitted #commercial uses# in Use Groups 6, 7 or 9, except that this requirement shall not apply to any #development# occupied entirely by #community facility use#.

In any #building# within the Atlantic Avenue Subdistrict, the provisions of Section 32- 421 (Limitation on floors occupied by non-residential uses) restricting the location of non-#residential uses# listed in Use Groups 6, 7, 8, 9 or 14 to below the level of the first #story# ceiling in any #building# occupied on one of its upper stories by #residential# or #community facility uses#, shall not apply. In lieu thereof, such non- #residential uses# shall not be located above the level of the second #story# ceiling.

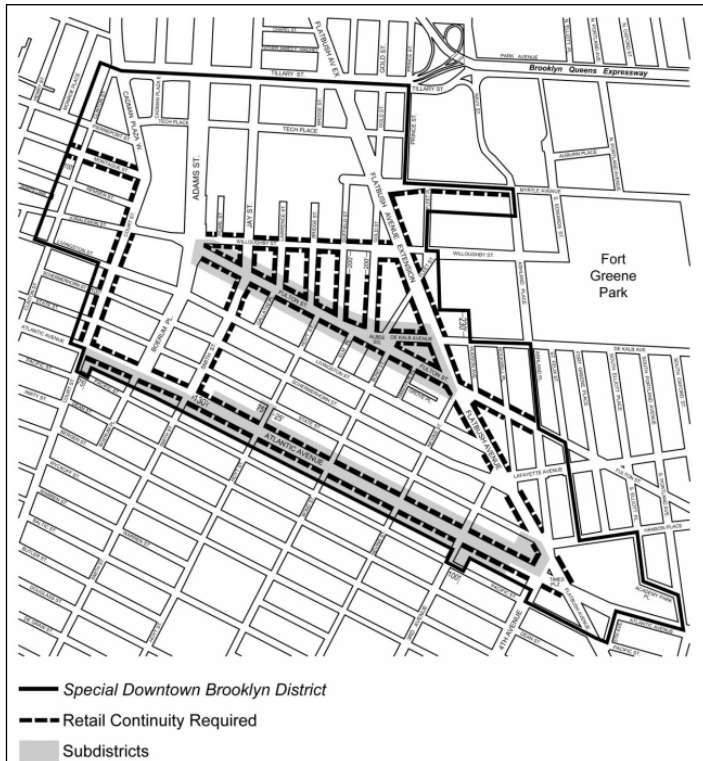
\* \* \*

APPENDIX E

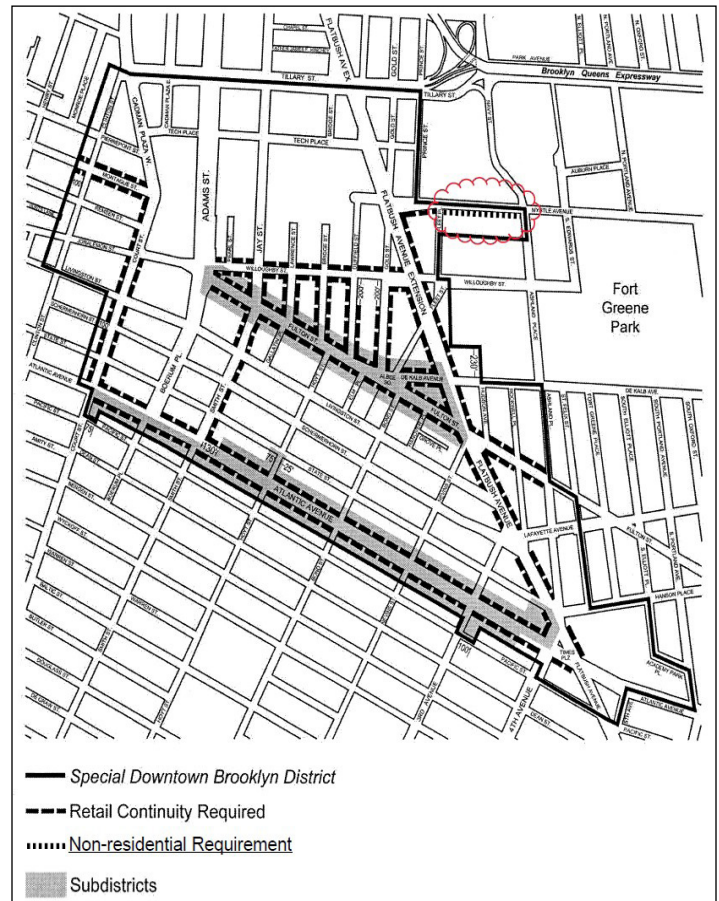
Special Downtown Brooklyn District Maps

Map 2. Ground Floor Retail Frontage

[EXISTING MAP]



[PROPOSED MAP]



No. 7 BOERUM HILL HISTORIC DISTRICT EXTENSION CD 2 N 190101 HKK

IN THE MATTER OF a communication dated July 6, 2018, from the Executive Director of the Landmarks Preservation Commission regarding the Boerum Hill Historic District Extension, designated by the Landmarks Preservation Commission on June 26, 2018 (Designation List No. 508), consisting of three Area's, Area I, which consists of the properties bounded by a line beginning on the southern curbline of Dean Street at a point on a line extending northerly from a portion of the western property line of 86 Dean Street, then extending southerly along the western property line of 86 Dean Street, southerly along the western property line of 90 Bergen Street to the southern curbline of Bergen Street easterly to a point on a line extending northerly from the western property line of 90 Bergen Street, then extending southerly along the western property line of 90 Bergen Street, easterly along the southern property line of 90 Bergen Street to 134 Bergen Street, northerly along the eastern property line of 134 Bergen Street to the centerline of Bergen Street easterly along said centerline to its intersection with the centerline of Hoyt Street, then along said centerline of Hoyt Street to a point formed by its intersection with a line extending easterly from the southern curbline of Dean Street, then following the curbline of Dean Street to the point extending northerly from the western property line of 86 Dean Street.

Area II consists of the property bounded by a line beginning on the eastern curbline of Nevins Street at a point on a line extending westerly from the northern property line of 245 Bergen Street, then extending southerly along the curbline of Nevins Street to a point on a line extending westerly along the southern property lines of 258 Wyckoff Street then extending westerly along the southern property line of 258 Wyckoff Street to 196 Wyckoff Street aka 169 Bond Street, the extending northerly along the centerline of Bond Street to the intersection of a line extending westerly from the northern property line of 143 Bond Street, then easterly along the northern property line of 143 Bond Street, southerly along a portion of the eastern property line of 143 Bond Street, then easterly along the northern property line of 199 Bergen Street to the point of beginning.

Area III consists of the property bounded by a line beginning on the southern curbline of Atlantic Avenue at a point on a line extending northerly from the eastern property line of 428 Atlantic Avenue then following southerly the eastern property line of 428 Atlantic Avenue, then westerly along the southern property line of 428 Atlantic Avenue to 426 Atlantic Avenue, northerly along a portion of the western

property line of 426 Atlantic Avenue, then westerly along the southern property line of 424 Atlantic Avenue to 414 Atlantic Avenue, then southerly along a portion of the eastern property line of 414 Atlantic Avenue, then westerly to the intersection of the centerline of Bond Street, then southerly along the centerline of Bond Street to the intersection of the center line of Pacific Street, then following westerly along the centerline of Pacific Street to the intersection of a line extending northerly from the eastern property line of 358 Pacific Street, then southerly along the eastern property line of 358 Pacific Street, then westerly along the southern property line of 358 Pacific Street, northerly along the western property line of 358 Pacific Street to the southern curblines of Pacific Street, then westerly to the intersection of a line extending southerly from the western property line Landmarks Preservation Commission Designation Report Boerum Hill Historic District Extension Designation List 508 LP-2599 4 of 284 of 351 Pacific Street, following the western property line of 351 Pacific Street to the southern property line of 368 Atlantic Avenue, then westerly along the southern property line of 368 Atlantic Avenue to the eastern curblines of Hoyt Street, then northerly along the western property line of 348 Atlantic Avenue to the intersection of the southern curblines of Atlantic Avenue, then westerly along the southern curblines of Atlantic Avenue to the intersection of a line extending southerly from the western property line of 365 Atlantic Avenue, then northerly along the western property line of 365 Atlantic Avenue, then westerly along the northern property line of 365 Atlantic Avenue, northerly along a portion of the western property line of 367 Atlantic Avenue then easterly along the northern property line of 367 Atlantic Avenue, then southerly along a portion of the eastern property line of 367 Atlantic Avenue, then easterly along the northern property line of 369 Atlantic Avenue to 389 Atlantic Ave, southerly along the eastern property line of 389 Atlantic Avenue to the southern curblines of Atlantic Avenue easterly to the point of beginning.

**BOROUGH OF QUEENS**  
**Nos. 8, 9 & 10**  
**69-02 QUEENS BOULEVARD**  
**No. 8**

**CD 2** **C 180265 ZMQ**  
**IN THE MATTER OF** an application submitted by 69-02 Queens Blvd Woodside LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 9d:

1. changing from an M1-1 District to an R7X District property, bounded by a line 150 southerly of Queens Boulevard, 70<sup>th</sup> Street, 47<sup>th</sup> Avenue, and 69<sup>th</sup> Street; and
2. establishing within the proposed R7X District a C2-3 District, bounded by a line 150 southerly of Queens Boulevard, 70<sup>th</sup> Street, 47<sup>th</sup> Avenue, and 69<sup>th</sup> Street;

as shown on a diagram (for illustrative purposes only) dated April 9, 2018, and subject to the conditions of CEQR Declaration E-472.

**No. 9** **N 180266 ZRQ**

**IN THE MATTER OF** an application submitted by 69-02 Queens Blvd Woodside LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing Area.

Matter underlined is new, to be added;  
 Matter ~~struck out~~ is to be deleted;  
 Matter within # # is defined in Section 12-10;  
 \* \* \* indicates where unchanged text appears in the Zoning Resolution.

\* \* \*

**APPENDIX F**  
**Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas**

\* \* \*

**QUEENS**

\* \* \*

**Queens Community District 2**

\* \* \*

Map 4 – [date of adoption]

[PROPOSED MAP]



- Inclusionary Housing designated area
- Mandatory Inclusionary Housing Area (see Section 23-154(d)(3))

Area 1 – mm/dd/yy, MIH Program Option 2

Portion of Community District 2, Queens

\* \* \*

**No. 10**

**CD 2** **C 180267 ZSQ**  
**IN THE MATTER OF** an application submitted by 69-02 Queens Blvd Woodside LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit, pursuant to Section 74-743 of the Zoning Resolution to modify the height and setback requirements of Sections 23-664 (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residence for seniors) to facilitate a proposed mixed-use development, within a large scale general development, on property generally bounded by Queens Boulevard, 70<sup>th</sup> Street, 47<sup>th</sup> Avenue, and 69<sup>th</sup> Street (Block 2432, Lots 8, 9, 21 41, 44, and 50), in R7X/C2-3\* Districts.

\*Note: The site is proposed to be rezoned by changing from an M1-1 District to R7X and by establishing a C2-3 District within the proposed R7X under a concurrent related application for a Zoning Map change (C 180265 ZMQ).

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271-0001.

YVETTE V. GRUEL, Calendar Officer  
 City Planning Commission  
 120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271  
 Telephone (212) 720-3370



jy25-a8

**CITYWIDE ADMINISTRATIVE SERVICES**

**■ PUBLIC HEARINGS**

**NOTICE IS HEREBY GIVEN THAT A REAL PROPERTY ACQUISITIONS AND DISPOSITIONS PUBLIC HEARING**, in accordance with Section 824 of the New York City Charter, will be held on August 15, 2018, at 10:00 A.M., 1 Centre Street, Mezzanine, Borough of Manhattan.

**IN THE MATTER OF** a lease for The City of New York, as Tenant, for the building, located at 123-10 143<sup>rd</sup> Street (Block 12039, Lot 44), in the Borough of Queens, along with an adjacent parking lot, to be used by the Administration of Children's Services as a Day Care Center and for the Department of Aging as a Senior Center, or for such other use as the Commissioner of the Department of Citywide Administrative Services may determine.

The proposed use was approved by the City Planning Commission, pursuant to NYC Charter Section 197c on January 31, 2018, (CPC Appl. No. 150255 PQQ, Public Hearing Cal. No. 8).

The proposed Lease shall be for a period of ten (10) years commencing upon Substantial Completion of Alterations and Improvements to be performed by the Landlord. Annual rent shall be \$875,208.18 per

annum from Lease execution through Substantial Completion, \$1,048,333.45 per annum from Substantial Completion through year 5, and \$1,144,003.45 per annum for years 6 through 10, payable in equal monthly installments at the end of each month.

In addition to and with Tenant's first payment of rent due under the proposed Lease, Tenant shall pay to Landlord, a one-time payment equal to the difference in value of \$32,660.86 per month and \$72,934.02 per month, times the number of months from November 22, 2013 to the Lease execution.

Tenant shall have one option to renew the Lease for a period of five (5) years at an annual rent to be the greater of \$1,164,764.70 per annum and 95% of Fair Market Value.

The Tenant may terminate the lease, in whole or in part, upon 12 months prior written notice at any time after the fifth (5<sup>th</sup>) year following Substantial Completion.

The Landlord shall prepare final architectural plans and engineering plans and make alterations and improvements in accordance with the scopes of work which are attached to the Lease. The alterations and improvements consist of Base Building Work, which the Landlord shall provide at its sole cost and expense, and Tenant Work which shall be paid by the Tenant in accordance with the terms of the Lease.

The total cost for the Tenant Work shall not exceed \$1,437,919.45.

**IN THE MATTER OF** a lease extension for the City of New York, as tenant, of space on the 1st and 2nd floor and parking area of the building located at 166-01 Hillside Avenue (Block 9838, Lot 62) in the Borough of Queens for the New York Police Department to use as an office, or for such other use as the Commissioner of the Department of Citywide Administrative Services may determine.

The term of the Lease is hereby extended for a period commencing on the Effective Date ("Extension Commencement Date") and expiring on September 30, 2019 ("Extension Expiration Date") (said period being referred to as the "Extension Term") unless sooner terminated as provided herein.

Effective as of the Effective Date, the rent payable by Tenant to Landlord ("Base Rent") shall be as follows: (i) Three Hundred Ninety-Nine Thousand One Hundred and Seventy-Five 00/100 Dollars (\$399,175,000) per annum for the period commencing on the Extension Commencement Date and ending on September 30, 2018; and (ii) Four Hundred Eleven Thousand One Hundred and Fifty 00/100 Dollars (\$411,150.00) per annum for the period commencing on October 1, 2018 and ending on the Extension Expiration Date.

The rent for the twenty-eight (28) Parking Spaces shall be at the following rate: (i) Forty-Four Thousand Six Hundred Seventy-Five 00/100 Dollars (\$44,675.00) per annum for the period commencing on the Extension Commencement Date and ending on September 30, 2018; and (ii) Forty-Six Thousand Fifteen 00/100 Dollars (\$46,015.00) per annum for the period commencing on October 1, 2018 and ending of the Extension Expiration Date.

Tenant shall pay to Landlord, together with its payment of the first monthly payment of Base Rent for the Extension Term, an amount equal to the difference (i.e. \$1,584.08 per month) between (a) the Base Rent payable under this First Amendment (i.e. \$33,264.58 per month) and (b) the Base Rent paid by Tenant to Landlord, pursuant to Article 20 (Tenant Not a Holdover) of the Lease (i.e. \$31,680.60 per month) for the period beginning October 1, 2017 through and including the Effective Date ("Holdover Period"). With respect to the Parking Spaces, Tenant shall pay to Landlord, together with its payment of the first monthly payment of Base Rent for the Extension Term, an amount equal to the difference (i.e. \$557.50 per month) between (a) the parking fee payable under this First Amendment (i.e. \$3,722.95 per month) and (b) the parking fee paid by Tenant to Landlord, pursuant to Article 20 (Tenant Not a Holdover) of the Lease (i.e. \$3,165.75 per month) for the Holdover Period. Parking Spaces during the Holdover Period, and Tenant shall have no other liability for rent or use and occupancy therefor. Tenant shall receive a credit for any amount paid by Tenant.

Landlord will perform alterations and improvements at its sole cost and expense per a scope of work.

**IN THE MATTER OF** a lease for the City of New York, as Tenant, for the entire sixth (6th) floor of the building, located at 4312 Second Avenue (Block 726, Lot 1) in the Borough of Brooklyn for use by the New York Police Department Property Clerk, or for such other use as the Commissioner of the Department of Citywide Administrative Services may determine, subject to restrictions set forth in the lease.

The proposed use was approved by the City Planning Commission, pursuant to NYC Charter Section 197c on September 17, 2015 (CPC Appl. No. N 150188 PCK, Public Hearing Cal. No. 10)

The proposed lease shall be for a period from lease execution through December 31, 2029. Base Rents will be \$1,752,699.10 from lease execution through December 31, 2018; \$1,859,438.47 from January 1, 2019 through December 31, 2020; \$1,972,678.28 from January 1, 2021 through December 31, 2022; \$2,092,814.38 from January 1, 2023 through December 31, 2024; \$2,220,266.78 from January 1, 2025 through December 31, 2026; \$2,355,481.03 from January 1, 2027 through December 31, 2028; and \$2,498,929.82 from January 1, 2029 through December 31, 2029, payable in equal monthly installments at the end of each month. Payable upon the first rent payment, Tenant shall pay Landlord a lump sum of \$1,458,424.52 as additional rent due

for the period January 1, 2015 through December 31, 2017 and \$44,357.78 for each month from 1/1/18 through lease commencement.

The lease may be terminated by the Tenant any time between January 1, 2025 through December 31, 2025 upon one (1) year's written notice. In the event that the lease is terminated by the Tenant, the Tenant shall pay to the Landlord the unamortized portion of the Tenant's representative's brokerage commission.

Further information, including public inspection of the proposed lease may be obtained, at One Centre Street, Room 2000 North, New York, NY 10007. To schedule an inspection, please contact Chris Fleming, at (212) 386-0315.

Individuals requesting Sign Language Interpreters/Translators should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, 9<sup>th</sup> Floor, New York, NY 10007, (212) 788-7490, no later than TEN (10) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD users should call VERIZON relay services.



• jy31

## LANDMARKS PRESERVATION COMMISSION

### ■ PUBLIC HEARINGS

**NOTICE IS HEREBY GIVEN** that, pursuant to the provisions of Title 25, Chapter 3 of the Administrative Code of the City of New York (Sections 25-303, 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) on Tuesday, August 7, 2018, a public hearing will be held at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. The final order and estimated times for each application, will be posted on the Landmarks Preservation Commission website, the Friday before the hearing. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting, should contact the Landmarks Commission no later than five (5) business days before the hearing or meeting.

#### **41-49 47th Street - Sunnyside Gardens Historic District**

**LPC-19-15258** - Block 136 - Lot 12 - **Zoning:** R2  
**CERTIFICATE OF APPROPRIATENESS**

A brick rowhouse with Colonial Revival style details, designed by Clarence Stein, Henry Wright and Frederick Ackerman and built in 1924. Application is to construct a new brick stoop and install paving at the areaway.

#### **175-12 Murdock Avenue - Addisleigh Park Historic District**

**LPC-19-18923** - Block - Lot 120 - **Zoning:** R2  
**CERTIFICATE OF APPROPRIATENESS**

A Medieval Revival style house, designed by G. English and built in 1928-29. Application is to legalize a masonry wall constructed without Landmarks Preservation Commission Permit(s) and to construct an in-ground pool, install light fixtures, gates, and pavers, reconstruct a fountain, and replace a gazebo.

#### **420 Pacific Street - Boerum Hill Historic District**

**LPC-19-21939** - Block 190 - Lot 18 - **Zoning:** R6B  
**CERTIFICATE OF APPROPRIATENESS**

An Italianate style rowhouse, built in 1852-53. Application is to construct a rear yard addition.

#### **7 Doughty Street - Fulton Ferry Historic District**

**LPC-19-24384** - Block 200 - Lot 15 - **Zoning:** M2-1  
**CERTIFICATE OF APPROPRIATENESS**

A one-story brick building attached to the rear of the Brooklyn City Railroad Company building. Application is to install a new door and surround in the front areaway wall.

#### **638 10th Street - Park Slope Historic District Extension**

**LPC-19-20904** - Block 1095 - Lot 9 - **Zoning:** R6B  
**CERTIFICATE OF APPROPRIATENESS**

A Renaissance Revival style rowhouse with alterations, built c. 1895. Application is to install a rooftop bulkhead and railings.

#### **471 Tompkins Avenue - Stuyvesant Heights Historic District**

**LPC-19-24418** - Block 1852 - Lot 4 - **Zoning:** R2  
**CERTIFICATE OF APPROPRIATENESS**

A Neo-Georgian style store and apartments building, built in 1871-72 and altered in 1899. Application is to remove a stair and create a barrier-free entrance.

#### **535 1st Street - Park Slope Historic District**

**LPC-19-25712** - Block 1075 - Lot 62 - **Zoning:** R7B  
**CERTIFICATE OF APPROPRIATENESS**

A British Regency style house, designed by Fred W. Eisenla and built in 1915. Application is to construct rooftop additions, extend chimneys, modify masonry openings, and excavate the rear yard.

#### **123 Rutland Road - Prospect Lefferts Gardens Historic District**

**LPC-19-26234** - Block 5035 - Lot 90 - **Zoning:** R2  
**CERTIFICATE OF APPROPRIATENESS**

A rowhouse, designed by Benjamin Driesler and built in 1911.

Application is to replace a deck, modify masonry openings, and install HVAC units at the roof.

**416-424 Washington Street, aka 57-65 Vestry Street - Tribeca North Historic District**  
**LPC-19-18291** - Block 218 - Lot 7501 - **Zoning: C6-3A, C6-2A**  
**CERTIFICATE OF APPROPRIATENESS**

A Utilitarian, Romanesque Revival style warehouse, designed by Thomas R. Jackson and built in 1882. Application is to legalize the installation of a barrier-free access lift without Landmarks Preservation Commission permit(s) and to legalize alterations to the marquee performed in non-compliance with Certificate of No Effect 17-1975.

**83-85 Worth Street - Tribeca East Historic District**  
**LPC-19-27732** - Block 173 - Lot 2 - **Zoning: C6-2A**  
**CERTIFICATE OF APPROPRIATENESS**

An Italianate style store and loft building, built in 1859-60. Application is to construct rooftop additions, alter the rear façade and install a canopy.

**22 Barclay Street - Individual Landmark**  
**LPC-19-28499** - Block 88 - Lot 11 - **Zoning: C5-3**  
**CERTIFICATE OF APPROPRIATENESS**

A Greek Revival style church building, designed by John R. Haggerty and Thomas Thomas and built in 1836-1840. Application is to install sculptures.

**2 Cornelia Street - Greenwich Village Historic District Extension II**  
**LPC-19-19813** - Block 589 - Lot 7501 - **Zoning: R7-2**  
**CERTIFICATE OF APPROPRIATENESS**

An altered Arts and Crafts style loft building, designed by Frederick Ebeling, and built c. 1907. Application is to replace windows.

**644 Broadway - NoHo Historic District**  
**LPC-19-25325** - Block 529 - Lot 1 - **Zoning: M1-5B**  
**CERTIFICATE OF APPROPRIATENESS**

A Queen Anne /Romanesque Revival style bank and loft building, designed by Stephen D. Hatch and built in 1889-91. Application is to install windows.

**452 West Broadway - SoHo-Cast Iron Historic District Extension**  
**LPC-19-28018** - Block 516 - Lot 36 - **Zoning: M1-5A**  
**CERTIFICATE OF APPROPRIATENESS**

A store building, designed by Michael Barclay and built in 1990-91. Application is to install a painted wall sign.

**84 2nd Avenue - East Village/Lower East Side Historic District**  
**LPC-19-27371** - Block 446 - Lot 7 - **Zoning: R7A, C2-5**  
**CERTIFICATE OF APPROPRIATENESS**

A Greek Revival style rowhouse, built c. 1841 with later alterations. Application is to modify and replace storefront infill, installed without Landmarks Preservation Commission permit(s), replace windows, construct rear yard and rooftop additions, and install railings.

**305-313 West 22nd Street - Chelsea Historic District Extension**  
**LPC-19-23929** - Block 746 - Lot 7504 - **Zoning: R7B**  
**CERTIFICATE OF APPROPRIATENESS**

Four French Second Empire style rowhouses, built in 1873, altered and enlarged in 1985-1986 with an addition and a penthouse enlargement, designed by Weinberg, Kirshenbaum & Tambasco. Application is to replace windows.

**3 Riverside Drive - Individual Landmark**  
**LPC-19-26128** - Block 1184 - Lot 1 - **Zoning: R10A**  
**CERTIFICATE OF APPROPRIATENESS**

A French Renaissance Revival style townhouse, designed by C.P.H. Gilbert and built in 1896-98. Application is to construct rooftop and rear yard additions, alter the areaway, install new window openings, and replace windows.

**36-38 East 62nd Street - Upper East Side Historic District**  
**LPC-19-25058** - Block 1376 - Lot 46 - **Zoning: R8B**  
**CERTIFICATE OF APPROPRIATENESS**

A Neo-Georgian style club building, designed by Trowbridge & Livingston, built in 1902, and altered by Cross & Cross in 1916. Application is to raise parapet walls and install sculptures.

**101 West 123rd Street - Mount Morris Park Historic District**  
**LPC-19-26570** - Block 1908 - Lot 26 - **Zoning: R7-2, C1-4**  
**CERTIFICATE OF APPROPRIATENESS**

A late Victorian Gothic Revival style church building, designed by J.R. Thomas and built in 1885-1887, and altered in 1901. Application is to install signage.

jy25-a7

**NOTICE IS HEREBY GIVEN** that, pursuant to the provisions of Title 25, Chapter 3 of the Administrative Code of the City of New York (Sections 25-303, 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) on Tuesday, July 31, 2018, a public hearing, will be held at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website, the Friday before the hearing. Any

person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should contact the Landmarks Commission no later than five (5) business days before the hearing or meeting.

**21-26 45th Avenue - Hunters Point Historic District**  
**LPC-19-24923** - Block 77 - Lot 47 - **Zoning: R6B**  
**CERTIFICATE OF APPROPRIATENESS**

A Neo-Grec style rowhouse built in 1886. Application is to construct a rear yard addition, modify masonry openings, replace windows, and modify the areaway.

**175-12 Murdock Avenue - Addisleigh Park Historic District**  
**LPC-19-18923** - Block - Lot 120 - **Zoning: R2**  
**CERTIFICATE OF APPROPRIATENESS**

A Medievel Revival style house, designed by G. English and built in 1928-29. Application is to legalize a masonry wall constructed without Landmarks Preservation Commission Permit(s) and to construct an in-ground pool, install light fixtures, gates, and pavers, reconstruct a fountain, and replace a gazebo.

**365 Waverly Avenue - Clinton Hill Historic District**  
**LPC-19-14814** - Block 1945 - Lot 5 - **Zoning: R6-B**  
**CERTIFICATE OF APPROPRIATENESS**

An altered carriage house, designed by Amzi Hill and built in 1879. Application is to excavate the rear yard and construct a rear yard addition.

**170 Duane Street - Tribeca West Historic District**  
**LPC-19-17458** - Block 141 - Lot 7503 - **Zoning: C6-2A**  
**CERTIFICATE OF APPROPRIATENESS**

A building originally built in 1835-36 and altered in 1984-85. Application is to modify masonry openings and construct a rear addition.

**53 North Moore Street - Tribeca West Historic District**  
**LPC-19-23656** - Block 188 - Lot 7503 - **Zoning: C6-2A**  
**CERTIFICATE OF APPROPRIATENESS**

A Renaissance Revival style warehouse, designed by Thomas R. Jackson and built in 1891. Application is to enlarge an elevator bulkhead.

**84 2nd Avenue - East Village/Lower East Side Historic District**  
**LPC-19-27371** - Block 446 - Lot 7 - **Zoning: R7A, C2-5**  
**CERTIFICATE OF APPROPRIATENESS**

A Greek Revival style rowhouse built c. 1841 with later alterations. Application is to modify and replace storefront infill, installed without Landmarks Preservation Commission permit(s), replace windows, construct rear yard and rooftop additions, and install railings.

**163 West 76th Street - Upper West Side/Central Park West Historic District**  
**LPC-19-20777** - Block 1148 - Lot 8 - **Zoning: R8B**  
**CERTIFICATE OF APPROPRIATENESS**

A Renaissance Revival style rowhouse designed by Henry Cook and built in 1892-93. Application is to construct rear yard and rooftop additions.

**410 Amsterdam Avenue - Upper West Side/Central Park West Historic District**  
**LPC-19-21829** - Block 1227 - Lot 33 - **Zoning: C2-7A**  
**CERTIFICATE OF APPROPRIATENESS**

A Renaissance Revival style tenement building, designed by Charles See and built in 1895. Application is to replace storefront infill.

**175 East 73rd Street - Individual Landmark**  
**LPC-19-28148** - Block 1408 - Lot 30 - **Zoning: R8-B**  
**CERTIFICATE OF APPROPRIATENESS**

An Italianate style rowhouse built in 1860. Application is to modify the existing rooftop addition, install mechanical equipment, and replace windows.

**177-179 East 73rd Street - Individual Landmark**  
**LPC-19-27789** - Block 1408 - Lot 31 - **Zoning: R8-B**  
**CERTIFICATE OF APPROPRIATENESS**

A Beaux-Arts style garage building, designed by Charles F. Hoppe and constructed in 1906. Application is to construct rooftop and rear yard additions, and replace a garage door with new glass and metal infill.

jy18-31

**MAYOR'S OFFICE OF CONTRACT SERVICES**

■ MEETING

**FRANCHISE AND CONCESSION REVIEW COMMITTEE**

**-NOTICE OF MEETING-**

**PUBLIC NOTICE IS HEREBY GIVEN** that the Franchise and Concession Review Committee, will hold a public meeting, on

Wednesday, August 8, 2018, at 2:30 P.M., at 2 Lafayette Street, 14th Floor Auditorium, New York, NY 10007.

**NOTE: This location is accessible to individuals using wheelchairs or other mobility devices. For further information on accessibility, or to make a request for accommodations, such as sign language interpretation services, please contact the Mayor's Office of Contract Services (MOCS), via email at DisabilityAffairs@mocs.nyc.gov, or via phone at (212) 788-0010. Any person requiring reasonable accommodation for the public meeting should contact MOCS at least three (3) business days in advance of the meeting to ensure availability.**

jy30-a8



**SUPREME COURT**

**QUEENS COUNTY**

■ NOTICE

**QUEENS COUNTY  
I.A. PART 38  
NOTICE OF ACQUISITION  
INDEX NUMBER 706417/2018  
CONDEMNATION PROCEEDING**

**IN THE MATTER OF** the Application of the CITY OF NEW YORK Relative to Acquiring Title in Fee Simple Absolute certain real property where not heretofore acquired for the same purpose, required as a site for the

**FDNY ENGINE 268/LADDER 137 FIREHOUSE** located at Tax Block 16198, Lot 1 in the Borough of Queens, City and State of New York.

**PLEASE TAKE NOTICE**, that by order of the Supreme Court of the State of New York, County of Queens, IA Part 38 (Hon. Carmen R. Velasquez, J.S.C.), duly entered in the office of the Clerk of the County of Queens on July 3, 2018, the application of the City of New York to acquire certain real property, where not heretofore acquired for the same purpose, for the construction a firehouse for the Fire Department of the City of New York, was granted and the City was thereby authorized to file an acquisition map with the Office of the City Register. Said map, showing the property acquired by the City, was filed with the City Register on July 10, 2018. Title to the real property vested in the City of New York on July 10, 2018.

**PLEASE TAKE FURTHER NOTICE**, that the City has acquired the following parcels of real property:

Damage Parcel	Block	Lot
1	16198	1

**PLEASE TAKE FURTHER NOTICE**, that, pursuant to said Order and to §§ 503 and 504 of the Eminent Domain Procedure Law of the State of New York, each and every person interested in the real property acquired in the above-referenced proceeding and having any claim or demand on account thereof is hereby required, shall have a period of one calendar year from the date of service of this Notice of Acquisition for this proceeding in which to file a written claim with the Clerk of the Court of Queens County, and to serve within the same time a copy thereof on the Corporation Counsel of the City of New York, Tax and Bankruptcy Litigation Division, 100 Church Street, New York, NY 10007. Pursuant to EDPL § 504, the claim shall include:

- the name and post office address of the condemnee;
- reasonable identification by reference to the acquisition map, or otherwise, of the property affected by the acquisition, and the condemnee's interest therein;
- a general statement of the nature and type of damages claimed, including a schedule of fixture items which comprise part or all of the damages claimed; and,
- if represented by an attorney, the name, address and telephone number of the condemnee's attorney.

