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TABLE OF CONTENTS

PUBLIC HEARINGS & MEETINGS

Board Meetings	1831
City Planning Commission	1831
Civilian Complaint Review Board	1832
Environmental Control Board	1832
Franchise and Concession Review Committee	1832
Information Technology and Telecommunications	1832
Landmarks Preservation Commission ..	1832

PROPERTY DISPOSITION

Citywide Administrative Services	1833
Municipal Supply Services	1833
Sale by Auction	1833
Sale By Sealed Bid	1833
Police	1833
PROCUREMENT	
Administration for Children's Services ..	1833
City University	1833
Citywide Administrative Services	1834
Contracts	1834
Municipal Supply Services	1834
Vendor Lists	1834

Comptroller	1834
Asset Management	1834
Correction	1834
Central Office of Procurement	1834
Employees Retirement System	1834
Health and Hospitals Corporation	1834
Health and Mental Hygiene	1834
Agency Chief Contracting Officer	1834
Housing Authority	1834
Human Resources Administration	1835
Agency Chief Contracting Officer	1835
Parks and Recreation	1835
Contract Administration	1835
Payroll Administration	1835

Sanitation	1835
Agency Chief Contracting Officer	1835
Agency Chief Contracting Officer-Contracts	1835
Transportation	1835
Ferries	1835
AGENCY RULES	
Loft Board	1835
Rent Guidelines Board	1836
SPECIAL MATERIALS	
Changes in Personnel	1844
LATE NOTICE	
Housing Authority	1845
READERS GUIDE	1846

THE CITY RECORD

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

BOARD MEETINGS

NOTICE OF MEETINGS

City Planning Commission

Meets in Spector Hall, 22 Reade Street, New York, New York 10007, twice monthly on Wednesday, at 10:00 A.M., unless otherwise ordered by the Commission.

City Council

Meets by Charter twice a month in Councilman's Chamber, City Hall, Manhattan, New York 10007, at 1:30 P.M.

Contract Awards Public Hearing

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, weekly, on Thursday, commencing 10:00 A.M., and other days, times and location as warranted.

Design Commission

Meets in City Hall, Third Floor, Manhattan, New York 10007 on the second Monday of the month, except August. For changes in the schedule, copies of monthly agendas, or additional information, please call (212) 788-3071 or visit our web site at nyc.gov/artcommission

Department of Education

Meets in the Hall of the Board for a monthly business meeting on the Third Wednesday, of each month at 6:00 P.M. The Annual Meeting is held on the first Tuesday of July at 10:00 A.M.

Board of Elections

32 Broadway, 7th Floor, New York, NY 10004, on Tuesday, at 1:30 P.M. and at the call of the Commissioner.

Environmental Control Board

Meets at 40 Rector Street, OATH Lecture Room, 14th Floor, New York, NY 10006 at 9:15 A.M., once a month at the call of the Chairman.

Board of Health

Meets in Room 330, 125 Worth Street, Manhattan, New York 10013, at 10:00 A.M., at the call of the Chairman.

Health Insurance Board

Meets in Room 530, Municipal Building, Manhattan, New York 10007, at call of the Chairman.

Board of Higher Education

Meets at 535 East 80th Street, Manhattan, New York 10021, at 5:30 P.M., on fourth Monday in January, February, March, April, June, September, October, November and December. Annual meeting held on fourth Monday in May.

Citywide Administrative Services

Division Of Citywide Personnel Services will hold hearings as needed in Room 2203, 2 Washington Street, New York, N.Y. 10004.

Commission on Human Rights

Meets on 10th floor in the Commission's Central Office, 40 Rector Street, New York, New York 10006, on the fourth Wednesday of each month, at 8:00 A.M.

In Rem Foreclosure Release Board

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, Monthly on Tuesdays, commencing 10:00 A.M., and other days, times and location as warranted.

Franchise And Concession Review Committee

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, Monthly on Wednesdays, commencing 2:30 P.M., and other days, times and location as warranted.

Real Property Acquisition And Disposition

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, bi-weekly, on Wednesdays, commencing 10:00 A.M., and other days, times and location as warranted.

Landmarks Preservation Commission

Meets in the Hearing Room, Municipal Building, 9th Floor North, 1 Centre Street in Manhattan on approximately three Tuesday's each month, commencing at 9:30 A.M. unless otherwise noticed by the Commission. For current meeting dates, times and agendas, please visit our website at www.nyc.gov/landmarks.

Employees' Retirement System

Meets in the Boardroom, 22nd Floor, 335 Adams Street, Brooklyn, New York 11201, at 9:30 A.M., on the third Thursday of each month, at the call of the Chairman.

Housing Authority

Board Meetings take place every other Wednesday at 10:00 A.M. in the Board Room on the 12th Floor of 250 Broadway, New York, New York (unless otherwise noted). For Board Meeting dates and times, please visit NYCHA's Website at nyc.gov/nycha or contact the Office of the Secretary at (212) 306-6088. Copies of the Calendar are available on NYCHA's Website or can be picked up at the Office of the Secretary at 250 Broadway, 12th Floor, New York, New York, no earlier than 3:00 P.M. on the Friday before the upcoming Wednesday Board Meeting. Copies of the Disposition are also available on NYCHA's Website or can be picked up at the Office of the Secretary no earlier than 3:00 P.M. on the Thursday after the Board Meeting. Any changes to the schedule will be posted here and on NYCHA's Website to the extent practicable at a reasonable time before the meeting.

These meetings are open to the public. Pre-registration at least 45 minutes before the scheduled Board Meeting is required by all speakers. Comments are limited to the items on the Calendar. Speaking time will be limited to three minutes. The public comment period will conclude upon all speakers being heard or at the expiration of 30 minutes allotted by law for public comment, whichever occurs first. Any person requiring a reasonable accommodation in order to participate in the Board Meeting, should contact the Office of the Secretary at (212) 306-6088 no later than five business days before the Board Meeting. For additional information, please visit NYCHA's Website or contact (212) 306-6088.

Parole Commission

Meets at its office, 100 Centre Street, Manhattan, New York 10013, on Thursday, at 10:30 A.M.

Board of Revision of Awards

Meets in Room 603, Municipal Building, Manhattan, New York 10007, at the call of the Chairman.

Board of Standards and Appeals

Meets at 40 Rector Street, 6th Floor, Hearing Room "E" on Tuesdays at 10:00 A.M. Review Sessions begin at 9:30 A.M. and are customarily held on Mondays preceding a Tuesday public hearing in the BSA conference room on the 9th Floor of 40 Rector Street. For changes in the schedule, or additional information, please call the Application Desk at (212) 513-4670 or consult the bulletin board at the Board's Offices, at 40 Rector Street, 9th Floor.

Tax Commission

Meets in Room 936, Municipal Building, Manhattan, New York 10007, each month at the call of the President.

CITY PLANNING COMMISSION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT RESOLUTIONS Have been adopted by the City Planning Commission Scheduling public hearings on the following matters to be held at Spector Hall, 22 Reade Street New York, New York, on Wednesday, August 10, 2011 at 10:00 A.M.

BOROUGH OF THE BRONX

No. 1

PHILIP H. MICHAELS DAY CARE CENTER

CD 1 C 110260 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 629 Courtlandt Avenue (Block 2411, lot 41) for continued use as a child care center.

BOROUGH OF BROOKLYN

No. 2

WALLABOUT HISTORIC DISTRICT

CD 2 N 120022 HKK

IN THE MATTER OF a communication dated July 21, 2011, from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of the Wallabout Historic District, designated by the Landmarks Preservation Commission on July 12, 2011 (List No. 445, LP No. 2445). The district boundaries are:

bounded by a line beginning at the intersection of the eastern curbline of Vanderbilt Avenue and a line extending easterly from the southern property line of 132 Vanderbilt Avenue, continuing westerly along said line across the roadbed of Vanderbilt Avenue and along the southern property line of 132 Vanderbilt Avenue, northerly along the western property lines of 132 through 128 Vanderbilt Avenues, easterly along a portion of the northern property line of 128 Vanderbilt Avenue, northerly along the western property lines of 126 through 124 Vanderbilt Avenue, westerly along a portion of the southern property line of 118-122 Vanderbilt Avenue, northerly along the western property lines of 118-122 through 74 Vanderbilt Avenue, easterly along the northern property line of 74 Vanderbilt Avenue and continuing across the roadbed to the eastern curbline of Vanderbilt Avenue, northerly along said curbline to a point formed by its intersection with a line extending westerly from the northern property line of 69 Vanderbilt Avenue (aka 216 Park Avenue), easterly along said line and the northern property line of 69 Vanderbilt Avenue, southerly along the eastern property lines of 69 through 71 Vanderbilt Avenue, westerly along a portion of the southern property line of 71 Vanderbilt Avenue, southerly along the eastern property lines of 73 through 83 Vanderbilt Avenue, easterly along a portion of the northern property line of 85 Vanderbilt Avenue and the northern property line of interior lot 132, southerly along the eastern property lines of interior lots 132 through 128, westerly along the southern property lines of interior lot 128 and 93 Vanderbilt Avenue to the eastern curbline of Vanderbilt Avenue, southerly along said curbline to a point formed by its intersection with a line extending westerly from the northern property line of 117 Vanderbilt Avenue, easterly along said line and the northern property line of 117 Vanderbilt Avenue, southerly along the eastern property lines of 117 through 125 Vanderbilt Avenue, easterly along a portion of the northern property line of 127 Vanderbilt Avenue, southerly along the eastern property lines of 127 through 141 Vanderbilt Avenue, easterly along a portion of the northern property line of 143 Vanderbilt Avenue, southerly along the eastern property lines of 143 through 145 Vanderbilt Avenue, westerly along the southern property line of 145 Vanderbilt Avenue to the eastern curbline of Vanderbilt Avenue, northerly along said curbline to the point of the beginning.

No. 3

CROWN HEIGHTS NORTH II HISTORIC DISTRICT

CD 8 N 120007 HKK

IN THE MATTER OF a communication dated July 8, 2011 from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of the Crown Heights North II Historic District, designated by the Landmarks Preservation Commission on June 28, 2011 (List No. 444, LP No. 2361). The district boundaries are:

bounded by a line beginning at the northwest corner of Block 1213 Lot 72 (1109 Bergen Street), extending southerly across Bergen Street to its southern curbline, westerly along the southern curbline of Bergen Street to a point formed by its intersection with a line extending northerly from the western property line of 1100 Bergen Street, southerly along said property line, easterly along the southern property lines of

