

**Legal Alert: New York City Rent Guidelines Board Order No. 55**

**June 22, 2023**

New York City Rent Guidelines Board Order Number 55 was issued yesterday evening. The rent adjustments will apply to rent stabilized apartments with leases commencing on or after October 1, 2023 through September 30, 2024. The increases apply to both renewal and vacancy leases.

- For a **one-year** lease commencing on or after **October 1, 2023**, and on or before **September 30, 2024: 3%**
- For a **two-year** lease commencing on or after **October 1, 2023**, and on or before **September 30, 2024: 2.75% for the first year of the lease, and 3.2% of the amount lawfully charged in the first year, excluding any increases other than the first-year guideline increase.**

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 27% 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 an 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.