Pursuant to EDPL § 503(C), in the event a claim is made for fixtures or for any interest other than the fee in the real property acquired, a copy of the claim, together with the schedule of fixture items, if applicable, shall also be served upon the fee owner of said real property.

**PLEASE TAKE FURTHER NOTICE**, that, pursuant to § 5-310 of the New York City Administrative Code, proof of title shall be submitted to the Corporation Counsel of the City of New York, Tax and Bankruptcy Litigation Division, 100 Church Street, New York, NY 10007 on or before July 10, 2019 (which is one (1) calendar year from the title vesting date).

Dated: New York, NY  
July 16, 2018  
ZACHARY W. CARTER  
Corporation Counsel of the  
City of New York  
Attorney for the Condemnor,  
100 Church Street  
New York, NY 10007  
(212) 356-4064

jy23-a3

**RICHMOND COUNTY**

■ NOTICE

**RICHMOND COUNTY  
I.A.S. PART 89  
NOTICE OF ACQUISITION  
INDEX NUMBER CY4505/2018  
CONDEMNATION PROCEEDING**

**IN THE MATTER OF** the Application of the CITY OF NEW YORK Relative to Acquiring Title in Fee Simple to Property located in Staten Island, including All or Parts of

**RUSTIC PLACE from CLEVELAND AVENUE to HILLSIDE TERRACE**

in the Borough of Staten Island, City and State of New York.

**PLEASE TAKE NOTICE**, that by order of the Supreme Court of the State of New York, County of Richmond, IAS Part 89 (Hon. Wayne P. Saitta, J.S.C.), duly entered in the office of the Clerk of the County of Richmond on June 26, 2018, the application of the City of New York ("City") to acquire certain real property, for the construction of sanitary and storm sewers and appurtenances, was granted and the City was thereby authorized to file an acquisition map with the Clerk of Richmond County. Said map, showing the property acquired by the City, was filed with the Clerk of Richmond County on July 5, 2018. Title to the real property vested in the City of New York on July 5, 2018.

**PLEASE TAKE FURTHER NOTICE**, that the City has acquired the following parcels of real property:

Damage Parcel	Block	Lot
1A	5147	Adjacent to 55
1B	5147	Adjacent to 55
2A	5147	Adjacent to 59
2B	5147	Adjacent to 59
3A	5147	Adjacent to 47
3B	5147	Adjacent to 47
3C	5147	Adjacent to 47
4A	5147	Adjacent to 41
5A	5147	Adjacent to 33
6A	5148	Adjacent to 20
7A	5148	Adjacent to 18
8A	5148	Adjacent to 25
9A	5148	Adjacent to 17
10A	5148	Adjacent to 16
11A	5148	Adjacent to 14

12A	5148	Adjacent to 13
13A	5148	Adjacent to 9
13B	5148	Adjacent to 9
13C	5148	Adjacent to 9
14A	5148	Adjacent to 6
14B	5148	Adjacent to 6
15A	5148	Adjacent to 1
15B	5148	Adjacent to 1

**PLEASE TAKE FURTHER NOTICE**, that, pursuant to said Order, and to §§ 503 and 504 of the Eminent Domain Procedure Law of the State of New York, each and every person interested in the real property acquired in the above-referenced proceeding and having any claim or demand on account thereof, shall have a period of two calendar years from the date of service of this Notice of Acquisition for this proceeding, to file a written claim with the Clerk of the Court of Richmond County, and to serve within the same time a copy thereof on the Corporation Counsel of the City of New York, Tax and Bankruptcy Litigation Division, 100 Church Street, New York, NY 10007. Pursuant to EDPL § 504, the claim shall include:

- a. the name and post office address of the condemnee;
- b. reasonable identification by reference to the acquisition map, or otherwise, of the property affected by the acquisition, and the condemnee's interest therein;
- c. a general statement of the nature and type of damages claimed, including a schedule of fixture items which comprise part or all of the damages claimed; and,
- d. if represented by an attorney, the name, address and telephone number of the condemnee's attorney.

Pursuant to EDPL § 503(C), in the event a claim is made for fixtures or for any interest other than the fee in the real property acquired, a copy of the claim, together with the schedule of fixture items, if applicable, shall also be served upon the fee owner of said real property.

**PLEASE TAKE FURTHER NOTICE**, that, pursuant to § 5-310 of the New York City Administrative Code, proof of title shall be submitted to the Corporation Counsel of the City of New York, Tax and Bankruptcy Litigation Division, 100 Church Street, New York, NY 10007 on or before July 5, 2020 (which is two (2) calendar years from the title vesting date).

Dated: New York, NY  
 July 12, 2018  
 ZACHARY W. CARTER  
 Corporation Counsel of the  
 City of New York  
 Attorney for the Condemnor,  
 100 Church Street  
 New York, NY 10007  
 (212) 356-4064

**SEE MAP(S) IN BACK OF PAPER**

jy19-a1

**RICHMOND COUNTY  
 I.A.S. PART 89  
 NOTICE OF ACQUISITION  
 INDEX NUMBER CY4510/2018  
 CONDEMNATION PROCEEDING**

**IN THE MATTER OF** the Application of the CITY OF NEW YORK Relative to Acquiring Title in Fee Simple to Property known as Richmond County Tax Block 707, part of and adjacent to Lot 16, for the construction of the

**VICTORY AND MANOR INTERSECTION PROJECT, STAGE I,**

located in the area generally bounded by Victory Boulevard from east of Winthrop Place to Sommers Lane, in the Borough of Staten Island, City and State of New York.

**PLEASE TAKE NOTICE**, that by order of the Supreme Court of the State of New York, County of Richmond, IA Part 89 (Hon. Wayne P. Saitta, J.S.C.), duly entered in the office of the Clerk of the County of Richmond on June 26, 2018, the application of the City of New York ("City") to acquire certain real property for street purposes, including the reconstruction of sanitary sewers, water mains, roadways,

sidewalks and curbs, and appurtenances, was granted and the City was thereby authorized to file an acquisition map with the Clerk of Richmond County. Said map, showing the property acquired by the City, was filed with the Clerk of Richmond County on July 5, 2018. Title to the real property vested in the City of New York on July 5, 2018.

**PLEASE TAKE FURTHER NOTICE**, that the City has acquired the following parcels of real property:

Damage Parcels	Block	Lot
1 and 1A	707	Part of and adjacent to Lot 16

**PLEASE TAKE FURTHER NOTICE**, that, pursuant to said Order, and to §§ 503 and 504 of the Eminent Domain Procedure Law of the State of New York, each and every person interested in the real property acquired in the above-referenced proceeding and having any claim or demand on account thereof, shall have a period of two calendar years from the date of service of this Notice of Acquisition for this proceeding, to file a written claim with the Clerk of the Court of Richmond County, and to serve within the same time a copy thereof on the Corporation Counsel of the City of New York, Tax and Bankruptcy Litigation Division, 100 Church Street, New York, NY 10007. Pursuant to EDPL § 504, the claim shall include:

- a. the name and post office address of the condemnee;
- b. reasonable identification by reference to the acquisition map, or otherwise, of the property affected by the acquisition, and the condemnee's interest therein;
- c. a general statement of the nature and type of damages claimed, including a schedule of fixture items which comprise part or all of the damages claimed; and,
- d. if represented by an attorney, the name, address and telephone number of the condemnee's attorney.

Pursuant to EDPL § 503(C), in the event a claim is made for fixtures or for any interest other than the fee in the real property acquired, a copy of the claim, together with the schedule of fixture items, if applicable, shall also be served upon the fee owner of said real property.

**PLEASE TAKE FURTHER NOTICE**, that, pursuant to § 5-310 of the New York City Administrative Code, proof of title shall be submitted to the Corporation Counsel of the City of New York, Tax and Bankruptcy Litigation Division, 100 Church Street, New York, NY 10007 on or before July 5, 2020 (which is two (2) calendar years from the title vesting date).

Dated: New York, NY  
 July 12, 2018  
 ZACHARY W. CARTER  
 Corporation Counsel of the  
 City of New York  
 Attorney for the Condemnor,  
 100 Church Street  
 New York, NY 10007  
 (212) 356-4064

**SEE MAP(S) IN BACK OF PAPER**

jy19-a1



**CITYWIDE ADMINISTRATIVE SERVICES**

■ SALE

The City of New York in partnership with PropertyRoom.com posts vehicle and heavy machinery auctions online every week at: <https://www.propertyroom.com/s/nyc+fleet>

All auctions are open to the public and registration is free.



Vehicles can be viewed in person by appointment at:  
Kenben Industries Ltd., 1908 Shore Parkway, Brooklyn, NY 11214.  
Phone: (718) 802-0022

m30-s11

## OFFICE OF CITYWIDE PROCUREMENT

### ■ NOTICE

The Department of Citywide Administrative Services, Office of Citywide Procurement is currently selling surplus assets on the internet. Visit <http://www.publicsurplus.com/sms/nycdcas.ny/browse/home>

To begin bidding, simply click on 'Register' on the home page.

There are no fees to register. Offerings may include but are not limited to: office supplies/equipment, furniture, building supplies, machine tools, HVAC/plumbing/electrical equipment, lab equipment, marine equipment, and more.

Public access to computer workstations and assistance with placing bids is available at the following locations:

- DCAS Central Storehouse, 66-26 Metropolitan Avenue, Middle Village, NY 11379
- DCAS, Office of Citywide Procurement, 1 Centre Street, 18th Floor, New York, NY 10007

j2-d31

## HOUSING PRESERVATION AND DEVELOPMENT

### ■ PUBLIC HEARINGS

All Notices Regarding Housing Preservation and Development Dispositions of City-Owned Property, appear in the Public Hearing Section.

jy6-j7

## POLICE

### ■ NOTICE

### OWNERS ARE WANTED BY THE PROPERTY CLERK DIVISION OF THE NEW YORK CITY POLICE DEPARTMENT

The following list of properties is in the custody of the Property Clerk Division without claimants:

Motor vehicles, boats, bicycles, business machines, cameras, calculating machines, electrical and optical property, furniture, furs, handbags, hardware, jewelry, photographic equipment, radios, robes, sound systems, surgical and musical instruments, tools, wearing apparel, communications equipment, computers, and other miscellaneous articles.

Items are recovered, lost, abandoned property obtained from prisoners, emotionally disturbed, intoxicated and deceased persons; and property obtained from persons incapable of caring for themselves.

### INQUIRIES

Inquiries relating to such property should be made in the Borough concerned, at the following office of the Property Clerk.

#### FOR MOTOR VEHICLES (All Boroughs):

- Springfield Gardens Auto Pound, 174-20 North Boundary Road, Queens, NY 11430, (718) 553-9555
- Erie Basin Auto Pound, 700 Columbia Street, Brooklyn, NY 11231, (718) 246-2030

#### FOR ALL OTHER PROPERTY

- Manhattan - 1 Police Plaza, New York, NY 10038, (646) 610-5906
- Brooklyn - 84th Precinct, 301 Gold Street, Brooklyn, NY 11201, (718) 875-6675
- Bronx Property Clerk - 215 East 161 Street, Bronx, NY 10451, (718) 590-2806
- Queens Property Clerk - 47-07 Pearson Place, Long Island City, NY 11101, (718) 433-2678
- Staten Island Property Clerk - 1 Edgewater Plaza, Staten Island, NY 10301, (718) 876-8484

j2-d31

## PROCUREMENT

### *"Compete To Win" More Contracts!*

***Thanks to a new City initiative - "Compete To Win" - the NYC Department of Small Business Services offers a new set of FREE services to help create more opportunities for minority and women-owned businesses to compete, connect and grow their business with the City. With NYC Construction Loan, Technical Assistance, NYC Construction Mentorship, Bond Readiness, and NYC Teaming services, the City will be able to help even more small businesses than before.***

- ***Win More Contracts at [nyc.gov/competetowin](http://nyc.gov/competetowin)***

***"The City of New York is committed to achieving excellence in the design and construction of its capital program, and building on the tradition of innovation in architecture and engineering that has contributed to the City's prestige as a global destination. The contracting opportunities for construction/construction services and construction-related services that appear in the individual agency listings below reflect that commitment to excellence."***

### HHS ACCELERATOR

To respond to human services Requests for Proposals (RFPs), in accordance with Section 3-16 of the Procurement Policy Board Rules of the City of New York ("PPB Rules"), vendors must first complete and submit an electronic prequalification application using the City's Health and Human Services (HHS) Accelerator System. The HHS Accelerator System is a web-based system maintained by the City of New York for use by its human services Agencies to manage procurement. The process removes redundancy by capturing information about boards, filings, policies, and general service experience centrally. As a result, specific proposals for funding are more focused on program design, scope, and budget.

Important information about the new method

- Prequalification applications are required every three years.
- Documents related to annual corporate filings must be submitted on an annual basis to remain eligible to compete.
- Prequalification applications will be reviewed to validate compliance with corporate filings, organizational capacity, and relevant service experience.
- Approved organizations will be eligible to compete and would submit electronic proposals through the system.

The Client and Community Service Catalog, which lists all Prequalification service categories and the NYC Procurement Roadmap, which lists all RFPs to be managed by HHS Accelerator may be viewed at <http://www.nyc.gov/html/hhsaccelerator/html/roadmap/roadmap.shtml>. All current and prospective vendors should frequently review information listed on roadmap to take full advantage of upcoming opportunities for funding.

### Participating NYC Agencies

HHS Accelerator, led by the Office of the Mayor, is governed by an Executive Steering Committee of Agency Heads who represent the following NYC Agencies:

Administration for Children's Services (ACS)  
Department for the Aging (DFTA)  
Department of Consumer Affairs (DCA)  
Department of Corrections (DOC)  
Department of Health and Mental Hygiene (DOHMH)  
Department of Homeless Services (DHS)  
Department of Probation (DOP)  
Department of Small Business Services (SBS)  
Department of Youth and Community Development (DYCD)  
Housing and Preservation Department (HPD)  
Human Resources Administration (HRA)  
Office of the Criminal Justice Coordinator (CJC)

To sign up for training on the new system, and for additional information about HHS Accelerator, including background materials, user guides and video tutorials, please visit [www.nyc.gov/hhsaccelerator](http://www.nyc.gov/hhsaccelerator)

**CITYWIDE ADMINISTRATIVE SERVICES**

■ SOLICITATION

*Goods*

**GENUINE HURST RESCUE TOOLS AND ACCESSORIES**

- Competitive Sealed Bids - PIN#8571800010 - Due 8-30-18 at 10:30 A.M.

A copy of the bid can be downloaded from the City Record Online site at [www.nyc.gov/cityrecord](http://www.nyc.gov/cityrecord). Enrollment is free. Vendors may also request the bid by contacting Vendor Relations via email at [dcasdmssbids@dcas.nyc.gov](mailto:dcasdmssbids@dcas.nyc.gov), by telephone at (212) 386-0044 or by fax at (212) 669-7603.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Citywide Administrative Services, 1 Centre Street, 18th Floor, New York, NY 10007-1602. Anne-Sherley Almonor (212) 386-0419; [aalmonor@dcas.nyc.gov](mailto:aalmonor@dcas.nyc.gov)

☛ jy31

**OFFICE OF CITYWIDE PROCUREMENT**

■ AWARD

*Goods*

**LEEDS FIREARMS AND TOOLMARK COMPARISON**

**MICROSCOPE** - Competitive Sealed Bids - PIN#8571800258 - AMT: \$349,000.00 - TO: Leeds Precision Instruments Inc., 17300 Medina Road, Suite 600, Minneapolis, MN 55447-5639.

☛ jy31

*Services (other than human services)*

**POST-FIRE CLEAN-UP AND SMOKE REMEDIATION AT 120**

**SCHERMERHORN** - Emergency Purchase - Other - PIN#85618E0001001 - AMT: \$226,330.81 - TO: Total Environmental Restoration Solutions Inc, 410 East Route 59, Nanuet, NY 10954.

● **COOLING TOWER SERVICES** - Emergency Purchase - Other - PIN#85618E0003001 - AMT: \$536,673.16 - TO: Barclay Water Management, Inc., 55 Chapel Street, Newton, MA 02458.

☛ jy31

**CORRECTION**

**CENTRAL OFFICE OF PROCUREMENT**

■ INTENT TO AWARD

*Goods and Services*

**RECORDING MAINTENANCE AND EQUIPMENT** - Sole Source - Available only from a single source - PIN#2-1602-0134-2019 - Due 8-14-18

The New York City Department of Correction (DOC), intends to enter into a sole source agreement with the vendor Wilmac Company for the provision of recording equipment, maintenance and professional services for the NICE Perform Express call recording system. Wilmac Company is the only NICE certified contracted Public Safety Dealer for New York City. Any firm which believes it is qualified to provide such services is invited to do so. All related inquires should be sent via email.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Correction, 75-20 Astoria Boulevard, Suite 160, East Elmhurst, NY 11370. Steven Stein (718) 546-0675; Fax: (718) 278-6205; [steven.stein@doc.nyc.gov](mailto:steven.stein@doc.nyc.gov)

☛ jy31-a6

**DESIGN AND CONSTRUCTION**

**AGENCY CHIEF CONTRACTING OFFICER**

■ SOLICITATION

*Construction/Construction Services*

**ROADWAY RESURFACING AND RECONSTRUCTION OF BULKHEAD ON JAMES COURT HAWTREE BASIN/ HAMILTON BEACH AREA-QUEENS** - Competitive Sealed Bids - PIN#85018B0118 - Due 8-22-18 at 11:00 A.M.

PROJECT NO.: HWQ1184A DDC PIN: 8502018HW0007C

Bid Document Deposit - \$35.00 per set-Company Check or Money Order Only-No Cash Accepted-Late Bids will not be accepted  
Special Experience Requirements  
Apprenticeship Participation Requirements apply to this contract  
Bid documents are available at: <http://ddcbiddocuments.nyc.gov/inet/html/contrbid.asp>

THIS PROJECT IS SUBJECT TO Hire NYC

As of August 2017, the New York City Mayor's Office of Contract Services (MOCS) has launched the Procurement and Sourcing Solutions Portal (PASSPort), a new procurement system that will replace the paper – VENDEX process. All organizations intending to do business with the City of New York should complete an online disclosure process to be considered for a contract.

Since you have submitted a bid to NYC Department of Design and Construction, we are requesting that you create an account and enroll in PASSPort and file all disclosure information. Paper submissions, including Certifications of No Change to existing VENDEX packages will not be accepted in lieu of complete online filings. You can access PASSPort from the following link: <http://www.nyc.gov/passport>.

Companies certified by the New York City Department of Small Business Services as Minority- or Women- Owned Business Enterprises ("M/WBE") are strongly encouraged to submit a bid. This procurement is subject to Minority-Owned and Women-Owned Business Enterprises (MWBE) participation goals as required by Local Law 1 of 2013. All respondents will be required to submit an M/WBE Participation Plan with their response. For the MWBE goals, please visit our website at <http://ddcbiddocuments.nyc.gov/inet/html/contrbid.asp> see "Bid Opportunities". For a list of companies certified by the NYC Department of Small Business Services, please visit [www.nyc.gov/buycertified](http://www.nyc.gov/buycertified). To find out how to become certified, visit [www.nyc.gov/getcertified](http://www.nyc.gov/getcertified) or call the DSBS certification helpline at (212) 513-6311.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Design and Construction, 30-30 Thomson Avenue, First Floor, Long Island City, NY 11101. Brenda Barreiro (718) 391-1041; [barreirob@ddc.nyc.gov](mailto:barreirob@ddc.nyc.gov)

Accessibility questions: Disability Services Facilitator (718) 391-2815, email at [DDCEEO@ddc.nyc.gov](mailto:DDCEEO@ddc.nyc.gov), by: Friday, August 10, 2018, 5:00 P.M.



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**CONSTRUCTION OF SANITARY SEWERS AND WATER MAIN AND APPURTENANCES IN 150TH AVE-QUEENS** - Competitive Sealed Bids - PIN#85018B0125 - Due 8-23-18 at 11:00 A.M.

PROJECT NO. SEQ002714/DDC PIN. 8502018SE0002C

Bid Document Deposit - \$35.00 per set-Company Check or Money Order Only-No Cash Accepted-Late Bids will not be accepted  
Special Experience Requirements  
Apprenticeship Participation Requirements apply to this contract  
Bid documents are available at: <http://ddcbiddocuments.nyc.gov/inet/html/contrbid.asp>

THIS PROJECT IS SUBJECT TO Hire NYC

As of August 2017, the New York City Mayor's Office of Contract Services (MOCS) has launched the Procurement and Sourcing Solutions Portal (PASSPort), a new procurement system that will replace the paper – VENDEX process. All organizations intending to do business with the City of New York should complete an online disclosure process to be considered for a contract.

Since you have submitted a bid to NYC Department of Design and Construction, we are requesting that you create an account and enroll in PASSPort and file all disclosure information. Paper submissions, including Certifications of No Change to existing VENDEX packages will not be accepted in lieu of complete online filings. You can access PASSPort from the following link: <http://www.nyc.gov/passport>

This procurement is subject to Minority-Owned and Women-Owned Business Enterprises (MWBE) participation goals as required by Local Law 1 of 2013. All respondents will be required to submit an M/WBE Participation Plan with their response. For the MWBE goals, please visit our website at <http://ddcbiddocuments.nyc.gov/inet/html/contrbid.asp> see "Bid Opportunities". For a list of companies certified by the NYC Department of Small Business Services, please visit [www.nyc.gov/buycertified](http://www.nyc.gov/buycertified). To find out how to become certified, visit [www.nyc.gov/getcertified](http://www.nyc.gov/getcertified) or call the DSBS certification helpline at (212) 513-6311.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Design and Construction, 30-30 Thomson Avenue, First Floor, Long Island City, NY 11101. Brenda Barreiro (718) 391-1041; [barreirbr@ddc.nyc.gov](mailto:barreirbr@ddc.nyc.gov)

Accessibility questions: Disability Services Facilitator (718) 391-2815, by: Monday, August 13, 2018, 5:00 P.M.



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## ENVIRONMENTAL PROTECTION

### ENGINEERING DESIGN AND CONSTRUCTION

#### ■ AWARD

*Construction Related Services*

**JEROME PARK RESERVOIR GATEHOUSE RESTORATION, BRONX, NY** - Competitive Sealed Bids - PIN#82618B0011001 - AMT: \$14,963,000.00 - TO: Silverite Construction Co, 520 Old Country Road, Hicksville, NY 11801. Project Number: CRO-521

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### PURCHASING MANAGEMENT

#### ■ INTENT TO AWARD

*Goods*

**FLOMATCHER LIQUID RHEOSTAT LOADCELS** - Sole Source - Available only from a single source - PIN#9002385 - Due 8-15-18 at 11:00 A.M.

NYC Environmental Protection intends to enter into a sole source agreement with Flomatcher, Inc., for the purchase of Flomatcher Liquid Rheostat LoadCels. Any firm which believes it can also provide Flomatcher Liquid Rheostat LoadCels are invited to do so; please indicate by letter or email.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Environmental Protection, 59-17 Junction Boulevard, 17th Floor, Flushing, NY 11373. Ira Elmore (718) 595-3259; Fax: (718) 595-9532; [ielmore@dep.nyc.gov](mailto:ielmore@dep.nyc.gov)

jy26-a1

## HEALTH AND MENTAL HYGIENE

#### ■ AWARD

*Human Services/Client Services*

**MENTAL HEALTH SERVICES FOR CHILDREN AND ADOLESCENTS** - Required/Authorized Source - Other - PIN# 13AZ053401R2X00 - AMT: \$728,940.00 - TO: Long Island Jewish Medical Center, 270-05 76th Avenue, New Hyde Park, NY 11040.

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## HOUSING AUTHORITY

### SUPPLY MANAGEMENT

#### ■ SOLICITATION

*Construction/Construction Services*

**SMD EXCAVATING AND SHORING OF TRENCHES - VARIOUS DEVELOPMENTS WITHIN THE BOROUGH OF MANHATTAN** - Competitive Sealed Bids - PIN#67376 - Due 8-21-18 at 10:00 A.M.

Please Note: This Contract shall be subject to the New York City Housing Authority's Project Labor Agreement (PLA). As part of its bid and no later than three (3) business days after the bid opening, the Bidder must submit Letters of Assent to the Project Labor Agreement signed by the Bidder and each of the Bidder's proposed Subcontractors. Failure to submit all required signed Letters of Assent within three (3) business days after the bid opening shall result in a determination that the Bidder's bid is non-responsive.

Provide all required excavations, including hand excavation, walkway cuttings, concrete and pavement cuttings, excavation safety protection, shoring, sheathing, trench covering, supports for excavated pipes and conduits and all other lines that may exist underground. Open street for excavation, backfill and repave street as required by the City of New York. Relocate and replace trees as indicated. Protect excavated areas to prevent un-intended entry. Provide all required pumping during excavation and the piping replacement work of any water, rain, runoff, seepage, sewage.

Interested firms are invited to obtain a copy on NYCHA's website. To conduct a search for the RFQ number; vendors are instructed to open the link: <http://www1.nyc.gov/site/nycha/business/isupplier-vendor-registration.page>. Once on that page, please make a selection from the first three links highlighted in red: New suppliers for those who have never registered with iSupplier, current NYCHA suppliers and vendors for those who have supplied goods or services to NYCHA in the past but never requested a login ID for iSupplier, and Login for registered suppliers if you already have an iSupplier ID and password. Once you are logged into iSupplier, select "Sourcing Supplier," then "Sourcing" followed by "Sourcing Homepage" and then reference the applicable RFQ PIN/solicitation number.

Suppliers electing to obtain a non-electronic paper document will be subject to a \$25 non-refundable fee; payable to NYCHA by USPS-Money Order/Certified Check only for each set of RFQ documents requested. Remit payment to NYCHA Finance Department, at 90 Church Street, 6th Floor; obtain receipt and present it to the Supply Management Procurement Group; RFQ package will be generated at the time of request.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Housing Authority, 90 Church Street, 6th Floor, New York, NY 10007. Mimose Julien (212) 306-8141; Fax: (212) 306-5109; [mimose.julien@nycha.nyc.gov](mailto:mimose.julien@nycha.nyc.gov)

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## HOUSING PRESERVATION AND DEVELOPMENT

### OFFICE OF NEIGHBORHOOD STRATEGIES

#### ■ AWARD

*Human Services/Client Services*

**STABILIZING NYC** - Line Item Appropriation or Discretionary Funds - Specifications cannot be made sufficiently definite - PIN#80618L0051001 - AMT: \$125,000.00 - TO: Northwest Bronx Community and Clergy Coalition Inc., 103 East 196th Street, Bronx, NY 10468-3637.

Provision of Tenant Counseling Outreach and Referral Service.

● **STABILIZING NYC** - Line Item Appropriation or Discretionary Funds - Specifications cannot be made sufficiently definite - PIN#80618L0021001 - AMT: \$137,000.00 - TO: Flatbush Development Corporation, 1616 Newkirk Avenue, Brooklyn, NY 11226.

Provision of Case Mgt Services.

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## HUMAN RESOURCES ADMINISTRATION

#### ■ INTENT TO AWARD

*Services (other than human services)*

**POLL SITE INTERPRETATION AND VOTER NAVIGATION** - Innovative Procurement - Other - PIN#19PSEMO001 - Due 8-9-18 at 10:00 A.M.

**NOTICE IS HEREBY GIVEN**, that a Public Hearing will be held on August 9, 2018, at 150 Greenwich Street, 37th Floor, Bid Room, Borough of Manhattan commencing at 10:00 A.M.

**IN THE MATTER OF** a proposed contract between the Human Resources Administration and Langalo, Inc. to conduct heavy outreach to recruit approximately 270 bilingual English/Russian, English/Creole, English/Italian, English/Arabic, English/Polish, and English/

Yiddish interpreters to work at select poll sites on Election-Day 2018. The amount of this contract will be \$149,730.00. The contract term will be from August 10 to November 7, 2018.

Contractor/Address: Langalo, Inc. /157 Bowery, Suite 2B, New York, NY 10002.-Pin: 19PSEM0001.- Amount: \$149,730.00. - Service Area: Citywide.

The proposed contractor has been selected by means of the M/WBE Purchase method, pursuant to Section 3-12 of the Procurement Policy Board (PPB) Rules.

A draft copy of the proposed contract is available for public inspection, at the Human Resources Administration of the City of New York, 150 Greenwich Street, 37th Floor, New York, NY 10007, on business days, July 31, 2018 – August 9, 2018, Monday through Friday, excluding holidays, from 10:00 A.M. to 5:00 P.M.

The Human Resources Administration intends to procure staffing for poll site interpretation, and voter navigation on Election Day, pursuant PPB Rule 3-12. This procurement opportunity is limited to businesses certified as Minority or Women-Owned business enterprises, pursuant to section 1304 of the New York City Charter.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Human Resources Administration, 150 Greenwich Street, 37th Floor, Bid Room, New York, NY 10007. Deo Anunciado (929) 221-6534; Fax: (929) 221-0756; anunciadod@dss.nyc.gov

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**OFFICE OF CONTRACTS**

**SOLICITATION**

*Services (other than human services)*

**MOVE PLANNING CONSULTANT** - Competitive Sealed Proposals - Judgment required in evaluating proposals - PIN#18PSEGS12401 - Due 9-27-18 at 2:00 P.M.

The New York City Human Resources Administration (HRA), is issuing this Request for Proposals to seek a vendor that will provide the services of a Move Planning Consultant.

The Move Planning Consultant will plan, facilitate and supervise all aspects of the move and ensure that all required activities are completed in a timely, coordinated and efficient manner. The Move Planning Consultant will work with HRA on all issues related to the move. A separate moving vendor ("Mover") will be responsible for the physical move and ensure that adequate resources are available to meet the requirements outlined in the plan, as well as the timetable set forth by the Move Planning Consultant. The Move Planning Consultant will oversee all activities of the Mover. HRA is relocating its 799 staff from 250 Church Street, NY, to 375 Pearl Street, NY. The vendor source ID is 93580.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Human Resources Administration, 150 Greenwich Street, 37th Floor, 4 World Trade Center, Bid Window, New York, NY 10007. Paul Phelan (929) 252-2869; phelanp@hra.nyc.gov

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**NYC HEALTH + HOSPITALS**

**SOLICITATION**

*Human Services/Client Services*

**NIMS AND HICS TRAINING** - Request for Proposals - PIN# 038-0027 - Due 8-20-18 at 3:00 P.M.

The New York City Health and Hospitals Corporation (NYC Health plus Hospitals/NYC H plus H) Central Office Emergency Management, is seeking to procure a consultant to provide National Incident Management System (NIMS) and Hospital Incident Command System (HICS) training over the course of 18 months, for our hospitals, neighborhood health centers, post-acute care centers, and Central Office locations. NIMS/HICS training will be utilized to provide the knowledge and training necessary to support an effective response throughout our healthcare delivery system, during incident activations. The training will enhance system-wide understanding of Incident Command and provide specialized knowledge in Hospital Incident

Command, which will improve use of our web-based Incident Command System. The training will also be utilized to better leverage our web-based information management system currently used to provide real time information sharing during emergencies, planned events, and daily operations. NIMS/HICS training

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

NYC Health + Hospitals, 160 Water Street, Floor 13, New York, NY 10038. Mitchell Jacobs (646) 458-8661; jacobsm1@nychhc.org

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**PARKS AND RECREATION**

**VENDOR LIST**

*Construction Related Services*

**PREQUALIFIED VENDOR LIST: GENERAL CONSTRUCTION, NON-COMPLEX GENERAL CONSTRUCTION SITE WORK ASSOCIATED WITH NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION ("DPR" AND/OR "PARKS") PARKS AND PLAYGROUNDS CONSTRUCTION AND RECONSTRUCTION PROJECTS.**

DPR is seeking to evaluate and pre-qualify a list of general contractors (a "PQL") exclusively to conduct non-complex general construction site work involving the construction and reconstruction of DPR parks and playgrounds projects not exceeding \$3 million per contract ("General Construction").