1100 to 1108 Bergen Street, southerly along a portion of the western property line of 1110 Bergen Street (aka 715 St. Mark's Avenue, Block 1220, Lot 19) to a point formed by its intersection with a line extending westerly from the southwest corner of the northern building on Lot 19, easterly along said line, the southern building line of the northern building on Lot 19, and a line extending easterly to the western property line of 1120 Bergen Street, southerly along a portion of the western property line of 1120 Bergen Street, easterly along the southern property line of 1120 Bergen Street, southerly along a portion of the western property line of 1130 Bergen Street and the western property line of 731 St. Mark's Avenue (aka 731-751 St. Mark's Avenue and 150 New York Avenue) and across St. Mark's Avenue to the southern curblineline of St. Mark's Avenue, westerly along the southern curblineline of St. Mark's Avenue to a point formed by its intersection with a line extending northerly from the western property line of 744 St. Mark's Avenue (aka 744-748 St. Mark's Avenue), southerly along the western property line of 744 St. Mark's Avenue (aka 744-748 St. Mark's Avenue), westerly along the northern property lines of 837 to 833 Prospect Place, northerly along the eastern property line of 827 Prospect Place, westerly along the northern property lines of 827 and 825 Prospect Place, northerly along eastern property line of 821-823 Prospect Place, westerly along the northern property line of 821-823 Prospect Place, southerly along the western property line of 821-823 Prospect Place, westerly along the northern property line of 819 Prospect Place and part of the northern property line of 817 Prospect Place, northerly along part of the eastern property line of 817 Prospect Place, westerly along part of the northern property line of 817 Prospect Place, westerly along the northern property line of 815 Prospect Place, southerly along the western property line of 815 Prospect Place, westerly along the northern property line of 809 Prospect Place, northerly along the eastern property line of 805 Prospect Place, westerly along the northern property lines of 805 and 801 Prospect Place, southerly along the western property line of 801 Prospect Place, southerly across Prospect Place to the southern curblineline of Prospect Place, westerly along the southern curblineline of Prospect Place to the eastern curblineline of Nostrand Avenue, southerly along the eastern curblineline of Nostrand Avenue to the northern curblineline of Sterling Place, easterly along the northern curblineline of Sterling Place to a point formed by its intersection with a line extending northerly from the western property line of 860 Sterling Place, southerly across Sterling Place and along the western property line of 860 Sterling Place, easterly along the southern property lines of 860 to 868 Sterling Place, southerly along the western property line of 857 St. John's Place, westerly along the northern property line of 853 St. John's Place, southerly along the western property line of 853 St. John's Place to its intersection with the northern curblineline of St. John's Place, easterly along the northern curblineline of St. John's Place to a point formed by its intersection with a line extending northerly from the western property line of 856 St. John's Place, southerly across St. John's Place and along the western property lines of 856 St. John's Place and 799 Lincoln Place, westerly along the northern property lines of 797 to 787 Lincoln Place (aka 767B-775 Nostrand Avenue) to the eastern curblineline of Nostrand Avenue, southerly along the eastern curblineline of Nostrand Avenue, southerly across Lincoln Place, southerly along the eastern curblineline of Nostrand Avenue to the northern curblineline of Eastern Parkway, easterly along the northern curblineline of Eastern Parkway, easterly across New York Avenue to a point formed by its intersection with a line extending southerly from the eastern property line of 299 New York Avenue (aka 619 Eastern Parkway), northerly along the eastern property lines of 299 (aka 619 Eastern Parkway) to 291 New York Avenue, easterly along the southern property lines of 884 to 932 Lincoln Place, southerly along the western property line of 276 Brooklyn Avenue, easterly along the southern property line of 276 Brooklyn Avenue to the western curblineline of Brooklyn Avenue, northerly along the western curblineline of Brooklyn Avenue across Lincoln Place, St. John's Place, Sterling Place, and Park Place to a point formed by its intersection with a line extending easterly from the northern property line of 186 Brooklyn Avenue, westerly along the northern property line of 186 Brooklyn Avenue, southerly along the western property line of 186 Brooklyn Avenue, westerly along the northern property lines of 979 and 975 Park Place, northerly along the eastern property line of 963-973 Park Place and 940 Prospect Place, northerly across Prospect Place to the northern curblineline of Prospect Place, westerly along the northern curblineline of Prospect Place to a point formed by its intersection with a line extending southerly from the eastern property line of 895-905 Prospect Place (aka 800-810 St. Mark's Avenue), northerly along part of the eastern property line of 895-905 Prospect Place (aka 800-810 St. Mark's Avenue), easterly along part of the southern property line of 895-905 Prospect Place (aka 800-810 St. Mark's Avenue), northerly along part of the eastern property line of 895-905 Prospect Place (aka 800-810 St. Mark's Avenue), northerly across St. Mark's Avenue to the northern curblineline of St. Mark's Avenue, westerly along the northern curblineline of St. Mark's Avenue to a point formed by its intersection with a line extending southerly from the eastern property line of 777-785 St. Mark's Avenue (aka 1180 Bergen Street), northerly along the eastern property line of 777-785 St. Mark's Avenue (aka 1180 Bergen Street) to the southern curblineline of Bergen Street, westerly along the southern curblineline of Bergen Street to the eastern curblineline of New York Avenue, northerly along the eastern curblineline of New York Avenue to a point formed by its intersection with a line extending easterly from the northern property line of 110 New York Avenue (aka 110-120 New York Avenue and aka 1145-1155 Bergen Street), westerly across New York Avenue, westerly along the northern property line of 110 New York Avenue (aka 110-120 New York Avenue and aka 1145-1155 Bergen Street), westerly along the northern property lines of 1141 to 1131 Bergen Street, southerly along the western property line of 1131 Bergen Street, westerly along the northern property lines of 1127 to 1121 Bergen Street, northerly along the eastern property line of 1119 Bergen Street, westerly along the northern property line of 1119 Bergen Street, southerly along the western property line of

1119 Bergen Street, westerly along the northern property lines of 1117 to 1109 Bergen Street, to the point of beginning.

YVETTE V. GRUEL, Calendar Officer
City Planning Commission
22 Reade Street, Room 2E
New York, New York 10007
Telephone (212) 720-3370

jy28-a10

CIVILIAN COMPLAINT REVIEW BOARD

■ PUBLIC MEETING

The Civilian Complaint Review Board's monthly public meeting has been scheduled for **Wednesday, August 10, 2011 at 10:00 A.M.** at 40 Rector Street, 2nd Floor, New York, NY 10006. Photo ID required to enter the building.

If you wish to attend the meeting and have limited English proficiency, the CCRB can provide an interpreter. Please contact Marcos Soler on (212) 442-8736 prior to the date of the meeting if you need this service.

a4-10

ENVIRONMENTAL CONTROL BOARD

■ MEETING

The next meeting of the Office of Administrative Trials and Hearings/Environmental Control Board will take place on Thursday, August 18, 2011 at 40 Rector Street, OATH Lecture Room, 14th Floor, New York, NY 10006 at 9:15 A.M. at the call of the Chairman.

a8-10

FRANCHISE AND CONCESSION REVIEW COMMITTEE

■ MEETING

PUBLIC NOTICE IS HEREBY GIVEN THAT the Franchise and Concession Review Committee will hold a Public Meeting on Wednesday, August 10, 2011 at 2:30 P.M. at 125 Worth Street, 2nd Floor Conference Room, Borough of Manhattan.

NOTE: Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, NY 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC MEETING. TDD users should call Verizon relay service.

a1-10

INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

FRANCHISE ADMINISTRATION

■ PUBLIC HEARINGS

NOTICE OF A FRANCHISE AND CONCESSION REVIEW COMMITTEE (FCRC) PUBLIC HEARING to be held on Monday, August 8, 2011 commencing at 1:00 P.M. at 125 Worth Street, Second Floor Auditorium, in the matter of proposed franchise agreements (the "proposed Franchise Agreements") authorizing Cablevision Systems New York City Corporation to provide cable television services in the Bronx and Brooklyn.

The proposed Franchise Agreements include, but are not limited to, provisions regarding consumer protection, public, educational, and government channels, and an institutional network. The term of the agreements as proposed would run through July 18, 2020.

Copies of the proposed Franchise Agreements are available for public inspection between the hours of 9:30 A.M. and 3:00 P.M., excluding Saturdays, Sundays and holidays, at the New York City Department of Information Technology and Telecommunications ("DoITT"), 2 Metrotech Center, 4th Floor, Brooklyn, New York, 11201, and (in accordance with Section 891.2 (a) of Title 16 of the New York State Codes, Rules and Regulations) at the offices of the City Clerk, 141 Worth Street, New York, New York 10013, commencing July 18, 2011 through August 8, 2011.

Hard copies of one or more of the proposed Franchise Agreements may be obtained at DoITT, 2 Metrotech Center, 4th Floor, Brooklyn, New York 11201, by appointment, at a cost of \$0.25 per page. All payments shall be made at the time of pickup by check or money order made out to the New York City Department of Finance. One or more of the proposed Franchise Agreements may also be obtained in PDF form at no cost, by email request. Interested parties should contact Roxanne Chambers by phone at 212-788-6610 or by email at RChambers@doitt.nyc.gov.

NOTE: Individuals requesting sign language interpreters at the public hearing should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, New York 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD users should call Verizon relay service.

Recordings of the hearing may be cablecast on NYC TV Media Group channels.

jy15-a8

NOTICE OF A FRANCHISE AND CONCESSION REVIEW COMMITTEE (FCRC) PUBLIC HEARING to be held on Monday, August 8, 2011 commencing at 1:00 P.M. at 125 Worth Street, Second Floor Auditorium, in the matter of

proposed franchise agreements (the "proposed Franchise Agreements") authorizing Time Warner Entertainment Company, L.P. and Time Warner NY Cable LLC to provide cable television services in Manhattan, Queens, Staten Island and Brooklyn.

The proposed Franchise Agreements include, but are not limited to, provisions regarding consumer protection, public, educational, and government channels, and an institutional network. The term of the agreements as proposed would run through July 18, 2020.

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Recordings of the hearing may be cablecast on NYC TV Media Group channels.

jy15-a8

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 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) (formerly Chapter 8-A, Sections 207-6.0, 207-7.0, 207-12.0, 207-17.0, and 207-19.0), on Tuesday, **August 9, 2011 at 9:30 A.M.** in the morning of that day, a public hearing will be held in the Conference Room at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should call or write the Landmarks Commission no later than five (5) business days before the hearing or meeting.

CERTIFICATE OF APPROPRIATENESS
 BOROUGH OF QUEENS 10-8887 - Block 8106, lot 5-42-25 240th Street, aka 8 Prospect Avenue - Douglaston Hill Historic District

A Queen Anne style freestanding house designed by John A. Sinclair and built in 1899-1900. Application is to construct additions, an entrance portico, and terrace; modify masonry openings; install skylights; and alter a garage and driveway. Zoned R1-2. Community District 11.

CERTIFICATE OF APPROPRIATENESS
 BOROUGH OF QUEENS 11-6169 - Block 1445, lot 44-34-51 84th Street - Jackson Heights Historic District
 A neo-Georgian style attached house designed by Robert Tappan and built in 1927. Application is to modify a brick retaining wall, installed without Landmark Preservation Commission permits. Community District 3.

CERTIFICATE OF APPROPRIATENESS
 BOROUGH OF BROOKLYN 11-0148 - Block 224, lot 2-113 Columbia Heights - Brooklyn Heights Historic District
 A Greek Revival style rowhouse built c. 1837-40. Application is to modify a stair bulkhead constructed without Landmarks Preservation Commission permits. Community District 2.

CERTIFICATE OF APPROPRIATENESS
 BOROUGH OF BROOKLYN 11-7865 - Block 20, lot 6-25 Jay Street - DUMBO Historic District
 A Renaissance Revival style factory building designed by Flemer & Koehler and built in 1892. Application is to construct a rooftop addition. Zoned MX-2/R-8A. Community District 2.

CERTIFICATE OF APPROPRIATENESS
 BOROUGH OF BROOKLYN 12-0228 - Block 2102, lot 54-314 Carlton Avenue - Fort Greene Historic District
 An Italianate style house built c. 1857. Application is to demolish an existing rear extension and constructd a rear addition. Zoned R6B. Community District 2.

CERTIFICATE OF APPROPRIATENESS
 BOROUGH OF BROOKLYN 12-1078 - Block 1228, lot 34-834 St. Marks Avenue - Crown Heights North Historic District
 A semi-attached Georgian style home designed by Slee & Bryson and built in 1919. Application is to remove a metal and glass entrance enclosure and install a metal canopy. Community District 8.

CERTIFICATE OF APPROPRIATENESS
 BOROUGH OF BRONX 12-2138 - Block 2301, lot 53-262 Alexander Avenue - Mott Haven Historic District

A Queen Anne style apartment building designed by Carl A. Millner and built in 1892-93. Application is to install a barrier-free access ramp. Community District 1.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-0488 - Block 225, lot 7501-463 Greenwich Street, aka 18-22 Debosses Street, aka 125-129 Watts Street – Tribeca North Historic District
A Romanesque Revival style warehouse designed by George W. DaCunha and built in 1854-1855. Application is to construct a stair bulkhead and pergola. Community District 1.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-1554 - Block 14, lot 24-141 Greene Street - SoHo-Cast Iron Historic District
A Federal style house built in 1825 and altered with a full third floor in 1886. Application is to remove the loading dock, alter the entrance, and install new storefront infill. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-2121 - Block 475, lot 48-53 Greene Street - SoHo-Cast Iron Historic District
A store and storehouse building designed by Louis Burger and built in 1867. Application is to replace vault lights and bluestone at the sidewalk and construct a rooftop addition. Zoned M1-5B. Community District 2.

