

Legal Alert: New York City Rent Guidelines Board Order No. 53

June 24, 2021

New York City Rent Guidelines Board Order Number 53 was issued yesterday evening, June 23, 2021. The rent adjustments will apply to rent stabilized apartments with leases commencing on or after October 1, 2021 through September 30, 2022. The increases apply to both renewal and vacancy leases.

For a **one**-year lease commencing on or after **October 1, 2021** and on or before **September 30, 2022: 0% for the first six months, 1.5% for the last six months.**

For a **two**-year lease commencing on or after **October 1, 2021** and on or before **September 30, 2022: 2.5%.**

There are no low rent supplements provided. In addition, landlords are not entitled to collect a sublet allowance.

For apartments coming out of rent control, the special guideline is 39% above the Maximum Base Rent (MBR). The special guideline is considered in the context of a Fair Market Rent Appeal (FMRA). Owners may set a market rent for apartments leaving rent control, as opposed to applying the special guideline. This market rent is subject to the tenant's right to a FMRA. Owners are advised to immediately mail the RR-1 Form by certified mail on the incoming rent stabilized tenant so that the tenant's time to file a FMRA begins to run. A tenant must file a FMRA within 90 days after the owner mails the RR-1. Pursuant to the Housing Stability and Tenant Protection Act of 2019, the apartment will be stabilized after exiting rent control regardless of the rent amount established, which rent will be the first legal regulated rent.