By establishing contractor's qualification and experience in advance, DPR will have a pool of competent contractors from which it can draw to promptly and effectively reconstruct and construct its parks, playgrounds, beaches, gardens and green-streets. DPR will select contractors from the General Construction PQL for non-complex general construction site work of up to \$3,000,000.00 per contract, through the use of a Competitive Sealed Bid solicited from the PQL generated from this RFQ.

The vendors selected for inclusion in the General Construction PQL will be invited to participate in the NYC Construction Mentorship. NYC Construction Mentorship focuses on increasing the use of small NYC contracts, and winning larger contracts with larger values. Firms participating in NYC Construction Mentorship will have the opportunity to take management classes and receive on-the-job training provided by a construction management firm.

DPR will only consider applications for this General Construction PQL from contractors who meet any one of the following criteria:

- 1) The submitting entity must be a Certified Minority/Woman Business enterprise (M/WBE)\*;
- 2) The submitting entity must be a registered joint venture or have a valid legal agreement as a joint venture, with at least one of the entities in the joint venture being a certified M/WBE\*;
- 3) The submitting entity must indicate a commitment to sub-contract no less than 50 percent of any awarded job to a certified M/WBE for every work order awarded.

\* Firms that are in the process of becoming a New York City-Certified M/WBE, may submit a PQL application and submit a M/WBE Acknowledgement Letter, which states the Department of Small Business Services has begun the Certification process.

Application documents may also be obtained online at: <http://a856-internet.nyc.gov/nycvendoronline/home.asap.>; or <http://www.nycgovparks.org/opportunities/business>.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Parks and Recreation, Olmsted Center Annex, Flushing Meadows-Corona Park, Flushing, NY 11368. Alicia H. Williams (718) 760-6925; Fax: (718) 760-6885; dmwbe.capital@parks.nyc.gov

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**CONTRACTS****■ SOLICITATION***Construction/Construction Services***MITIGATION OF WILDLAND FIRE RISK, INVASIVE SPECIES REMOVAL, SEEDING AND PLANTING OF TREES - Competitive Sealed Bids - PIN#RG-318M - Due 8-23-18 at 10:30 A.M.**

New and Major Container Trees, Borough of Staten Island.  
E-PIN# 84618B0182.

Bid Deposit: Required 5 percent of Amount of Proposal or Bid Bond 10 percent of Amount of Proposal. The Cost Estimate Range is: \$1,000,000.00 to \$3,000,000.00.

To request the Plan Holder's List, please call the Blue Print Room, at (718) 760-6576.

To manage your vendor name and commodity codes on file with the City of New York, please go to New York City's Procurement and Sourcing Solutions Portal (PASSPort) at <https://a858-login.nyc.gov/osp/a/t1/auth/saml2/sso>. To manage or update your email, address or contact information, please go to New York City's Payee Informational Portal at <https://a127-pip.nyc.gov/webapp/PRDPCW/SelfService>.

Bid documents are available for a fee of \$25.00 in the Blueprint Room, Room #64, Olmsted Center, from 8:00 A.M. to 3:00 P.M. The fee is payable by company check or money order to the City of New York, Parks and Recreation. A separate check/money order is required for each project. The company name, address and telephone number as well as the project contract number must appear on the check/money order. Bidders should ensure that the correct company name, address, telephone and fax numbers are submitted by your company/messenger service when picking up bid documents.

To manage your vendor name and commodity codes on file with the City of New York, please go to New York City's Procurement and Sourcing Solutions Portal (PASSPort), at <https://a858-login.nyc.gov/osp/a/t1/auth/saml2/sso>. To manage or update your email, address or contact information, please go to New York City's Payee Informational Portal, at <https://a127-pip.nyc.gov/webapp/PRDPCW/SelfService>.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

*Parks and Recreation, Olmsted Center, Room 64, Flushing Meadows-Corona Park, Flushing, NY 11368. Kylie Murphy (718) 760-6855; [kylie.murphy@parks.nyc.gov](mailto:kylie.murphy@parks.nyc.gov)*

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**SMALL BUSINESS SERVICES****PROCUREMENT****■ INTENT TO AWARD***Human Services/Client Services***WORKFORCE1 INDUSTRIAL AND TRANSPORTATION CAREER CENTER RENEWAL - Renewal - PIN#80114I0003001R002 - Due 8-3-18 at 3:00 P.M.**

This renewal will allow DB Grant Associates Inc., to continue to administer the Workforce1 Industrial and Transportation Career Center providing employment and training services, to the City's adult jobseekers and connects employers to a skilled workforce, in various sectors for an additional three (3) years from July 1, 2018 to June 30, 2021.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

*Small Business Services, 110 William Street, 7th Floor, New York, NY 10038. Daryl Williams (212) 513-6300; Fax: (212) 618-8867; [procurementhelpdesk@sbs.nyc.gov](mailto:procurementhelpdesk@sbs.nyc.gov)*

jy25-31

**AGENCY RULES****ENVIRONMENTAL PROTECTION****■ NOTICE****Notice of Public Hearing and Opportunity to Comment on Proposed Rules**

**What are we proposing?** The Department of Environmental Protection is promulgating rules that would establish penalties for violations of Title 15, Chapter 1 of the Rules of the City of New York, also known as the Asbestos Control Program Rules. The Office of Administrative Trials and Hearings' Environmental Control Board (OATH ECB) is proposing a companion rule removing the Air Asbestos Penalty Schedule from Title 48 of the Rules of the City of New York.

**When and where is the hearing?** The Department of Environmental Protection will hold a public hearing on the proposed rule. The public hearing will take place at 10:00 A.M., on September 5, 2018. The hearing will be in the Department's 8<sup>th</sup> Floor Hearing Room, at 59-17 Junction Boulevard, Flushing, NY 11373.

**How do I comment on the proposed rules?** Anyone can comment on the proposed rules by:

- **Website.** You can submit comments to the Department of Environmental Protection through the NYC rules website at <http://rules.cityofnewyork.us>.
- **Email.** You can email comments to [nycrules@dep.nyc.gov](mailto:nycrules@dep.nyc.gov).
- **Mail.** You can mail comments to Department of Environmental Protection, Bureau of Legal Affairs, 59-17 Junction Boulevard, 19th Floor, Flushing, NY 11373.
- **Fax.** You can fax comments to the Department of Environmental Protection, Bureau of Legal Affairs, at (718) 595-6543.
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by calling (718) 595-6531. You can also sign up in the hearing room before the hearing begins on September 5, 2018. You can speak for up to three minutes.

**Is there a deadline to submit comments?** Yes, you must submit written comments by September 5, 2018.

**What if I need assistance to participate in the hearing?** You must tell the Office of Legal Affairs if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at (718) 595-6531. Advance notice is required to allow sufficient time to arrange the accommodation. Please tell us by August 29, 2018.

**This location has the following accessibility option(s) available:** Wheelchair accessibility.

**Can I review the comments made on the proposed rules?** You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. A few days after the hearing, copies of all comments submitted online, copies of all written comments, and a summary of oral comments concerning the proposed rule will be available to the public at a few days after the hearing, a transcript of the hearing and copies of the written comments will be available to the public at the Bureau of Legal Affairs, 59-17 Junction Boulevard, Flushing, NY 11373.

**What authorizes the Department of Environmental Protection (DEP) to make this rule?** Sections 1043 of the City Charter and Sections 24-136 and 24-178 of the Administrative Code authorize DEP to make this proposed rule. This proposed rule was not included in DEP's regulatory agenda for this Fiscal Year.

**Where can I find the DEP's rules?** The DEP's rules are in Title 15 of the Rules of the City of New York.

**What laws govern the rulemaking process?** DEP must meet the requirements of Section 1043(c) of the City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043(b) of the City Charter.

**Statement of Basis and Purpose of Proposed Rule**

DEP is adopting a new rule, to be found at Chapter 51 of Title 15 of the Rules of the City of New York (RCNY), to establish penalties for violations of Title 15, Chapter 1 of the Rules of the City of New York, also known as the Asbestos Control Program Rules (ACP Rules). The proposed rules are authorized by Section 1043 of the Charter of the City of New York and Sections 24-136 and 24-178 of the Administrative Code.

DEP is making a number of changes to the existing ACP Rules which require changes to the existing Air Asbestos Penalty Schedule. These changes include the addition of penalties for several new sections of the ACP Rules (Sections 1-26(b)(4), 1-26(h), 1-26(i), 1-28(f), 1-29(d), 1-38, 1-109(c), and 1-109(d)).

The current Air Asbestos Penalty Schedule, which is located in the rules of the Office of Administrative Trials and Hearings (OATH) at 48 RCNY § 3-101, will be repealed by OATH on the same day that this proposed rule takes effect.

Although OATH ECB is empowered to impose penalties under the New York City Charter and has until now promulgated penalty schedules, the regulatory and enforcement agencies have the necessary expertise to determine appropriate penalties for violations of the rules and of the laws within their jurisdiction based on the severity of each violation and its effect on City residents. Moving the penalty schedule to DEP's rules will also make it easier for the public to find the penalties, which will be located within the same chapter as the rules supporting the violations alleged in the summonses. Finally, the proposed rule relocation will speed up the rulemaking process by eliminating the need for OATH ECB approval of proposed or amended penalties for agency rules that have already been established by the legislature and/or that have already undergone the City Administrative Procedure Act (CAPA) process by the enforcement agency. The public will still have the opportunity to comment on proposed penalties during that process.

Working with the City's rulemaking agencies, the Law Department, the Mayor's Office of Management and Budget, and the Mayor's Office of Operations conducted a retrospective rules review of the City's existing rules, identifying those rules that will be repealed or modified to reduce regulatory burdens, increase equity, support small businesses, and simplify and update content to help support public understanding and compliance. The proposed repeal of 48 RCNY §3-101 was identified as meeting the criteria for this initiative.

The rule makes no substantive changes to the subject matter that precedes the schedule as set forth in Section 51-02.

DEP's authority for these rules is found in sections of the New York City Charter Section 1043 and Section 24-136 and 24-178 of the New York City Administrative Code.

New material is underlined.

[Deleted material is in brackets.]

"Shall" and "must" denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

The text of the Rule follows.

Section 1. Title 15 of the Rules of the City of New York is amended by adding a new Chapter 51 to read as follows:

Chapter 51. Air Asbestos Penalty Schedule

§51-01 General

- (a) Whenever a respondent is found in violation of any of the following provisions of the New York City Administrative Code or the Rules of the City of New York or the New York Code of Rules and Regulations, any civil penalties recommended by a hearing officer, pursuant to 48 RCNY §6-17(a) in accordance with §1049-A(d)(1)(d) of the Charter and/or any civil penalties imposed for admissions of violations, pursuant to 48 RCNY§6-09(a) or late admissions, pursuant to 48 RCNY §3-17 will be imposed, pursuant to the penalty schedule set forth below.
- (b) If a stipulation is offered and accepted at or before a hearing, the stipulation penalty will be imposed.
- (c) Unless otherwise indicated, all citations are to 15 RCNY Chapter 1.
- (d) A second offense is a violation by the same respondent within two years, for an infraction of the same section of the rules.
- (e) The default penalty for all charges in this Penalty Schedule shall be twice the penalty set forth in Subsection (a) of Section 51-02.

§51-02 Air Asbestos Penalty Schedule

- (a) Penalty Table

Section	Violation Description	1st Offense Penalty	1st Offense Stipulation	2nd Offense Penalty	2nd Offense Stipulation
1-01(c)	<u>Failure of asbestos handler supervisor to comply with all provisions of Asbestos Rules</u>	1200	1000	2400	1500
1-01(e)	<u>Knowingly made a false statement or submitted a false document to DEP</u>	2400	1500	4800	3000
1-01(f)	<u>Did not permit DEP inspection of asbestos project/abatement activities</u>	2400	1500	4800	3000
1-01(g)	<u>Interfered with or obstructed DEP personnel</u>	2400	1500	4800	3000
1-01(h)	<u>Engaged in unprofessional conduct</u>	1200	1000	2400	1500
1-16(a)1	<u>Conducted building survey and hazard assessment without DEP certification</u>	2400	1500	4800	3000
1-16(a)3	<u>Failed to collect bulk samples as specified</u>	2400	1500	4800	3000
1-16(h)	<u>Failed to sign/affix valid investigators seal to plan or report as required</u>	1200	1000	2400	1500
1-21(a)	<u>Failed to comply with reporting and filing requirements</u>	2400	1500	4800	3000
1-21(b)	<u>Failed to calculate project size and scope as required</u>	2400	1500	4800	3000
1-22(b)	<u>Failed to submit required certification to Buildings Dept</u>	2400	1500	4800	3000
1-23(c)	<u>Failed to file required Asbestos Assessment Report (ACP-5) with Buildings Dept</u>	2400	1500	4800	3000
1-25(c)	<u>Failed to file Asbestos Project Notification 7 days before work starts</u>	2400	1500	4800	3000
1-25(d)	<u>Failed to notify DEP in writing of any change on project notification</u>	1200	1000	2400	1500
1-26(a)	<u>Failed to obtain asbestos abatement permit when required</u>	4800	3000	9600	6000
1-26(b)(4)	<u>Failed to comply with work place safety plan</u>	4800	3000	9600	6000
1-26(c)3	<u>Failed to maintain/provide record of final inspection</u>	2400	1500	4800	3000
1-26(e)	<u>Failed to terminate asbestos abatement permit w/in 1 yr of issuance</u>	4800	3000	9600	6000
1-26(f)	<u>Failed to maintain required insurance during work permitted work</u>	1200	1000	2400	1500
1-26(h)	<u>Commenced permitted work prior to permit issuance</u>	1200	1000	2400	1500
1-26(i)	<u>Failed to submit letter to ATRU regarding additional asbestos on projects with WSP</u>	1200	1000	2400	1500

1-27(b)	Failed to immediately notify DEP of emergency project as required	2400	1500	4800	3000
1-27(c)	Failed to notify DEP in writing of emergency project within 48 hours	2400	1500	4800	3000
1-28(a)	Failed to maintain permanent records of asbestos surveys as required	2400	1500	4800	3000
1-28(b)	Failed to compile complete records of asbestos survey as required	1200	1000	2400	1500
1-28(c)	Failed to properly record work by non-certified individual as required	1200	1000	2400	1500
1-28(d)	Failed to maintain records of asbestos surveys for 30 years	1200	1000	2400	1500
1-28(e)	Failed to make asbestos survey records available for inspection by DEP	2400	1500	4800	3000
1-28(f)	Failed to properly store records or report damage/loss/destruction of records	2400	1500	4800	3000
1-29(a)	Failed to properly maintain project record	1200	1000	2400	1500
1-29(b)	Failed to properly maintain project summary	1200	1000	2400	1500
1-29(c)	Failed to make project record or project summary available for inspection in a timely manner	1200	1000	2400	1500
1-29(d)	Failed to maintain air monitor project summary	1200	1000	2400	1500
1-36(a)	Failed to retain independent third party air monitor	4800	3000	9600	6000
1-36(b)	Failed to have technician present during air sample collection	1200	1000	2400	1500
1-36(c)	Use lab without required qualifications to perform bulk sample analysis	2400	1500	4800	3000
1-36(d)	Used lab without required qualifications to perform air sample analysis	2400	1500	4800	3000
1-36(e)	Employed unqualified analyst to perform air sample analysis (TEM)	2400	1500	4800	3000
1-37(a)	Failed to perform bulk sampling as required	1200	1000	2400	1500
1-37(b)	Failed to utilize area air sampling equipment for PCM per 60 NIOSH 7400	1200	1000	2400	1500
1-37(c)	Failed to utilize area air sampling equipment for TEM as required	1200	1000	2400	1500
1-37(d)	Failed to use appropriate air sampling pump calibrated by rotometer	1200	1000	2400	1500
1-37(e)	Failed to properly inspect air sampling equipment	1200	1000	2400	1500
1-37(f)	Failed to create/maintain air sampling log	2400	1500	4800	3000
1-38(a)	Failed to assess/identify exact locations and quantities of ACM/PACM/misc. ACM	2400	1500	4800	9600
1-38(b)	Failed to collect bulk samples and submit for analysis	2400	1500	4800	3000
1-38(c)	Failed to comply with sampling requirements	2400	1500	4800	3000
1-41(a)	Failed to conduct air sampling in accordance with required schedule	4800	3000	9600	6000
1-41(b)	Failed to conduct pre-abatement air sampling as required	1200	1000	2400	1500
1-41(c)	Failed to conduct air sampling during abatement as required	2400	1500	4800	3000
1-41(d)	Failed to conduct post-abatement air sampling as required	2400	1500	4800	3000
1-42(a)	Utilized improperly located air samplers	1200	1000	2400	1500
1-42(b)	Failed to locate ambient samplers properly	1200	1000	2400	1500
1-42(c)	Failed to have a chain of custody record for air samples	2400	1500	4800	3000
1-42(d)	Failed to follow specified area sampling schedule for air monitoring	2400	1500	4800	3000
1-42(e)	Failed to conduct air sampling for small projects as required	2400	1500	4800	3000
1-43(a)	Failed to confirm absence of visible ACM before final air monitoring	2400	1200	4800	3000
1-43(b)	Failed to properly place required number of samplers in work area	1200	1000	2400	1500
1-43(c)	Failed to properly place samplers outside work area	1200	1000	2400	1500
1-43(d)	Failed to conduct aggressive sampling according to required procedures	2400	1500	4800	3000
1-43(e)	Area air samples did not meet schedule for post-abatement monitoring	2400	1500	4800	3000
1-43(f)	Failed to reclean and re-sample in areas that failed clearance as required	2400	1500	4800	3000
1-43(g)	Failed to meet release criteria for any independent work area	2400	1500	4800	3000
1-44(a)	Failed to analyze and report PCM area air samples as required	2400	1500	4800	3000
1-44(b)	Failed to analyze and report TEM area air samples as required	2400	1500	4800	3000
1-44(c)	Failed to analyze and report bulk sample as required	1200	1000	2400	1500
1-44(d)	Failed to submit bulk/air sampling results w/in 5 days of DEP request	2400	1500	4800	3000
1-45(a)	Failed to follow proper procedures when action criteria exceeded	4800	3000	9600	6000
1-45(b)	Failed to meet clearance and/or reoccupancy criteria	2400	1500	4800	3000
1-51(a)	Employed uncertified workers on an asbestos project	4800	3000	9600	6000

1-51(b)	Failed to have supervisor present during abatement activities	4800	3000	9600	6000
1-51(c)	Allowed persons inside work place w/out proper protective clothing	4800	3000	9600	6000
1-51(d)	Failed to perform person air monitoring as per OSHA standards	2400	1500	4800	3000
1-51(e)	Failed to meet personal hygiene requirements at work site	1200	1000	2400	1500
1-51(f)	Failed to have required info at work place	2400	1500	4800	3000
1-51(g)	Failed to post asbestos warning signs at all approaches to work place	2400	1500	4800	3000
1-51(h)	Failed to affix required warning labels to all ACM waste containers	2400	1500	4800	3000
1-61(a)	Did not store replacement materials outside work area as required	2400	1500	4800	3000
1-61(b)	Used replacement materials which did not comply with NYC Code and regulations	1200	1000	2400	1500
1-61(c)	Failed to use plastic of 6-mil thickness or greater for plasticizing	2400	1500	4800	3000
1-61(d)	Used duct tape and/or adhesive incapable of properly sealing plastic	2400	1500	4800	3000
1-61(e)	Failed to use and/or label 6-mil bags or containers for ACM as required	2400	1500	4800	3000
1-61(f)	Failed to enclose ACM in airtight manner with impact resistant material	2400	1500	4800	3000
1-61(g)	Failed to use HEPA filtration as required on power tools	1200	1000	2400	1500
1-61(h)	Failed to provide ladders/scaffolds and/or seal joints/ends of same	2400	1500	4800	3000
1-61(i)	Failed to use UL listed and approved electrical equipment	1200	1000	2400	1500
1-61(j)	Failed to use non-carcinogenic/non-toxic chemicals	4800	3000	9600	6000
1-61(k)	Failed to use non-combustible/fire-retardant materials	4800	3000	9600	6000
1-61(l)	Failed to obtain DEP approval for substitute equipment/material	1200	1000	2400	1500
1-81(a)	Failed to post notice of asbestos project as specified	1200	1000	2400	1500
1-81(b)	Failed to post floor plan as specified	1200	1000	2400	1500
1-81(c)	Failed to vacate work place prior to and during abatement activities	4800	3000	9600	6000
1-81(d)	Failed to provide power from outside the work area thru GFI at source	4800	3000	9600	6000
1-81(e)	Failed to install worker decon in required sequence	4800	3000	9600	6000
1-81(f)	Did not limit disturbance of ACM before erecting partition as required	2400	1500	4800	3000
1-81(g)	Failed to lockout/isolate heating/ventilation/air conditioning system	4800	3000	9600	6000
1-81(h)	Commenced abatement prior to completion of work place preparation	4800	3000	9600	6000
1-81(i)	Failed to properly pre-clean and remove movables and/or cover carpet	1200	1000	2400	1500
1-81(j)	Failed to remove flammables/extinguish ignition sources	2400	1500	4800	3000
1-81(k)	Failed to properly pre-clean and plasticize fixed objects in work area	1200	1000	2400	1500
1-81(l)	Failed to use temporary emergency lighting when required	1200	1000	2400	1500
1-81(m)	Failed to properly pre-clean the work area prior to plasticizing	2400	1500	4800	3000
1-81(n)	Failed to install isolation barriers over all openings to work place	4800	3000	9600	6000
1-81(o) 1-3	Did not segregate work area from work site with partitions as required	4800	3000	9600	6000
1-81(o) 4-5	Failed to construct partitions to ensure unobstructed means of egress	4800	3000	9600	6000
1-81(p)	Failed to properly seal floors and walls with 2 layers of 6-mil plastic	4800	3000	9600	6000
1-81(q)	Failed to remove/clean ceiling-mounted objects not previously sealed	1200	1000	2400	1500
1-81(r)	Removed contaminated ceiling tiles prior to full work area preparation	2400	1500	4800	3000
1-81(s)	Failed to lock entrances not used for workers or as emergency exits	2400	1500	4800	3000
1-81(t)	Failed to properly maintain/check exits	4800	3000	9600	6000
1-81(u)	Failed to post/maintain exit signs in work area	1200	1000	2400	1500
1-81(v)	Failed to post/maintain no smoking signs in work place	1200	1000	2400	1500
1-81(w)	Failed to properly seal and/or cover floor drains, pits, sumps, etc.	1200	1000	2400	1500
1-81(x)	Did not maintain, secure, lockout elevators running thru work area	4800	3000	9600	6000
1-81(y)	Failed to provide adequate toilet facilities in vicinity of clean room	1200	1000	2400	1500
1-81(z)	Failed to have fire extinguisher(s) in work place	1200	1000	2400	1500
1-82(a)	Failed to provide or locate worker decon outside work area as required	4800	3000	9600	6000
1-82(b)	Failed to construct worker decon as specified	4800	3000	9600	6000
1-82(c)	Failed to fully line worker decon with 2 layers of opaque 6-mil plastic	2400	1500	4800	3000



1-82(d)	<u>Failed to secure/weatherproof outside or publicly accessible decon</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
1-82(e)	<u>Failed to provide proper prefabricated or trailer worker decon</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
1-82(f)	<u>Failed to construct and/or maintain clean room as required</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
1-82(g)	<u>Failed to install and/or maintain shower room as required</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
1-82(h)	<u>Failed to provide shower filtration system as specified</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
1-82(i)	<u>Failed to properly use or maintain equipment room</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
1-83(a)	<u>Failed to properly construct waste decon as specified</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
1-83(b)	<u>Failed to locate/install waste/worker decon where 1 exit exists</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
1-83(c)	<u>Failed to construct waste decon in accordance with 1-82a,c,d,e,f,g,h</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
1-84(a)	<u>Failed to properly construct alternative worker/waste decon for small project</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
1-84(b)	<u>Failed to properly utilize alternative worker/waste decon for small project</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
1-91(a)	<u>Failed to utilize negative pressure ventilation equipment</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
1-91(a1)	<u>Failed to use manometer to document pressure differential</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
1-91(b)	<u>Failed to use negative pressure ventilation equipment 24 hrs/day</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
1-91(c)	<u>Did not maintain static negative air pressure of 0.02 in. water column</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
1-91(d)	<u>Failed to turn on negative air units 1 by 1 to check barrier integrity</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
1-91(e)	<u>Failed to use dedicated power supply for negative air units</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
1-91(f)	<u>Failed to utilize/properly locate negative air cutoff switch</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
1-91(g)	<u>Failed to follow procedures for loss of power to negative Air units</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
1-91(h)	<u>Failed to provide required air changes in work area</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
1-91(i)	<u>Failed to make openings for negative air units airtight</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
1-91(j)	<u>Used negative air units not in compliance w/ANSI 9.2 standards</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
1-91(k)	<u>Operated negative air system contrary to EPA report 560/5-85 (1985)</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
1-91(l)	<u>Failed to exhaust negative air units to outside as required</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
1-91(m)	<u>Failed to properly use second negative air unit in series as required</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
1-91(n)	<u>Failed to smoke test/inspect/monitor ducts to ensure no fiber release</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
1-92(a)	<u>Failed to ensure proper workplace entrance procedures are followed</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
1-92(b)	<u>Failed to ensure that proper work area exit procedures are followed</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
1-93(a)	<u>Permitted storage of ACM/carts in clean room when used as holding area</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
1-93(b)	<u>Improperly removed waste while workers used combined decon system</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
1-93(c)	<u>Improperly worker transit during waste transfer in combined decon</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
1-93(d)	<u>Did not clean ACM container/equipment properly before transfer into decon</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
1-93(e)	<u>Failed to properly bag/package containerized ACM waste and equipment</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
1-93(f)	<u>Improper washroom transit of workers prior to end of waste removal</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
1-93(g)	<u>Failed to properly remove waste and equipment from airlock to holding area</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
1-93(h)	<u>Failed to use/clean waste storage carts as required</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
1-93(i)	<u>Failed to secure exit from waste decontamination system</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
1-93(j)	<u>Failed to store waste storage carts in worksite holding area</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
1-94(a)	<u>Failed to inspect plastic barriers and partitions twice per shift</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
1-94(b)	<u>Failed to smoke test plastic barriers and decon twice daily</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
1-94(c)	<u>Failed to immediately repair damage or defects in decon</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
1-94(d)	<u>Failed to follow proper procedure upon fiber release or barrier damage</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
1-94(e)	<u>Failed to document specified events in daily projects log</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
1-102(a)	<u>Performed dry removal of ACM without EPA and/or DEP approval</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
1-102(b)	<u>Failed to sufficiently wet down ACM for enhanced penetration</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
1-102(c)	<u>Failed to properly apply removal encapsulant as per federal guidelines</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
1-102(d)	<u>Failed to bag ACM directly upon detachment from substrate as specified</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
1-102(e)	<u>Failed to properly wet, wrap and secure large components of ACM</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
1-102(f)	<u>Failed to remove all visible ACM residue from abated surfaces</u>	<u>2400</u>	<u>1200</u>	<u>4800</u>	<u>2400</u>
1-103(a)	<u>Failed to utilize proper material for encapsulation/repair of ACM</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
1-103(b)	<u>Failed to properly remove loose or hanging ACM before encapsulation</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>

1-103(c)	Failed to use acceptable pigmented encapsulant	1200	1000	2400	1500
1-103(d)	Used encapsulant solvent or vehicle containing volatile hydrocarbon	1200	1000	2400	1500
1-103(e)	Improperly used latex paint as encapsulant	1200	1000	2400	1500
1-103(f)	Failed to properly field test encapsulant prior to use	1200	1000	2400	1500
1-103(g)	Failed to apply required thickness of bridging encapsulant over ACM	1200	1000	2400	1500
1-103(h)	Failed to use a different color for each coat of encapsulant	1200	1000	2400	1500
1-103(i)	Failed to properly apply penetrating encapsulant to ACM	1200	1000	2400	1500
1-103(j)	Failed to apply encapsulant with airless spray equipment as specified	1200	1000	2400	1500
1-103(k)	Failed to properly identify encapsulated ACM	2400	1500	4800	3000
1-104(a)	Did not properly remove loose/hanging ACM before installing enclosure	2400	1500	4800	3000
1-104(b)	Failed to properly repair areas damaged during enclosure procedure	1200	1000	2400	1500
1-104(c)	Failed to properly lower/remove/replace utilities service components	1200	1000	2400	1500
1-104(d)	Failed to properly identify enclosed ACM	2400	1500	4800	3000
1-105(a)	Failed to properly conduct glovebag procedures	4800	3000	9600	6000
1-105(b)1	Failed to bring tools/materials into work area before glovebag begins	2400	1500	4800	3000
1-105(b)2	Failed to conduct air monitoring during glovebag procedure as required	2400	1500	4800	3000
1-105(b)3	Failed to have trained/equipped workers to conduct glovebag procedures	2400	1500	4800	3000
1-105(b)4	Failed to use properly sized glovebag for diameter of insulation	2400	1500	4800	3000
1-105(b)5	Failed to wet ACM prior to stripping during glovebag procedure	4800	3000	9600	6000
1-105(b)6	Failed to properly attach glovebag to insulation	4800	3000	9600	6000
1-105(b)7	Failed to smoke test glovebag as required	2400	1500	4800	3000
1-105(b)8	Failed to properly seal adjacent insulation during glovebag procedure	2400	1500	4800	3000
1-105(b)9	Failed to properly clean/wet surface, tools, etc. before glovebag is moved	2400	1500	4800	3000
1-105(b)10	Failed to properly seal insulation ends	2400	1200	4800	3000
1-105(b)11	Failed to properly remove tools/tool pouch from glovebag	2400	1500	4800	3000
1-105(b)12	Failed to use HEPA vacuum to evacuate glovebag or for clean up	2400	1500	4800	3000
1-105(b)13	Failed to properly collapse or seal glovebag prior to bag removal	2400	1500	4800	3000
1-105(b)14	Failed to properly double-bag and detach glovebag	2400	1500	4800	3000
1-105(b)15	Failed to properly wet/bag, dispose of waste from glovebag procedure	2400	1500	4800	3000
1-105(d)	Failed to utilize glovebag within containment as specified	1200	1000	2400	1500
1-106(a)	Conducted tent procedures on 260 linear ft/160 sq. or more of ACM	2400	1500	4800	3000
1-106(b)	Failed to properly install and/or construct tent	2400	1500	4800	3000
1-106(c)	Failed to install airlock at tent entrance when required	2400	1500	4800	3000
1-106(d)	Failed to wear appropriate personal protective equipment during tent procedure	4800	3000	9600	6000
1-106(e)	Failed to attach tent to surface to produce an airtight seal	2400	1500	4800	3000
1-106(f)	Failed to provide/maintain proper negative air in tent	1200	1000	2400	1500
1-106(g)	Failed to use required wet removal methods during tent procedures	2400	1500	4800	3000
1-106(h)	Failed to place ACM removed in tent procedures in leaktight container	2400	1500	4800	3000
1-106(i)	Failed to properly clean/encapsulate enclosed surfaces in tent	2400	1500	4800	3000
1-106(j)	Failed to clean/encapsulate surfaces after tent failure/termination	2400	1500	4800	3000
1-106(k)	Failed to properly clean/double bag ACM for disposal as specified	2400	1500	4800	3000
1-106(l)	Failed to follow specified procedures for worker exit from tent	2400	1500	4800	3000
1-106(m)	Failed to have 4 Air changes after abatement but before tent collapse	2400	1500	4800	3000
1-106(n)	Did not collapse tent or dispose of contaminated material as specified	2400	1500	4800	3000
1-106(o)	Failed to follow proper glovebag procedure during removal in tent	1200	1000	2400	1500
1-107(a)	Failed to properly cordon off and restrict access to work area	1200	1000	2400	1500