MODIFICATION OF USE AND BULK
BOROUGH OF MANHATTAN 12-2120 - Block 475, lot 48-53 Greene Street - SoHo-Cast Iron Historic District
A store and storehouse building designed by Louis Burger and built in 1867. Application is to request that the Landmarks Preservation Commission issue a report to the City Planning Commission relating to an application for a Modification of Use pursuant to Section 74-711 of the Zoning Resolution. Zoned M1-5B. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-1404 - Block 473, lot 7501-476 Broadway - SoHo-Cast Iron Historic District
A store and loft building designed by Robert Maynicke and built in 1902-03. Application is to install storefront infill and a mechanical louver. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-1872 - Block 233, lot 17-151 Grand Street - SoHo-Cast Iron Historic District Extension
A Second Empire style warehouse building designed by William Field & Son and built in 1869. Application is to replace a granite sidewalk. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-1498 - Block 531, lot 17,25 and 56
375-379 Lafayette Street, 30 Great Jones Street and 32-38 Great Jones Street- NoHo Historic District Extension
A parking lot. Application is to relocate the existing parking attendant booth and curb cut install a “green” fence. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-1698 - Block 530, lot 13-372 Lafayette Street - NoHo Historic District
A one story garage designed by Dietrich Wortman and built in 1933. Application is to demolish the existing building and construct a six story building. Zoned M1-5B. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-2191 - Block 646, lot 14-446 West 14th Street - Gansevoort Market Historic District
A Moderne style market building designed by H. Peter Henschien and Axel S. Hedman and built in 1936-37. Application is to legalize the installation of rooftop HVAC units and a platform without Landmarks Preservation Commission permits. Zoned C-6-2A. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-2157 - Block 572, lot 3-406 6th Avenue - Greenwich Village Historic District
A building originally built as a rowhouse in 1839, and altered in 1896 and 1902 with the addition of a sheetmetal facade with Classical Revival style details. Application is to install signage. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-7184 - Block 1183, lot 15-349 West 71st Street - West 71st Street Historic District
A Renaissance Revival style rowhouse designed by Neville & Bagge and built in 1896. Application is to excavate the side yard and enlarge window openings. Community District 7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-1329 - Block 1147, lot 35-104 West 76th Street - Upper West Side/ Central Park West Historic District
A Renaissance Revival style rowhouse designed by C. Abbott French & Company and built in 1888-89. Application is to alter the rear facade. Community District 7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-8767 - Block 2134, lot 7501-801 Riverside Drive - Audubon Park Historic District
An Arts and Crafts style apartment house designed by George F. Pelham and built in 1919. Application to construct a barrier-free access ramp and planter. Community District 12.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-8381 - Block 1504, lot 63-12 East 93rd Street - Carnegie Hill Historic District
A rowhouse originally designed by A. B. Ogden and built in 1889, later altered in 1939 by Herber Lippman with Georgian Revival style elements. Application is to alter the front facade, construct a rear yard addition, and excavate the rear yard. Zoned R8B.. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-8783 - Block 1412, lot 71-875 Park Avenue - Upper East Side Historic District
A neo-Classical style apartment house designed by George and Edward Blum and built in 1911-12. Application is to construct a rooftop enclosure with netting. Community District 8.

jy27-a9

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

MUNICIPAL SUPPLY SERVICES

■ SALE BY AUCTION

PUBLIC AUCTION SALE NUMBER 12001-C

NOTICE IS HEREBY GIVEN of a public auction of City fleet vehicles consisting of cars, vans, light duty vehicles, trucks, heavy equipment and miscellaneous automotive equipment to be held on Wednesday, August 17, 2011 (SALE NUMBER 12001-C). Viewing is on auction day only from 8:30 A.M. until 9:00 A.M. The auction begins at 9:00 A.M.

LOCATION: 570 Kent Avenue, Brooklyn, NY (in the Brooklyn Navy Yard between Taylor and Clymer Streets).

A listing of vehicles to be offered for sale in the next auction can be viewed on our website, on the Friday prior to the sale date at: <http://www.nyc.gov/autoauction> or <http://www.nyc.gov/autoauctions>

PLEASE NOTE: THE SALE FOR AUGUST 3, 2011 HAS BEEN CANCELLED.

Terms and Conditions of Sale can also be viewed at this site. For further information, please call (718) 417-2155 or (718) 625-1313.

jy28-a17

■ SALE BY SEALED BID

SALE OF: 6 LOTS OF MISCELLANEOUS EQUIPMENT AND SUPPLIES, USED/UNUSED.

S.P.#: 11028 DUE: August 18, 2011

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.
DCAS, Division of Municipal Supply Services, 18th Floor Bid Room, Municipal Building, New York, NY 10007. For sales proposals contact Gladys Genoves-McCauley (718) 417-2156.

a5-18

SALE OF: 10 USED HOPPER BARGES.

S.P.#: 12002 DUE: August 16, 2011

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.
DCAS, Division of Municipal Supply Services, 18th Floor Bid Room, Municipal Building, New York, NY 10007. For sales proposal contact Gladys Genoves-McCauley (718) 417-2156.

a3-16

POLICE

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

The following listed property is in the custody, of the Property Clerk Division without claimants.

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

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):

- * College Auto Pound, 129-01 31 Avenue, College Point, NY 11354, (718) 445-0100
- * Gowanus Auto Pound, 29th Street and 2nd Avenue, Brooklyn, NY 11212, (718) 832-3852
- * Erie Basin Auto Pound, 700 Columbia Street, Brooklyn, NY 11231, (718) 246-2029

FOR ALL OTHER PROPERTY

- * Manhattan - 1 Police Plaza, New York, NY 10038, (212) 374-4925.
- * 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.

j1-d31

PROCUREMENT

“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.”

ADMINISTRATION FOR CHILDREN’S SERVICES

■ SOLICITATIONS

Human / Client Services

NON-SECURE DETENTION GROUP HOMES – Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 06811N0004 – DUE 05-31-13 AT 2:00 P.M. – The Administration for Children’s Services, Division of Youth and Family Justice is soliciting applications from organizations interested in operating non-secure detention group homes in New York City. This is an open-ended solicitation; applications will be accepted on a rolling basis until 2:00 P.M. on 5/31/13.

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.
Administration for Children’s Services, 150 William Street, 9th Floor, New York, NY 10038.
Patricia Chabla (212) 341-3505; Fax: (212) 341-3625; patricia.chabla@dfa.state.ny.us

j1-n14

CITY UNIVERSITY

■ SOLICITATIONS

Construction / Construction Services

LABORATORY RENOVATION PROJECT BROOKLYN COLLEGE – Competitive Sealed Bids – PIN# CITYW-CUCF-010901GC2 – DUE 08-30-11 AT 12:00 P.M. – On behalf of The City University of New York (CUNY), Epic Management, Inc. acting as Construction Manager, is soliciting the services of a General Contractor to provide all labor, material, and equipment necessary for the renovation of existing laboratories located in Brooklyn College.

Bid documents may be downloaded from the “Bid Opportunities” section at www.epicbuilds.com. A CD containing the Bid documents in PDF format will also be available for pickup at Epic Management, Inc., 350 Fifth Avenue, 59th Floor, New York, NY 10118. Bidders MUST contact Vince Ramadani, Project Manager, Epic Management, at (212) 601-2766 or cunyinfo@epicbuilds.com to arrange for pickup time and date of bid documents. Proper identification will be required at ground floor entrance such as Driver’s License or Passport, and access for document pick-up will be limited to regular business hours.

A mandatory site visit and pre-bid meeting is scheduled for August 15, 2011 at 10:00 A.M. Attendance is required in order to submit a bid.

Bidders will be required to submit all required bid forms (forms included in Project Manual); including, but not limited to: proof of bonding capacity; project list confirming the company has satisfactorily completed a minimum of three (3) Higher-Education and/or Pharmaceutical Laboratory projects in the last five (5) years as a General Contractor (form included in Project Manual); proof of insurance; Bid Bond; Experience Modification Rate for past three (3) years.

The successful Bidder will also be required to demonstrate the five percent (5 percent) trade self-performance requirements for this project.

The MBE participation goal for this project is 7.25 percent; the WBE participation goal is 4.75 percent.

The expected construction cost range is between \$1,500,000 and \$1,900,000.

All Bids shall be delivered and received no later than 12:00 P.M. August 30, 2011 to the City University of New York (CUNY) located at 555 West 57th Street New York, N.Y. 10019, 11th Floor Reception, Room 1140. Proper identification will be required at the CUNY ground floor entrance such as Driver’s License or Passport.

Any problems receiving the documents should be reported to DCCM.ContractsDept@mail.cuny.edu. All other communication must go through Epic Management, Inc.

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.
Epic Management, Inc., 350 Fifth Avenue, 59th Floor, New York, NY 10118. Vince Ramadani (212) 601-2766; cunyinfo@epicbuilds.com
City University of New York, 555 West 57th Street, 11th Floor Reception, Room 1140, New York, NY 10019.

CITYWIDE ADMINISTRATIVE SERVICES

CONTRACTS

■ INTENT TO AWARD

Goods

PURCHASE OF OFFICIALLY LICENSED NYC GOODS, GENERIC ITEMS AND PROPRIETARY SOUVENIRS – Sole Source – Available only from a single source - PIN# 85612S0002 – DUE 08-15-11 AT 11:00 A.M. – The Department of Citywide Administrative Services intends to enter into sole source negotiations to Purchase Officially Licensed NYC Goods, Generic items and Proprietary Souvenirs with Daron Worldwide Trading, Inc., 24 Stewart Place, Unit 4, Fairfield, NJ 07004. Any firm which believes that it can also provide these goods is invited to do so by letter or e-mail, which must be received no later than 11:00 A.M. on Monday, August 15, 2011 to the attention of Robert Aboulafia, Deputy Agency Contracting Officer, DCAS Office of Contracts, 18th Floor North, One Centre Street, NYC, NY 10007 or email: raboulafia@dcas.nyc.gov

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.
Department of Citywide Administrative Services,
1 Centre Street, 18th Floor North, New York, NY 10007.
Robert Aboulafia (212) 669-3538; Fax: (212) 669-3570;
raboulafia@dcas.nyc.gov

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MUNICIPAL SUPPLY SERVICES

■ SOLICITATIONS

Goods

SAFETY APPAREL (D.O.T.) RE-AD – Competitive Sealed Bids – PIN# 8571200036 – DUE 08-23-11 AT 10:30 A.M.

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.
Department of Citywide Administrative Services,
1 Centre Street, 18th Floor, New York, NY 10007.
Anna Wong (212) 669-8610; Fax: (212) 669-7603;
dcasdmssbids@dcas.nyc.gov

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■ AWARDS

Goods

AUTOMOTIVE AND TRUCK SAFETY GLASS – Competitive Sealed Bids – PIN# 8571100424 – AMT: \$681,490.00 – TO: Liberty Glass Company, Inc., 552 West 48th Street, New York, NY 10036.

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■ VENDOR LISTS

Goods

EQUIPMENT FOR DEPARTMENT OF SANITATION – In accordance with PPB Rules, Section 2.05(c)(3), an acceptable brands list will be established for the following equipment for the Department of Sanitation:
A. Collection Truck Bodies
B. Collection Truck Cab Chassis
C. Major Component Parts (Engine, Transmission, etc.)

Applications for consideration of equipment products for inclusion on the acceptable brands list are available from: Vendor Relations, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007. (212) 669-8610.

j5-d31

COMPTROLLER

ASSET MANAGEMENT

■ SOLICITATIONS

Services (Other Than Human Services)

U.S. EQUITY ACTIVE SMALL CAPITALIZATION MANAGERS INVESTMENT MANAGEMENT SERVICES – Innovative Procurement – PIN# 015 11814600 IQ – DUE 08-25-11 – The Comptroller of the City of New York (the “Comptroller”), on behalf of the New York City Retirement Systems, and specifically the New York City Employees’ Retirement System (“NYCERS”), the Teachers’ Retirement System of the City of New York (“TEACHERS”), the New York City Police Pension Fund, Subchapter Two (“POLICE”), the New York City Fire Department Pension Fund, Subchapter Two (“FIRE”), and The Board of Education Retirement System (“BERS”), (collectively “NYCRS” or the “Systems”), is conducting a search to identify managers to actively manage U.S. equity active small capitalization equities portfolios for one or more of the Systems. In addition, other related systems or funds may select managers through this solicitation.

The Comptroller's Office is using a pilot process to conduct this search, as permitted and in accordance with Section 3-12 (Innovative Procurement Methods) of the Procurement Policy Board Rules of the City of New York (“PPB Rules”). This pilot process will permit BAM and the Systems to review a broader universe of potential investment managers than is the case under the current Request for Proposals (“RFP”) process. Specifically, BAM and the Systems’ general investment Consultants will use industry databases to identify the universe of small cap equity market managers that are potential candidates for hiring by the Systems, rather than limiting that review to only those managers that respond to a formal Request for Proposals. In addition to the goal of opening the procurement process to greater competition, goals of the pilot process include facilitating the Systems’ ability to identify and hire the highest qualified managers based on performance and organizational strength, and shortening the amount of time it takes to complete the manager selection process. The proposed innovative procurement method will be evaluated to determine whether it is in the City’s interest to codify the method used within the PPB Rules.

How to Participate in this Search Investment management firms must do the following to be considered in this search:

1. Potential candidates should carefully review this Notice and the Minimum Requirements described in Section B. Interested managers that meet the minimum requirements, including incumbent managers, must enter their information in the following databases by August 25, 2011 in order to be considered by each consultant as part of the initial evaluation. For Callan, investment firms must submit their information directly to the Consultant; for Rocatton, SIS, NEPC and Buck, investment firms must enter their information into eVestment Alliance’s database. Information on requirements for entering information into these databases can be found at: <http://www.callan.com> (click on “data and tools”, then click on “Manager Questionnaire”) and <https://www.evestment.com> (click on register/submit data in the upper right hand corner).

2. If a potential manager’s firm and product information is in the above databases, the manager must ensure that all such information is current and accurate.
3. There is no fee for entering information into either of these databases. Managers must ensure that they complete all database information, including both firm level and product level information. Managers are advised that information in the database may become part of any contract resulting from this search.

