

## **GUIDELINES UPDATE – PLEASE READ**

**DATE:** June 25, 2009  
**TO:** All Member Owners/Managing Agents of ETPA Apartments  
**FROM:** Jerry Houlihan, Chairman, Apartment Owners Advisory Council (AOAC)  
**RE:** Summary of Rent Guideline Increases Adopted For 2009-2010

The Westchester County Rent Guidelines Board, at its June 24 deliberation, approved the following guideline increases for renewal leases between October 1, 2009 and September 30, 2010:

**1-Year Lease Term: 2.25%**  
**2-Year Lease Term: 4.0%**

Or

**A Minimum Increase of \$20 Per Month For A 1-Year Lease Term/  
A Minimum Increase of \$40 Per Month For A 2-Year Lease Term  
(WHICHEVER RENT IS HIGHER)**

Where the owner does not provide heat or hot water, the following guidelines were approved:

**1-Year Lease Term: 1.8%**  
**2-Year Lease Term: 3.2%**

Or

**A Minimum Increase of \$16 Per Month For A 1-Year Lease Term/  
A Minimum Increase of \$32 Per Month For A 2-Year Lease Term  
(WHICHEVER RENT IS HIGHER)**

**Vacant Apartments –  
No Additional Guideline (Other Than The Rent Regulation Reform Act Formula From 1997) Was Adopted For  
Vacancy Leases.**

**The Formula for Units Vacated Between October 1, 2009 & September 30, 2010 Is Explained Below:**

**In the event of a vacancy, the allowance as stated in the Rent Regulation Reform Act of 1997 is operative. This Allowance permits the legal regulated rent for a vacant apartment to be increased by 20 percent for a two-year lease. For a one-year lease, the allowance calls for 20 percent, less the difference between the one and two-year lease renewal guidelines. For the 2009-2010 term, the rent increase would be 18.25 percent (20% - 1.75% = 18.25%) for a one-year lease.**

**If a unit was occupied eight years or more, an additional increase of 0.6 percent per year is allowed. For example, a unit occupied for 10 years can be increased 26% (20%, plus .6% X 10 years = 26%) in the event of a two-year lease.**

**PLEASE NOTE:**

**The AOAC, in its presentations to the Guidelines Board, provided many exhibits showing that Westchester apartment owners required rates of rent adjustments significantly greater than the 2.25 percent and 4.0 percent eventually adopted.**

**AOAC representatives consistently stressed during the process that owners are in a difficult period of cost increases, specifically in property taxes and water.**

**Commendations for their efforts in providing economic data to the Guidelines Board are extended to Executive Director Albert Annunziata and Associate Director Jeff Hanley. Many thanks should also be given to the AOAC members and individuals for their testimony on behalf of the building and realty industry at the board's public hearings. We also would like to thank the AOAC owners and managers who attended the hearings and deliberations as observers. Your outstanding support and participation was invaluable! We hope to see a similar level of participation in future years!!**

**Recognition must also be given to the Guidelines Board Owner Representatives, Ken Finger and Eliot Cherson, for their dedicated services to the owners' interests.**

**The guidelines are subject to final ratification by the Guidelines Board at its September meeting. The date of that meeting will be announced in the coming weeks. If you have any questions or comments, please call the AOAC offices at (914) 273-0730. Thank you for your continued support!**

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