1-107(b)	Failed to use proper foam or liquid during removal	2400	1500	4800	3000
1-107(c)	Failed to maintain blanket of foam or liquid during removal	2400	1500	4800	3000
1-107(d)	Failed to keep ACRM wet during bagging process	1200	1000	2400	1500
1-107(e)	Failed to ensure that all persons in work area wear proper boots/PPE	1200	1000	2400	1500
1-107(f)	Carried out abatement during adverse weather conditions	1200	1000	2400	1500
1-107(g)	Failed to properly locate worker/waste decons	1200	1000	2400	1500
1-107(h)	Failed to remove or plasticize movable objects	1200	1000	2400	1500
1-107(i)	Failed to properly seal openings/ensure adequate air supply	1200	1000	2400	1500
1-107(j)	Failed to plasticize fixed objects as specified	1200	1000	2400	1500
1-107(k)	Failed to blanket roofing material w/foam before removal	2400	1500	4800	3000
1-107(l)	Failed to use HEPA filters on power tools used in removal	1200	1000	2400	1500
1-107(m)	Failed to properly conduct cleanup procedures	1200	1000	2400	1500
1-107(n)	Failed to conduct proper visual inspection	1200	1000	2400	1500
1-107(o)	Failed to remove all plastic sheeting after visual inspection	1200	1000	2400	1500
1-107(p)	Failed to conduct required air monitoring	1200	1000	2400	1500
1-108(b)	Failed to use proper foam or liquid during removal	2400	1500	4800	3000
1-108(c)	Failed to maintain blanket of foam or liquid during removal	2400	1500	4800	3000
1-108(d)	Failed to keep ACM wet during bagging process	1200	1000	2400	1500
1-108(e)	Failed to ensure that all persons in work area wear proper boots/PPE	1200	1000	2400	1500
1-108(f)	Failed to plasticize baseboards and walls as specified	1200	1000	2400	1500
1-108(g)	Failed to provide negative pressure ventilation	1200	1000	2400	1500
1-108(h)	Failed to properly conduct cleanup procedures	1200	1000	2400	1500
1-108(i)	Failed to conduct proper visual inspection	1200	1000	2400	1500
1-108(j)	Failed to remove all plastic sheeting after visual inspection	1200	1000	2400	1500
1-108(k)	Failed to conduct required air monitoring	1200	1000	2400	1500
1-109(a) (2)	Failed to establish restricted area	1200	1000	2400	1500
1-109(a) (3)	Allowed unauthorized persons to enter restricted area	1200	1000	2400	1500
1-109(a) (4)	Failed to inspect and pre-clean restricted area before plasticizing	1200	1000	2400	1500
1-109(a) (5)	Failed to make all openings within 25 feet of affected ACM airtight	1200	1000	2400	1500
1-109(a) (6)	Failed to construct/maintain/use scaffolding in accordance with federal/ state/city laws	1200	1000	2400	1500
1-109(a) (7)	Failed to properly construct/plasticize elevated platforms	1200	1000	2400	1500
1-109(a) (8)	Failed to properly plasticize ground-level restricted area	1200	1000	2400	1500
1-109(a) (9)	Failed to properly plasticize sidewalk bridges in restricted area	1200	1000	2400	1500
1-109(b)	Failed to construct decon within restricted area	1200	1000	2400	1500
1-109(c)	Failed to ensure that all persons in work area wear proper PPE	1200	1000	2400	1500
1-109(d)	Performed dry removal of ACM/failed to place ACM in leak tight containers	1200	1000	2400	1500
1-109(e)	Failed to follow proper cleanup procedure	1200	1000	2400	1500
1-109(f)	Failed to conduct required air monitoring	1200	1000	2400	1500
1-109(g)	Carried out abatement under adverse weather conditions	1200	1000	2400	1500
1-109(h)	Failed to use HEPA filters on power tools used in removal	1200	1000	2400	1500
1-110(a)	Demolished building w/ACM in place w/no danger of collapse	4800	3000	9600	6000
1-110(b)	Failed to provide copy of condemnation letter to DEP	1200	1000	2400	1500
1-110(c)	Failed to perform demolition as per AC 28-215/56 NYCRR 11.5	2400	1500	4800	3000
1-111(a)	Failed to bag/wrap/containerize waste immediately upon removal	4800	3000	9600	6000
1-111(b)	Failed to properly clean waste decon on completion of waste removal	2400	1500	4800	3000
1-111(c)	Failed to properly clean worker decon when required	2400	1500	4800	3000

1-111(d)	Failed to stop work and dispose of excess water in work area	1200	1000	2400	1500
1-112(a)	Failed to HEPA vacuum all surfaces after removal of all visible ACM	1200	1000	2400	1500
1-112(b)	Failed to wet clean all surfaces in work area (first cleaning)	2400	1500	4800	3000
1-112(c)	Failed to apply lockdown encapsulant as specified	2400	1500	4800	3000
1-112(d)	Failed to vacate area for 12 hrs after 1 <sup>st</sup> cleaning	1200	1000	2400	1500
1-112(e)	Failed to remove 1 <sup>st</sup> layer of surface barriers	1200	1000	2400	1500
1-112(f)	Failed to properly perform 2 <sup>nd</sup> cleaning	2400	1500	4800	2400
1-112(g)	Failed to follow required procedures for third cleaning	1200	1000	2400	1500
1-112(h)	Failed to remove 2 <sup>nd</sup> layer of surface barriers	1200	1000	2400	1500
1-112(i)	Failed to verify absence of ACM prior to clearance air monitoring	2400	1200	4800	2400
1-112(j)	Failed to remove containerized waste from work areas as required	1200	1000	2400	1500
1-112(k)	Failed to properly decontaminate or dispose of tools, equipment, etc.	1200	1000	2400	1500
1-112(l)	Removed isolation barriers before successful clearance air monitoring	4800	3000	9600	6000
1-112(m)	Failed to submit project monitor's report within 21 days of project completion	2400	1500	4800	3000
1-125(a)	Failed to post notice of asbestos project as required before abatement	2400	1500	4800	3000
1-125(b)	Failed to evacuate all occupants prior to abatement activities	2400	1500	4800	3000
1-125(c)	Failed to lock out electrical power and/or provide outside power as required	1200	1000	2400	1500
1-125(d)	Failed to install worker waste decon in required sequence	2400	1500	4800	3000
1-125(e)	Failed to lock out HVAC and/or install isolation barriers at ducts	4800	3000	9600	6000
1-125(f)	Commenced abatement prior to completion of work place preparation	4800	3000	9600	6000
1-125(g)	Used methods that raise dust during work area preparation	2400	1500	4800	3000
1-125(h)	Failed to properly preclean and/or remove movable objects from work area	1200	1000	2400	1500
1-125(i)	Failed to install required isolation barriers as specified	2400	1500	4800	3000
1-125(j)	Failed to properly cover/seal cinderblock/porous construction material	2400	1500	4800	3000
1-125(k)	Failed to make flooring in work area watertight	2400	1500	4800	3000
1-125(l)	Disturbed contaminated ceiling tiles prior to full work area prep	2400	1500	4800	3000
1-125(m)	Failed to establish and maintain required means of egress	4800	3000	9600	6000
1-125(n)	Failed to lock entrances to work area against unauthorized entry	2400	1500	4800	3000
1-125(o)	Failed to maintain/secure/lock-out elevators running thru work area	2400	1500	4800	3000
1-125(p)	Failed to provide adequate external toilet facilities near clean room	1200	1000	2400	1500
1-126	Performed concurrent abatement & demolition or story removal	4800	3000	9600	6000
1-127(a)	Failed to bag/wrap/containerize waste immediately upon removal	4800	3000	9600	6000
1-127(b)	Failed to properly clean waste decon on completion of waste removal	2400	1500	4800	3000
1-127(c)	Failed to clean worker decon after shift/meal break as specified	2400	1500	4800	3000
1-127(d)	Failed to stop work and dispose of excess water in work area	1200	1000	2400	1500
1-128(a)	Failed to properly remove/containerize visible accumulations of ACM	4800	3000	9600	6000
1-128(b)	Failed to remove containerized waste from work area as required	2400	1500	4800	3000
1-128(c)	Failed to properly wet-clean/HEPA vac surfaces in work area	2400	1500	4800	3000
1-128(d)	Failed to properly clean and/or encapsulate plastic on porous material	2400	1500	4800	3000
1-128(e)	Failed to properly encapsulate surfaces in work area	2400	1500	4800	3000
1-128(f)	Failed to remove and decontaminate all tools and equipment as required	1200	1000	2400	1500
1-128(g)	Remove isolation barriers before final air clearance	4800	3000	9600	6000
1-128(h)	Failed to submit project monitor's report within 21 days of project completion	2400	1500	4800	3000
	Violation of New York State Industrial Code Rule 56-level 1	4800	3000	9600	6000
	Violation of New York State Industrial Code Rule 56-level 2	2400	1500	4800	3000
	Violation of New York State Industrial Code Rule 56-level 3	1200	1000	2400	1500
24-146.1(h)	Resumed work in violation of stop-work order	4400	2750	8800	5500

## RENT GUIDELINES BOARD

### ■ NOTICE

#### NEW YORK CITY RENT GUIDELINES BOARD 2018 Apartment & Loft Order #50 June 26, 2018

**Order Number 50 - Apartments and Lofts**, rent levels for leases commencing **October 1, 2018** through **September 30, 2019**.

**NOTICE IS HEREBY GIVEN**, PURSUANT TO THE AUTHORITY VESTED IN THE NEW YORK CITY RENT GUIDELINES BOARD BY THE RENT STABILIZATION LAW OF 1969, as amended, and the Emergency Tenant Protection Act of 1974, as amended and implemented by Resolution No 276 of 1974 of the New York City Council, and in accordance with the requirements of Section 1043 of the New York City Charter, that the Rent Guidelines Board (RGB) hereby **adopts** the following levels of fair rent increases over lawful rents charged and paid on **September 30, 2018**. These rent adjustments will apply to rent stabilized apartments with leases commencing on or after **October 1, 2018** and through **September 30, 2019**. Rent guidelines for loft units subject to Section 286 subdivision 7 of the Multiple Dwelling Law are also included in this order.

#### ADJUSTMENT FOR RENEWAL LEASES (APARTMENTS)

Together with such further adjustments as may be authorized by law, the annual adjustment for renewal leases for apartments shall be:

For a **one-year** renewal lease commencing on or after **October 1, 2018** and on or before **September 30, 2019**: **1.5%**

For a **two-year** renewal lease commencing on or after **October 1, 2018** and on or before **September 30, 2019**: **2.5%**

These adjustments shall also apply to dwelling units in a structure subject to the partial tax exemption program under Section 421a of the Real Property Tax Law, or in a structure subject to Section 423 of the Real Property Tax Law as a Redevelopment Project.

#### VACANCY ALLOWANCE FOR APARTMENTS

No vacancy allowance is permitted except as provided by the Rent Regulation Reform Act of 1997 and the Rent Act of 2015.

#### ADDITIONAL ADJUSTMENT FOR RENT STABILIZED APARTMENTS SUBLET UNDER SECTION 2525.6 OF THE RENT STABILIZATION CODE

In the event of a sublease governed by subdivision (e) of section 2525.6 of the Rent Stabilization Code, the allowance authorized by such subdivision shall be **10%**.

#### ADJUSTMENTS FOR LOFTS (UNITS IN THE CATEGORY OF BUILDINGS COVERED BY ARTICLE 7-C OF THE MULTIPLE DWELLING LAW)

The Rent Guidelines Board **adopts** the following levels of rent increase above the "base rent," as defined in Section 286, subdivision 4, of the Multiple Dwelling Law, for units to which these guidelines are applicable in accordance with Article 7-C of the Multiple Dwelling Law:

For **one-year** increase periods commencing on or after **October 1, 2018** and on or before **September 30, 2019**: **1.5%**

For **two-year** increase periods commencing on or after **October 1, 2018** and on or before **September 30, 2019**: **2.5%**

#### VACANT LOFT UNITS

No Vacancy Allowance is permitted under this Order. Therefore, except as otherwise provided in Section 286, subdivision 6, of the Multiple Dwelling Law, the rent charged to any tenant for a vacancy tenancy commencing on or after **October 1, 2018** and on or before **September 30, 2019** may not exceed the "base rent" referenced above plus the level of adjustment permitted above for increase periods.

#### FRACTIONAL TERMS

For the purposes of these guidelines any lease or tenancy for a period up to and including one year shall be deemed a one-year lease or tenancy, and any lease or tenancy for a period of over one year and up to and including two years shall be deemed a two-year lease or tenancy.

#### ESCALATOR CLAUSES

Where a lease for a dwelling unit in effect on May 31, 1968 or where a lease in effect on June 30, 1974 for a dwelling unit which became subject to the Rent Stabilization Law of 1969, by virtue of the Emergency Tenant Protection Act of 1974 and Resolution Number 276 of the New York City Council, contained an escalator clause for the increased costs of operation and such clause is still in effect, the lawful rent on **September 30, 2018** over which the fair rent under this Order is computed shall include the increased rental, if any, due under

such clause except those charges which accrued within one year of the commencement of the renewal lease. Moreover, where a lease contained an escalator clause that the owner may validly renew under the Code, unless the owner elects or has elected in writing to delete such clause, effective no later than **October 1, 2018** from the existing lease and all subsequent leases for such dwelling unit, the increased rental, if any, due under such escalator clause shall be offset against the amount of increase authorized under this Order.

#### SPECIAL ADJUSTMENTS UNDER PRIOR ORDERS

All rent adjustments lawfully implemented and maintained under previous apartment orders and included in the base rent in effect on **September 30, 2018** shall continue to be included in the base rent for the purpose of computing subsequent rents adjusted pursuant to this Order.

#### SPECIAL GUIDELINE

Under Section 26-513(b)(1) of the New York City Administrative Code, and Section 9(e) of the Emergency Tenant Protection Act of 1974, the Rent Guidelines Board is obligated to promulgate special guidelines to aid the State Division of Housing and Community Renewal in its determination of initial legal regulated rents for housing accommodations previously subject to the City Rent and Rehabilitation Law which are the subject of a tenant application for adjustment. The Rent Guidelines Board hereby **adopts** the following Special Guidelines:

For dwelling units subject to the Rent and Rehabilitation Law on **September 30, 2018**, which become vacant after **September 30, 2018**, the special guideline shall be **39%** above the maximum base rent.

#### DECONTROLLED UNITS

The permissible increase for decontrolled units as referenced in Order 3a, which become decontrolled after **September 30, 2018**, shall be **39%** above the maximum base rent.

#### CREDITS

Rentals charged and paid in excess of the levels of rent increase established by this Order shall be fully credited against the next month's rent.

#### STATEMENT OF BASIS AND PURPOSE

The Rent Guidelines Board is authorized to promulgate rent guidelines governing apartment units subject to the Rent Stabilization Law of 1969, as amended, and the Emergency Tenant Protection Act of 1974, as amended. The purpose of these guidelines is to implement the public policy set forth in Findings and Declaration of Emergency of the Rent Stabilization Law of 1969 (§26-501 of the N.Y.C. Administrative Code) and in the Legislative Finding contained in the Emergency Tenant Protection Act of 1974 (L.1974 c. 576, §4 [§2]).

The Rent Guidelines Board is also authorized to promulgate rent guidelines for loft units subject to Section 286 subdivision 7 of the Multiple Dwelling Law. The purpose of the loft guidelines is to implement the public policy set forth in the Legislative Findings of Article 7-C of the Multiple Dwelling Law (Section 280).

Dated: June 26, 2018

Hon. Kathleen A. Roberts (Ret.), Chair  
New York City Rent Guidelines Board

#### **EXPLANATORY STATEMENT - APARTMENT ORDER #50**

##### **Explanatory Statement and Findings of the Rent Guidelines Board In Relation to 2018-19 Lease Increase Allowances for Apartments and Lofts under the Jurisdiction of the Rent Stabilization Law<sup>1</sup>**

#### **Summary of Order No. 50**

The Rent Guidelines Board (RGB) by Order No. 50 has set the following maximum rent increases for leases subject to renewal on or after October 1, 2018 and on or before September 30, 2019 for apartments under its jurisdiction:

For a one-year renewal lease commencing on or after October 1, 2018 and on or before September 30, 2019: **1.5%**

For a two-year renewal lease commencing on or after October 1, 2018 and on or before September 30, 2019: **2.5%**

#### **Vacancy Allowance**

The vacancy allowance is now determined by a formula set forth in the State Rent Regulation Reform Act of 1997 and the Rent Act of 2015, not by the Orders of the Rent Guidelines Board.

1 This Explanatory Statement explains the actions taken by the Board members on individual points and reflects the general views of those voting in the majority. It is not meant to summarize all the viewpoints expressed.

### Sublet Allowance

The increase landlords are allowed to charge when a rent stabilized apartment is sublet by the primary tenant to another tenant on or after October 1, 2018 and on or before September 30, 2019 shall be 10%.

### Adjustments for Lofts

For Loft units to which these guidelines are applicable in accordance with Article 7-C of the Multiple Dwelling Law, the Board established the following maximum rent increases for increase periods commencing on or after October 1, 2018 and on or before September 30, 2019. No vacancy allowance is included for lofts.

<u>1 Year</u>	<u>2 Years</u>
1.5%	2.5%

The guidelines do not apply to hotel, rooming house, and single room occupancy units that are covered by separate Hotel Orders.

Any increase for a renewal lease may be collected no more than once during the guideline period governed by Order No. 50.

### Special Guideline

Leases for units subject to rent control on September 30, 2018 that subsequently become vacant and then enter the stabilization system are not subject to the above adjustments. Such newly stabilized rents are subject to review by the New York State Division of Housing and Community Renewal (DHCR). In order to aid DHCR in this review the Rent Guidelines Board has set a special guideline of 39% above the maximum base rent.

All rent adjustments lawfully implemented and maintained under previous apartment Orders and included in the base rent in effect on September 30, 2018 shall continue to be included in the base rent for the purpose of computing subsequent rents adjusted pursuant to this Order.

### Background of Order No. 50

The Rent Guidelines Board is mandated by the Rent Stabilization Law of 1969 (Section 26-510(b) of the NYC Administrative Code) to establish annual guidelines for rent adjustments for housing accommodations subject to that law and to the Emergency Tenant Protection Act of 1974. In order to establish guidelines, the Board must consider, among other things:

1. the economic condition of the residential real estate industry in the affected area including such factors as the prevailing and projected (i) real estate taxes and sewer and water rates, (ii) gross operating and maintenance costs (including insurance rates, governmental fees, cost of fuel and labor costs), (iii) costs and availability of financing (including effective rates of interest), (iv) overall supply of housing accommodations and overall vacancy rates;
2. relevant data from the current and projected cost of living indices for the affected area;
3. such other data as may be made available to it.

The Board gathered information on the above topics by means of public meetings and hearings, written submissions by the public, and written reports and memoranda prepared by the Board's staff. The Board calculates rent increase allowances on the basis of cost increases experienced in the past year, its forecasts of cost increases over the next year, its determination of the relevant operating and maintenance cost-to-rent ratio, and other relevant information concerning the state of the residential real estate industry.

### Material Considered by the Board

Order No. 50 was issued by the Board following **seven** public meetings, **five** public hearings, its review of written submissions provided by the public, and a review of research and memoranda prepared by the Board's staff. Approximately **70** written submissions were received at the Board's offices from many individuals and organizations including public officials, tenants and tenant groups, and owners and owner groups. The Board members were provided with copies of public comments received by the **June 22, 2018** deadline. All of the above listed documents were available for public inspection.

Open meetings of the Board were held following public notice on March 8, April 5, April 12, April 19 and May 24, 2018. On **April 26, 2018**, the Board adopted proposed rent guidelines for apartments, lofts, and hotels.

Public hearings were held on **June 7, June 11, June 13, June 19, and June 21, 2018**, pursuant to Section 1043 of the New York City Charter and Section 26-510(h) of the New York City Administrative Code. Testimony on the proposed rent adjustments for rent-stabilized apartments and lofts was heard on June 7 from **5:40 P.M. to 9:20 P.M.**, June 11 from **5:20 P.M. to 10:00 P.M.**, June 13 from **5:05 P.M. to 8:15 P.M.**, June 19 from **4:10 P.M. to 8:00 P.M.**, and June 21 from **5:25 P.M. to 8:30 P.M.** The hearings ended when all those who were

in attendance who registered to testify did so and there were no additional speakers. Testimony from members of the public speaking at these hearings was added to the public record. The Board heard testimony from **approximately 256** apartment tenants and tenant representatives, **12** apartment owners and owner representatives, and **5** public officials. In addition, **6** speakers read into the record written testimony from various public officials. On **June 26, 2018** the guidelines set forth in Order No. 50 were adopted.

A written transcription and/or audio recording and/or video recording was made of all proceedings.

### Presentations by RGB Staff and Housing Experts Invited by Members of the Board

Each year the staff of the New York City Rent Guidelines Board is asked to prepare numerous reports containing various facts and figures relating to conditions within the residential real estate industry. The Board's analysis is supplemented by testimony from industry and tenant representatives, housing experts, and by various articles and reports gathered from professional publications.

Listed below are the other experts invited and the dates of the public meetings at which their testimony was presented:

<u>Meeting Date/Name</u>	<u>Affiliation</u>
<b>March 8, 2018:</b>	<u>Staff presentations</u> <i>2018 Income and Expense Study</i> <u>NYC Department of Finance</u>
1. Timothy Sheares	Deputy Commissioner, Property Division
<b>April 5, 2018:</b>	<u>Staff presentations</u> <i>2018 Income and Affordability Study</i> <u>NYC Department of Housing Preservation and Development</u>
1. Elyzabeth Gaumer	Assistant Commissioner, Research and Evaluation
<b>April 12, 2018:</b>	<u>Staff presentations</u> <i>2018 Price Index of Operating Costs</i> <i>2018 Mortgage Survey Report</i> <u>NYS Homes and Community Renewal (HCR)</u>
1. Woody Pascal	Deputy Commissioner for Rent Administration
<b>April 19, 2018:</b>	<u>Apartment Owners group testimony:</u> Rent Stabilization Association (RSA)
1. Vito Signorile	Real Estate Board of New York (REBNY)
2. Michael Slattery	Small Property Owners of New York (SPONY)
3. Chris Athineos	Community Housing Improvement Program (CHIP)
4. Joseph Condon	<u>Apartment Tenants group testimony:</u> Association for Neighborhood and Housing Development (ANHD)
1. Barika Williams	Community Service Society (CSS)
2. Oksana Mironova	NYU Furman Center
3. Stephanie Rosoff	Collins, Dobkins and Miller LLP
4. Tim Collins	<u>Hotel Tenants group testimony:</u> Mobilization for Justice, Inc.
1. Brian J. Sullivan	Goddard Riverside Law Project
2. Lana L. Pelletier McCrea	Goddard Riverside Law Project
3. Larry Wood	<u>Hotel Owner group testimony:</u> SRO Owner
1. Solomon Borg	<u>Staff presentations</u> <i>2018 Housing Supply Report</i> <i>Changes to the Rent Stabilized Housing Stock in New York City in 2017</i>

### Selected Excerpts from Oral and Written Testimony from Tenants and Tenant Groups<sup>2</sup>

Comments from tenants and tenant groups included:

"Given the rising rent burden on families in rent-stabilized apartments, the risk these families face if their rents are increased and the importance to our city to have affordable housing, combined with the fact that landlords have enjoyed a decade of growing profits, I call for this Board to not only reject the landlords absurd request

<sup>2</sup> Sources: Submissions by tenant groups and testimony by tenants.

to increase rents 4% for new one-year leases and 7% for two years, but to roll back rents so that we don't lose more units of affordable housing and families are not forced out of their homes... We are made strong by our diversity. Preserving and creating affordable housing is critical to promoting this diversity by ensuring seniors can stay here, young people can start here, and the middle class can prosper. Hard working New Yorkers who built their neighborhoods, lived there for years must be able to continue to live here. Rent regulations are the biggest provider of affordable housing for these New Yorkers and must be protected."

"RGB's decisions have a real impact on the well-being of low-income tenants. Over the past few years, the board has taken this into account. Ultimately, this board must find a way to institutionalize the practice of setting guidelines that reflect changes in both landlords' costs and tenants' incomes... With stagnating wages, a diminishing low-rent housing stock that leaves tenants with minimal choices if they are priced out of their rent regulated apartments, and evidence that RGB decisions have a measurable impact on the well-being of low-income New Yorkers, we recommend a rent freeze for this coming year."

"The RGB's own 2018 I&E study, based on data from 2015-16, the most recent available, indicates that the net operating profits, which went up 4.4 percent, has increased for over 10 years in a row. This is truly the "golden age" of NY residential real property ownership. During the 3-year period 2015-2018 landlords spent an estimated 58.3% of revenue on operations and maintenance. The data used in these calculations was based upon landlord's self-reported figures and is itself suspect because it is not audited and a corrected figure is likely to be inflated in order to hide income or minimize profits and fails to account for public trough tax incentives such as J-51 or 421-a or 421-g where the landlord essentially receives a tax break in exchange for doing maintenance or MCIs where the landlord gets a rent increase for maintenance which increases the value of the property."

"The RGB's proposal to increase rents for one-year leases by 0.75-2.75% and to increase rents for two-year leases by 1.75-3.75% should be rejected and all regulated rents should be frozen until necessary reforms in the rent-stabilization system are made. Any rent increases should be contingent on all of the following reforms: (1) elimination of vacancy deregulation/decontrol; (2) elimination of vacancy allowances; and (3) elimination of permanent rent increases based on MCI or IAI in favor of temporary increases, spread over 10 years. Without such necessary reforms to balance the detrimental impact of rent increases on tenants, the crisis in affordable housing will only worsen."

"As a rent stabilized tenant for over forty years, I have experienced the attempts by landlords to increase profits by raising rents in various ways while tenants struggle to pay the rent. Since 1980, "fuel pass-alongs," "poor taxes," MCIs (Major Capital Improvements), IAIs (Individual Apartment Improvements) and other fees are added to rents. MCIs, IAIs, and fuel pass-alongs are never rescinded despite the cost of the appliance paid, or the price of fuel decreased. We had "poor taxes" of \$40 and \$85 in different years. These are the reasons that tenants are rent-burdened."

#### **Selected Excerpts from Oral and Written Testimony from Owners and Owner Groups<sup>3</sup>**

Comments from owners and owner groups included:

"Rent-stabilized property owners can no longer afford to be deprived of the necessary source of income that they need to properly maintain and operate their buildings. After four years of unjustifiable rent guidelines that have totaled only 2.25%, this Board must reverse course and properly compensate owners for their continued increases in operating costs... Despite Preliminary Ranges set between 0.75% and 2.75% for one-year leases and 1.75% and 3.75% for two-year leases, RSA continues to believe that an increase of 4% for a one-year lease and a 7% increase for a two-year lease is justifiable for two reasons: these numbers fall well within the commensurate adjustments promulgated by RGB staff and it is time to make up for inadequate guidelines since 2014 that have burdened rent-stabilized property owners."

"The state housing agency has adopted rent increases for rent-controlled apartments of 9.6% for 2016-17 and 7.4% for 2018-19. These increases represent the increases in actual income required to operate a housing unit under current costs. It is incredible that the state housing agency has determined that the above increases are needed to produce the necessary revenue to operate a unit of housing, while the RGB has adopted 0%-2% renewal increases for the same time periods. The long-term interests of tenants and the housing stock are better served through moderate increases that cover increases in costs to provide quality housing. This policy has been implemented over the past three decades and the proof of its positive effect can be seen in the current housing stock, which is at its highest level of quality since the Housing and Vacancy Survey began."

"Coming into this year's deliberations, the Rent Guidelines Board has set the lowest guidelines in history over a four-year period, with

a meagre 2.25% increase for one-year guidelines that have included the first ever rent freezes. After last year's unjustifiable 1.25% rent increase in the face of a 6.2% increase in operating costs, this Board continues to punish owners who run buildings successfully rather than following this Board's mandate and properly compensating owners for their increased operating costs. This year is no different, as costs have once again increased by 4.5% and preliminary ranges have been set far below the Board's own commensurate ranges."

"Let's look at the cost figures over the last 22 years. The Board has authorized rent increases that cumulatively total 82% but the price index of operating costs over that same 22 year period has cumulatively been 181%, so the guidelines have given a good deal less than half of what you have determined the actual cost increases are. And it's even worse if you look at the last five years, I mean the last five years would certainly be something we can all remember. The last five years the compounded rent increases granted by the board were 24%, and the PIOC during the last 5 years was nearly 12%, so these numbers are way out of joint."

"It is obvious that this Board is not sympathetic to property owners. However, if you really want to help these tenants you are trying to protect, you must understand that tenants will ultimately suffer as inadequate rent increases cut off owner ability to maintain and repair their buildings. If this continues, deteriorating housing conditions will ensue. For owners who have developed relationships with their tenants and enjoy owning their buildings, it will ultimately become a lose-lose situation for everybody. It is due time for this Board to reverse course for the under-compensation of the last four years and we ask for an end to unreasonable rent guideline increases."

#### **Selected Excerpts from Oral and Written Testimony from Public Officials<sup>4</sup>**

Comments from public officials included:

"A lot has been written about how the data justifies a rent increase, because the Price Index of Operating Costs increased by 4.5% over last year. This single data point only justifies a rent increase if one ignores the rest of the data made available by the RGB's excellent research staff. Those numbers tell us, for instance, that for the 12<sup>th</sup> straight year Net Operating Income grew by 4.4% this year. If costs are going up by 4.5% and you're still making a net profit of 4.4%, then you do not need to be saved by government. The people whose hard-earned paychecks are supplying that 4.4% profit increase are the ones in need of saving... Since 1994, New York City has lost a net 147,512 rent-stabilized apartments--a staggering number. In 2017, we lost 6,657 rent stabilized units."

"Even if the rent increases ultimately approved are at the low end of the proposed ranges, I have serious concerns about what this decision would mean for the more than 2 million low-, moderate, and middle-income rent stabilized tenants in NYC who already are facing unprecedented rent burdens. Over past two decades, the RGB has approved rent increases that dramatically outpaced both building owners' expenses and tenants' incomes... I strongly encourage the RGB to enact 0% increases for both one and two-year leases. Such a decision would be entirely consistent with the legislative mandate and jurisdiction of the RGB, which was established in 1969 to set rent guidelines which counteract the effects of an acute housing shortage. This shortage still exists--according to the 2017 HVS the citywide vacancy rate for all rental apartments was 3.63%."

"We now know that the rent freezes and low increases did not in fact stop the rise in stabilized rents and the loss of affordable housing. The 2017 HVS reports that the median rent for post-war stabilized units increased 4.5% since 2014. Continued rent increases most heavily impact working and poor households in New York City. 2016 data compiled by the NYU Furman Center show that, in Manhattan, nearly one-quarter of all rental households are severely rent burdened--meaning these households pay more than 50% of their annual income toward rent... The cumulative compensation that this Board has granted to landlords over the past two decades far outpaces the calculated net operating expenses for buildings. Additionally, each MCI payment beyond the landlord's recuperation of capital expenses constitutes another kind of over-compensation. I firmly believe that tenants are still owed many more years of rent freeze in order to be made whole. However, in light of the range of increases that this Board has proposed, I urge you to vote for the lowest rent increase for both one-year and two-year lease renewals."

"In my home neighborhood of Stuyvesant Town and Peter Cooper Village, we know firsthand about the importance of rent stabilization. Our community would not be possible without the regulation and protection of rents. Any rent increase recommended by the Rent Guidelines Board would be compounded by the perpetual payments added onto rent for Major Capital Improvements (MCIs). Charges for MCIs can last long beyond the date when their accumulation would have essentially paid for the improvements themselves. Until the

3 Sources: Submissions by owner groups and testimony by owners

4 Sources: Submissions by public officials.

laws governing this are altered, the additional cost must be weighed into any decision made by this board...In the last decade, our city's homeless population has nearly doubled. According to the Coalition for the Homeless, the number of individuals within the shelter system or living on the street almost doubled from 33,285 in June 2008 to 62,974 in March 2018. The homelessness epidemic is a crisis that will only be exacerbated by a rent increase."