Current and accurate data must be in the above databases by no later than August 25, 2011.

Managers that meet the minimum requirements specified in the Notice of Solicitation (“Notice”) will be evaluated in accordance with the evaluation criteria and process set forth in the Notice. Any of the Systems may select one or more managers through this search process. The evaluation is expected to result in three-year investment management agreements with estimated aggregate annual fees of \$20 million or more.

Consistent with the policies expressed by the City of New York, participation by minority-owned and women-owned businesses or partnering arrangements with minority-owned and women-owned investment firms are encouraged. Additionally, participation by small and New York City based businesses is encouraged.

The Notice of Search will be available for download from the Comptroller’s Web site at www.comptroller.nyc.gov on or about August 4, 2011. You must register to download the Notice by selecting “Bureaus”, then “Asset Management” then “Investment Management Searches”, then link to “Notice for U.S. Equity Small Cap Active Managers”. Database information is due by August 25, 2011. Questions about the Notice or the pilot process should be transmitted by e-mail to Evelyn Dresler, Director of Asset Management Contracting at bamcontracts@comptroller.nyc.gov

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.
Comptroller Office, 1 Centre Street, Room 650, New York, NY 10007. Evelyn Dresler (212) 669-8235;
bamcontracts@comptroller.nyc.gov

a4-10

CORRECTION

CENTRAL OFFICE OF PROCUREMENT

■ SOLICITATIONS

Construction / Construction Services

PLUMBING CONSTRUCTION REQUIREMENT CONTRACT – Competitive Sealed Bids – PIN# 072201147CPD – DUE 08-31-11 AT 11:00 A.M.
● **REHABILITATION OF UNDERGROUND PRISONER TRANSIT TUNNEL** – Competitive Sealed Bids – PIN# 072201107CPD – DUE 08-30-11 AT 11:00 A.M.

Bid package fee is \$25.00 per bid package payable by certified check or money order, made payable to the Commissioner of Finance. Cash is not accepted. “Bidders are hereby advised that this contract is subject to the “Project Labor Agreement” (“PLA”) entered into between the City and the Building and Construction Trades Council of Greater New York (“BCTC”) affiliated local unions. Please refer to the bid book for further information.”

Contracts are PLA Applicable.

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.
Department of Correction, 75-20 Astoria Boulevard, Suite 160, East Elmhurst, NY 11370.
Cassandra Dunham (718) 546-0766; Fax: (718) 278-6205;
cassandra.dunham@doc.nyc.gov

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EMPLOYEES RETIREMENT SYSTEM

■ SOLICITATIONS

Goods & Services

VOICE DATA AND TELECOM FOR DISASTER RECOVERY SITE – Negotiated Acquisition/Pre-Qualified List – PIN# 0090728201101 – DUE 08-19-11 AT 9:00 A.M. – The vendors for this project have already been chosen from a prequalified list. The Project Manager, John Spiezia, should be contacted by email only if you are bidding on future projects.

A compelling need for goods, services, construction and/or construction-related services exists that cannot be timely met through competitive sealed bidding or competitive sealed proposals.

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.
Employees Retirement System, 335 Adams Street, Suite 2300, Brooklyn, NY 11201. John Spiezia (347) 643-3562;
jspiezia@nycers.nyc.gov

a3-9

HEALTH AND HOSPITALS CORPORATION

The New York City Health and Hospitals Corporation is regularly soliciting bids for supplies and equipment at its Central Purchasing Offices, 346 Broadway, New York City, Room 516, for its Hospitals and Diagnostic and Treatment Centers. All interested parties are welcome to review the bids that are posted in Room 516 weekdays between 9:00 a.m. and 4:30 p.m. For information regarding bids and the bidding process, please call (212) 442-4018.

j1-d31

■ SOLICITATIONS

Goods & Services

PAPER CLINICAL DOCUMENTATION SYSTEM – Public Bid – PIN# TM12-900-14 – DUE 08-18-11 AT 3:00 P.M. – For Physicians and Nurses-paper System-license Agreement.

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.
Kings County Hospital Center, 451 Clarkson Avenue, S.O.B. Room #S251, Brooklyn, NY 11203.
Theresa Meredith (718) 245-3223; Fax: (718) 735-5486;
theresa.meredith@nychhc.org

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HEALTH AND MENTAL HYGIENE

AGENCY CHIEF CONTRACTING OFFICER

■ SOLICITATIONS

Human / Client Services

NEW YORK/NY III SUPPORTED HOUSING CONGREGATE – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 81608PO076300R0X00-R – DUE 09-18-12 AT 4:00 P.M. – The Department is issuing a RFP to establish 3,000 units of citywide supportive housing in newly constructed or rehabilitated single-site buildings for various homeless populations pursuant to the New York III Supported Housing agreement. The subject RFP will be open-ended and proposals will be accepted on an on-going basis. The RFP is available on-line at <http://www.nyc.gov/html/doh/html/acco/acco-rfp-nycongregate-20070117-form.shtml>. A pre-proposal conference was held on March 6, 2007 at 2:00 P.M. at 125 Worth Street, 2nd Floor Auditorium, New York, N.Y. Any questions regarding this RFP must be sent in writing in advance to Contracting Officer at the above address or e-mailed to the above address. All proposals must be hand delivered at the Agency Chief Contracting Officer, Gotham Center, CN#30A, 42-09 28th Street, 17th Floor, Queens, NY 11101-4132, no later than September 18, 2012.

As a minimum qualification requirement for (1) the serious and persistent mentally ill populations, the proposer must be incorporated as a not-for-profit organization, and (2) for the young adult populations, the proposer must document site control and identify the source of the capital funding and being used to construct or renovate the building.

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.
Health and Mental Hygiene, ACCO, Gotham Center, CN#30A, 42-09 28th Street, 17th Floor, Queens, NY 11101-4132.
Huguette Beauport (347) 396-6633; hbeauport@health.nyc.gov

a6-s17

HOUSING AUTHORITY

■ SOLICITATIONS

Goods & Services

GSD INSPECTION, TESTING, REBUILD AND REPAIR OF BACK FLOW DEVICES - VARIOUS DEVELOPMENTS - ALL FIVE (5) BOROUGHES – Small Purchase – PIN# 28686 – DUE 08-19-11 AT 10:00 A.M. – Contract Term - One (1) year.
● **GSD REMOVAL AND INSTALLATION OF RANGES - FULTON HOUSES, MANHATTAN** – Small Purchase – PIN# 28687 – DUE 08-19-11 AT 10:05 A.M. – Contract Term - One (1) year. No bid security required. Removal and installation of ranges; 15 year gas range installation and removal of old ranges.

Interested firms may obtain a copy and submit solicitation responses on NYCHA’s website: Doing Business with NYCHA.

[Http://www.nyc.gov/html/nycha/html/business/business.shtml](http://www.nyc.gov/html/nycha/html/business/business.shtml)
Vendors are instructed to access the “Register Here” link for “New Vendors.” If you have supplied goods or services to NYCHA in the past and you have your log-in credentials, click the “Log into iSupplier” link under “Existing Vendor.” If you do not have your log-in credentials, click the “Request a Log-in ID” using the link under “Existing Vendor.” Upon access, reference applicable RFQ number per solicitation.

Vendors electing to submit a non-electronic bid (paper document) will be subject to \$25.00 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 12th Floor - General Services Procurement Group. A bid package will be generated at time of request. Note (8): Vendor/Supplier submitting sealed non-electronic (“paper”) bids must include a copy of your receipt as proof of purchase.

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, 12th Floor, New York, NY 10007. Sabrina Steverson (212) 306-6771;
Fax: (212) 306-0755; sabrina.steverson@nycha.nyc.gov

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HUMAN RESOURCES ADMINISTRATION

AWARDS

Services (Other Than Human Services)

TRAINING AND STAFF DEVELOPMENT –

Intergovernmental Purchase – Judgment required in evaluating proposals - PIN# 069113103044 – AMT: \$971,964.00 – TO: InfoPeople Corporation, 99 Wall Street, 17th Floor, New York, NY 10005. The contract term is 1/1/11 - 12/31/13 and the E-PIN number is 0961100077001.

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AGENCY CHIEF CONTRACTING OFFICER

AWARDS

Human/Client Services

PERMANENT CONGREGATE SUPPORTIVE

HOUSING – Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 06909H067110 – AMT: \$9,333,990.00 – TO: Vincent Cyrus Plaza HDFC, 2015 Madison Avenue, NY, NY 10035. E-PIN: 09610N0004010. Term: 1/1/11 - 12/31/19.

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PARKS AND RECREATION

CONTRACT ADMINISTRATION

SOLICITATIONS

Construction/Construction Services

INSTALLATION OF A FIRE ALARM CENTRAL

STATION AT CENTRAL COMMUNICATIONS – Competitive Sealed Bids – PIN# 8462011C000C16 – DUE 09-20-11 AT 10:30 A.M. – Located in Building “C” at Sara D. Roosevelt Park, Manhattan, known as Contract #CNYG-2709MA. This procurement is subject to participation goals for MBEs and/or WBEs as required by Local Law 129 of 2005.

“Bidders are hereby advised that this contract is subject to Project Labor Agreement (“PLA”) covering specified renovation and rehabilitation of City owned Buildings and structures entered into between the City and the building and Construction Trades Council of Greater New York (“BCTC”) affiliated local unions. Please refer to the bid documents for further information.”

A pre-bid meeting is scheduled for Thursday, September 1, 2011 at 11:30 A.M. at the Site.

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 NY, 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.

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. Juan Alban (718) 760-6771, Juan.Alban@parks.nyc.gov

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RECONSTRUCTION OF THE STAIRWAYS AND

LANDINGS AND MISCELLANEOUS SITE WORK AT

UNIVERSITY PARK – Competitive Sealed Bids – PIN# 8462011X051C01 – DUE 09-08-11 AT 10:30 A.M. – Located between Sedgwick and Cedar Avenues, North of West 180th Street, The Bronx, known as Contract #X051-109MA. E-PIN: 84611B0188. This procurement is subject to participation goals for MBEs and/or WBEs as required by Local Law 129 of 2005.
● **SUBSURFACE INVESTIGATIONS AT VARIOUS PARKS LOCATIONS** – Competitive Sealed Bids – PIN# 8462011C000C07 – DUE 08-29-11 AT 10:30 A.M. - Known as Contract #CNYG-1211M. E-PIN: 84611B0226.

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 NY, 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.

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. Juan Alban (718) 760-6771, Juan.Alban@parks.nyc.gov

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PAYROLL ADMINISTRATION

SOLICITATIONS

Services (Other Than Human Services)

NYC EMPLOYEE DIRECT DEPOSIT PROGRAM –

Other – PIN# 2012OPARFQ01 – DUE 08-10-11 AT 3:00 P.M. – The deadline for responses has now been extended to no later than 3:00 P.M. August 10, 2011.

The NYC Office of Payroll Administration, in collaboration with the Mayor's Office of Operations and the NYC Office of Financial Empowerment (together, “the City”), is requesting Statements of Qualification from financial institutions willing to provide a free checking account to City employees, as well as to other individuals that receive recurring payments from the City, when such employees or other individuals opt to receive direct deposit of their City payment into such checking account.

Three copies of the response to this Request for Statements of Qualification (“RFQ”) must be submitted. A response to this RFQ may be submitted electronically (up to a capacity of 10MB) by email to Valerie Himelewski at vhimelewski@payroll.nyc.gov with the subject heading “RFQ re NYC Employee Direct Deposit Program.”

Questions regarding this RFQ may be submitted in writing to Valerie Himelewski at vhimelewski@payroll.nyc.gov with the subject heading noted above by no later than July 22, 2011.

Please note the effect of this RFQ on financial institutions who are currently participating in the original phase of the City's direct deposit program launched in 2004. See the RFQ for further information in CROL.

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.
Office of Payroll Admin., 1 Centre Street, Room 200N, New York, NY 10007. Valerie Himelewski (212) 669-3455; Fax: (212) 669-4626; vhimelewski@payroll.nyc.gov

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SANITATION

AGENCY CHIEF CONTRACTING OFFICER

SOLICITATIONS

Services (Other Than Human Services)

SNOW HAULING – Competitive Sealed Bids – PIN# 82711SN00059 – DUE 10-06-11 AT 11:00 A.M. – Pre-bid conference will be held on August 25, 2011, 10:00 A.M. to 12:00 P.M. at 125 Worth Street, New York, New York 10013, 2nd Floor Conference Room. Last day for questions is September 16, 2011. VSID#: 75850.