"The range of 2018 proposed increases...continues the long-standing policy of excessively favoring landlords. The RGB got well-earned praise for its historic vote to freeze one-year lease renewal increases for 2015 and 2016, but the 2018 preliminary vote is a return to previous wrong policy. The Community Service Society's 2017 data analysis shows the 2014, 2015 and 2016 low lease increases have not corrected the problem of excessive hikes occurring in the Bloomberg era. According to CSS, rents are higher now than they would be if the board had issued guidelines in previous years reflecting actual landlord cost changes. The RGB should vote a rent freeze to redress years of unjustified rent hikes. Tenants were hit with burdensome increases between 2007 and 2013 as high as 7.75 and 8.5 percent for a two-year renewal, while unemployment rates soared during an economic downturn period. From 2005 to 2012, the median rent in New York City rose 11%; while household incomes rose at a low 2%."

**FINDINGS OF THE RENT GUIDELINES BOARD**

**Rent Guidelines Board Research**

The Rent Guidelines Board based its determination on its consideration of the oral and written testimony noted above, as well as upon its consideration of statistical information prepared by the RGB staff set forth in these findings and the following reports:

1. *2018 Income and Expense Study*, March 2018, (Based on income and expense data provided by the Finance Department, the *Income and Expense Study* measures rents, operating costs and net operating income in rent stabilized buildings);
2. *2018 Mortgage Survey Report*, April 2018, (An evaluation of recent underwriting practices, financial availability and terms, and lending criteria);
3. *2018 Income and Affordability Study*, April 2018, (Includes employment trends, housing court actions, changes in eligibility requirements and public benefit levels in New York City);
4. *2018 Price Index of Operating Costs*, April 2018, (Measures the price change for a market basket of goods and services which are used in the operation and maintenance of stabilized buildings);
5. *2018 Housing Supply Report*, May 2018, (Includes new housing construction measured by certificates of occupancy in new buildings and units authorized by new building permits, tax abatement and exemption programs, and cooperative and condominium conversion and construction activities in New York City); and,
6. *Changes to the Rent Stabilized Housing Stock in NYC in 2017*, May 2018, (A report quantifying all the events that lead to additions to and subtractions from the rent stabilized housing stock).

The six reports listed above may be found in their entirety on the RGB's website, nyc.gov/rgb, and are also available at the RGB offices, One Centre Street, Suite 2210, New York, NY 10007 upon request.

**2018 Price Index of Operating Costs for Rent Stabilized Apartment Houses in New York City**

The 2018 Price Index of Operating Costs for rent stabilized apartment houses in New York City found a 4.5% increase in costs for the period between March 2017 and March 2018.

This year, the PIOC for all rent stabilized apartment buildings increased by 4.5%. Increases occurred in all PIOC components. The largest proportional increase was seen in Fuel (16.4%), followed by Taxes (6.3%). More moderate increases occurred in Maintenance (3.4%), Insurance Costs (3.3%), Labor Costs (3.2%), Administrative Costs (1.6%), and Utilities (0.5%). The growth in the Consumer Price Index (CPI), which measures inflation in a wide range of consumer goods and services, during this same time period was lower than the PIOC, rising 1.8%.<sup>5</sup> See Table 1 for changes in costs and prices for all rent stabilized apartment buildings from 2017-18.

The "Core" PIOC, which excludes changes in fuel oil, natural gas, and steam costs used for heating buildings, is useful for analyzing long-

5 The average CPI for All Urban Consumers, New York-Northeastern New Jersey for the year from March 2017 to February 2018 (269.2) compared to the average for the year from March 2016 to February 2017 (264.5) rose by 1.8%. This is the latest available CPI data and is roughly analogous to the 'PIOC year'.

term inflationary trends. The Core PIOC rose by 3.7% this year and was lower than the overall PIOC due to the exclusion of costs in the Fuel component, which rose 16.4%.

**Table 1**

2017-18 Percentage Changes in Components of the Price Index of Operating Costs for Rent Stabilized Apartment Houses in New York City <sup>6</sup>			
Component	Expenditure Weights	2017-18 Percentage Δ	2017-18 Weighted Percentage Δ
Taxes	29.88%	6.32%	1.89%
Labor Costs	16.72%	3.19%	0.53%
Fuel Oil	6.44%	16.44%	1.06%
Utilities	10.34%	0.48%	0.05%
Maintenance	17.93%	3.44%	0.62%
Administrative Costs	13.56%	1.58%	0.21%
Insurance Costs	5.13%	3.32%	0.17%
All Items	100%	-	4.53%

Source: 2018 Price Index of Operating Costs  
Note: The Δ symbol means change.

**On April 12, 2018 the staff of the Rent Guidelines Board released a memo to Board members with information relating to the Price Index of Operating Costs (PIOC). The entire memo follows:**

*Memorandum*

To: All Board Members  
From: Andrew McLaughlin  
Date: April 17, 2018  
Re: 2018 Price Index of Operating Costs (PIOC) Follow-up

At the April 12, 2018 Price Index of Operating Costs (PIOC) presentation, requested that the staff update the table below to include the tax levy share and the tax rate for Class 2 buildings for FY 2018. The tax levy share has gone from 29.00% in FY1993 to 37.42% in FY2018. Over the same period, the tax rate has increased from 9.910 to 12.719.

**Tax Levy Share and Tax Rate for Class 2 Properties from FY1993 to FY2018**

	Percent of Class 2 Levy Share	Percentage Points Change of Class 2 Share From Prior FY	Class 2 Tax Rate	Percent Change in Class 2 Tax Rate from Prior FY
FY1993	29.00%	-	9.910	-
FY1994	30.78%	1.8%	10.369	4.63%
FY1995	31.57%	0.8%	10.552	1.76%
FY1996	32.61%	1.0%	10.807	2.42%
FY1997	33.64%	1.0%	11.056	2.30%
FY1998	33.90%	0.3%	11.046	-0.09%
FY1999	32.20%	-1.7%	10.739	-2.78%
FY2000	34.10%	1.9%	10.851	1.04%
FY2001	34.50%	0.4%	10.847	-0.04%
FY2002	34.90%	0.4%	10.792	-0.51%
FY2003*	34.90%	0.0%	11.541	6.94%
FY2004	35.60%	0.7%	12.620	9.35%
FY2005	34.90%	-0.7%	12.216	-3.20%
FY2006	35.40%	0.5%	12.396	1.47%
FY2007	36.50%	1.1%	12.737	2.75%
FY2008	36.72%	0.2%	11.928	-6.35%
FY2009	37.21%	0.5%	12.596	5.60%
FY2010	37.47%	0.3%	13.241	5.12%
FY2011	37.42%	-0.05%	13.353	0.85%
FY2012	37.81%	0.4%	13.433	0.60%
FY2013	36.97%	-0.8%	13.181	-1.88%
FY2014	36.75%	-0.2%	13.145	-0.27%
FY2015	36.18%	-0.6%	12.855	-2.21%
FY2016	36.55%	0.4%	12.883	0.22%
FY2017	37.26%	0.7%	12.892	0.07%
FY2018	37.42%	0.2%	12.719	-1.34%

\* There was a rate adjustment mid-way through fiscal year 2003 on January 1, 2003. The first half of FY2003 the rate was 10.607 and the second half rate was 12.517.

Source: NYC Department of Finance

6 Totals may not add due to weighting and rounding.



**Local Law 63/Income & Expense Review**

The sample size for the Income and Expense (I&E) Study includes 15,389 properties containing 705, 122 units. This is the 26<sup>th</sup> year that staff has been able to obtain longitudinal data in addition to cross-sectional data. The RGB staff found the following average monthly (per unit) operating and maintenance (O&M) costs in 2017 Real Property Income and Expense (RPIE) statements for the year 2016:

**Table 2**

2016 Average Monthly Operating and Maintenance Costs Per Unit			
	Pre '47	Post '46	All Stabilized
Total	\$938	\$1,108	\$985

Source: 2018 Income and Expense Study, from 2017 Real Property Income and Expense filings for 2016, NYC Department of Finance.

In 1992, the Board benefited from the results of audits conducted on a stratified sample of 46 rent stabilized buildings by the Department of Finance. Audited income and expense (I&E) figures were compared to statements filed by owners. On average the audits showed an 8% over reporting of expenses. The categories, which accounted for nearly all of the expense over reporting, were maintenance, administration, and "miscellaneous." The largest over-reporting was in miscellaneous expenses.

If we assume that an audit of this year's I&E data would yield similar findings to the 1992 audit, one would expect the average O&M cost for stabilized buildings to be \$904, rather than \$985. As a result, the following relationship between operating costs and residential rental income was suggested by the Local Law 63 data:

**Table 2(a)**

2016 Operating Cost to Rent/Income Ratio Adjusted to 1992 Audit					
	O&M Costs <sup>7</sup>	Rent	O&M to Rent Ratio	Income	O&M to Income Ratio
All stabilized	\$904	\$1,371	0.660	\$1,552	0.583

Source: 2018 Income and Expense Study, from 2017 Real Property Income and Expense filings for 2016, NYC Department of Finance.

**Forecasts of Operating and Maintenance Price Increases for 2018-19**

In order to decide upon the allowable rent increases for two-year leases, the RGB considers price changes for operating costs likely to occur over the next year. In making its forecasts the Board relies on expert assessments of likely price trends for the individual components, the history of changes in prices for the individual components and general economic trends. The Board's projections for 2018-19 are set forth in Table 3, which shows the Board's forecasts for price increases for the various categories of operating and maintenance costs.

**Table 3**

Year-to-Year Percentage Changes in Components of the Price Index of Operating Costs: Actual 2017-18 and Projected 2018-19		
	Price Index 2017-18	Projected Price Index 2018-19
Taxes	6.3%	5.7%
Labor Costs	3.2%	3.2%
Fuel Oil	16.4%	1.1%
Utilities	0.5%	1.7%
Maintenance	3.4%	1.8%
Administrative Costs	1.6%	2.0%
Insurance Costs	3.3%	5.3%
<b>Total (Weighted)</b>	<b>4.5%</b>	<b>3.4%</b>

Source: 2018 Price Index of Operating Costs

Overall, the PIOC is expected to grow by 3.4% from 2018 to 2019. Costs are predicted to rise in each component, with the largest growth (5.7%) projected to be in Taxes, the component that carries the most weight in

7 Overall O&M expenses were adjusted according to the findings of an income and expenses audit conducted by the Department of Finance in 1992. The unadjusted **O&M to Rent** ratio would be 0.718. The unadjusted **O&M to Income** ratio would be 0.634.

the Index. Other projected increases include Insurance Costs (5.3%), Labor Costs (3.2%), Administrative Costs (2.0%), Maintenance (1.8%), Utilities (1.7%), and Fuel (1.1%). Table 3 shows projected changes in PIOC components for 2019. The core PIOC is projected to rise 3.5%, 0.1 percentage points more than the overall projected Apartment PIOC.

**Commensurate Rent Adjustment**

Throughout its history, the Rent Guidelines Board has used a formula, known as the commensurate rent adjustment, to help determine annual rent guidelines for rent stabilized apartments. In essence, the "commensurate" combines various data concerning operating costs, revenues, and inflation into a single measure to determine how much rents would have to change for net operating income (NOI) in rent stabilized buildings to remain constant. The different types of "commensurate" adjustments described below are primarily meant to provide a foundation for discussion concerning prospective guidelines.

In its simplest form, the commensurate rent adjustment is the amount of rent change needed to maintain owners' current dollar NOI at a constant level. In other words, the commensurate provides a set of one- and two-year renewal rent adjustments, or guidelines, that will compensate owners for the change in prices measured by the PIOC and keep net operating income constant.

The first commensurate method is called the "Net Revenue" approach. While this formula takes into consideration the term of leases actually signed by tenants, it does not adjust owners' NOI for inflation. The "Net Revenue" formula is presented in two ways: First, by adjusting for the mix of lease terms; and second, by adding an assumption for rent stabilized apartment turnover and the subsequent impact of revenue from vacancy increases. Under the "Net Revenue" formula, a guideline that would preserve NOI in the face of this year's 4.5% increase in the PIOC is 3.5% for a one-year lease and 6.25% for a two-year lease. Using this formula, and adding assumptions for the impact of vacancy increases on revenues when apartments experience turnover, results in guidelines of 1.75% for one-year leases and 3.0% for two-year leases.

The second commensurate method considers the mix of lease terms while adjusting NOI upward to reflect general inflation, keeping both operating and maintenance (O&M) costs and NOI constant. This is commonly called the "CPI-Adjusted NOI" formula. A guideline that would preserve NOI in the face of the 1.8% increase in the Consumer Price Index (see Endnote 3) and the 4.5% increase in the PIOC is 4.5% for a one-year lease and 7.25% for a two-year lease. Guidelines using this formula and adding the estimated impact of vacancy increases are 2.5% for one-year leases and 4.5% for two-year leases.<sup>8</sup>

The third commensurate method, the "traditional" commensurate adjustment, is the formula that has been in use since the inception of the Rent Guidelines Board and is the only method that relies on the PIOC projection. The "traditional" commensurate yields 2.9% for a one-year lease and 4.0% for a two-year lease. This reflects the increase in operating costs of 4.5% found in the 2018 PIOC and the projection of a 3.4% increase next year.

All of these commensurate methods have limitations. The "Net Revenue" formula does not attempt to adjust NOI based on changes in interest rates or the effect of inflation. The "CPI-Adjusted NOI" formula inflates the debt service portion of NOI, even though interest rates have been historically low over recent years. For both of these commensurate methods, including a consideration of the amount of income owners receive on vacancy assumes that turnover rates are constant across the City.

As a means of compensating for cost changes, the "traditional" commensurate rent adjustment has two major flaws. First, although the formula is designed to keep owners' current dollar income constant, the formula does not consider the mix of one- and two-year lease

8 The following assumptions were used in the computation of the commensurates: (1) the required change in owner revenue is 63.4% of the 2018 PIOC increase of 4.5%, or 2.9%. The 63.4% figure is the most recent ratio of average operating costs to average income in rent stabilized buildings; (2) for the "CPI-Adjusted NOI" commensurate, the increase in revenue due to the impact of inflation on NOI is 36.6% times the latest 12-month increase in the CPI ending February 2018 (1.8%), or 0.66%; (3) these lease terms are only illustrative—other combinations of one- and two-year guidelines could produce the adjustment in revenue; (4) assumptions regarding lease renewals and turnover were derived from the 2014 Housing and Vacancy Survey; (5) for the commensurate formulae, including a vacancy assumption, the 11.43% median increase in vacancy leases found in the rent stabilized apartments that reported a vacancy lease in the 2017 apartment registration file from the New York State Homes and Community Renewal was used; and (6) the collectability of these commensurate adjustments are assumed.

renewals. Since only about two-thirds of leases are renewed in any given year, with a majority of leases being renewed having a one-year duration, the formula does not necessarily accurately estimate the amount of income needed to compensate owners for O&M cost changes.

A second flaw of the “traditional” commensurate formula is that it does not consider the erosion of owners’ income by inflation. By maintaining current dollar NOI at a constant level, adherence to the formula may cause profitability to decline over time. However, such degradation is not an inevitable consequence of using the “traditional” commensurate formula.<sup>9</sup>

Finally, it is important to note that only the “traditional” commensurate formula uses the PIOC projection and that this projection is not used in conjunction with, or as part of, the “Net Revenue” and “CPI-Adjusted NOI” formulas. As stated previously, all three formulas attempt to compensate owners for the adjustment in their operating and maintenance costs measured each year in the PIOC. The “Net Revenue” and the “CPI-Adjusted NOI” formulas attempt to compensate owners for the adjustment in O&M costs by using only the known PIOC change in costs (4.5%). The traditional method differs from the other formulas in that it uses both the PIOC’s actual change in costs as well as the projected change in costs (3.4%).

Each of these formulae may be best thought of as a starting point for deliberations. The data presented in other Rent Guidelines Board annual research reports (e.g., the *Income and Affordability Study* and the *Income and Expense Study*) along with public testimony can be used in conjunction with these various commensurates to determine appropriate rent adjustments.

**Consideration of Other Factors**

Before determining the guideline, the Board considered other factors affecting the rent stabilized housing stock and the economics of rental housing.

**Effective Rates of Interest**

The Board took into account current mortgage interest rates and the availability of financing and refinancing. It reviewed the staff’s *2018 Mortgage Survey Report* of lending institutions. Table 4 gives the reported rate and points for the past nine years as reported by the mortgage survey.

**Table 4**

2018 Mortgage Survey <sup>10</sup> Average Interest Rates and Points for New Financing of Permanent Mortgage Loans 2010-2018									
	2010	2011	2012	2013	2014	2015	2016	2017	2018
Avg. Rates	6.3%	5.8%	4.6%	4.4%	4.9%	4.3%	4.0%	4.3%	4.8%
Avg. Points	0.79	0.61	0.63	0.59	0.54	0.70	0.42	0.44	0.44

**On April 17, 2018 the staff of the Rent Guidelines Board released a memo to Board members with additional information concerning the 2018 Mortgage Survey Report. The memo follows:**

*Memorandum*

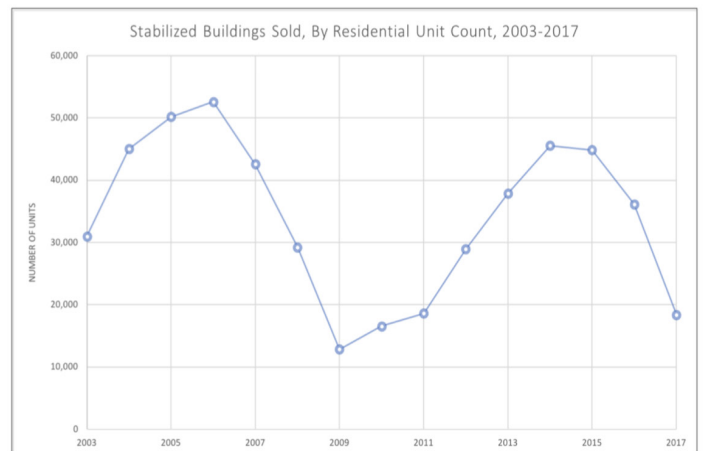
To: All Board Members  
 From: Andrew McLaughlin and Brian Hoberman  
 Date: April 17, 2018  
 Re: 2018 Mortgage Survey Report Follow-up Memo

The Rent Guidelines Board asked staff for additional information related to rent stabilized building sales, which are collected annually in the *Mortgage Survey Report*. In particular, a request was made for Citywide stabilized building sales data to be depicted in a graph similar to the one in the report, but instead by the number of units in buildings sold annually. The first graph below depicts building sales from 2003 to 2017 by unit count, and the second graph depicts the number of buildings sold during the same period.

As the graphs illustrate, the number of units located in buildings sold closely tracks the number of buildings sold in most years. However, in two years, 2006 and 2014, the number of buildings sold declined from the prior year while the number of units in buildings sold increased. In both of those years, Stuy Town/Peter Cooper Village was sold, which together contain 11,247 residential units.

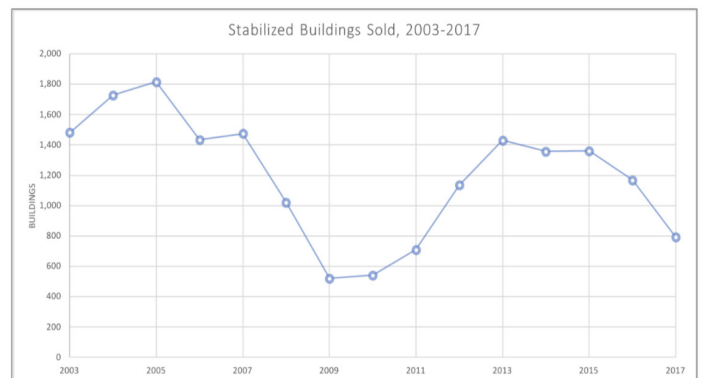
9 Whether profits will actually decline depends on the level of inflation, the composition of NOI (i.e., how much is debt service and how much is profit), and changes in tax law and interest rates.  
 10 Institutions were asked to provide information on their “typical” loan to rent stabilized buildings. Data for each variable in any particular year and from year to year may be based upon responses from a different number of institutions.

**Rent Stabilized Building Sales Citywide, by Unit, 2003-2017**



Source: NYC Department of Finance  
 Note: Figures exclude Staten Island

**Rent Stabilized Building Sales Citywide, by Building, 2003-2017**



Source: NYC Department of Finance  
 Note: Figures exclude Staten Island

**Condition of the Rent Stabilized Housing Stock**

The Board reviewed the number of units that are moving out of the rental market due to cooperative and condominium conversion.<sup>11</sup>

**Table 5**

Number of Cooperative/Condominium Plans <sup>11</sup> Accepted for Filing, 2009-2017									
	2009	2010	2011	2012	2013	2014	2015	2016	2017
New Construction	335	235	185	111	151	211	219	210	228
Conversion Non-Eviction	29	20	20	24	16	20	28	27	18
Conversion Eviction	13	4	9	3	0	0	1	0	0
Rehabilitation	1	0	2	8	21	37	43	45	33
Total	378	259	216	146	188	268	291	282	279
Subtotal:									
HPD Sponsored Plans	13	4	9	3	1	0	1	0	0

Source: New York State Attorney General’s Office, Real Estate Financing.

**On June 13, 2018 the staff of the Rent Guidelines Board released a memo to Board members with additional information concerning the 2018 Housing Supply Report. The memo follows:**

11 The figures given above for eviction and non-eviction plans include those that are abandoned because an insufficient percentage of units were sold within the 15-month deadline. In addition, some of the eviction plans accepted for filing may have subsequently been amended or resubmitted as non-eviction plans and therefore may be reflected in both categories. HPD sponsored plans are a subset of the total plans. Some numbers revised from prior years.



1st Quarter Avg. <sup>12</sup>	2.0%	2.7%	2.1%	1.4%	-0.2%	0.7%	2.5%	1.6%
Yearly Avg.	2.8%	2.0%	1.7%	1.3%	0.1%	1.1%	2.0%	--

Source: U.S. Bureau of Labor Statistics.

**Calculating of the Current Operating and Maintenance Expense to Rent Ratio**

Each year the Board estimates the current average proportion of the rent roll which owners spend on operating and maintenance costs. This figure is used to ensure that the rent increases granted by the Board compensate owners for the increases in operating and maintenance expenses. This is commonly referred to as the O&M to rent ratio.

With current longitudinal income and expense data, staff has constructed an index, using 1989 as a base year. Except for the last three years, this index measures changes in building income and operating expenses as reported in annual income and expense statements. The second and third to last years in the table will reflect actual PIOC increases and projected rent changes. The last year in the table - projecting into the future - will include staff projections for both expenses and rents. This index is labeled as Table 7.

However, this index it is not without limitations. First, as noted, for the past and coming year the index will continue to rely upon the price index and staff rent and cost projections. Second, while this table looks at the overall relationship between costs and income, it does not measure the specific impact of rent regulation on that relationship.

Table 7

Revised Calculation of Operating and Maintenance Cost Ratio for Rent Stabilized Buildings from 1989 to 2019			
Year <sup>13</sup>	Average Monthly O & M Per d.u. <sup>14</sup>	Average Monthly Income Per d.u.	Average O & M to Income Ratio
1989	\$370 (\$340)	\$567	.65 (.60)
1990	\$382 (\$351)	\$564	.68 (.62)
1991	\$382 (\$351)	\$559	.68 (.63)
1992	\$395 (\$363)	\$576	.69 (.63)
1993	\$409 (\$376)	\$601	.68 (.63)
1994	\$415 (\$381)	\$628	.66 (.61)
1995	\$425 (\$391)	\$657	.65 (.59)
1996	\$444 (\$408)	\$679	.65 (.60)
1997	\$458 (\$421)	\$724	.63 (.58)
1998	\$459 (\$422)	\$755	.61 (.56)
1999	\$464 (\$426)	\$778	.60 (.55)
2000	\$503 (\$462)	\$822	.61 (.56)
2001	\$531 (\$488)	\$868	.61 (.56)
2002	\$570 (\$524)	\$912	.63 (.57)
2003	\$618 (\$567)	\$912	.68 (.62)
2004	\$654 (\$601)	\$969	.67 (.62)
2005	\$679 (\$624)	\$961	.71 (.65)
2006	\$695 (\$638)	\$1,009	.69 (.63)
2007	\$738 (\$678)	\$1,088	.68 (.62)

- 12 1st Quarter Average refers to the change of the CPI average of the first three months of one year to the average of the first three months of the following year. Some numbers revised from prior years.
- 13 The O&M and income data from 2008 to 2011 has been revised from that reported in previous explanatory statements to reflect actual, rather than estimated, expense and income data.
- 14 Operating and expense data listed is based upon unaudited filings with the Department of Finance. Audits of 46 buildings conducted in 1992 suggest that expenses may be overstated by 8% on average. See Rent Stabilized Housing in New York City, A Summary of Rent Guidelines Board Research 1992, pages 40-44. Figures in parentheses are adjusted to reflect these findings.

2008	\$790 (\$726)	\$1,129	.70 (.64)
2009	\$781 (\$717)	\$1,142	.68 (.63)
2010	\$790 (\$726)	\$1,171	.67 (.62)
2011	\$812 (\$746)	\$1,208	.68 (.63)
2012	\$841 (\$772)	\$1,277	.66 (.60)
2013	\$884 (\$812)	\$1,337	.66 (.61)
2014	\$946 (\$869)	\$1,434	.66 (.61)
2015	\$960 (\$882)	\$1,487	.64 (.59)
2016	\$985 (\$905)	\$1,552	.63 (.58)
2017 <sup>15</sup>	\$1,046 (\$961)	\$1,577	.66 (.61)
2018 <sup>16</sup>	\$1,093 (\$1,004)	\$1,608	.68 (.62)
2019 <sup>17</sup>	\$1,130 (\$1,038)	\$1,648	.69 (.63)

Source: RGB Income and Expense Studies, 1989-2018, Price Index of Operating Costs, 2017 - 2018, RGB Rent Index for 2014 - 2018.

**On April 9, 2018 the staff of the Rent Guidelines Board released a memo to Board members with additional information concerning the 2018 Income & Expense Study. The memo follows:**

*Memorandum*

To: All Board Members  
 From: Andrew McLaughlin and Brian Hoberman  
 Date: April 9, 2018  
 Re: 2018 Income and Expense Study Follow-up Memo

The Rent Guidelines Board asked the RGB staff to research whether the income and expense profile of stabilized buildings varies depending on the proportion of stabilized units. The RGB staff requested and analyzed additional data from the NYC Department of Finance for the same RPIE period as that reported in the 2018 Income & Expense (I&E) Study, categorizing stabilized buildings by those with 20% or more stabilized units, 50% or more stabilized units, 80% or more stabilized units, and all stabilized buildings, and by geography.<sup>1</sup>

Our analysis reveals that with the exception of Core Manhattan, stabilized buildings throughout the City have similar expense and income profiles regardless of the proportion of stabilized units. We found that that the unaudited cost-to-income ratio in Core Manhattan rises 1.6 percentage points when going from all stabilized buildings to 80%+ stabilized, but increases just 0.3 percentage points in the City excluding Core Manhattan. Similarly, we found that net operating income (NOI) growth in Core Manhattan decreases 2.7 percentage points when going from all stabilized buildings to 80%+ stabilized, but increases 0.3 percentage points in the City excluding Core Manhattan. This data and additional income and expense statistics are presented in the tables that follow.

<sup>1</sup>Note that the data used in this analysis are unweighted and building counts vary slightly from that used in the 2018 I&E Study.

- 15 Estimated expense figure includes 2017 expense updated by the PIOC for the period from 3/1/16 through 2/28/17 (6.2%). Income includes the income for 2017 updated by staff estimate based upon renewal guidelines and choice of lease terms for a period from 3/1/16 through 2/28/17 (1.62% - i.e., the 10/1/15 to 9/30/16 rent projection (1.55%) times (.583), plus the 10/1/16 to 9/30/17 rent projection (1.72%) times (.417))
- 16 Estimated expense figure includes 2018 expense estimate updated by the PIOC for the period from 3/1/17 through 2/28/18 (4.5%). Income includes the income estimate for 2018 updated by staff estimate based upon renewal guidelines and choice of lease terms for a period from 3/1/17 through 2/28/18 (1.98% - i.e., the 10/1/16 to 9/30/17 rent projection (1.72%) times (.583), plus the 10/1/17 to 9/30/18 rent projection (2.35%) times (.417)).
- 17 Estimated expense figure includes 2019 expense estimate updated by the 2019 PIOC projection for the period from 3/1/18 through 2/28/19 (3.4%). Income includes the income estimate for 2019 updated by staff estimate based upon renewal guidelines and choice of lease terms for a period from 3/1/18 through 2/28/19 (2.48% - i.e., the 10/1/17 to 9/30/18 rent projection (2.35%) times (.583), plus the 10/1/18 to 9/30/19 rent projection (2.66%) times (.417))

**Average Rent, Income and Costs**

The following table breaks down average rent, income and costs by Citywide, Core Manhattan and City excluding Core Manhattan. The table shows that average rent, income, and costs declined in all parts of the City when going from all buildings containing stabilized units to 80%+ stabilized.

**Table 1**

	All Buildings Containing Stabilized Units	20%+ Stabilized	50%+ Stabilized	80%+ Stabilized
<b>Average Rent</b>				
Citywide	\$1,378	\$1,305	\$1,174	\$1,139
Core Manhattan	\$2,001	\$1,884	\$1,621	\$1,617
City w/o Core Manhattan	\$1,157	\$1,150	\$1,118	\$1,099
<b>Average Income</b>				
Citywide	\$1,593	\$1,497	\$1,323	\$1,269
Core Manhattan	\$2,495	\$2,368	\$2,061	\$2,017
City w/o Core Manhattan	\$1,273	\$1,264	\$1,231	\$1,208
<b>Average Costs</b>				
Citywide	\$1,006	\$956	\$862	\$830
Core Manhattan	\$1,483	\$1,424	\$1,267	\$1,232
City w/o Core Manhattan	\$836	\$831	\$812	\$797

Source: NYC Department of Finance, RPIE Filings. Notes: Data is not weighted, and therefore may differ from that reported in the 2018 Income & Expense Study. Data is not adjusted for the results of the 1992 NYC Department of Finance audit on I&E reported operating costs.

The following table breaks down average rent, income, costs and NOI in 2016 per apartment per month by location and proportion of stabilized units. As discussed above, excluding Core Manhattan there is variation in NOI based upon the proportion of stabilized units. For instance, the City excluding Core Manhattan ranges from \$437 for all stabilized buildings to \$411 for 80%+ stabilized, a \$26 difference. However, NOI in Core Manhattan ranges from \$1,011 for all stabilized buildings to \$785 for 80%+ stabilized, a \$226 difference. In the other parts of the City, NOI varies \$54 in Upper Manhattan; \$19 in Brooklyn; \$14 in Queens; \$8 in Staten Island; with no difference in the Bronx.

**Table 2**

2016 RPIE Averages	Rent	Income	Costs	NOI
<b>Citywide</b>	\$1,378	\$1,593	\$1,006	\$587
20%+ Stabilized	\$1,305	\$1,497	\$956	\$541
50%+ Stabilized	\$1,174	\$1,323	\$862	\$461
80%+ Stabilized	\$1,139	\$1,269	\$830	\$439
<b>Manhattan</b>	\$1,765	\$2,160	\$1,322	\$838
20%+ Stabilized	\$1,653	\$2,023	\$1,256	\$766
50%+ Stabilized	\$1,405	\$1,717	\$1,101	\$616
80%+ Stabilized	\$1,357	\$1,638	\$1,053	\$586
<b>Bronx</b>	\$967	\$1,082	\$743	\$340
20%+ Stabilized	\$968	\$1,081	\$742	\$339
50%+ Stabilized	\$966	\$1,080	\$741	\$339
80%+ Stabilized	\$967	\$1,080	\$741	\$340
<b>Brooklyn</b>	\$1,157	\$1,230	\$791	\$440
20%+ Stabilized	\$1,148	\$1,221	\$784	\$436
50%+ Stabilized	\$1,129	\$1,201	\$774	\$427
80%+ Stabilized	\$1,117	\$1,189	\$768	\$421
<b>Queens</b>	\$1,248	\$1,320	\$840	\$481
20%+ Stabilized	\$1,246	\$1,317	\$836	\$481
50%+ Stabilized	\$1,235	\$1,304	\$829	\$475
80%+ Stabilized	\$1,220	\$1,288	\$821	\$467
<b>Staten Island</b>	\$1,038	\$1,127	\$727	\$400
20%+ Stabilized	\$1,033	\$1,127	\$716	\$411
50%+ Stabilized	\$1,024	\$1,120	\$712	\$408
80%+ Stabilized	\$1,019	\$1,115	\$707	\$408
<b>Core Manhattan</b>	\$2,001	\$2,495	\$1,483	\$1,011
20%+ Stabilized	\$1,884	\$2,368	\$1,424	\$943
50%+ Stabilized	\$1,621	\$2,061	\$1,267	\$794
80%+ Stabilized	\$1,617	\$2,017	\$1,232	\$785
<b>Upper Manhattan</b>	\$1,356	\$1,580	\$1,043	\$537
20%+ Stabilized	\$1,346	\$1,565	\$1,033	\$531
50%+ Stabilized	\$1,257	\$1,481	\$987	\$494
80%+ Stabilized	\$1,223	\$1,443	\$960	\$483
<b>City w/o Core Manhattan</b>	\$1,157	\$1,273	\$836	\$437
20%+ Stabilized	\$1,150	\$1,264	\$831	\$434
50%+ Stabilized	\$1,118	\$1,231	\$812	\$420
80%+ Stabilized	\$1,099	\$1,208	\$797	\$411

Source: NYC Department of Finance, RPIE Filings. Notes: Data is not weighted, and therefore may differ from that reported in the 2018 Income & Expense Study. Data is not adjusted for the results of the 1992 NYC Department of Finance audit on I&E reported operating costs.

**Cost-to-Income Ratios**

The following table breaks down the audited and unaudited cost-to-income ratios by Citywide, Core Manhattan and City excluding Core Manhattan. It shows that the ratios grew when going from all buildings containing stabilized units to 80%+ stabilized throughout the City. However, when going from 50%+ stabilized to 80%+ stabilized, it grew further when looking at the City excluding Core Manhattan but declined in Core Manhattan.

**Table 3**

	All Buildings Containing Stabilized Units	20%+ Stabilized	50%+ Stabilized	80%+ Stabilized
<b>Audited Cost-to-Income Ratios</b>				
Citywide	58.0%	58.6%	59.8%	60.1%
Core Manhattan	54.6%	55.3%	56.5%	56.1%
City w/o Core Manhattan	60.3%	60.3%	60.6%	60.6%
<b>Unaudited Cost-to-Income Ratios</b>				
Citywide	63.1%	63.8%	65.2%	65.4%
Core Manhattan	59.5%	60.2%	61.5%	61.1%
City w/o Core Manhattan	65.7%	65.7%	65.9%	66.0%

Source: NYC Department of Finance, RPIE Filings. Notes: Data is not weighted, and therefore may differ from that reported in the 2018 Income & Expense Study.

**Average Growth in Rent, Income, Costs and NOI**

The following table breaks down the longitudinal change in rent, income, costs and NOI growth, from 2015 to 2016 by Citywide, Core Manhattan and City excluding Core Manhattan. The table shows that the growth in both rent and income was less throughout the City excluding Core Manhattan when going from 20%+ stabilized to 80%+ stabilized. However, both rent and income growth in Core Manhattan saw the greatest growth among 50%+ stabilized buildings. For cost growth, the pattern was the same, except costs grew less among Core Manhattan 50%+ stabilized buildings. And for NOI growth, it was strongest throughout the City among 50%+ stabilized buildings, and least among 80%+ buildings in Core Manhattan.

**Table 4**

	All Buildings Containing Stabilized Units	20%+ Stabilized	50%+ Stabilized	80%+ Stabilized
<b>Rent Growth</b>				
Citywide	3.3%	3.3%	3.3%	3.1%
Core Manhattan	3.2%	3.1%	3.2%	2.0%
City w/o Core Manhattan	3.3%	3.4%	3.3%	3.2%
<b>Income Growth</b>				
Citywide	3.3%	3.4%	3.4%	3.0%
Core Manhattan	3.4%	3.4%	3.5%	2.1%
City w/o Core Manhattan	3.3%	3.4%	3.3%	3.2%
<b>Cost Growth</b>				
Citywide	2.3%	2.2%	1.6%	1.5%
Core Manhattan	3.6%	3.9%	3.2%	3.4%
City w/o Core Manhattan	1.5%	1.5%	1.3%	1.3%
<b>NOI Growth</b>				
Citywide	5.1%	5.5%	6.8%	6.1%
Core Manhattan	3.0%	2.8%	4.0%	0.3%
City w/o Core Manhattan	6.8%	7.1%	7.5%	7.1%

Source: NYC Department of Finance, RPIE Filings. Notes: Data is not weighted, and therefore may differ from that reported in the 2018 Income & Expense Study. Data is not adjusted for the results of the 1992 NYC Department of Finance audit on I&E reported operating costs.

The following table breaks down average rent, income, costs and NOI changes from 2015 to 2016 per apartment per month, by location and proportion of a building containing stabilized units. Looking at NOI, variation between stabilized unit proportions differs significantly in Manhattan, where NOI increases range in Core Manhattan from a 3.0% increase for all stabilized buildings to 4.0% increase for 50%+ stabilized buildings, a 1.0 percentage point difference, and in Upper Manhattan, where there is a 3.4 percentage point difference between all stabilized buildings and 50%+ stabilized buildings. Meanwhile in the other boroughs, the difference in NOI growth is minimal, varying from 0.7 percentage points in Staten Island, 0.3

percentage points in Queens, 0.2 percentage points in Brooklyn, and just 0.1 percentage points in the Bronx.

Table 5

2015-2016 Longitudinal Change	Rent	Income	Costs	NOI
<b>Citywide</b>	3.3%	3.3%	2.3%	5.1%
20%+ Stabilized	3.3%	3.4%	2.2%	5.5%
50%+ Stabilized	3.3%	3.4%	1.6%	6.8%
80%+ Stabilized	3.1%	3.0%	1.5%	6.1%
<b>Manhattan</b>	3.2%	3.4%	2.7%	4.5%
20%+ Stabilized	3.2%	3.5%	2.6%	5.0%
50%+ Stabilized	3.4%	3.6%	1.3%	8.1%
80%+ Stabilized	2.7%	2.9%	1.0%	6.5%
<b>Bronx</b>	1.8%	1.8%	-0.4%	6.8%
20%+ Stabilized	1.8%	1.8%	-0.3%	6.8%
50%+ Stabilized	1.9%	1.9%	-0.3%	6.9%
80%+ Stabilized	1.9%	1.9%	-0.3%	7.1%
<b>Brooklyn</b>	4.1%	3.9%	3.4%	4.9%
20%+ Stabilized	4.1%	4.0%	3.3%	5.2%
50%+ Stabilized	4.1%	3.9%	3.3%	5.1%
80%+ Stabilized	3.9%	3.8%	3.3%	4.6%
<b>Queens</b>	4.1%	4.1%	2.7%	6.7%
20%+ Stabilized	4.1%	4.1%	2.6%	6.8%
50%+ Stabilized	4.0%	4.0%	2.3%	7.0%
80%+ Stabilized	3.9%	3.9%	2.3%	7.0%
<b>Staten Island</b>	2.6%	2.3%	3.7%	-0.2%
20%+ Stabilized	2.7%	2.3%	3.5%	0.0%
50%+ Stabilized	2.7%	2.3%	4.1%	-0.9%
80%+ Stabilized	2.4%	2.0%	5.0%	-3.0%
<b>Core Manhattan</b>	3.2%	3.4%	3.6%	3.0%
20%+ Stabilized	3.1%	3.4%	3.9%	2.8%
50%+ Stabilized	3.2%	3.5%	3.2%	4.0%
80%+ Stabilized	2.0%	2.1%	3.4%	0.3%
<b>Upper Manhattan</b>	3.3%	3.5%	0.5%	9.8%
20%+ Stabilized	3.4%	3.6%	0.4%	10.6%
50%+ Stabilized	3.5%	3.8%	-0.3%	13.2%
80%+ Stabilized	3.1%	3.5%	-0.5%	12.5%
<b>City w/o Core Manhattan</b>	3.3%	3.3%	1.5%	6.8%
20%+ Stabilized	3.4%	3.4%	1.5%	7.1%
50%+ Stabilized	3.3%	3.3%	1.3%	7.5%
80%+ Stabilized	3.2%	3.2%	1.3%	7.1%

Source: NYC Department of Finance, RPIE Filings. Notes: Data is not weighted, and therefore may differ from that reported in the 2018 Income & Expense Study. Data is not adjusted for the results of the 1992 NYC Department of Finance audit on I&E reported operating costs.

Location of Buildings by Stabilized Proportion

The following table illustrates the proportion of buildings that are stabilized in each category, broken down by location. It shows that outside Core Manhattan, the vast majority of stabilized buildings contain mostly stabilized units, while in Core Manhattan, stabilized buildings contain a large proportion of non-stabilized units. For instance, 84% of stabilized buildings in Upper Manhattan are 50%+ stabilized, 89% on Staten Island, 91% in Queens, 95% in Brooklyn, and 98% in the Bronx, but in Core Manhattan, only 38% of stabilized buildings contain 50%+ stabilized units. Similarly, 63% of stabilized buildings in Upper Manhattan are 80%+ stabilized, 79% in Queens, 85% on Staten Island, 90% in Brooklyn, and 94% in the Bronx, but in Core Manhattan, only 27% of stabilized buildings contain 80%+ stabilized units.

Table 6

Percentage of Buildings, by Stabilized Proportion	All Buildings Containing Stabilized Units	20%+ Stabilized	50%+ Stabilized	80%+ Stabilized
<b>Citywide</b>	100%	91%	80%	70%
Manhattan	100%	80%	54%	40%
Bronx	100%	99%	98%	94%
Brooklyn	100%	99%	95%	90%
Queens	100%	96%	91%	79%
Staten Island	100%	93%	89%	85%
Core Manhattan	100%	71%	38%	27%
Upper Manhattan	100%	97%	84%	63%
City w/o Core Manhattan	100%	98%	93%	84%

Source: NYC Department of Finance, RPIE Filings.

Distressed Properties

Buildings that have operating and maintenance costs that exceed gross income are considered distressed. The following table breaks down the proportion of distressed properties Citywide, in Core Manhattan and in the City excluding Core Manhattan. As the percentage of stabilized units in buildings located in Core Manhattan increases, so does the proportion of distressed buildings. For example, 6.1% of the buildings (173 buildings) that are at least 20% stabilized are distressed, while buildings that are at least 80% stabilized (80 buildings) have a higher rate of distress at 10.7%. Meanwhile, in the rest of the City there is virtually no difference.

Table 7

	All Buildings Containing Stabilized Units	20%+ Stabilized	50%+ Stabilized	80%+ Stabilized
<b>Distressed Proportion (Proportion of Buildings)</b>				
Citywide	4.9%	5.0%	5.1%	5.1%
Core Manhattan	5.1%	6.1%	8.7%	10.7%
City w/o Core Manhattan	4.8%	4.8%	4.7%	4.6%
<b>Distressed Proportion (Actual Building Counts)</b>				
Citywide	749	703	603	516
Core Manhattan	206	173	110	80
City w/o Core Manhattan	543	530	493	436

Source: NYC Department of Finance, RPIE Filings.

Changes in Housing Affordability

Looking at NYC's economy during 2017, it showed many strengths as compared with the preceding year. Positive indicators include growing employment levels, which rose for the eighth consecutive year, increasing 1.9% in 2017. The unemployment rate also fell, declining by 0.7 percentage points, to 4.5%, the lowest level recorded in at least the last 42 years. Gross City Product (GCP) also increased for the eighth consecutive year, rising in inflation-adjusted terms by 2.4% in 2017. The number of non-payment filings in Housing Court fell by 0.4%, and the evictions fell by 4.6%. There was also a decrease in cash assistance caseloads of 1.1%, while SNAP caseloads fell 1.5% and Medicaid enrollees fell 10.6%.

Negative indicators include the ninth consecutive year of increase in homeless levels, which rose to an average of 59,467 persons a night, an increase of 1.2% over 2016 levels. Inflation is growing at a faster pace, with a 2.0% increase during 2017, compared to 1.1% during 2016. The number of calendared cases in Housing Court also rose, increasing 9.0%, while personal bankruptcy filings rose 12.4%.

In addition, inflation-adjusted wages remained flat during the most recent 12-month period for which data is available (the fourth quarter of 2016 through the third quarter of 2017), rising just 0.03% over the corresponding time period of the prior year, although rising 2.0% in current dollars.

The most recent numbers, from the fourth quarter of 2017 (as compared to the fourth quarter of 2016), show many positive indicators, including cash assistance levels down 2.6%; SNAP recipients down 3.5%; employment levels up 1.7%, the unemployment rate down 0.7 percentage points; homeless rates down 0.01%; and GCP rising, by 1.2% in real terms. At the same time, the number of cases heard in Housing Court were up 0.3% and the number of non-payment filings in Housing Court were up 0.4%.<sup>18</sup>

**On April 11, 2018 the staff of the Rent Guidelines Board released a memo to Board members with additional information concerning the 2018 Income & Affordability Study. The memo follows:**

Memorandum

To: All Board Members  
 From: Danielle Burger  
 Date: April 11, 2018  
 Re: 2018 Income & Affordability Study Follow-up

18 This data is obtained from the Civil Court of the City of New York, which cannot provide exact "quarterly" data. The Court has 13 terms in a year, each a little less than a month long. This data is for terms 10-13, which is from approximately the middle of September through the end of the year. It is compared to the same period of the prior year.

At the April 5, 2018 *Income & Affordability Study (I&A)* presentation, four questions were asked for which an immediate answer could not be provided. Answers follow.

*Question 1: Can you provide Gross City Product (GCP) per capita?*

GCP data comes from the NYC Comptroller's office, which does not directly calculate GCP per capita. However, they provided population estimates from the U.S. Bureau of Economic Analysis (BEA), which are used by the BEA to estimate personal income per capita (and are the population estimates the Comptroller's office recommended using). Using these population estimates from the BEA, and GCP estimates from the Comptroller's office, GCP per capita data (in inflation-adjusted 2009 dollars) is provided below.

Year	GCP Per Capita (\$2009)	% change from previous year	Year	GCP Per Capita (\$2009)	% change from previous year
1990	\$52,675	--	2004	\$68,479	1.6%
1991	\$51,178	-2.8%	2005	\$71,373	4.2%
1992	\$51,103	-0.1%	2006	\$74,577	4.5%
1993	\$51,822	1.4%	2007	\$76,880	3.1%
1994	\$52,023	0.4%	2008	\$75,252	-2.1%
1995	\$53,288	2.4%	2009	\$73,172	-2.8%
1996	\$55,673	4.5%	2010	\$75,352	3.0%
1997	\$58,621	5.3%	2011	\$76,001	0.9%
1998	\$61,388	4.7%	2012	\$77,599	2.1%
1999	\$63,737	3.8%	2013	\$79,591	2.6%
2000	\$65,945	3.5%	2014	\$81,699	2.6%
2001	\$69,333	5.1%	2015	\$84,426	3.3%
2002	\$68,778	-0.8%	2016	\$86,326	2.3%
2003	\$67,387	-2.0%	2017	\$87,530	1.4%

Note that the GCP per capita estimates reported above are based in part on estimates of GCP by the Comptroller's office in March of 2018. The Comptroller's office regularly updates their estimates of GCP, dating back to 1990.

*Question 2: Can you provide household income from the NYC Housing and Vacancy Survey (HVS) by quintiles?*

Preliminary, summary, data was released from the 2017 HVS in February of 2018. The raw data has not yet been released to the public, so this statistic cannot yet be calculated by RGB staff. The question was forwarded to the NYC Department of Housing Preservation and Development (HPD) and will be provided to the Board if/when it is received from HPD or when the raw data from the HVS is released to the public.

*Question 3: Can you provide the number of vacant units in each rent range presented in the I&A report and presentation?*

Per the 2017 HVS, the data follows in the table below:

Rent Range	Number of Vacant Units	Vacancy Rate
Less than \$800	3,532	1.15%
\$800-\$999	4,527	2.09%
\$1,000-\$1,249	8,421	2.21%
\$1,250-\$1,499	8,731	2.93%
\$1,500 to \$1,999	17,185	4.11%
\$2,000-\$2,499	9,681	5.20%
\$2,500 or more	27,113	8.74%
All Rental Units	79,190	3.63%

*Question 4: The "Enhanced Real Property Tax Credit for Homeowners and Renters," offers a maximum tax credit of \$500 to NYC residents with household incomes of less than \$200,000 a year. How do you get the maximum \$500 credit?*

The amount of the credit is based on a number of factors – for each household, the amount of annual rent paid by that household, and the proportion of that rent to the household's annual income. There is also an adjustment of the credit based on the amount of annual household income, with households making less than \$100,000 getting the biggest credit proportionally, and households making between \$100,000 and \$149,999 getting a smaller proportional credit, and those households making between \$150,000 and \$199,999 getting the least, proportionally. Households making \$200,000 or more are not eligible for the credit.

While there is no single way to achieve the maximum credit of \$500, generally speaking the household would need to be making under \$100,000 a year (which are the households that receive the highest credit, proportionally) and have both an income near \$100,000 and a rent-to-income ratio near 100%. For instance, to achieve the maximum credit of \$500, a household making \$99,999 a year would need to spend 95.94% of their household income on rent. For those with lower incomes, the amount of the credit decreases, proportionally. A household making \$20,000 a year and spending the same proportion on income on rent would receive a \$100 credit. This is because the higher income household is spending five times the amount of money on rent that the lower income household is. Because households that make \$100,000 or more receive less of a credit proportionally, there is no mathematical way for these households to obtain the full credit.

**On June 11, 2018 the staff of the Rent Guidelines Board released a memo to Board members with additional information concerning the *Changes to the Rent Stabilized Housing Stock in NYC in 2017* study. The memo follows:**

*Memorandum*

To: All Board Members  
 From: Brian Hoberman  
 Date: June 11, 2018  
 Re: *Changes to the Rent Stabilized Housing Stock in NYC in 2017* Follow-up Memo

The Rent Guidelines Board asked staff for additional information related to the rent charged for apartments initially registered as rent stabilized. The following table shows the rent ranges for newly registered rent stabilized apartments from April 1, 2017 to March 30, 2018, the same period discussed in the most recent version of the *Changes* report:

Initial Registered Rent	# of Units	% of Units
\$3500 or more	3,689	35.7%
\$3000 - \$3500	922	8.9%
\$2500 - \$2999	1,196	11.6%
\$2000 - \$2499	862	8.4%
\$1500 - \$1999	1,597	15.5%
\$1000 - \$1499	1,164	11.3%
\$1000 or less	889	8.6%
	<b>10,319</b>	<b>100.0%</b>

Source: NYC Homes and Community Renewal (HCR)

**On May 23, 2018 the staff of the Rent Guidelines Board released a memo to Board members with additional data from NYS Homes and Community Renewal (HCR). The memo follows:**

*Memorandum*

To: All Board Members  
 From: Brian Hoberman  
 Date: May 23, 2018  
 Re: HCR Data History

The Rent Guidelines Board (RGB) asked staff to compile historical data provided to the RGB by NYS Homes and Community Renewal (HCR). We have included the number of registered stabilized units both originally reported and subsequently updated; overcharge complaint caseloads as of approximately April or May of each year; preferential rents and the percentage of apartments with preferential rents (based on the originally reported number of stabilized units); registered Individual Apartment Improvements (IAls); and Major Capital Improvements (MCIs) applied for and granted (in dollars), as well as the average MCI rent increase per room.

As the data shows, here are some general takeaways:

- The number of registered stabilized units (using the updated count) over the period since 2004 ranged from as few as 819,221 in 2009 to as many as 905,067 in 2014. The updated count reflects owners' late registrations.
- There is a clear upward trend in the proportion of stabilized units that charge preferential rents (using originally reported counts), rising from 16.3% in 2006 to 29.8% in 2017.
- The overcharge complaint caseload, with the unusual exception of 2017, has been in the thousands since 2008, compared to counts in the hundreds between 2003 to 2007.
- The average MCI increase per room has generally increased since 2013, when we first asked for this information, rising from \$8.71 to \$13.15 in 2017.
- The number of IAls has ranged between 12,797 and 19,475 each year since 2010, with no discernable trend.

	# of Registered Stabilized Units (Original Count)	# of Registered Stabilized Units (Updated Count)	Overcharge Complaints Caseloads	# of Preferential Rents Registered (Original Count)	# of Preferential Rents as % of Registrations Filed (Original Count)	MCI Total Amount Applied For	MCI Total Amount Granted	MCI Avg. Increase per/room
2017	856,267	-	997	255,481	29.8%	\$219,571,452	\$185,880,245	\$13.15
2016	842,144	890,439	2,185	252,763	30.0%	\$308,460,789	\$273,961,197	\$13.38
2015	839,164	896,758	2,578	248,873	29.7%	\$146,543,088	\$126,680,780	\$11.59
2014	839,797	905,067	2,589	238,573	28.4%	\$140,738,859	\$112,304,323	\$10.77
2013	832,105	900,808	3,078	232,126	27.9%	\$282,170,096	\$185,382,687	\$8.71
2012	823,919	901,381	3,035	221,376	26.9%	\$168,015,593	\$120,455,727	-
2011	814,500	896,747	2,521	203,408	25.0%	\$238,748,776	\$153,284,754	-
2010	803,753	891,403	2,074	189,368	23.6%	\$197,771,725	\$139,112,623	-
2009	808,643	819,221	1,815	164,442	20.3%	\$166,238,377	\$118,727,068	-
2008	821,876	853,066	1,038	154,900	18.8%	-	-	-
2007	836,004	860,876	867	150,184	18.0%	-	-	-
2006	838,592	870,072	607	136,665	16.3%	-	-	-
2005	849,582	875,709	848	-	-	-	-	-
2004	-	879,940	767	-	-	-	-	-

Source: NYS Homes and Community Renewal (HCR).

Notes: Overcharge complaint caseloads are as of April or May of each year. Additional years of overcharge complaint caseloads, not shown above: 1997: 8,878; 2000: 3,265; 2001: 1,216; 2002: 894; 2003: 824; and 2018: 2,211. In addition, other data not shown above was not requested by the RGB in those years, or in the case of 2018, is not yet available.

**Buildings with Different Fuel and Utility Arrangements**

The Board was also informed of the circumstances of buildings with different fuel and utility arrangements including buildings that are master-metered for electricity and that are heated with gas versus oil (see Table 8). Under some of the Board's Orders in the past, separate adjustments have been established for buildings in certain of these categories where there were indications of drastically different changes in costs in comparison to the generally prevailing fuel and utility arrangements. This year the Board did not make a distinction between guidelines for buildings with different fuel and utility arrangements under Order 50.

**Table 8**

Changes in Price Index of Operating Costs for Apartments in Buildings with Various Heating Arrangements, 2017-2018, and Commensurate Rent Adjustment		
Index Type	2017-18 Price Index Change	One-Year Rent Adjustment Commensurate With O&M to Income Ratio of .640
All Dwelling Units	4.5%	2.85%
Pre 1947	4.9%	3.11%
Post 1946	4.0%	2.54%
Oil Used for Heating	5.1%	3.23%
Gas Used for Heating	4.4%	2.79%

Note: The O&M to Income ratio is from the 2018 Income and Expense Study. Source: 2018 Price Index of Operating Costs

**Adjustments for Units in the Category of Buildings**

**Covered by Article 7-C of The Multiple Dwelling Law (Lofts)**

Section 286 sub-division 7 of the Multiple Dwelling Law states that the Rent Guidelines Board "shall annually establish guidelines for rent adjustments for the category of buildings covered by this article." In addition, the law specifically requires that the Board, "consider the necessity of a separate category for such buildings, and a separately determined guideline for rent adjustments for those units in which heat is not required to be provided by the owner, and may establish such separate category and guideline."

The increase in the Loft Index this year was 5.2%, 1.7 percentage points lower than the 6.9% increase in 2017. Increases in costs were seen in all eight components that make up this index. Fuel Costs witnessed the highest rise, increasing 19.6%, followed by increases in Taxes of 6.3%. More moderate increases were seen in Administrative Costs-Legal (4.5%), Labor Costs (3.8%), Maintenance (3.6%), Insurance Costs (3.3%) Administrative Costs-Other (1.0%) and Utilities (0.2%).

This year's guidelines for lofts are: 1.5% for a one-year lease and 2.5% for a two-year lease.

**Table 9**

Changes in the Price Index of Operating Costs for Lofts from 2017-2018	
	Loft O & M Price Index Change
All Buildings	5.2%

Source: 2018 Price Index of Operating Costs

**Special Guidelines for Vacancy Decoupled Units Entering the Stabilized Stock**

Pursuant to Section 26-513(b) of the New York City Administrative Code, as amended, the Rent Guidelines Board establishes a special guideline in order to aid the State Division of Housing and Community Renewal in determining fair market rents for housing accommodations that enter the stabilization system. This year, the Board set the guidelines at 39% above the Maximum Base Rent.

The Board concluded that for units formerly subject to rent control, 39% above the maximum base rent was a desirable minimum increase.

**INCREASE FOR UNITS RECEIVING PARTIAL TAX EXEMPTION, PURSUANT TO SECTION 421 AND 423 OF THE REAL PROPERTY TAX LAW**

The guideline percentages for 421-A and 423 buildings were set at the same levels as for leases in other categories of stabilized apartments.

This Order does not prohibit the inclusion of the lease provision for an annual or other periodic rent increase over the initial rent at an average rate of not more than 2.2 per cent per annum where the dwelling unit is receiving partial tax exemption pursuant to Section 421-A of the Real Property Tax Law. The cumulative but not compound charge of up to 2.2 per cent per annum as provided by Section 421-A or the rate provided by Section 423 is in addition to the amount permitted by this Order.

**Vacancy Allowance**

The vacancy allowance is now determined by a formula set forth in the State Rent Regulation Reform Act of 1997 and the Rent Act of 2015, not by the Orders of the Rent Guidelines Board.

**Sublet Allowance**

The increase landlords are allowed to charge under Order #50 when a rent stabilized apartment is sublet by the primary tenant to another tenant on or after October 1, 2018 and on or before September 30, 2019 shall be 10%.

**Votes**

The votes of the Board on the adopted motion pertaining to the provisions of Order #50 were as follows:

	Yes	No	Abstentions
Guidelines for Apartment Order #50	5	4	--

Dated: June 27, 2018  
Filed with the City Clerk: June 28, 2018

Hon. Kathleen A. Roberts (Ret.)  
Chair  
NYC Rent Guidelines Board



**BIBLIOGRAPHY**

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**NEW YORK CITY RENT GUIDELINES BOARD**

**2018 Hotel Order #48**

**June 26, 2018**

**Order Number 48 - Hotels, Rooming Houses, Single Room Occupancy Buildings and Lodging Houses.** Rent levels to be effective for leases commencing **October 1, 2018** through **September 30, 2019**.

**NOTICE IS HEREBY GIVEN, PURSUANT TO THE AUTHORITY VESTED IN THE NEW YORK CITY RENT GUIDELINES BOARD BY THE RENT STABILIZATION LAW OF 1969, as amended, and the Emergency Tenant Protection Act of 1974, as amended and implemented by Resolution No. 276 of 1974 of the New York City Council, and in accordance with the requirements of Section 1043 of the New York City Charter, that the Rent Guidelines Board hereby adopts the following levels of fair rent increases over lawful rents charged and paid on September 30, 2018.**

APPLICABILITY

This order shall apply to units in buildings subject to the Hotel Section of the Rent Stabilization Law (Sections 26-504(c) and 26-506 of the N.Y.C. Administrative Code), as amended, or the Emergency Tenant Protection Act of 1974 (L.1974, c. 576 §4[§5(a)(7)]). With respect to any tenant who has no lease or rental agreement, the level of rent increase established herein shall be effective as of one year from the date of the tenant's commencing occupancy, or as of one year from the date of the last rent adjustment charged to the tenant, or as of **October 1, 2018**, whichever is later. This anniversary date will also serve as the effective date for all subsequent Rent Guidelines Board Hotel Orders, unless the Board shall specifically provide otherwise in the Order. Where a lease or rental agreement is in effect, this Order shall govern the rent increase applicable on or after **October 1, 2018** upon expiration of such lease or rental agreement, but in no event prior to one year from the commencement date of the expiring lease, unless the parties have contracted to be bound by the effective date of this Order.

RENT GUIDELINES FOR HOTELS, ROOMING HOUSES, SINGLE ROOM OCCUPANCY BUILDINGS AND LODGING HOUSES

Pursuant to its mandate to promulgate rent adjustments for hotel units subject to the Rent Stabilization Law of 1969, as amended, (§26-510(e) of the N.Y.C. Administrative Code) the Rent Guidelines Board hereby **adopts** the following rent adjustments:

The allowable level of rent adjustment over the lawful rent actually charged and paid on **September 30, 2018** shall be:

- 1) Residential Class A (apartment) hotels - **0%**
- 2) Lodging houses - **0%**
- 3) Rooming houses (Class B buildings containing less than 30 units) - **0%**
- 4) Class B hotels - **0%**
- 5) Single Room Occupancy buildings (MDL Section 248 SRO's) - **0%**

NEW TENANCIES

No "vacancy allowance" is permitted under this order. Therefore, the rents charged for tenancies commencing on or after **October 1, 2018** and on or before **September 30, 2019** may not exceed the levels over rentals charged on **September 30, 2018** permitted under the applicable rent adjustment provided above.

ADDITIONAL CHARGES

It is expressly understood that the rents collectible under the terms of this Order are intended to compensate in full for all services provided without extra charge on the statutory date for the particular hotel dwelling unit or at the commencement of the tenancy if subsequent thereto. No additional charges may be made to a tenant for such services, however such charges may be called or identified.

STATEMENT OF BASIS AND PURPOSE

The Rent Guidelines Board is authorized to promulgate rent guidelines governing hotel units subject to the Rent Stabilization Law of 1969, as amended, and the Emergency Tenant Protection Act of 1974, as amended. The purpose of these guidelines is to implement the public policy set forth in Findings and Declaration of Emergency of the Rent Stabilization Law of 1969 (§26-501 of the N.Y.C. Administrative Code) and in the Legislative Finding contained in the Emergency Tenant Protection Act of 1974 (L.1974 c. 576, §4 [§2]).

Dated: June 26, 2018

Hon. Kathleen A. Roberts (Ret.), Chair  
 New York City Rent Guidelines Board

**EXPLANATORY STATEMENT - HOTEL ORDER #48**

**Explanatory Statement and Findings of the Rent Guidelines Board In Relation to 2018-19 Lease Increase Allowances for Hotels Under the Jurisdiction of the Rent Stabilization Law**

Explanatory Statement and Findings of the Rent Guidelines Board Concerning Increase Allowances for Hotel Units Under the Jurisdiction of the Rent Stabilization Law, Pursuant to Hotel Order Number 48, Effective October 1, 2018 through and including September 30, 2019.<sup>19</sup>

Pursuant to the authority vested in it by the Rent Stabilization Law of 1969 and the Emergency Tenant Protection Act of 1974, implemented by Resolution Number 276 of 1974 of the New York City Council, and extended by the Rent Act of 2015, it is the responsibility of the Rent Guidelines Board to establish guidelines for hotel increases. Hotel Order Number 48, adopted on June 26, 2018, applies to stabilized hotel units occupied by non-transient tenants.

Hotel Order Number 48 provides for an allowable increase of 0% over the lawful rent actually charged and paid on September 30, 2018 for rooming houses, lodging houses, Class B hotels, single room occupancy buildings, and Class A residential hotels. The Order does not limit rental levels for commercial space, non-rent stabilized residential units, or transient units in hotel stabilized buildings during the guideline period. The Order also provides that for any dwelling unit in a hotel stabilized building which is voluntarily vacated by the tenant thereof, the level of rent increase governing a new tenancy shall be the same as the guideline for rent increases set forth above.

**SPECIAL NOTE**

In the past the Board has adopted rent increases to the rent stabilized hotel universe. In recent years, when increases were granted, the Board adopted a proviso that was designed to deny owners from taking these increases under certain conditions. Since the Board voted a 0% increase for all classifications of rent stabilized hotels, this proviso is not included in Hotel Order 48. In the event that increases are considered for subsequent Hotel Orders, at such time the current members of the Rent Guidelines Board urge future Boards to consider reinstating this proviso or some form thereof. Below is the proviso and explanatory language previously adopted in Hotel Order 41:

Rooming house, lodging house, Class B hotel, single room occupancy building, and Class A residential hotel owners shall not be entitled to any of the above rent adjustments, and shall receive a **0% percent adjustment** if permanent rent stabilized or rent controlled tenants paying no more than the legal regulated rent, at the time that any rent increase in this Order would otherwise be authorized, constitute fewer than **85%** of all units in a building that are used or occupied, or intended, arranged or designed to be used or occupied in whole or in part as the home, residence or sleeping place of one or more human beings.