● **SNOW PLOWING** – Competitive Sealed Bids – PIN# 82711SN00057 – DUE 10-05-11 AT 11:00 A.M. Pre-bid conference will be held on August 24, 2011, 10:00 A.M. to 12:00 P.M. at 125 Worth Street, New York, New York 10013, 2nd Floor Conference Room. Last day for questions is September 16, 2011. VSID#: 75850.

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.
Department of Sanitation, 51 Chambers Street, Room 806, New York, NY 10007. Bid Room (917) 237-5358; Phone: (917) 237-5357.

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AGENCY CHIEF CONTRACTING OFFICER-CONTRACTS

SOLICITATIONS

Human/Client Services

SAMHSA FORENSIC TOXICOLOGY CONTRACT FOR

DRUG AND ALCOHOL TESTING – Competitive Sealed Bids – PIN# 82711AD00033 – DUE 09-22-11 AT 11:00 A.M. Bid Estimate \$750,000.00. There is a \$40.00 refundable deposit for this bid documents, certified check or postal money order, please make payable to “Comptroller, City of New York.” Additional contact number for contracts (917) 237-5358.

Optional pre-bid conference on 08/22/11 at 10:00 A.M. (44 Beaver Street, 12th Floor Conference Room, NY, NY). Last day for questions is 09/02/11 at 3:00 P.M., please contact Elaine Mines at (212) 437-4871, or e-mail at emines@dsnyc.gov

In accordance with Schedule A of the bid document, if your bid is over \$500,000.00, you must submit a certified check or money order equal to 5 percent of the Bid amount or Bid Bond with Penal Sum equal to 10 percent of the Bid amount. “This Procurement is subject to Local Law 129.” VSID#: 75640.

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.
Department of Sanitation, 51 Chambers Street, Room 806, New York, NY 10013. ACCO, (917) 237-5357; Fax: (212) 788-7969; emines@dsnyc.gov

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TRANSPORTATION

FERRIES

INTENT TO AWARD

Services (Other Than Human Services)

SAFETY TRAINING SERVICES – Government to Government – PIN# 84111SIS1589 – DUE 08-22-11 AT 5:00 P.M. – Pursuant to Section 3-13 of the PPB Rules, the New York City Department of Transportation (NYCDOT), Division of Staten Island Ferry, intends to enter into an agreement with Global Maritime and Transportation School (GMATS) for safety training services for a five year period with an option to renew for an additional five years. The NYCDOT has determined to use this procurement method because GMATS can offer the following courses: Deckhand Orientation Program, Basic Safety Training, Basic Firefighting, Crowd Control and Crisis Management, Bridge Resource Management, Engine Room Management, Electrical Safety, and ECDIS, as well as providing professional assessment of operational parameters. Qualified vendors that wish to express their interest in providing such services in the future are invited to submit expressions of interest to the attention of Nancy Carolan, Agency Chief Contracting Officer, 55 Water Street, 8th Floor, NY, NY 10041, accomail@dot.nyc.gov

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.
Department of Transportation, 55 Water Street, 8th Floor, NY, NY 10041. Nancy Carolan, Agency Chief Contracting Officer, (212) 839-9292.

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AGENCY RULES

LOFT BOARD

NOTICE

NOTICE OF ADOPTION OF FINAL RULE

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN THE NEW YORK CITY LOFT BOARD by Article 7-C of the Multiple Dwelling Law and Mayor's Executive Order No. 129, dated May 22, 2009, and pursuant to and in accordance with the requirements of Section 1043 of the New York City Charter.

The New York City Loft Board intends to amend section 2-01.1 of Title 29 of the Rules of the City of New York to change, among other things, the fine amount to conform to the Loft Board's rules regarding fines to the Loft Board to the amendments made to Article 7-C of the Multiple Dwelling Law, effective as of June 21, 2010.

A duly noticed public hearing was held on July 7, 2011, affording the public opportunity to comment on the proposed amendments as required by Section 1043 of the New York City Charter. Written Comments were accepted through July 7, 2011.

Statement of Basis and Purpose

Pursuant to § 282 of Article 7-C of the MDL (“Loft Law”), the Loft Board may promulgate rules to ensure compliance with the Loft Law.

The proposed amendment to the rule:

- Increases penalties imposed against owners who do not take reasonable and necessary action to obtain a final residential certificate of occupancy in accordance with § 284 of the Loft Law; and
- Provides the ECB with the authority to conduct hearings and impose penalties for failure to exercise all reasonable and necessary action to obtain a residential certificate of occupancy.

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

New matter in the following rule is underlined and deleted material is in [brackets].

§2-01.1 Failure to Take Reasonable and Necessary Action to Legalize Building.

(a) Definition of Reasonable and Necessary Action.

(1) Reasonable and necessary action to obtain a certificate of occupancy, as used in § 284(1) of the Multiple Dwelling Law (“MDL”), means deliberate, diligent, and consistent action from the beginning of Article 7-C coverage through the issuance of a final residential certificate of occupancy for the IMD building, or the issuance of a final certificate of occupancy for the residential portions of the IMD building [to legalize the building]. Failure to take reasonable and necessary action to obtain a residential certificate of occupancy issued pursuant to MDL § 301 is a violation of this section.

(i) Factors to consider. In deciding whether an owner has been taking all reasonable and necessary actions to obtain a certificate of occupancy pursuant to subdivision (a) above, the Loft Board or its staff may consider but not be limited to the following factors:

(A) Whether the owner has filed an alteration application with the New York City Department of Buildings (“DOB”).

(B) Whether the owner has timely cleared all DOB objections to obtain the [alteration]building permit for the alteration.

(C) Whether the owner timely obtained[s] a building permit after issuance of the Loft Board [C]certification pursuant to § 2-01(d)(2)(ix).

(D) Whether the building permit for the alteration that [application] the Loft Board certified pursuant to § 2-01(d)(2)(ix) is in effect.

(E) Whether any other current permit to further the legalization of the residential spaces is in effect.

[(E)](F) Whether the owner has timely engaged a contractor to perform the work necessary to obtain a certificate of occupancy.

[(F)](G) Whether there [is]has been any stoppage of work due to reasons within the owner's control.

[(G)](H) Whether the owner has timely cleared all DOB objections and violations as required for obtaining a certificate of occupancy.

[(H)](I) Whether the owner has timely scheduled all DOB inspections required for obtaining a certificate of occupancy.

(ii) Monthly Reports about Legalization Projects.

(A) Any IMD owner who has not been issued a

final residential certificate of occupancy issued pursuant to MDL § 301 for the IMD units must file with the Loft Board a monthly report relating to the legalization projects in the building on the [prescribed] approved Loft Board form, as available on the Loft Board's website or at the offices of the Loft Board. In the case of IMD buildings owned by a cooperative or a condominium, the board is responsible for the filing of the monthly report. The report is due on the first business day of every [first of the] month.

(B) The report must be signed by the owner of the IMD building and a registered architect or professional engineer.

(C) The information provided in the report may be used as evidence in connection with a Loft Board determination as to whether the owner has exercised all reasonable and necessary action to obtain a final residential certificate of occupancy.

(D) The Executive Director may issue a fine [not exceeding \$1,000] of up to \$17,500 for failure to file the legalization report for each report not filed on the [1st] first business day of [the] each month.

(E) The filing of a false statement in the monthly report may result in [civil penalties] fines of up to \$17,500 [not exceeding \$1,000] for each false statement in the monthly report.

[(iii)](2) An owner may not delegate its obligation to exercise reasonable and necessary action to obtain a final residential certificate of occupancy for the IMD units.

(b) Failure to [t]Take all [r]Reasonable and [n]Necessary [a]Action toward [o]Obtaining a Final Residential [c]Certificate of [o]Occupancy.

[(i)](1) *Inspections.*

[(a)](i) Staff employed or assigned to the Loft Board [shall be] is authorized to conduct inspections at the direction of the Loft Board or Executive Director to determine if the owner is taking all reasonable and necessary action to obtain a final residential certificate of occupancy issued pursuant to MDL § 301. If an inspection report is prepared, the report is considered a record kept in the regular course of the Loft Board's business and is deemed prima facie proof of the facts contained therein.

[(b)](ii) Such inspections may be used by the Loft Board in determining when a penalty for failure to take all reasonable and necessary action[s] toward obtaining a certificate of occupancy, pursuant to a hearing determination by an OATH Administrative Law Judge, or an ECB hearing officer, abates.

[(ii)](2) *Enforcement Proceedings.* At any point prior to the issuance of the final residential certificate of occupancy issued pursuant to MDL § 301, the Loft Board may initiate an enforcement proceeding against an owner for failure to take all reasonable and necessary action to obtain a final residential certificate of occupancy even where the next legalization deadline for the owner to [achieve] meet, as set forth in § 2-01 et seq. of Title 29 of the Rules of the City of New York [and/or] § 284(1) of the MDL, [Multiple Dwelling Law for the building] has not passed.

The owner has the right to present to the Loft Board or its representative, within 30 calendar days of delivery of the notice of proceeding by hand, or 35 calendar days of the posting of the notice by mail, a response that includes information as to why that notice should be withdrawn [and/] or information regarding mitigating factors the owner wishes the Loft Board to consider in connection with [Board's] its determination of the amount of the fine to impose. If applicable, the owner [shall] may file an [extension] application for an extension of the code compliance deadlines pursuant to § 2-01(b) of these rules.

[(iii)](3) *Hearings.* Hearings will be conducted by OATH Administrative Law Judges or ECB hearing officers, who will determine whether the owner has made a diligent, consistent and good faith effort to [legalize] obtain a residential certificate of occupancy for the IMD building as required by Article 7-C of the MDL [Multiple Dwelling Law]. [Such hearings] Hearings conducted by OATH [shall] must be conducted in accordance with the rules and procedures governing OATH so long as they do not conflict with the Loft Board [R]ules, as detailed in Loft Board rule § 1-06. Hearings conducted by an ECB hearing officer must be conducted following the procedures of ECB hearings.

When the OATH Administrative Law Judge or ECB hearing officer [makes a] issues a decision finding that the owner has not exercised all reasonable and necessary action to obtain a final residential certificate of occupancy, he or she shall also recommend a fine of up to [\$1,000] \$17,500 for every day that the owner did not exercise all reasonable and necessary action to obtain a certificate of occupancy. Such fine [may] accrues 30 calendar days from the date of delivery by hand or 35 calendar days from posting by mail of the notice of an enforcement proceeding, and may continue to accrue until the owner [comes into] demonstrates compliance with this section.

[(iv)](4) *Defenses.* To defend a Loft Board proceeding for failure to exercise all reasonable and necessary action to achieve compliance, an owner must show [that it engaged in] deliberate, diligent and consistent action to achieve a final residential certificate of occupancy[,] and must document [its or its agents'] efforts to obtain the residential certificate of occupancy and any impediments to compliance outside of the owner's control.

[(v)](5) *Mitigating Factors For Fines.* Mitigating factors that may be considered regarding the amount of the fine imposed on the owner may include, but are not limited to, the following:

(i) Within [thirty] 30 calendar days after the date of

the notice, the owner has begun to take reasonable and necessary action to obtain a certificate of occupancy; or

(ii) The owner's failure to take reasonable and necessary action towards obtaining a certificate of occupancy were for reasons beyond the owner's control.

Examples of such circumstances beyond the owner's control include, but are not limited to, a requirement for a certificate of appropriateness for modification of a landmarked building, a need to obtain a variance from the Board of Standards and Appeals, or the denial of reasonable access to an IMD unit.

[(vi)](6) *Evidence of violation not requiring hearing.* [(A)]

(i) Failure to file an alteration application to convert the IMD units to residential units within the later of:

(A) [Three] 3 months of the effective date of this rule, or

(B) [within six] 6 months from receipt of a Loft Board Order granting IMD status to a building or the issuance of an IMD registration number to the owner, or

(C) 6 months from a finding of Article 7-C coverage by a court of competent jurisdiction

[shall] constitutes a rebuttable presumption that the owner is not engaged in taking reasonable and necessary action to obtain a residential certificate of occupancy or a certificate of occupancy for the residential portions of the building.

[(B)](ii) Where the Loft Board has issued certification pursuant to § 2-01(d)(2)(vii)(A)(ix) of these rules, and an owner has failed to obtain an alteration permit within [three] 3 months from the date of such certification or from the effective date of this rule, whichever is later, such failure to obtain the permit [shall] constitutes a rebuttable presumption that the owner is not engaged in taking reasonable and necessary action to obtain a residential certificate of occupancy or a certificate of occupancy for the residential portions of the building.

[(C)](iii) Where an alteration permit has been issued in connection with the legalization of the residential portions of an IMD building, the failure to maintain the permit in effect until the issuance of a final residential certificate of occupancy or a certificate of occupancy for the residential portions of the building [shall] constitutes a rebuttable presumption that the owner is not engaged in [taking] reasonable and necessary action to obtain a residential certificate of occupancy or a certificate of occupancy for the residential portions of the building.