19 This Explanatory Statement explains the actions taken by the Board on individual points and reflects the general views of those voting in the majority. It is not meant to summarize all viewpoints expressed.

The following outlines the Rent Guidelines Board's intent of the above proviso:

The Board's intention for the meaning of this proviso is that ALL dwelling units in the hotel, whether occupied, vacant, rented to tourists, transients, contract clients, students or other non-permanent tenants, or to permanent rent stabilized tenants, be counted in the denominator of the calculation. The only type of units in the hotel that may be excluded from the denominator are units that are used as stores or for similar business purposes such as a doctor's office. The numerator of the calculation is the number of units occupied by permanent rent stabilized or rent controlled tenants.

*Here are two examples. One: a hotel has 100 units and 2 stores. 32 units are rented to permanent rent stabilized tenants, 10 are vacant and 58 are rented to transients and tourists. The calculation is as follows, the denominator is 100 and the numerator is 32. This calculation results in an occupancy percentage of LESS than 85% under the formula (32%) and an increase CANNOT be taken for the permanent stabilized tenants.*

*Two: a hotel has 150 units, 2 of which are used by a dentist and a doctor for their businesses, 8 are rented to tourists, 5 are vacant and 135 are occupied by permanent rent stabilized tenants. The denominator would be 148 and the numerator would be 135. This calculation results in an occupancy percentage of GREATER than 85% under the formula (91%) and an increase CAN be taken for the permanent stabilized tenants.*

## DEFINITIONS

For the purpose of determining the appropriate classification of a hotel stabilized unit, the Board has set its definitions as follows:

- Residential hotels are "apartment hotels" which are designated as Class A multiple dwellings on the Certificate of Occupancy.
- Rooming houses are Class B multiple dwellings having fewer than thirty sleeping rooms as defined in Section 4(13) of the multiple dwelling law.
- A single room occupancy building is a Class A multiple dwelling which is either used in whole or in part for single room occupancy or as a furnished room house, pursuant to Section 248 of the multiple dwelling law.
- A Class B hotel is a hotel, which carries a Class B Certificate of Occupancy and contains units subject to rent stabilization.
- Lodging houses are those buildings designated as lodging houses on the Certificate of Occupancy.

## BACKGROUND

Public meetings of the Board were held on March 8; April 5, 12 and 19; and May 24, 2018 following public notices. On April 26, the Board adopted proposed rent guidelines for hotels, apartments, and lofts.

Five public hearings were held on June 7, June 11, June 13, June 19, and June 21, 2018 to hear comments on the proposed rent adjustments for rent stabilized hotels and apartments. The hearings were held from 5:40 P.M. to 9:20 P.M. on June 7, 5:20 P.M. to 10:00 P.M. on June 11, 5:05 P.M. to 8:15 P.M. on June 13, 4:10 P.M. to 8:00 P.M. on June 19, and from 5:25 P.M. to 8:30 P.M. on June 21. The Board heard testimony from approximately six hotel tenants and tenant representatives, no hotel owners, and one public official. In addition, the Board's office received approximately five written statements from tenants and tenant representatives, no hotel owners, and one public official. On June 26, 2018, the guidelines set forth in Hotel Order Number 48 were adopted.

## Selected Oral and Written Testimony from Tenants and Tenant Groups:

- "Last year the Board voted for a 0% rent increase for SROs. The basic economic realities of SRO tenants and owners have not changed in the last 12 months. Mobilization for Justice therefore supports the position that the Board should decline to approve a rent increase for 2018-2019."
- "SROs are housing of last resort for poor New Yorkers. They are the safety net at the bottom of the market that keeps thousands of people off the street and out of shelters. Unfortunately, this safety net is steadily fraying. When we testified before this body last year, over 60,000 people in New York City were sleeping in homeless shelters each night. Unfortunately, this grim statistic remains unchanged. SRO tenants are amongst New York City's poorest residents, and a rent increase for SROs would likely push more of these tenants out of their homes and into the shelter system."
- "The majority of SRO tenants live below the poverty line. They pay a disproportionate percentage of the little income they have toward rent. Since the mid-1990s, SRO tenants' rent burdens have actually increased as rent increases have far outstripped income growth. The average SRO tenant now pays around 50% of his/her income toward rent and approximately one-quarter to one-third pay in excess of 70%.

This situation is largely a consequence of the fact that SRO tenants, already positioned at the bottom of the housing market, cannot relocate in response to rent increases, and can seldom afford to upgrade to a full studio or apartment."

– "Tenants in my building have been through much over the years but we have endured. In part, this has been due to the RGB granting zero or modest increases with provisos, thereby keeping our rents affordable."

– "I could talk to you about the beauty of the form of life, and a form of apartment living in New York that is fast diminishing and disappearing, but that we still call home. We recognize that our landlords are the owners of our buildings, but these are our homes and we are fighting for them. And, so I guess my point is to simply say, thank you for the years that you have voted for a zero percent increase and for proposing the same this year. We truly appreciate it."

## Selected Oral and Written Testimony from Owners and Owner Groups:

– "For whatever reason over the last years the Rent Guidelines Board has decided that, except for three specific years where there were increases permitted with the proviso that the tenant reps talked about, to give a zero percent increase. Now, from an owner perspective, I can tell you that if you have an SRO and year after year you're going to get a 0% increase, you should not be surprised that the result from the owner community is going to be warehousing, looking for government contracts, looking for colleges. If you would have had the same policy towards the apartment, that sector of the market, you'd see the same thing."

– "In prior years, the proviso that the tenant reps referred to was included whenever the Board granted an increase, and I think that's not a bad idea. There should be an attempt, because of what's going on in the market and the perceived abuses, for the Board to distinguish between SRO owners, hotel owners, that are operating legally and those that are not operating legally."

– "With respect to any specific proposal, I think the Board should permit an increase to SRO unit owners on new leases. They should permit a vacancy increase. They should recognize the fact that they two types of housing we're operating legally are basically the same, basically should be treated similarly, and the disparate treatment which has been the mark of the Board for so many years should stop."

## Selected Oral and Written Testimony from Public Officials:

– "Finally, I thank the Board for maintaining SRO rents at the level of 0% increase for another year, which extends protection to this particularly vulnerable population of rent-stabilized tenants."

## MATERIAL CONSIDERED BY THE BOARD

In addition to oral and written testimony presented at its public hearing, the Board's decision is based upon material gathered from the 2018 Price Index of Operating Costs, prepared by the staff of the Rent Guidelines Board, reports and testimony submitted by owner and tenant groups relating to the hotel sector, and reports submitted by public agencies. The Board heard and received written testimony from invited guest speakers on April 19, 2018. Guest speakers representing hotel tenants included Lana L. Pelletier McCrea, from the Goddard-Riverside SRO Law Project, Brian Sullivan from Mobilization for Justice, Inc., and Larry Wood from the Goddard Riverside Law Project. Attorney Solomon Borg represented hotel owners at this meeting.

## FINDINGS OF THE RENT GUIDELINES BOARD

### Rent Guidelines Board Research

The Rent Guidelines Board based its determination on its consideration of the oral and written testimony noted above, as well as upon its consideration of statistical information prepared by the RGB staff set forth in these findings and the following reports:

1. 2018 Mortgage Survey Report, April 2018 (An evaluation of recent underwriting practices, financial availability and terms, and lending criteria);
2. 2018 Income and Affordability Study, April 2018 (Includes employment trends, housing court actions, changes in eligibility requirements and public benefit levels in New York City);
3. 2018 Price Index of Operating Costs, April 2018 (Measures the price change for a market basket of goods and services which are used in the operation and maintenance of stabilized hotels);
4. 2018 Housing Supply Report, May 2018 (Includes information on the conversion of Hotels to luxury apartments and transient use, new housing construction measured by certificates of occupancy in new buildings and units authorized by new building permits, tax abatement and exemption programs, and cooperative and condominium conversion and construction activities in New York City); and,

5. *Changes to the Rent Stabilized Housing Stock in NYC in 2017, May 2018* (A report quantifying all the events that lead to additions to and subtractions from the rent stabilized housing stock).

The five reports listed above may be found in their entirety on the RGB's website, [www.nyc.gov/rgb](http://www.nyc.gov/rgb), and are also available at the RGB offices, 1 Centre St., Suite 2210, New York, NY upon request.

**Price Index of Operating Costs for Rent Stabilized Hotel Units**

The Hotel Price Index includes separate indices for each of three categories of rent stabilized hotels (due to their dissimilar operating cost profiles) and a general index for all rent stabilized Hotels. The three categories of hotels are: 1) "traditional" hotels — a multiple dwelling that has amenities such as a front desk, maid or linen services; 2) Rooming Houses — a multiple dwelling other than a hotel with thirty or fewer sleeping rooms; and 3) single room occupancy hotels (SROs) — a multiple dwelling in which one or two persons reside separately and independently of other occupants in a single room.

The Price Index for all rent stabilized Hotels increased 3.9% this year, a 2.4 percentage point difference from the 6.3% rise in 2017. It is important to note that the Hotel PIOC was not reweighted using the most current Real Property Income and Expense (RPIE) data. However, in order to maintain symmetry between indices, the expense items were aligned to the seven components now used in the Apartment PIOC. The realignment of the hotel expenditure items had no impact on the change in the overall PIOC, which would have remained 3.9% if the old alignments were used.

This year there were increases in all seven of the PIOC Hotel components. The Fuel component witnessed the highest increase, rising 15.1%. The Fuel component accounts for nearly 14% of the entire Hotel Index. The remaining six components witnessed more moderate cost increases, with Labor Costs rising 4.0%, Maintenance 3.8%, Insurance Costs 3.3%, Taxes 1.3%, Utilities 1.2% and Administrative Costs 0.3%. See the table on the next page for changes in costs and prices for all rent stabilized hotels from 2017-2018.

Among the different categories of Hotels, the index for "traditional" hotels increased 1.9%, Rooming Houses by 6.0%, and SROs by 5.5%.

**Percent Change in the Components of the Price Index of Operating Costs March 2017 to March 2018, By Hotel Type and All Hotels**

Item Description	All Hotels	Hotel	Rooming House	SRO
TAXES	1.3%	-1.4%	5.8%	3.9%
LABOR COSTS	4.0%	3.8%	4.0%	4.3%
FUEL	15.1%	14.5%	18.9%	14.9%
UTILITIES	1.2%	0.4%	2.8%	0.7%
MAINTENANCE	3.8%	3.8%	3.6%	3.3%
ADMINISTRATIVE COSTS	0.3%	-0.1%	1.5%	1.1%
INSURANCE COSTS	3.3%	3.3%	3.3%	3.3%
<b>ALL ITEMS</b>	<b>3.9%</b>	<b>1.9%</b>	<b>6.0%</b>	<b>5.5%</b>

Source: 2018 Price Index of Operating Costs

**Changes in Housing Affordability**

Preliminary results from the 2017 Housing and Vacancy Survey were released in February of 2018, and showed that the vacancy rate for New York City is 3.63%. Approximately 44% of renter households in NYC are rent stabilized, with a vacancy rate of 2.06%. The survey also shows that the median household income in 2016 was \$44,560 for rent stabilized tenants, versus \$47,200 for all renters. The median gross rent for rent stabilized tenants was also lower than that of all renters, at \$1,375 versus \$1,450 for all renters. And rent stabilized tenants saw a median gross rent-to-income ratio of 36.0% in 2017, compared to 33.7% for all renters.<sup>20</sup>

Looking at NYC's economy during 2017, it showed many strengths as compared with the preceding year. Positive indicators include growing employment levels, which rose for the eighth consecutive year, increasing 1.9% in 2017.<sup>21</sup> The unemployment rate also fell, declining

20 "Selected Initial Findings of the 2017 New York City Housing and Vacancy Survey." NYC Department of Housing Preservation and Development. February 9, 2018.

21 NYS Dept. of Labor; <http://www.labor.state.ny.us>; Data accessed March 2018. Data is revised annually and may not match data reported in prior years.

by 0.7 percentage points, to 4.5%, the lowest level recorded in at least the last 42 years.<sup>22</sup> Gross City Product (GCP) also increased for the eighth consecutive year, rising in inflation-adjusted terms by 2.4% in 2017.<sup>23</sup> The number of non-payment filings in Housing Court fell by 0.4%,<sup>24</sup> and the evictions fell by 4.6%.<sup>25</sup> There was also a decrease in cash assistance caseloads of 1.1%, while SNAP caseloads fell 1.5% and Medicaid enrollees fell 10.6%.<sup>26</sup>

Negative indicators include the ninth consecutive year of increase in homeless levels, which rose to an average of 59,467 persons a night, an increase of 1.2% over 2016 levels.<sup>27</sup> Inflation is growing at a faster pace, with a 2.0% increase during 2017, compared to 1.1% during 2016.<sup>28</sup> The number of calendared cases in Housing Court also rose, increasing 9.0%, while personal bankruptcy filings rose 12.4%.<sup>29</sup>

In addition, inflation-adjusted wages remained flat during the most recent 12-month period for which data is available (the fourth quarter of 2016 through the third quarter of 2017), rising just 0.03% over the corresponding time period of the prior year, although rising 2.0% in current dollars.<sup>30</sup>

The most recent numbers, from the fourth quarter of 2017 (as compared to the fourth quarter of 2016), show many positive indicators, including cash assistance levels down 2.6%; SNAP recipients down 3.5%; employment levels up 1.7%, the unemployment rate down 0.7 percentage points; homeless rates down 0.01%; and GCP rising, by 1.2% in real terms. At the same time, the number of cases heard in Housing Court were up 0.3%<sup>31</sup> and the number of non-payment filings in Housing Court were up 0.4%.<sup>32</sup>

**Consumer Price Index**

The Board reviewed the Consumer Price Index. The table that follows shows the percentage change for the NY-Northeastern NJ Metropolitan area since 2010.

Percentage Changes in the Consumer Price Index for the New York City - Northeastern New Jersey Metropolitan Area, 2010-2018 (For "All Urban Consumers")									
	2010	2011	2012	2013	2014	2015	2016	2017	2018
1st Quarter Avg. <sup>33</sup>	2.1%	2.0%	2.7%	2.1%	1.4%	-0.2%	0.7%	2.5%	1.6%
Yearly Avg.	1.7%	2.8%	2.0%	1.7%	1.3%	0.1%	1.1%	2.0%	NA

Source: U.S. Bureau of Labor Statistics.

- 22 NYS Dept. of Labor; <http://www.labor.state.ny.us>; Data accessed March 2018. Data is revised annually and may not match data reported in prior years.
- 23 Data from the NYC Comptroller's Office as of March, 2018. GCP figures are adjusted annually by the New York City Comptroller's Office. The figures in this report are the latest available estimate from that office, based on inflation adjusted 2009 chained dollars.
- 24 Civil Court of the City of New York data.
- 25 NYC Department of Investigation, Bureau of Auditors data.
- 26 New York City Human Resources Administration. HRA Charts: <http://www.nyc.gov/html/hra/html/facts/charts.shtml>
- 27 Data from the Policy & Planning Office of the NYC Dept. of Homeless Services (DHS), DHS daily reports, and monthly Citywide Performance Reporting reports. Note that the NYC Department of Housing Preservation and Development, the NYC Department of Youth and Community Development, and the NYC Human Resources Administration also operate emergency shelters, which house approximately 5,000 persons per night.
- 28 Bureau of Labor Statistics; <http://www.bls.gov>; Data accessed March, 2018.
- 29 Civil Court of the City of New York data.
- 30 NYS Dept. of Labor; <http://www.labor.state.ny.us>; Data accessed March 2018. Data is revised annually and may not match data reported in prior years.
- 31 This data is obtained from the Civil Court of the City of New York, which cannot provide exact "quarterly" data. The Court has 13 terms in a year, each a little less than a month long. This data is for terms 10-13, which is from approximately the middle of September through the end of the year. It is compared to the same period of the prior year.
- 32 See Endnote 13.
- 33 1st Quarter Average refers to the change of the CPI average of the first three months of one year to the average of the first three months of the following year.

**Effective Rates of Interest**

The Board took into account current mortgage interest rates and the availability of financing and refinancing. It reviewed the staff's 2018 Mortgage Survey Report of lending institutions. The table below gives the reported rate and points for the past ten years as reported by the Mortgage Survey.

2018 Mortgage Survey <sup>34</sup> Average Interest Rates and Points for New and Refinanced Permanent Mortgage Loans 2009-2018										
New Financing of Permanent Mortgage Loans, Interest Rate and Points										
	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Avg. Rates	6.5%	6.3%	5.8%	4.6%	4.4%	4.9%	4.3%	4.0%	4.3%	4.8%
Avg. Points	0.62	0.79	0.61	0.63	0.59	0.54	0.70	0.42	0.44	0.44
Refinancing of Permanent Mortgage Loans, Interest Rate and Points										
	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Avg. Rates	6.5%	6.3%	5.7%	4.7%	4.4%	4.9%	--*	--*	--*	--*
Avg. Points	0.62	0.83	0.61	0.63	0.40	0.50	--*	--*	--*	--*

Source: 2009–2018 Annual Mortgage Surveys, RGB.

\* Questions specific to refinancing are no longer asked on the survey.

**SRO Housing and Airbnb Rentals**

Conversion of single room occupancy (SRO) buildings also continued over the past year. SRO owners may convert SRO housing to other uses after obtaining a "Certificate of No Harassment" from HPD. Following a small decrease of 1.8% in 2016, the number of approved certificates fell again in 2017, from 162 in 2016 to 92 in 2017, a decrease of 43.2%.<sup>35</sup> Efforts are also underway to ensure that SROs are used for permanent housing rather than as transient hotels. As of May 1, 2011, laws were newly passed strengthening the City's ability to crack down on housing being used illegally for transient occupancy. Transient occupancy is now clearly defined as stays of fewer than 30 days.<sup>36</sup> Governor Cuomo signed a bill in October of 2016 that further increased the fine for illegally advertising short-term rentals to as much as \$7,500.<sup>37</sup> Between May of 2011 and April of 2018, 13,087 violations were issued to illegal hotel operators (including private apartments, hostels, and SROs). This includes 3,550 violations issued between May, 2017 and April, 2018), an increase of 99.2% over the same time period of the prior year.<sup>38</sup>

The effect of Airbnb, a company which facilitates short-term and vacation rentals worldwide, continues to be studied by various City agencies and interest groups. A study published in January of 2018 analyzed Airbnb activity in the New York City metro region for the time period of September 2014 through August 2017. Among that report's key finding, the researchers found that just over half of all listings (accounting for two-thirds of all revenue) were likely from illegal listings. The report also found that between 7,000 and 13,500 units of housing have been removed from the New York City permanent rental market and by reducing the housing supply, the median rent in New York City increased by 1.4% more over three years than it would have absent the effect of Airbnb.<sup>39</sup>

An April 2018 report from the NYC Comptroller's Office analyzed rent data from the Census Bureau's annual American Community Survey

34 Institutions were asked to provide information on their "typical" loan to rent stabilized buildings. Data for each variable in any particular year and from year to year may be based upon responses from a different number of institutions.

35 NYC Department of Housing Preservation and Development.

36 Mayor Bloomberg Announces Results of City's Efforts to Curb Dangerous Illegal Hotels in New York City After State Legislation Enhances Enforcement Abilities." Mayor's Office Press Release 157-12. April 27, 2012.

37 "Cuomo signs bill that deals huge blow to Airbnb," New York Post, October 21, 2016.

38 Office of the Criminal Justice Coordinator, Mayor's Office of Special Enforcement. Inclusive of data through April 30, 2018.

39 "The High Cost of Short-Term Rentals in New York City." McGill University, January 30, 2018.

from 2009 through 2016 and used a regression analysis to estimate the effect that Airbnb had on rents. While there were Airbnb listings in every neighborhood of NYC, half the listings in 2016 were concentrated in just seven neighborhoods of Manhattan and Brooklyn. In these seven neighborhoods, the average monthly rent rose from between 21.4% and 62.6% between 2009 and 2016, and anywhere from 10.7% to 21.6% of this increase was attributed to the effect of Airbnb removing units from the permanent rental housing stock. On the whole, the report found that for each one percent of housing units listed on Airbnb, rents in the neighborhood rose 1.58%. The report attributes 9.2% of the citywide increase in rental costs between 2009 and 2016 to Airbnb, or an additional \$616 million in rent.<sup>40</sup>

**OTHER RELEVANT INFORMATION**

The NYS Division of Housing and Community Renewal released a memo to the Board dated April 11, 2018 in which they outline information from their registration database relating to Hotels/SROs/Rooming Houses. The following is an excerpt from that memo (Pages 3-4):

10. What is the total number of SRO/Hotel units registered with the DHCR in 2017? How many of these units are rent stabilized? How many are temporarily and permanently exempt? How many are registered as transient? How many as vacant?

<b>Rent Stabilized Units</b>	<b>10,872</b>
<b>Vacant Units</b>	<b>1,113</b>
<b>Temporary Exempts Units</b>	<b>4,171</b>
<b>*of these 2,778 are Transient Units</b>	
<b>Permanent Exempt Units</b>	<b>313</b>
<b>Total Number of Units</b>	<b>16,469</b>

11. What is the total number of SRO/Hotel units registered with the DHCR on an annual basis from 2009-2017?

- In 2009 the total number of units registered was 22,250
- In 2010 the total number of units registered was 22,587
- In 2011 the total number of units registered was 22,254
- In 2012 the total number of units registered was 21,473
- In 2013 the total number of units registered was 17,792
- In 2014 the total number of units registered was 18,787
- In 2015 the total number of units registered was 18,322
- In 2016 the total number of units registered was 13,175 and
- In 2017 the total number of units registered was 11,846

12. What is the average and median rent for rent stabilized SRO/Hotel units in 2017?

- The average rent stabilized rent in buildings due to SRO/Hotel is \$1,793; the median rent is \$1,158.

**On May 31, 2018, staff released a memo to the Board analyzing hotel data contained in the NYS Division of Housing and Community Renewal's 2016 and 2017 apartment and building registration databases. Below is the memo in its entirety.**

Since 2007, Rent Guidelines Board staff has periodically<sup>41</sup> analyzed registration data<sup>42</sup> filed with New York State Homes and Community Renewal (HCR) by owners of hotels and rooming houses.<sup>43</sup> This memorandum sets forth staff's most recent analysis, which includes data on rent levels for rent stabilized units in hotels and rooming houses identified from HCR registration filings for 2016 and 2017.<sup>44</sup>

This analysis incorporates and applies a methodology for identifying hotels and rooming houses set forth in the staff memorandum dated June 12, 2017 (copy attached). The 2017 analysis attempted to identify registration errors in the HCR records with respect to the type of

40 "The Impact of Airbnb on NYC Rents." NYC Comptroller's Office, April 2018.

41 Previous memos are from June 4, 2007; June 4, 2009; June 12, 2012; June 4, 2013; May 22, 2015; and June 12, 2017 which analyzed hotel registration data filed with the NYS Homes and Community Renewal (HCR) in 2005, 2008, 2011, 2012, 2014, and 2015/2016 respectively.

42 Each year owners are required to provide HCR with listings of every rent stabilized unit in their buildings, including the rent level and whether the unit is currently rent stabilized, vacant, or permanently or temporarily exempt.

43 Single Room Occupancy (SRO) residence is not a category available for registration. SRO residences would most commonly be registered as a hotel.

44 Because the 2017 registration data is not final, two years of registration data were examined to capture buildings that may not appear in the 2017 data due to late registration. Note also that HCR registration filings may not reflect a complete count of hotels and rooming houses, as not all owners register their buildings, may register late, or may fail to correctly identify a building as a hotel or rooming house.

the building reported by owners in order to compile a more accurate list of hotels and rooming houses.<sup>45</sup> At that time staff identified and reported data on 174 rooming houses and 83 hotels based upon an examination of 2015 and 2016 HCR registration filings. This analysis updates the June 12 memorandum by examining data from the 2016 and 2017 HCR registration files. Staff searched the 2017 HCR registration files for the same group of buildings identified in the June 12 memorandum; if a building could not be found it was searched for in the 2016 HCR registration files. This analysis identified 148 rooming houses and 74 hotels for which information, including available rent data, is provided below.<sup>46</sup>

**Rooming Houses**

As noted above, staff identified 148 rooming house buildings in the 2016 and 2017 HCR registration files, a decrease from the 174 identified in the 2017 memo.<sup>47</sup> These 148 buildings contained a total of 3,646 housing units.<sup>48</sup> By category, 2,657 (72.9%) of these units were registered as “rent stabilized” (indicating that they were occupied by a rent stabilized tenant at the time of registration). HCR files contain rent information for 2,655 of these units. With respect to the remaining units, 500 units (13.7%) are reported as “temporarily exempt,” 460 units (12.6%) as “vacant,” and 29 units (0.8%) as “permanently exempt.” Among the temporarily exempt units, the most common reason given for the exemption is “Hotel/SRO (Transient)” (39.8% of temporarily exempt units). The second most common reason is “Not Prime Residence” (36.0% of temporarily exempt units), followed by “Owner/Employee Occupied” (22.6% of temporarily exempt units). Of the 148 buildings identified for this analysis, 21 (14.2%) consist entirely of exempt and/or vacant units (349 units or 9.6% of total units). In addition, 75 of these 148 buildings (50.7%) contain less than 85%<sup>49</sup> permanently stabilized units. These 75 buildings contain 1,320 units (36.2% of total units).

**Table 1** shows the number of rent stabilized rooming house units and buildings that registered legal rents with HCR in 2016/2017. Legal rents are the maximum amount that an owner can charge to tenants (or potentially to government agencies subsidizing tenants), but do not necessarily reflect what a tenant is actually paying. Table 1 also provides the median and average legal rents for these units, Citywide.

**Table 1: 2016/2017<sup>50</sup> Median and Average “Legal” Rents for Rooming House Units Identified as Rent Stabilized (excludes exempt and vacant units)**

	# of Stabilized Units	# of Stabilized Buildings	Median Legal Rent	Average Legal Rent
Citywide	2,655	127	\$1,000	\$1,032

Source: 2016 and 2017 HCR Building and Apartment Registration filings

- 45 It is important to note that prior to 2017, staff had relied on owners to provide correct information regarding the type of building being registered. In some cases, staff individually examined selected records with especially high rent levels to determine if the building was in fact a hotel or rooming house, and then omitted these records from the analysis if it was found to be incorrectly registered. However, as a general rule, staff used the building type information reported by owners without any secondary checks.
- 46 Rent data was used from 2017 registration files where available, and from 2016 only if the building was not registered in 2017.
- 47 Using the list of buildings identified in 2017 as a starting point, staff searched the most recent HCR registration records, from 2017 (as released to the RGB in February of 2018), for the 174 buildings identified in the 2017 memo. A total of 120 buildings that were previously identified as rooming houses were contained in the most recent registration filings available to staff. Another 28 buildings were matched with 2016 registration data. A total of 26 buildings could not be located in either registration file. Staff did not research whether any new rooming house buildings may have been registered in 2017.
- 48 Registration records were not checked against other sources in regard to the number of housing units. Note that while some owners may register all their units, regardless of regulation status, others may register only those that are rent stabilized.
- 49 The proviso in RGB Hotel Order 41, the last time the Board granted a renewal lease increase, limited permitted increases to rooming houses with at least 85% permanently rent stabilized occupancy. Note that if the owner has not registered every unit in the building with HCR (as they may not with unregulated units), the percentage of buildings that are 85% or more rent stabilized could be inflated.
- 50 2017 data used whenever available.

**Table 2** presents information with respect to median and average “preferential” rents reported for 28% of rent stabilized rooming house units. Preferential rents are rents that owners voluntarily choose to charge to tenants, which are lower than legal rents.

**Table 2: 2016/2017<sup>51</sup> Median and Average “Preferential” Rents for Rooming House Units Identified as Rent Stabilized (excludes exempt and vacant units)\***

	# of Stabilized Units	Median		Average	
		Preferential Rent*	% Difference from Legal Rent**	Preferential Rent*	% Difference from Legal Rent**
Citywide	742	\$872	-38%	\$846	-35%

Source: 2016 and 2017 HCR Building and Apartment Registration filings

\*Only for those units reporting a preferential rent.

\*\*Refers to the legal rents of just those units that reported preferential rents.

**Table 3** presents the median and average “actual” rents reported for 42% of rent stabilized rooming house units. These are the rents that are paid by tenants out of pocket, with the balance being paid by government programs such as Section 8, Shelter Plus or SCRIE. Also shown is the percentage difference from the median and average legal rents of just those units with reported actual rents. Theoretically, the owners of the 1,103 units reporting actual rents can receive the difference between the actual and legal rents from government programs, and in fact, 75% of these units do not report any “preferential” rents, suggesting that in most cases owners do receive the full legal rent for these units. The median Citywide legal rent for these units is \$1,250 and the average legal rent is \$1,165. Not reported here are detailed statistics for the 276 units that report both actual and preferential rents (which would indicate that the owners of these units do not receive the full legal rent). The Citywide median preferential rent for these 276 units is \$909 and the average preferential rent is \$938.

**Table 3: 2016/2017<sup>52</sup> Median and Average “Actual” Rents for Rooming House Units Identified as Rent Stabilized (excludes exempt and vacant units)\***

	# of Stabilized Units	Median		Average	
		Actual Rent*	% Difference from Legal Rent**	Actual Rent*	% Difference from Legal Rent**
Citywide	1,103	\$242	-81%	\$421	-64%

Source: 2016 and 2017 HCR Building and Apartment Registration filings

\*Only for those units reporting an actual rent.

\*\*Refers to the legal rents of just those units that reported actual rents.

**Table 4** shows median and average “rent received,” which uses a combination of preferential and legal rents to identify the rent actually being collected by owners of rent stabilized rooming houses. For the purposes of this table, “rent received” is defined as the legal rent, unless a preferential rent is registered, in which case the preferential rent is used.

**Table 4: 2016/2017<sup>53</sup> Median and Average “Rent Received” Rents for Rooming House Units Identified as Rent Stabilized (excludes exempt and vacant units)\***

	# of Stabilized Units	Median “Rent Received”*	Average “Rent Received”*
Citywide	2,655	\$870	\$903

Source: 2016 and 2017 HCR Building and Apartment Registration filings

\*“Rent Received” refers to the preferential rent (if one is provided), or the legal rent (if a preferential rent is not provided)

**Table 5** provides a longitudinal analysis<sup>54</sup> of 118 buildings registered in both 2017 and 2016. The median and average rents of this group of buildings in both years are presented below.

**Table 5: 2017 Longitudinal Citywide Rent Data for Rooming House Units Identified as Rent Stabilized (excludes exempt and vacant units)\***

- 51 2017 data used whenever available.
- 52 2017 data used whenever available.
- 53 2017 data used whenever available.
- 54 Note that unlike Tables 1-4, which rely on a combination of two years’ worth of data to report a single median or average rent figure, the longitudinal analysis relies solely on comparing 2017 data to 2016 data. All but two of the rooming houses registered in 2017 were also registered in 2016.