[(D)](iv) Failure to maintain a temporary certificate of occupancy for the residential portions of the IMD building, if one was previously issued, [shall] constitutes a rebuttable presumption that the owner is not engaged in reasonable and necessary action to obtain a residential certificate of occupancy.

[(vii)](7) Upon finding a violation pursuant to paragraph [(vi)](6) of this subdivision, the Loft Board's Executive Director may issue a notice to the owner stating an intent to find the owner in violation of its obligation to exercise all reasonable and necessary action. The Loft Board's Executive Director may issue a fine of up to [\$1,000] \$17,500 for every day that the owner does not exercise all reasonable and necessary action to obtain a certificate of occupancy.

The owner has the right to present to the Loft Board's Executive Director or his or her representative within 30 calendar days of delivery of the notice by hand, or 35 calendar days of the posting of the notice by mail, a response that includes information as to why the [that] notice should be withdrawn and/or information regarding mitigating factors pursuant to paragraph [(v)](5) of this subdivision the owner wishes to be considered in connection with Executive Director's determination of the amount of the fine to be imposed.

Following the receipt of a timely response from the owner, the Executive Director may either withdraw the notice, or may impose a fine of up to [\$1,000] \$17,500 for every day that the owner has not exercised all reasonable and necessary action to obtain a certificate of occupancy. Unless the owner first demonstrates compliance with this section, [S]such fine [may] begins to accrue 30 calendar days after delivery by hand or 35 calendar days after the posting of the notice by mail and [may] continues to accrue until the owner [comes into] demonstrates compliance with this section. If necessary, the owner [shall] may file an [extension] application for an extension of the code compliance deadlines, pursuant to § 2-01(b).

[(viii)](c) *Reporting Obstacles in Legalization Process.* If an owner encounters an obstacle in the legalization process outside of its control, the owner [shall] must state that obstacle in the monthly reports filed with the Loft Board. Additionally, the owner must notify the Loft Board in writing within fourteen calendar days of the date the owner knew or reasonably should have known of the obstacle, or if necessary, the owner shall file an [extension] application for an extension of the code compliance deadlines pursuant to § 2-01(b). An owner's failure to timely notify the Loft Board of an obstacle in the legalization process outside of the owner's control shall create a rebuttable presumption that there was no obstacle to the legalization process that was outside of the owner's control.

[(ix)](d) *Access to IMD Units.* The tenant's failure to provide access is not deemed outside of the owner's control if the owner has not within a reasonable time filed an access application pursuant to § 2-01(g)(3) of the Loft Board rules.

[(x)](e) *Subsequent Enforcement Proceedings.* Where the OATH Administrative Law Judge or ECB hearing officer [Loft Board or the Executive Director] issues [an order] a decision finding that the owner has failed to exercise all reasonable and necessary action to obtain a certificate of

occupancy, such [determination] decision [shall] does not bar the OATH Administrative Law Judge or ECB hearing officer [Loft Board] from subsequently [making] issuing another such [determination] decision after three months.

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RENT GUIDELINES BOARD

NOTICE

2011 Apartment & Loft Order #43

June 27, 2011

Order Number 43 - Apartments and Lofts, rent levels for leases commencing October 1, 2011 through September 30, 2012.

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, implemented by Resolution No 276 of 1974 of the New York City Council and extended by Chapter 97 of the Laws of 2011, 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, 2011**. These rent adjustments will apply to rent stabilized apartments with leases commencing on or after **October 1, 2011** and through **September 30, 2012**. 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, 2011** and on or before **September 30, 2012**: **3.75%**

For a **two-year** renewal lease commencing on or after **October 1, 2011** and on or before **September 30, 2012**: **7.25%**

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 additional vacancy allowance is permitted except as provided by sections 19 and 20 of the Rent Regulation Reform Act of 1997.

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, 2011** and on or before **September 30, 2012**: **3.75%**

For **two-year** increase periods commencing on or after **October 1, 2011** and on or before **September 30, 2012**: **7.25%**

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, 2011** and on or before **September 30, 2012** 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, 2011** 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, 2011** 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, 2011** shall continue to be included in the base rent for the purpose of computing subsequent rents adjusted pursuant to this Order. In addition, if it is otherwise consistent with law to include in the base rent on **September 30, 2011** the longevity-based one- and two-year renewal lease adjustments in Orders Nos. 40 and 41, then such adjustments shall also 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, 2011**, which become vacant after **September 30, 2011**, the special guideline shall be the greater of:

4. **30%** above the maximum base rent, or
5. The Fair Market Rent for existing housing as established by the United States Department of Housing and Urban Development (HUD) for the New York City Primary Metropolitan Statistical Area pursuant to Section 8(c) (1) of the United States Housing Act of 1937 (42 U.S.C. section 1437f [c] [1]) and 24 C.F.R. Part 888, with such Fair Market Rents to be adjusted based upon whether the tenant pays his or her own gas and/or electric charges as part of his or her rent as such gas and/or electric charges are accounted for by the New York City Housing Authority.

Such HUD-determined Fair Market Rents will be published in the Federal Register, to take effect on **October 1, 2011**.

DECONTROLLED UNITS

The permissible increase for decontrolled units as referenced in Order 3a which become decontrolled after **September 30, 2011**, shall be the greater of:

- (1) **30%** above the maximum base rent, or
- (2) The Fair Market Rent for existing housing as established by the United States Department of Housing and Urban Development (HUD) for the New York City Primary Metropolitan Statistical Area pursuant to Section 8(c) (1) of the United States Housing Act of 1937 (42 U.S.C. section 1437f [c] [1]) and 24 C.F.R. Part 888, with such Fair Market Rents to be adjusted based upon whether the tenant pays his or her own gas and/or electric charges as part of his or her rent as such gas and/or electric charges are accounted for by the New York City Housing Authority.

Such HUD-determined Fair Market Rents will be published in the Federal Register, to take effect on **October 1, 2011**.

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 27, 2011

Jonathan L. Kimmel
Chair
New York City Rent Guidelines Board

EXPLANATORY STATEMENT – APARTMENT ORDER #43
Explanatory Statement and Findings of the Rent Guidelines Board
In Relation to 2011-12 Lease Increase Allowances for Apartments and Lofts under the Jurisdiction of the Rent Stabilization Law¹

Summary of Order No. 43

The Rent Guidelines Board (RGB) by Order No. 43 has set the following maximum rent increases for leases subject to renewal on or after October 1, 2011 and on or before September 30, 2012 for **apartments** under its jurisdiction:

For a **one-year** renewal lease commencing on or after October 1, 2011 and on or before September 30, 2012: **3.75%**

For a **two-year** renewal lease commencing on or after October 1, 2011 and on or before September 30, 2012: **7.25%**

VACANCY ALLOWANCE

The vacancy allowance is now determined by a formula set forth in the State Rent Regulation Reform Act of 1997 and in Chapter 97 of the Laws of 2011, 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, 2011 and on or before September 30, 2012 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, 2011 and on or before September 30, 2012. No vacancy allowance is included for lofts.

	<u>1 Year</u>	<u>2 Years</u>
	3.75%	7.25%

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. 43.

SPECIAL GUIDELINE

Leases for units subject to rent control on September 30, 2011 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 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 whichever is greater:

1. **30%** above the maximum base rent, or
2. The Fair Market Rent for existing housing as established by the United States Department of Housing and Urban Development (HUD) for the New York City Primary Metropolitan Statistical Area pursuant to Section 8(c) (1) of the United States Housing Act of 1937 (42 U.S.C. section 1437f [c] [1]) and 24 C.F.R. Part 888, with such Fair Market Rents to be adjusted based upon whether the tenant pays his or her own gas and/or electric charges as part of his or her rent as such gas and/or electric charges are accounted for by the New York City Housing Authority.

Such HUD-determined Fair Market Rents will be published in the Federal Register, to take effect on October 1, 2011.

All rent adjustments lawfully implemented and maintained under previous apartment Orders and included in the base rent in effect on **September 30, 2011** shall continue to be included in the base rent for the purpose of computing subsequent rents adjusted pursuant to this Order. In addition, if it is otherwise consistent with law to include in the base rent on **September 30, 2011** the longevity-based one- and two-year renewal lease adjustments in Orders Nos. 40 and 41, then such adjustments shall also be included in the base rent for the purpose of computing subsequent rents adjusted pursuant to this Order.

BACKGROUND OF ORDER NO. 43

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. 43 was issued by the Board following **two** public hearings, **seven** public meetings, its review of written submissions provided by the public, and a review of research and memoranda prepared by the Board's staff. Approximately 86 written submissions were received at the Board's offices from many individuals and organizations including public officials, owners and owner groups, and tenants and tenant groups. The Board members were provided with copies of public comments received by the **June 20, 2011** deadline. All of the above listed documents were available for public inspection.

Open meetings of the Board were held following public notice on March 15, March 31, April 14, April 28, and June 2, 2011. On **May 3, 2011**, the Board adopted proposed rent guidelines for apartments, lofts, and hotels.

Public hearings were held on **June 16, 2011** and **June 20, 2011** 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 from **4:30 p.m. to 7:50 p.m. on June 16, 2011** and from **10:00 a.m. to 7:25 p.m. on June 20, 2011**. Testimony from members of the public speaking at these hearings was added to the public record. The Board heard testimony from **approximately 89** apartment tenants and tenant representatives, 23 apartment owners and owner representatives, and 9 public officials. In addition, 2 speakers read into the record written testimony from various public officials. On **June 27, 2011** the guidelines set forth in Order No. 43 were adopted.

A written transcription and/or audio 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:

<i>Meeting Date/Name</i>	<i>Affiliation</i>
March 15, 2011:	Staff presentation, <i>2011 Mortgage Survey Report</i>
1. Steven Lawitts	<u>Guest Speaker</u> Executive Director, NYC Water Board and Chief Financial Officer of DEP
March 31, 2011:	Staff presentation, <i>2011 Income and Affordability Study</i>
1. Joseph Rosenberg	<u>Guest Speaker</u> Senior Counsel, State Legislative Affairs, NYC Department of Housing Preservation and Development
April 14, 2011:	<u>Staff presentations</u> <i>2011 Price Index of Operating Costs</i> <i>2011 Income and Expense Study</i>
April 28, 2011:	<u>Apartment Tenants group testimony:</u> Fifth Avenue Committee
1. Michelle de la Uz	
2. Tom Waters	Community Service Society
3. Patrick Markee	Coalition for the Homeless
4. Evan Hess	Northern Manhattan Improvement Corp.
1. Jack Freund	<u>Apartment Owners group testimony:</u> Rent Stabilization Association (RSA)
2. Joseph Condon	Community Housing Improvement Program (CHIP)
3. Jimmy Silber	Small Property Owners of New York (SPONY)
4. Lester Clarke	Property Owner
5. David Fleming	Property Owner
1. Anderson Fils-Aime	<u>Hotel Tenants group testimony:</u> Goddard Riverside SRO Law Project
2. Jonathan Burke	MFY Legal Services Inc.
3. Larry Wood	Goddard Riverside Family Council
June 2, 2011:	<u>Staff presentations</u> <i>2011 Housing Supply Report Changes to the Rent Stabilized Housing Stock in New York City in 2010</i>
1. Woody Pascal	<u>NYS Division of Housing and Community Renewal (DHCR) testimony</u> Deputy Commissioner for Rent Administration
2. Guy Alba	Assistant Commissioner for Research and Analysis

3. Michael Rosenblatt Assistant Commissioner for Rent Administration

SELECTED EXCERPTS FROM ORAL AND WRITTEN TESTIMONY FROM OWNERS AND OWNER GROUPS²

Comments from owners and owner groups included:

“The majority of rent stabilized apartments, and the majority of RSA’s membership, exist outside the high-rent Manhattan core. The majority of stabilized properties are in neighborhoods where the rent is nowhere near \$2,000 per month and where tenant incomes rarely breach six figures. These properties have lower rents, lower net operating incomes and higher operating ratios.”

“For at least the last decade, the Board has issued a PIOC and then discounted it by issuing a lower guideline. First, the cumulative impact of these discounts amounts to 52% over the last 10 years (compounded PIOC’s over the ten years to 2010 amount to 70.87%, compounded one-year guidelines over the same period amount to 33.96%). A discount of this size cripples cash flow to fund building operations. The Board states that the discount is all that is needed to fund operations because expenses are only a portion of revenues. This argument fails for a number of reasons: it neglects the 12% of rent stabilized buildings for which expenses exceed income; and, it ignores the additional 31% of buildings for which income and expenses are approximately equal. Accordingly, 43% of rent stabilized buildings are an exception to the Board’s stated reason for discounting the PIOC.”

“We landlords come here year after year to ask about relief from the long term tenant discount, and under your Orders 40 and 41, the Rent Guidelines Board granted us some relief...I’m urging that you use the power affirmed by the Court of Appeals to partly remedy the problem that the long term tenant discount has created for building finances. The board should enact a minimum increase this year of at least \$65 for a one year lease and \$95 for a two year lease.”

“No one in the housing industry in the city of New York will dispute that our costs for real estate taxes and water have had double-digit increases over the past years. Heating oil is through the roof. No one would argue that the paperwork costs regarding city-state and federal agencies and their requirements and over-regulation have increased significantly. People know that affordable housing is a sacred resource. The City tried back in the 70’s and 80’s to run affordable housing, and it failed, they could not do it. They divested. It takes dedicated owners to make it work.”

“We all have to share the burden of rising costs. Vendors pass onto us as government passes increases onto them. We need to pass some onto the tenants.”

² Sources: Submissions by owner groups and testimony by owners

SELECTED EXCERPTS FROM ORAL AND WRITTEN TESTIMONY FROM TENANTS AND TENANT GROUPS³

Comments from tenants and tenant groups included:

“More New Yorkers experience homelessness than ever. During last city fiscal year, more than 113,000 New Yorkers – including nearly 43,000 children – slept in municipal shelters. This is an 8 percent increase from the previous year, and a 37 percent increase from when Mayor Bloomberg took office. During last city fiscal year, nearly 29,000 NYC homeless families slept in municipal shelters. This is a 10 percent increase from the previous year, and a remarkable 81 percent increase from when the Mayor took office.”

“[Fifth Avenue Committee] has seen firsthand how vacancy decontrol combined with other gentrification pressures often spurred by public policy decisions such as rent increases and re-zonings, has actually reduced the number of rent regulated units in the communities we serve while the demand has gone up considerably. For all these reasons and to ensure socio-economic diversity in NYC, we must hold the line on rent increases in rent stabilized housing. Anything short of this will be devastating to communities and millions of families in New York City.”

“It is evident that New York City is in an economic downturn and the individuals who are most affected by that are the working poor rent regulated tenants my office represent...During these difficult times, the question you should pose is who should bear the burden of this economic crisis, the tenants through rent increases or the landlords through rent freezes. The answer is simple.”

“My fellow tenants and I have heard the same singular litany from landlords year after year, that costs are going up—always. And, of course, costs sometimes do go up. But occasionally they go down as well, and yet our landlords never seem to inform us of that. For instance, as a recent (June 18, 2011) *New York Times* article points, out, in July 2008 oil prices peaked at \$147 a barrel, but five months later they had plummeted to \$33 a barrel, a decline of almost 80%. Curiously, though, our landlords never notified us of that precipitous drop in costs, let alone offering to pass along to us the savings.”

“The guidelines proposed are much higher than rent stabilized tenants can afford and will exacerbate an already desperate housing situation in New York City. Tenants in rent stabilized housing face extreme financial hardships, while the Rent Guidelines Board (RGB) data show that owners’ profits have increased in the current economy. Landlords do not need the rent adjustments approved by the Board”

³ Sources: Submissions by tenant groups and testimony by tenants.

SELECTED EXCERPTS FROM ORAL AND WRITTEN TESTIMONY FROM PUBLIC OFFICIALS⁴

Comments from public officials included:

“New York’s rent regulated tenants simply cannot afford another rent increase. In fact, passing additional financial burdens onto tenants, many of whom are still reeling from prior increases, would be an unfair and unnecessary

hardship, particularly given that the RGB’s own *2011 Income and Expense Study* shows that landlords’ operating costs from 2008-2009 increased by only 0.1% while Net Operating Income increased by 5.8%.”

“I believe that the RGB has a responsibility to protect tenants that have been much more severely affected by the current recession than the owners of their buildings. Statistics clearly indicate that the past three years have taken a far larger toll on the pocketbooks of regulated tenants than on their landlords...Wage rates are not growing, job growth has been bleak and current indicators show that we are not coming out of the recession and the economic forecast may be getting even bleaker. While the economic condition of average New Yorkers has gotten worse, building owners have done just fine.”

“To the extent that increases are necessary at all, they should be consistent with the objectives of affordability, habitability and fair returns for owners—as well as with the overarching City policy. Thus, for the reasons mentioned above, I urge you to seek the lowest of possible increases, to reject the fuel surcharge and to exempt from increases frequently vacant apartments and those in buildings with immediately hazardous conditions.”

“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 2.5 million low-, moderate- and middle-income rent stabilized tenants of New York City who are already facing a crisis of affordability and the aftermath of the worst recession since the Great Depression...I strongly encourage the RGB to reconsider its preliminary vote and to enact lower guidelines. Such a decision would be entirely consistent with the legislative mandate and jurisdiction of the RGB.”

“Board members are aware that the city’s unemployment rate is 9.5% and that there is a chronic lack of job creation, and escalating health costs. Real wages are down: inflation-adjusted wages decreased by 8.4% in 2009, a much higher decrease than the 3.4% decrease experienced in 2008. Landlords are not unemployed, nor victims of low job creation. These burdens fall on their tenants, and to increase their already heavy burdens should be unthinkable.”

⁴ Sources: Submissions by public officials.

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) *2011 Mortgage Survey Report*, March 2011, (An evaluation of recent underwriting practices, financial availability and terms, and lending criteria);
- (2) *2011 Income and Expense Study*, April 2011, (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);
- (3) *2011 Income and Affordability Study*, March 2011, (Includes employment trends, housing court actions, changes in eligibility requirements and public benefit levels in New York City);
- (4) *2011 Price Index of Operating Costs*, April 2011, (Measures the price change for a market basket of goods and services which are used in the operation and maintenance of stabilized buildings);
- (5) *2011 Housing Supply Report*, June 2011, (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 2010*, June 2011, (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, www.housingnyc.com, and are also available at the RGB offices, 51 Chambers St., Suite 202, New York, NY upon request.

2011 PRICE INDEX OF OPERATING COSTS FOR RENT STABILIZED APARTMENT HOUSES IN NEW YORK CITY

The *2011 Price Index of Operating Costs* for rent stabilized apartment houses in New York City found a 6.1% increase in costs for the period between March 2010 and March 2011.

This year, the PIOC for rent stabilized apartment buildings increased by 6.1%, 2.7 percentage points more than the PIOC percentage change from the year before (3.4% in 2010). The PIOC was driven upward by a significant increase in fuel oil costs of 23.1%, along with a 7.7% increase in the Utilities component. More moderate increases were seen in Taxes (3.5%), Administrative Costs (2.9%), Labor Costs (2.7%), Contractor Services (2.7%), Parts and Supplies (3.7%) and Replacement Costs (0.6%). Insurance Costs declined 0.4%. The growth in the Consumer Price Index (CPI) of 1.7% was over four percentage points lower than the PIOC.

The “core” PIOC, which excludes erratic changes in fuel oil, natural gas, and electricity costs, is useful for analyzing long-term inflationary trends. The core PIOC rose by 3.9% this year and was lower than the overall PIOC primarily due to the exclusion of fuel oil costs that rose significantly.

Table 1

2010-11 Percentage Changes in Components of the Price Index of Operating Costs for Rent Stabilized Apartment Houses in New York City⁵

Item	Expenditure Weights	2010-11 Percentage ^Δ	2010-11 Weighted Percentage ^Δ
Taxes	29.05%	3.51%	1.01%
Labor Costs	13.35%	2.66%	0.35%
Fuel Costs	12.96%	23.06%	2.98%
Utility Costs	15.55%	7.66%	1.19%
Contractor Services	12.31%	2.65%	0.32%
Administrative Costs	7.40%	2.88%	0.21%
Insurance Costs	7.28%	-0.36%	-0.02%
Parts & Supplies	1.46%	3.69%	0.05%
Replacement Costs	0.64%	0.64%	0.00%

All Items **100.00** **-** **6.13%**

Source: *2011 Price Index of Operating Costs for Rent Stabilized Apartment Houses in New York City*.

Note: The ^Δ symbol means change.

On June 1, 2011 the staff of the Rent Guidelines Board released a memo to Board members with additional information concerning the 2011 Price Index of Operating Costs. An excerpt of that memo follows:

This memo is in response to the following data inquires by Brian Cheigh:

- 1) *Could the RGB staff please provide methodology for weighing Oil-(heated vs. Gas-heated buildings in calculating the PIOC? When did the data originate, and is there a strategy to identify a new methodology to consider new conversions and dual-fuel buildings of various types?*

The Price Index of Operating Costs (PIOC) measures the price change in a market basket of goods and services used in the operation and maintenance of rent stabilized apartment buildings in New York City. The goods and services which make up the market basket were originally selected on the basis of the findings of a study of 1969 expenditure patterns by owners of rent stabilized apartment buildings. Minor changes in the specification of some of these goods and services have been carried out over time to maintain the representativeness of the market basket. The relative importance of the various goods and services in the market basket was updated in 1983 by means of a study of expenditure patterns of owners of rent stabilized apartment buildings.

Changes in the overall PIOC result from changes in the prices of individual goods and services, each weighted by its relative importance as a percentage of total operating and maintenance (O&M) expenditures. Because the market basket is fixed in the sense that the quantities of goods and services of each kind remain constant, the relative importance of the various goods and services will change when their prices increase either more quickly or more slowly than average. Thus, the relative importance, or weight, attached to each good or service changes from year to year to reflect the different rates of price change among the various index items.

The 1983 Expenditure Study provides a basis for calculating separate sets of expenditure weights for buildings constructed before 1947, for buildings constructed in 1947 or later (post-1946) as well as for gas-heated, oil-heated and master-metered buildings. This allows staff to calculate separate price indices for these five types of building categories. For many years these five indices have been calculated and included as a part of the appendix of the PIOC, which has been distributed and presented to the members of the Board and the public.

This year the PIOC for all buildings was 6.1%. The PIOC for gas-heated buildings was 2.8%, while the PIOC for oil-heated buildings was 7.7%. Heating oil costs measured by the PIOC rose 23.1%. The significant rise in heating oil costs, coupled with the 5.3% decline in the cost for gas, is the simple explanation for the disparity in these two indices.

However, to fully understand the differences between the two indices, one must also take a further look at the difference in expenditure weights for the components and items for each index. In the oil-heated PIOC, the cost for heating oil represents 20.1% of that index. Meanwhile, the two items that represent gas used to heat a building, spec 405 and spec 406, represent about 15% of the total gas-heated PIOC. Therefore, owners of oil-heated buildings have a larger proportion of their expenses dedicated to heating their buildings than owners of gas-heated buildings. To get a better understanding of these two indices, see the weights and price relatives for each item and component in the tables attached to this memo.

⁵ Totals may not add due to weighting and rounding.

In order to determine the accuracy of the PIOC, the RGB traditionally has compared it to the growth in expenses of the *Income and Expense Study*, which summarizes owner-reported expenses from the Real Property Income and Expense (RPIE) forms filed with the NYC Department of Finance. In the most recent comparison, the PIOC rose 3.6% from 2008 to 2009, the same period as the 0.1% increase in I&E costs, a 3.5 percentage point difference. From 1990-91 to 2008-09 the overall nominal costs measured in the PIOC increased at a greater rate, 131.2%, compared to RPIE data, 120.3%, over this period. If you remove the last year from this comparison (2008-2009) the overall nominal costs measured in the PIOC grew by 123.2% and in the I&E Studies by 120.1%. However it is important to note that the gap in these two measurements of expense is somewhat inflated because the change in cost in the *Income and Expense Study* could not be calculated in 2003-2004. (The PIOC in this time period was 6.1%.) Over time, these two measures of expenses have been similar, making the current PIOC a reliable measurement in the changes in owners’ overall costs.

The question was asked if the PIOC can be modified to consider new conversions and dual-fuel buildings of various heating types since the time of the last expenditure survey. Since 1983, there have been modifications to the expenditure weights to reflect changes in owner's expenses. For example, in 2001 owners were surveyed to see which type of fuel oil they were using to heat their buildings: #2, #4 or #6. Based on the responses from this survey, the items in the Fuel component were reweighted to reflect a new pattern of usage. Note that the total importance of the Fuel component did not change, but the individual items within the component (#2, #4 and #6 fuel oil) were reweighted to reflect changing usage. It may be possible to update the current PIOC in a similar manner if it can be determined how the universe of rent stabilized buildings are being heated. As of the date of this memo, staff has contacted both the NYC Department of Buildings and the Department of Environmental Protection to obtain this data but has been unable to quantify the heating systems for this universe of buildings. Ultimately, owners of these buildings may need to be surveyed to get an accurate assessment of the impact of gas conversion.

2) *Could the RGB staff provide a PIOC calculating the increases assuming solely gas-heated buildings, and not oil-heated buildings over the last 5 years?*

As stated in the answer to Question 1, the RGB staff has been calculating and reporting a PIOC for gas-heated buildings for several years. Below is the PIOC for gas-heated buildings for the past five years.