	Legal Rent	Preferential Rent	Actual Rent	"Rent Received"*
# of Units	2,382	531	966	2,382
Median 2016	\$1,156.51	\$872.00	\$242.00	\$872.00
Median 2017	\$1,156.51	\$872.00	\$242.00	\$872.00
% Change (Median)	0.0%	0.0%	0.0%	0.0%
Average 2016	\$1,055.38	\$852.07	\$475.20	\$946.98
Average 2017	\$1,045.67	\$866.54	\$419.27	\$924.80
% Change (Average)	-0.9%	1.7%	-11.8%	-2.3%

Source: 2016 and 2017 HCR Building and Apartment Registration filings  
 \*"Rent Received" refers to the preferential rent (if one is provided), or the legal rent (if a preferential rent is not provided)

**Hotels**

As noted above, the 2016 and 2017 HCR registration files contained 74<sup>55</sup> buildings that could be identified as hotels, a decrease from the 83 identified in the 2017 memo.<sup>56</sup> According to HCR records, these buildings contained a total of 5,569 units of housing.<sup>57</sup> Of the units registered with HCR, 2,261 (40.6%) were registered as "rent stabilized." Rent information was provided for 2,258 of these units. Of the remaining units, 2,905 (52.2%) were registered as "temporarily exempt"; 390 (7.0%) as "vacant," and 13 (0.2%) as "permanently exempt." With respect to temporarily exempt units, the most common reason given for this status is "Hotel/SRO (Transient)" (73.8%). The second most common reason provided for temporarily exempt status is "Not Prime Residence" (20.0%). With respect to the remaining temporarily exempt units, the reasons for exemption are almost entirely "other" or "owner- or employee-occupied." Of these 74 buildings, 10 (13.5%) consist entirely of exempt and/or vacant units (488 units or 8.8% of total units). In addition, 42 buildings (56.8%) contain less than 85% permanently stabilized units.<sup>58</sup> These 42 buildings contain 4,021 units, or 72.2% of the total units registered with HCR.

HCR registration files provided to the RGB provide information only for hotel units that owners register, which may or may not accurately reflect the total number of units in the building. Staff therefore researched two additional sources of information to determine the number of units in registered hotels.<sup>59</sup> For each hotel building, staff researched both registration records from the Department of Housing and Preservation Development (HPD), as well as internet sites, such as Expedia and Hotels.com, and the individual websites of the hotels, where available. In many cases, the unit count data from these different sources was inconsistent. For purposes of this analysis, staff has generally used the highest of the figures (whether HCR, HPD, or the travel or hotel websites) to estimate an actual unit count in these buildings. Taking this approach, staff found that these 74 buildings contained an estimated total of 16,434 units of housing. As a proportion of this higher number of units, units registered as "rent stabilized" are 13.8% of the total (versus 40.6% of the registered HCR units). As a proportion of the higher number of units, 69 buildings (93.2% of the

- 55 Five of these "buildings" filed more than one registration with HCR, for adjacent addresses (a total of 11 records, treated here as five records). They are generally considered to be a single building, and are treated as such in this analysis.
- 56 Using the list of buildings identified in 2017 as a starting point, staff searched the most recent HCR registration records available to staff, from 2017 (as released to the RGB in February of 2018), for the 83 buildings identified in the 2017 memo. A total of 67 buildings that were previously identified as rooming houses were contained in the most recent registration filings available to staff. Another seven buildings were matched with 2016 registration data. A total of nine buildings could not be located in either registration file. Staff did not research whether any new hotel buildings may have been registered in 2017.
- 57 Note that while some owners may register all their units, regardless of regulation status, others may register only those that are rent stabilized.
- 58 The proviso in RGB Hotel Order 41, the last time the Board granted a renewal lease increase, limited permitted increases to hotels with at least 85% permanently rent stabilized occupancy. If the owner has not registered every unit in the building with HCR (as they may not with unregulated units), the percentage of buildings that are 85% or more rent stabilized could be inflated.
- 59 Note that this analysis was not undertaken for rooming houses.

total buildings) contain less than 85% permanently stabilized units.<sup>60</sup> These 69 buildings contain 15,578 units, or 94.8% of the total units.

**Table 6** shows the number of rent stabilized units and buildings that registered legal rents with HCR in 2016/2017. Legal rents are the maximum amount that an owner can charge to tenants (or to government agencies subsidizing tenants), but do not necessarily reflect what a tenant is actually paying. The table also provides the median and average legal rents for these units, Citywide.

**Table 6: 2016/2017<sup>61</sup> Median and Average "Legal" Rents for Hotel Units Identified as Rent Stabilized (excludes exempt and vacant units)**

	# of Stabilized Units	# of Stabilized Buildings	Median Legal Rent	Average Legal Rent
Citywide	2,258	68	\$745	\$1,077

Source: 2016 and 2017 HCR Building and Apartment Registration filings

**Table 7** presents the median and average "preferential" rents reported for 13% of rent stabilized units. Preferential rents are rents that owners voluntarily choose to charge to tenants, which are lower than legal rents.

**Table 7: 2016/2017<sup>62</sup> Median and Average "Preferential" Rents for Hotel Units Identified as Rent Stabilized (excludes exempt and vacant units)\***

	# of Stabilized Units	Median		Average	
		Preferential Rent*	% Difference from Legal Rent**	Preferential Rent*	% Difference from Legal Rent**
Citywide	298	\$525	-61%	\$611	-74%

Source: 2016 and 2017 HCR Building and Apartment Registration filings

\*Only for those units reporting a preferential rent.

\*\*Refers to the legal rents of just those units that reported preferential rents.

**Table 8** shows the median and average "actual" rents reported for 21% of rent stabilized hotel units. These are the rents that are paid by tenants out of pocket, with the balance being paid by government programs such as Section 8, Shelter Plus or SCRIE. Also shown is the percentage difference from the median and average legal rents of just those units with reported actual rents. Theoretically, the owners of the 484 units reporting actual rents can receive the difference between the actual and legal rents from government programs, and in fact, 87% of these units do not report any "preferential" rents, suggesting that in most cases owners do receive the full legal rent for these units. The median Citywide legal rent for these units is \$745 and the average legal rent is \$856. Not reported here are detailed statistics for a small subset of units that report both actual and preferential rents (which would indicate that the owners of these units do not receive the full legal rent). Both the Citywide median and average preferential rent for those units is \$897.

**Table 8: 2016/2017<sup>63</sup> Median and Average "Actual" Rents for Hotel Units Identified as Rent Stabilized (excludes exempt and vacant units)\***

	# of Stabilized Units	Median		Average	
		Actual Rent	% Difference from Legal Rent**	Actual Rent	% Difference from Legal Rent**
Citywide	484	\$363*	-51%	\$508*	-41%

Source: 2016 and 2017 HCR Building and Apartment Registration filings

\*Only for those units reporting an actual rent.

\*\*Refers to the legal rents of just those units that reported actual rents.

**Table 9** shows median and average "rent received," which uses a combination of preferential and legal rents to identify the rent actually being collected by owners of rent stabilized hotels. For the purposes of this table, "rent received" is defined as the legal rent, unless a preferential rent is registered, in which case the preferential rent is used.

**Table 9: 2016/2017<sup>64</sup> Median and Average "Rent Received" Rents for Hotel Units Identified as Rent Stabilized (excludes exempt and vacant units)\***

- 60 See footnote 40.
- 61 2017 data used whenever available.
- 62 2017 data used whenever available.
- 63 2017 data used whenever available.
- 64 2017 data used whenever available.

	# of Stabilized Units	Median "Rent Received"*	Average "Rent Received"*
Citywide	2,258	\$700	\$844

Source: 2016 and 2017 HCR Building and Apartment Registration filings  
 \*"Rent Received" refers to the preferential rent (if one is provided), or the legal rent (if a preferential rent is not provided)

**Table 10** provides a longitudinal analysis<sup>65</sup> of 65 hotel buildings registered in both 2016 and 2017. The median and average rents for this group of buildings are presented below.

**Table 10: 2017 Longitudinal Citywide Rent Data for Hotel Units Identified as Rent Stabilized (excludes exempt and vacant units)\***

	Legal Rent	Preferential Rent	Actual Rent	"Rent Received"*
# of Units	2,088	267	446	2,088
Median 2016	\$744.83	\$508.82	\$345.00	\$700
Median 2017	\$744.83	\$520.00	\$352.50	\$700
% Change (Median)	0.0%	2.2%	2.2%	0.0%
Average 2016	\$1,065.98	\$585.97	\$508.76	\$812.97
Average 2017	\$1,083.57	\$590.21	\$507.69	\$831.52
% Change (Average)	1.7%	0.7%	-0.2%	2.3%

Source: 2016 and 2017 HCR Building and Apartment Registration filings  
 \*"Rent Received" refers to the preferential rent (if one is provided), or the legal rent (if a preferential rent is not provided)

**Summary**

In summary, while this memo cannot capture every rent stabilized hotel or rooming house in New York City, it provides information on the universe of registered units that are likely to be rent stabilized. Tables 11 and 12 summarize some of the data presented above.

**Table 11** summarizes data on the regulatory status of rooming house and hotel units registered with HCR in 2016/2017.

**Table 11: 2016/2017<sup>66</sup> Rent Regulation Status of Registered Rooming Houses and Hotels**

	# of Units*	Occupied Rent Stabilized	Vacant	Temporarily Exempt	Permanently Exempt
Rooming Houses	3,646	2,657	460	500	29
Hotels	5,569	2,261	390	2,905	13
Rooming Houses and Hotels (combined)	9,215	4,918	850	3,405	42

Source: 2016 and 2017 HCR Building and Apartment Registration filings  
 \*Includes only those units registered with HCR

**Table 12** provides a summary of the legal and received rents for rooming houses and hotels, as well as the average and median rents of rooming houses and hotels combined.

**Table 12: 2016/2017<sup>67</sup> Median and Average Legal Rent and "Rent Received" Rents for Rooming House and Hotel Units Identified as Rent Stabilized (excludes exempt and vacant units)**

	# of Stabilized Units	Median Legal Rent	Average Legal Rent	Median "Rent Received"*	Average "Rent Received"*
Rooming Houses	2,655	\$1,000	\$1,032	\$870	\$903
Hotels	2,258	\$745	\$1,077	\$700	\$844
Rooming Houses and Hotels (combined)	4,913	\$801	\$1,053	\$745	\$876

Source: 2016 and 2017 HCR Building and Apartment Registration filings  
 \*"Rent Received" refers to the preferential rent (if one is provided), or the legal rent (if a preferential rent is not provided)

65 Note that unlike Tables 6-9, which rely on a combination of two years' worth of data to report a single median or average rent figure, the longitudinal analysis relies solely on comparing 2017 data to 2016 data. All but two of the Hotels registered in 2017 were also registered in 2016.

66 2017 data used whenever available.

67 2017 data used whenever available.

**VOTE**

The vote of the Rent Guidelines Board on the adopted motion pertaining to the provisions of Order Number 48 was as follows:

Yes	No	Abstentions
7	2	--

**Guidelines for Hotels**

Dated: June 27, 2018

Filed with the City Clerk: June 28, 2018

Hon. Kathleen A. Roberts (Ret.)  
 Chair  
 NYC Rent Guidelines Board

**BIBLIOGRAPHY**

The City of New York Rent Stabilization Law of 1969 Section 26 - 501 et, seq.  
 Chapter 576 of the Laws of 1974 (The Emergency Tenant Protection Act).  
 Resolution Number 276 of 1974 of the New York City Council.  
 Chapter 203 of the Laws of 1977.  
 Chapter 933 of the Laws of 1977 (Open Meetings Law).  
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 Chapter 234 of the Laws of 1980.  
 Chapter 383 of the Laws of 1981.  
 Local Laws of the City of New York for the Year 1982, No. 18.  
 Chapter 403 of the Laws of 1983.  
 Chapter 248 of the Laws of 1985.  
 Chapter 45 of the New York City Charter.  
 Chapter 65 of the Laws of 1987.  
 Chapter 144 of the Laws of 1989.  
 Chapter 167 of the Laws of 1991.  
 Chapter 253 of the Laws of 1993.  
 Rent Regulation Reform Act of 1997.  
 Chapter 82 of the Laws of 2003.  
 Chapter 97 of the Laws of 2011.  
 Rent Act of 2015  
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 RGB Staff, *2018 Income and Affordability Study*.  
 RGB Staff, *2018 Mortgage Survey Report*.  
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 RGB Staff, *Changes to the Rent Stabilized Housing Stock in NYC in 2017*.  
 Written submissions by tenants, tenant organizations, owners, and owner organizations.



THE CITY OF NEW YORK  
**LAW DEPARTMENT**  
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 NEW YORK, NY 10007

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Hon. Kathleen A. Roberts  
 Chair  
 Rent Guidelines Board  
 51 Chambers Street  
 New York, NY 10007

Re: 2018 Rent Guidelines

No. 2018 RG 051

Dear Chair Roberts:

Pursuant to New York City Charter § 1043 subd. c, the above-referenced rule has been reviewed and determined to be within the authority delegated by law to your agency.

Sincerely,

*Steven T. Goulden*  
 STEVEN GOULDEN  
 Senior Counsel  
 Division of Legal Counsel

cc: Andrew McLaughlin (RGB)

**SPECIAL MATERIALS**

**CITY PLANNING**

■ NOTICE

**PUBLIC NOTICE**

**ADJUSTMENT IN HUDSON YARDS DISTRICT IMPROVEMENT BONUS CONTRIBUTION AMOUNT**

As provided in Section 93-31 of the Zoning Resolution of the City of New York, the required contribution amount per square foot of bonused floor area available through the District Improvement Fund Bonus in the Special Hudson Yards District, has been increased from \$128.78 per square foot, to \$132.51 per square foot as of August 1, 2018.

In accordance with Section 93-31, this increase is based on the change in the Consumer Price Index for All Urban Consumers (CPI), as published by the U.S. Department of Labor, Bureau of Labor Statistics. The CPI change for the period between July 1, 2017 and July 1, 2018, was an increase of 2.9 percent.

This increased contribution amount per square foot of bonused floor area applies to all contributions, pursuant to Section 93-31 received on or after August 1, 2018, until such time as the amount is further modified in accordance with the Zoning Resolution.

Marisa Lago  
Chair  
City Planning Commission

• jy31

**CITY RECORD**

■ NOTICE

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June 2018**

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\*See Also: Procurement Agency Rules

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- MANHATTAN-22-28**
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• jy31

CHANGES IN PERSONNEL

DEPARTMENT OF PROBATION  
FOR PERIOD ENDING 06/29/18

NAME	TITLE	NUM	SALARY	ACTION	PROV EFF DATE	AGENCY
KONE	FATOUMA	10234	\$13.0000	APPOINTED	YES 06/10/18	781
KWON	DAWON	10232	\$14.9300	APPOINTED	YES 06/17/18	781
MALDONADO	JESSICA	10234	\$13.0000	APPOINTED	YES 06/10/18	781
MANZO	ASHLEY R	10234	\$13.0000	APPOINTED	YES 06/12/18	781
MCNEIL	ALVIN L	51810	\$63324.0000	RETIRED	NO 06/13/18	781
MELENDEZ	CIARA A	10234	\$15.5000	APPOINTED	YES 06/10/18	781
MILLUS	NICHOLAS A	10234	\$14.0000	APPOINTED	YES 06/10/18	781
NAVARRO	CRISTINA C	10234	\$15.5000	APPOINTED	YES 06/10/18	781
O'CONNELL	SEAN P	10234	\$15.1700	APPOINTED	YES 06/10/18	781
OLORUNJOBE	JAMEL O	10234	\$14.0000	APPOINTED	YES 06/10/18	781
OXLEY	MICHAEL R	10234	\$14.0000	APPOINTED	YES 06/10/18	781
PARKS	LEONA A	10232	\$14.9300	APPOINTED	YES 06/10/18	781
PERSAUD	PETAL Y	10234	\$15.1700	APPOINTED	YES 06/10/18	781

PETERKIN	TYTIONNA D	10234	\$14.0000	APPOINTED	YES 06/10/18	781
PRIDGEN	DOMINIQUE	10234	\$13.0000	APPOINTED	YES 06/10/18	781
SHERIFF	ADRIAN H	10234	\$13.0000	APPOINTED	YES 06/10/18	781
STOCKDALE	JORDAN M	56058	\$78177.0000	APPOINTED	YES 06/17/18	781
VAUGHT	MARQUISE T	10234	\$13.5000	APPOINTED	YES 06/10/18	781
YELVERTON	ANTALICI	10234	\$13.2500	APPOINTED	YES 06/10/18	781

DEPARTMENT OF BUSINESS SERV.  
FOR PERIOD ENDING 06/29/18

NAME	TITLE	NUM	SALARY	ACTION	PROV EFF DATE	AGENCY
ABBOTT	JILLIAN A	56057	\$23.0000	APPOINTED	YES 06/03/18	801
ACCETTA	TARALYN M	10209	\$17.9000	APPOINTED	YES 06/17/18	801
DOUGHERTY	KELLY M	95146	\$123600.0000	RESIGNED	YES 11/30/17	801
FINUCCIO	AMANDA P	10234	\$16.0000	INCREASE	YES 06/03/18	801
JOHNSON	RONALD D	10124	\$36.2700	DECREASE	NO 06/07/18	801
JOSPITRE	TANIA	95146	\$123600.0000	RESIGNED	YES 12/10/17	801
KATCHEIS	LILIANA	60860	\$55000.0000	APPOINTED	YES 06/17/18	801
KAUFMAN-GUTIERR	CARINA M	10209	\$16.3000	APPOINTED	YES 06/13/18	801
KUTELIYA	ANATOLY	40563	\$51500.0000	APPOINTED	YES 06/10/18	801
LEE	JANE J	60860	\$62000.0000	RESIGNED	YES 06/22/18	801
LEWIS-BELIZAIRE	IAN R	40563	\$55000.0000	APPOINTED	YES 06/10/18	801
LOMAX	AUSTIN T	10234	\$15.5000	APPOINTED	YES 06/10/18	801
MACK	TIERA	56057	\$23.0000	APPOINTED	YES 06/03/18	801
MHLABA	ZANELE S	10234	\$16.0000	INCREASE	YES 06/03/18	801
MILLER	HATTIE E	10234	\$14.0000	INCREASE	YES 06/03/18	801
OHAYON	HANAN M	60860	\$41.0000	RESIGNED	YES 06/19/18	801
PISICCOLO	JOSEPH A	56057	\$23.0000	APPOINTED	YES 06/03/18	801
SAHA	ANUP	40563	\$51500.0000	APPOINTED	YES 06/10/18	801
STEPHENSON	RICHARD A	10234	\$14.0000	APPOINTED	YES 06/12/18	801
WILLIAMS	CHRISTIN	10234	\$15.0000	APPOINTED	YES 06/03/18	801
YEMERU	SELAMAWI	56057	\$23.0000	APPOINTED	YES 06/03/18	801
YU	DI	10009	\$84460.0000	RESIGNED	YES 10/13/17	801

HOUSING PRESERVATION & DVLPMNT  
FOR PERIOD ENDING 06/29/18

NAME	TITLE	NUM	SALARY	ACTION	PROV EFF DATE	AGENCY
ADAMS	PATRICK	22507	\$65000.0000	APPOINTED	YES 06/17/18	806
AHMAD	AMBER N	34202	\$75535.0000	APPOINTED	NO 04/29/18	806
ARELLANO	VICENTE O	56058	\$65000.0000	APPOINTED	YES 06/17/18	806
BEHAR	ALEXANDE D	56058	\$65000.0000	APPOINTED	YES 06/10/18	806
BRIDGEMOHAN	RIAN S	13611	\$63653.0000	RESIGNED	YES 06/10/18	806
CHAMBERS	VERINITA N	95005	\$125000.0000	APPOINTED	YES 06/17/18	806
CHEN	JIN XIU	22508	\$81500.0000	INCREASE	YES 04/15/18	806
COFFMAN	JOSEPH	34202	\$77145.0000	APPOINTED	NO 06/17/18	806
CONTRERAS	MARGARIT R	34205	\$72194.0000	RETIRED	NO 06/13/18	806
CUMMINGS	JOHN A	34202	\$72535.0000	APPOINTED	NO 06/17/18	806
DELGADO	HECTOR	56058	\$50362.0000	APPOINTED	YES 06/17/18	806
FAZIO	GIACOMO	22508	\$90000.0000	INCREASE	YES 05/20/18	806

RUSTIC PLACE D&A MAP #1

CITY OF NEW YORK  
BOROUGH OF STATEN ISLAND  
OFFICE OF THE PRESIDENT  
TOPOGRAPHICAL BUREAU  
**ACQUISITION AND DAMAGE MAP NO. 4245**  
IN THE MATTER OF ACQUIRING TITLE IN FEE SIMPLE TO ALL OR PARTS OF  
**RUSTIC PLACE**  
FROM CLEVELAND AVENUE TO HILLSIDE TERRACE  
IN THE BOROUGH OF STATEN ISLAND  
RICHMOND COUNTY  
CITY AND STATE OF NEW YORK

LEGEND

NOTES

PARCEL NO.	ADJACENT TO	ADJACENT TO	REPUTED OWNER OR ADJACENT LOT	AREA IN SQ. FT.	REMARKS	REMARKS
34	5147	55	GAURNEY	552	N/A	RED OF RUSTIC PLACE, NO TITLE
36	5147	56	C MURPHY	1,812	N/A	RED OF RUSTIC PLACE, NO TITLE
38	5147	58	JOHN BARR	37	N/A	RED OF RUSTIC PLACE, NO TITLE
39	5147	59	QUELINA	80	N/A	RED OF RUSTIC PLACE, COG # 28-81
40	5147	60	PETERS DONALD E	506	N/A	RED OF RUSTIC PLACE, NO TITLE
41	5147	61	PETERS DONALD E	1,005	N/A	RED OF RUSTIC PLACE, COG # 28-81
42	5147	62	FRANK DONALD E	719	N/A	RED OF RUSTIC PLACE, NO TITLE
43	5147	63	FRANK DONALD E	3,895	N/A	RED OF RUSTIC PLACE, NO TITLE
44	5147	64	JESSE O'BYRNE	3,941	N/A	RED OF RUSTIC PLACE, NO TITLE
45	5148	65	EDWARD BARR	1,240	N/A	RED OF RUSTIC PLACE, NO TITLE
46	5148	66	JENNY	1,115	N/A	RED OF RUSTIC PLACE, NO TITLE
47	5148	67	THEODORA STOLE	375	N/A	RED OF RUSTIC PLACE, NO TITLE
48	5148	68	FRANK DONALD E	1,066	N/A	RED OF RUSTIC PLACE, NO TITLE
49	5148	69	BESSIE LYNETTE	1,261	N/A	RED OF RUSTIC PLACE, NO TITLE
50	5148	70	BESSIE LYNETTE	940	N/A	RED OF RUSTIC PLACE, NO TITLE
51	5148	71	EDWARD BARR	480	N/A	RED OF RUSTIC PLACE, NO TITLE
52	5148	72	SAVAN ROBERT	448	N/A	RED OF RUSTIC PLACE, NO TITLE
53	5148	73	SAVAN ROBERT	135	N/A	RED OF RUSTIC PLACE, NO TITLE
54	5148	74	SAVAN ROBERT	141	N/A	RED OF RUSTIC PLACE, COG # 28-81
55	5148	75	JOHN J CATTARANO	488	N/A	RED OF RUSTIC PLACE, NO TITLE
56	5148	76	JOHN J CATTARANO	788	N/A	RED OF RUSTIC PLACE, COG # 28-81
57	5148	77	ANTHONY POLANSKY	1,276	N/A	RED OF RUSTIC PLACE, NO TITLE
58	5148	78	ANTHONY POLANSKY	1,244	N/A	RED OF RUSTIC PLACE, COG # 28-81
TOTAL				22,912		

NOTE: "N/A" THE REPUTED OWNER MAY OR MAY NOT HAVE INTEREST IN THE DAMAGE PARCEL

CONSIDERED BY THE DIVISION OF SAFETY AND SITE SUPPORT AND ENGINEERING

APPROVED BY: [Signatures]

DATE: 06/29/18

FILED: [Signatures]

TOPOGRAPHICAL SECTION

OLTON OLIVER, L.S. DIRECTOR

MARK A. LANE, ASSOCIATE COMMISSIONER

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEPARTMENT OF DESIGN AND CONSTRUCTION

BUREAU OF SITE ENGINEERING TOPOGRAPHICAL SECTION

IN THE MATTER OF ACQUIRING TITLE IN FEE SIMPLE TO ALL OR PARTS OF  
**RUSTIC PLACE**  
FROM CLEVELAND AVENUE TO HILLSIDE TERRACE  
IN THE BOROUGH OF STATEN ISLAND  
RICHMOND COUNTY  
CITY AND STATE OF NEW YORK  
**ACQUISITION AND DAMAGE MAP NO. 4245**

DATE: 06/29/18

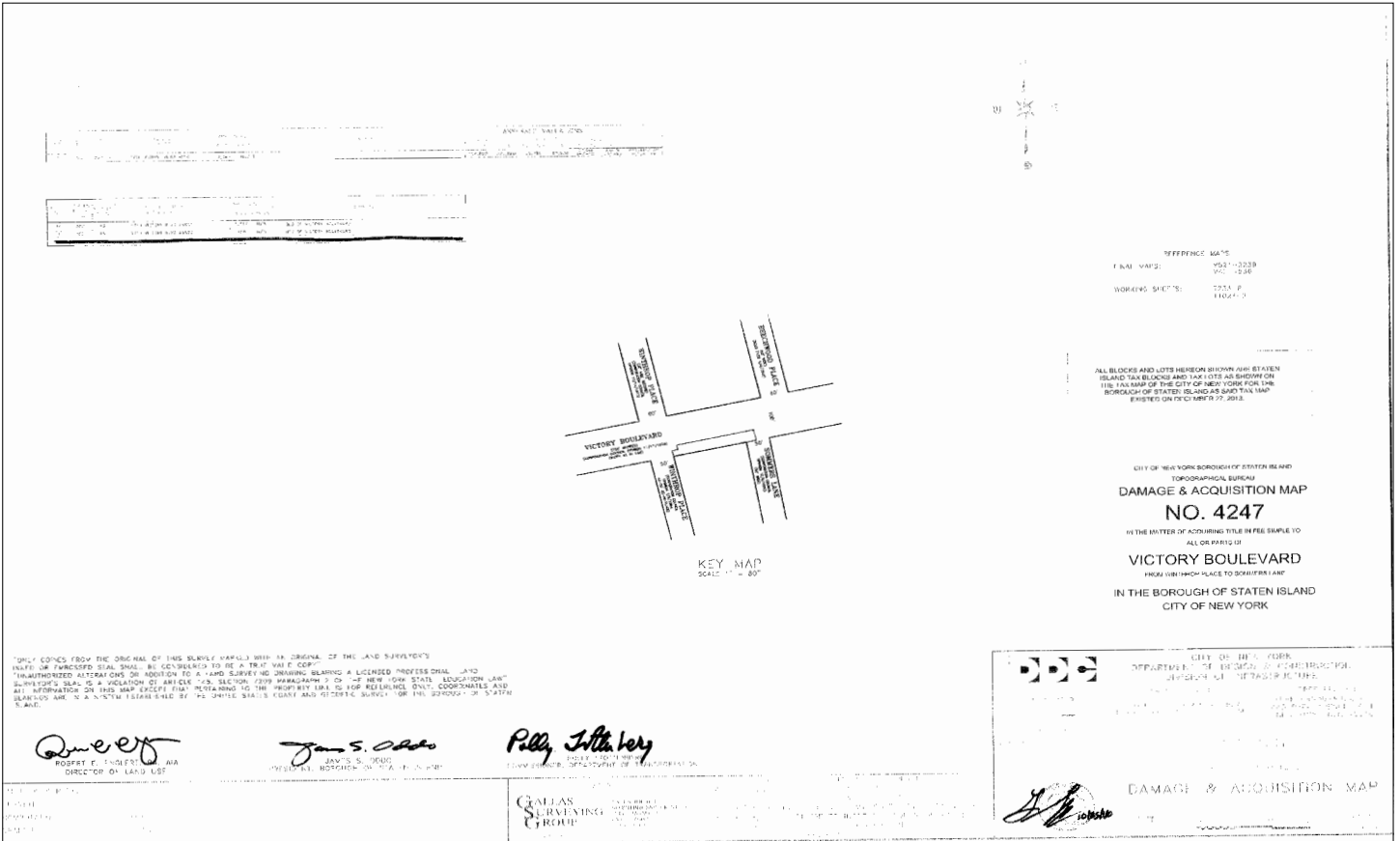
SHEET 1 OF 2

# RUSTIC PLACE DA MAP #2



jl19-a1

# VICTORY AND MANOR DA MAP #1



VICTORY AND MANOR DA MAP #2

**LEGEND**

- Solid line: Lot lines
- Dashed line: Easements
- Thin solid line: Utility lines
- Thin dashed line: Property lines
- Thick dashed line: Right-of-way
- Thin dotted line: Survey lines

**BLOCK 709**

- Lot 1: 100' x 100'
- Lot 2: 100' x 100'
- Lot 3: 100' x 100'
- Lot 4: 100' x 100'
- Lot 5: 100' x 100'
- Lot 6: 100' x 100'
- Lot 7: 100' x 100'
- Lot 8: 100' x 100'
- Lot 9: 100' x 100'
- Lot 10: 100' x 100'
- Lot 11: 100' x 100'
- Lot 12: 100' x 100'
- Lot 13: 100' x 100'
- Lot 14: 100' x 100'
- Lot 15: 100' x 100'
- Lot 16: 100' x 100'
- Lot 17: 100' x 100'
- Lot 18: 100' x 100'
- Lot 19: 100' x 100'
- Lot 20: 100' x 100'

**NOTES:**

- ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S EMBOSSED OR EMBOSSED SEAL SHALL BE CONSIDERED TO BE A TRUE AND VALID COPY.
- UNAUTHORIZED ALTERATIONS OR ADDITIONS TO A LAND SURVEYING DRAWING VIOLATE A LICENSED PROFESSIONAL LAND SURVEYOR'S SEAL & A VIOLATION OF ARTICLE 145, SECTION 2209 PARAGRAPH 2 OF THE NEW YORK STATE EASEL AND JUDICIAL CODE.
- ALL INFORMATION ON THIS MAP EXCEPT THAT PERTAINING TO THE PROPERTY LINES IS FOR REFERENCE ONLY. CORRECTIONS AND REVISIONS ARE A SYSTEM ESTABLISHED BY THE UNITED STATES COAST AND GEODETIC SURVEY FOR THE BOROUGH OF STATEN ISLAND.

**REFERENCES MAPS**

FINAL MAPS: 222-2108  
222-2109

WORKING SHEETS: 1235-R  
11553-T

**CITY OF NEW YORK BOROUGH OF STATEN ISLAND  
TOPOGRAPHICAL BUREAU  
DAMAGE & ACQUISITION MAP  
NO. 4247**

IN THE OFFICE OF ACQUISITION TITLE IS FREE SHIP TO  
ALL OF PARTS OF  
**VICTORY BOULEVARD**  
FROM WETHERWOOD PLACE TO SOMMERS LANE  
IN THE BOROUGH OF STATEN ISLAND  
CITY OF NEW YORK

**LEGAL NOTICE:**  
NOTICE IS HEREBY GIVEN THAT THE CITY OF NEW YORK HAS ACQUIRED BY EASEL AND JUDICIAL TITLE ALL OF THE LOTS AND PARTS OF THE LOTS SHOWN ON THIS MAP AND HAS TAKEN POSSESSION OF THE SAME. ALL PERSONS WHOSE INTERESTS IN THE LOTS AND PARTS OF THE LOTS SHOWN ON THIS MAP HAVE NOT BEEN RECORDED IN THE OFFICE OF THE CLERK OF THE SUPREME COURT OF THE CITY AND COUNTY OF NEW YORK ARE HEREBY NOTICED THAT THEIR INTERESTS WILL BE DEEMED TO HAVE BEEN ABANDONED AND WILL NOT BE RECORDED.

*James S. Odde*  
*Peter J. Hery*

**GALLAN SURVEYING GROUP**

VICTORY AND MANOR DA MAP #3

**LEGEND**

- Solid line: Lot lines
- Dashed line: Easements
- Thin solid line: Utility lines
- Thin dashed line: Property lines
- Thick dashed line: Right-of-way
- Thin dotted line: Survey lines

**BLOCK 709**

- Lot 1: 100' x 100'
- Lot 2: 100' x 100'
- Lot 3: 100' x 100'
- Lot 4: 100' x 100'
- Lot 5: 100' x 100'
- Lot 6: 100' x 100'
- Lot 7: 100' x 100'
- Lot 8: 100' x 100'
- Lot 9: 100' x 100'
- Lot 10: 100' x 100'
- Lot 11: 100' x 100'
- Lot 12: 100' x 100'
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- Lot 17: 100' x 100'
- Lot 18: 100' x 100'
- Lot 19: 100' x 100'
- Lot 20: 100' x 100'

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**REFERENCES MAPS**

FINAL MAPS: 222-2108  
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TOPOGRAPHICAL BUREAU  
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