Year	PIOC for Gas-Heated Buildings
2011	2.8%
2010	-0.4%
2009	6.9%
2008	4.2%
2007	4.6%

3) *Please calculate the commensurate rent adjustment without the inclusion of Fuel Cost (as defined in the PIOC)*

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 its simplest form, the commensurate rent adjustment is the amount of rent change needed to maintain landlords' current dollar NOI at a constant level. In other words, the formula provides a set of one- and two-year renewal rent increases or guidelines that will compensate owners for the change in prices measured by the PIOC and keep net operating income "whole." For a complete discussion of the commensurate formulas please see pages 11-13 and endnotes 3 through 5 in the *2011 Price Index of Operating Costs*.

The Fuel component for the PIOC is a measure in the change in costs for heating oil. The overall price index for apartments in 2011 was 6.1%. The PIOC excluding the Fuel component is 3.6%. If you use that number to calculate the commensurate formulas you get the following results. Please note that the commensurate lease terms using a price index that excludes the Fuel Cost component are only illustrative—other combinations of one- and two-year guidelines could produce the adjustment in revenue.

Calculation of the Commensurate Rent Adjustments Using the 2011 PIOC Excluding the Fuel Component

Commensurate Rent Formula	One-Year Lease Renewal	Two-Year Lease Renewal
Net Revenue Commensurate Adjustment	3%	5.5%
Net Revenue Commensurate Adjustment w/ Vacancy Allowance	1.25%	2.5%
CPI-Adjusted NOI Commensurate Adjustment	3.5%	6.75%
CPI-Adjusted NOI Commensurate Adjustment w/ Vacancy Allowance	2.0%	3.75%
Traditional Commensurate Adjustment	2.5%	4.4%

Note: The lease renewal adjustments in this table were calculated by the RGB staff in response to a request of one of the RGB board members. They do not reflect a permanent change in the methodology to the *2011 Price Index of Operating Costs* of 6.1%, which still includes the Fuel component. Also, the two-year lease renewal adjustment calculated for the Traditional Commensurate Adjustment uses an adjusted PIOC projection that excludes the Fuel component of 5.6%.

Expenditure Weights, Price Relatives and Percent Change, Oil-Heated Buildings, 2011

Spec #	Apartments Item Description	Expenditure Weights	Price Relative	% Change
101	TAXES, FEES, & PERMITS	0.2705	1.0351	3.51%
201	Payroll, Bronx, All (Union)	0.1260	1.0000	0.00%
202	Payroll, Other, Union, Supts.	0.0928	1.0197	1.97%
203	Payroll, Other, Union, Other	0.2407	1.0193	1.93%
204	Payroll, Other, Non-Union, All	0.2921	1.0305	3.05%
205	Social Security Insurance	0.0426	1.0210	2.10%
206	Unemployment Insurance	0.0061	1.1772	17.72%
207	Private Health & Welfare	0.1997	1.0447	4.47%
	LABOR COSTS	0.1371	1.0263	2.63%
01	Fuel Oil #2	0.5418	1.1973	19.73%
302	Fuel Oil #4	0.1652	1.2636	26.36%
303	Fuel Oil #6	0.2930	1.2771	27.71%
	FUEL	0.2010	1.2316	23.16%
401	Electricity #1, 2,500 KWH	0.0069	1.0993	9.93%
402	Electricity #2, 15,000 KWH	0.1401	1.0998	9.98%
403	Electricity #3, 82,000 KWH	0.0000	1.0857	8.57%
404	Gas #1, 12,000 therms	0.0042	1.0363	3.63%
405	Gas #2, 65,000 therms	0.0305	0.9536	-4.64%
406	Gas #3, 214,000 therms	0.0020	0.9460	-5.40%
407	Steam #1, 1.2m lbs	0.0001	1.1427	14.27%
408	Steam #2, 2.6m lbs	0.0001	1.0685	6.85%

409	Telephone	0.0110	1.0128	1.28%
410	Water & Sewer	0.8051	1.1290	12.90%
	UTILITIES	0.1031	1.1173	11.73%
501	Repainting	0.3483	1.0302	3.02%
502	Plumbing, Faucet	0.1387	1.0340	3.40%
503	Plumbing, Stoppage	0.1251	1.0306	3.06%
504	Elevator #1, 6 fl., 1 e.	0.0607	1.0282	2.82%
505	Elevator #2, 13 fl., 2 e.	0.0447	1.0256	2.56%
506	Elevator #3, 19 fl., 3 e.	0.0160	1.0271	2.71%
507	Burner Repair	0.0459	0.9856	-1.44%
508	Boiler Repair, Tube	0.0624	1.0201	2.01%
509	Boiler Repair, Weld	0.0498	0.9875	-1.25%
510	Refrigerator Repair	0.0118	1.0234	2.34%
511	Range Repair	0.0111	1.0324	3.24%
512	Roof Repair	0.0751	1.0408	4.08%
513	Air Conditioner Repair	0.0055	0.9885	-1.15%
514	Floor Maint. #1, Studio	0.0003	1.0214	2.14%
515	Floor Maint. #2, 1 Br.	0.0004	1.0130	1.30%
516	Floor Maint. #3, 2 Br.	0.0041	1.0000	0.00%
	CONTRACTOR SERVICES	0.1190	1.0260	2.60%
601	Management Fees	0.7341	1.0340	3.40%
602	Accountant Fees	0.1431	1.0069	0.69%
603	Attorney Fees	0.0891	1.0220	2.20%
604	Newspaper Ads	0.0034	1.0459	4.59%
605	Agency Fees	0.0047	1.0000	0.00%
606	Lease Forms	0.0088	1.0359	3.59%
607	Bill Envelopes	0.0092	1.0000	0.00%
608	Ledger Paper	0.0077	1.0438	4.38%
	ADMINISTRATIVE COSTS	0.0721	1.0287	2.87%
701	INSURANCE COSTS	0.0771	0.9964	-0.36%
801	Light Bulbs	0.0347	1.0191	1.91%
802	Light Switch	0.0427	1.0217	2.17%
803	Wet Mop	0.0414	1.0235	2.35%
804	Floor Wax	0.0499	1.0122	1.22%
805	Paint	0.2215	1.0843	8.43%
806	Pushbroom	0.0323	1.0032	0.32%
807	Detergent	0.0396	0.9889	-1.11%
808	Bucket	0.0406	1.0174	1.74%
809	Washers	0.0925	1.0366	3.66%
811	Pine Disinfectant	0.0551	1.0516	5.16%
812	Window/Glass Cleaner	0.0514	1.0333	3.33%
813	Switch Plate	0.0482	1.0253	2.53%
814	Duplex Receptacle	0.0349	1.0088	0.88%
815	Toilet Seat	0.0934	1.0197	1.97%
816	Deck Faucet	0.1220	1.0217	2.17%
	PARTS AND SUPPLIES	0.0142	1.0362	3.62%
901	Refrigerator #1	0.1042	1.0052	0.52%
902	Refrigerator #2	0.4840	1.0053	0.53%
903	Air Conditioner #1	0.0146	1.0113	1.13%
904	Air Conditioner #2	0.0183	1.0118	1.18%
905	Floor Runner	0.0993	0.9862	-1.38%
906	Dishwasher	0.0241	1.0156	1.56%
907	Range #1	0.0495	1.0133	1.33%
908	Range #2	0.2060	1.0132	1.32%
	REPLACEMENT COSTS	0.0060	1.0059	0.59%
	ALL ITEMS	1.0000	1.0772	7.72%

Expenditure Weights, Price Relatives and Percent Change, Gas-Heated Buildings, 2011

Spec #	Apartments Item Description	Expenditure Weights	Price Relative	% Change
101	TAXES, FEES, & PERMITS	0.2422	1.0351	3.51%
201	Payroll, Bronx, All (Union)	0.0017	1.0000	0.00%
202	Payroll, Other, Union, Supts.	0.1248	1.0197	1.97%
203	Payroll, Other, Union, Other	0.2959	1.0193	1.93%
204	Payroll, Other, Non-Union, All	0.3564	1.0305	3.05%
205	Social Security Insurance	0.0466	1.0210	2.10%
206	Unemployment Insurance	0.0063	1.1772	17.72%
207	Private Health & Welfare	0.1683	1.0447	4.47%
	LABOR COSTS	0.1191	1.0287	2.87%
301	Fuel Oil #2	0.9933	1.1973	19.73%
302	Fuel Oil #4	0.0067	1.2636	26.36%
303	Fuel Oil #6	0.0000	1.2771	27.71%
	FUEL	0.0125	1.1977	19.77%
401	Electricity #1, 2,500 KWH	0.0140	1.0993	9.93%
402	Electricity #2, 15,000 KWH	0.0476	1.0998	9.98%
403	Electricity #3, 82,000 KWH	0.0000	1.0857	8.57%
404	Gas #1, 12,000 therms	0.0030	1.0363	3.63%
405	Gas #2, 65,000 therms	0.1255	0.9536	-4.64%
406	Gas #3, 214,000 therms	0.0498	0.9460	-5.40%
407	Steam #1, 1.2m lbs	0.0013	1.1427	14.27%
408	Steam #2, 2.6m lbs	0.0004	1.0685	6.85%
409	Telephone	0.0056	1.0128	1.28%
410	Water & Sewer	0.3530	1.1290	12.90%
	UTILITIES	0.2617	1.0219	2.19%
501	Repainting	0.5109	1.0302	3.02%
502	Plumbing, Faucet	0.1406	1.0340	3.40%
503	Plumbing, Stoppage	0.1268	1.0306	3.06%
504	Elevator #1, 6 fl., 1 e.	0.0227	1.0282	2.82%
505	Elevator #2, 13 fl., 2 e.	0.0052	1.0256	2.56%
506	Elevator #3, 19 fl., 3 e.	0.0417	1.0271	2.71%
507	Burner Repair	0.0204	0.9856	-1.44%
508	Boiler Repair, Tube	0.0277	1.0201	2.01%
509	Boiler Repair, Weld	0.0222	0.9875	-1.25%
510	Refrigerator Repair	0.0115	1.0234	2.34%
511	Range Repair	0.0108	1.0324	3.24%
512	Roof Repair	0.0495	1.0408	4.08%
513	Air Conditioner Repair	0.0034	0.9885	-1.15%
514	Floor Maint. #1, Studio	0.0003	1.0214	2.14%
515	Floor Maint. #2, 1 Br.	0.0006	1.0130	1.30%
516	Floor Maint. #3, 2 Br.	0.0056	1.0000	0.00%
	CONTRACTOR SERVICES	0.1582	1.0286	2.86%
601	Management Fees	0.6960	1.0340	3.40%

602	Accountant Fees	0.0977	1.0069	0.69%
603	Attorney Fees	0.1734	1.0220	2.20%
604	Newspaper Ads	0.0065	1.0459	4.59%
605	Agency Fees	0.0090	1.0000	0.00%
606	Lease Forms	0.0059	1.0359	3.59%
607	Bill Envelopes	0.0062	1.0000	0.00%
608	Ledger Paper	0.0052	1.0438	4.38%
	ADMINISTRATIVE COSTS	0.0830	1.0289	2.89%
701	INSURANCE COSTS	0.0882	0.9964	-0.36%
801	Light Bulbs	0.0356	1.0191	1.91%
802	Light Switch	0.0437	1.0217	2.17%
803	Wet Mop	0.0300	1.0235	2.35%
804	Floor Wax	0.0363	1.0122	1.22%
805	Paint	0.2592	1.0843	8.43%
806	Pushbroom	0.0234	1.0032	0.32%
807	Detergent	0.0288	0.9889	-1.11%
808	Bucket	0.0295	1.0174	1.74%
809	Washers	0.1034	1.0366	3.66%
811	Pine Disinfectant	0.0564	1.0516	5.16%
812	Window/Glass Cleaner	0.0527	1.0333	3.33%
813	Switch Plate	0.0351	1.0253	2.53%
814	Duplex Receptacle	0.0253	1.0088	0.88%
815	Toilet Seat	0.1043	1.0197	1.97%
816	Deck Faucet	0.1364	1.0217	2.17%
	PARTS AND SUPPLIES	0.0226	1.0395	3.95%
901	Refrigerator #1	0.0772	1.0052	0.52%
902	Refrigerator #2	0.3843	1.0053	0.53%
903	Air Conditioner #1	0.0221	1.0113	1.13%
904	Air Conditioner #2	0.0276	1.0118	1.18%
905	Floor Runner	0.0461	0.9862	-1.38%
906	Dishwasher	0.1558	1.0156	1.56%
907	Range #1	0.0525	1.0133	1.33%
908	Range #2	0.2344	1.0132	1.32%
	REPLACEMENT COSTS	0.0124	1.0086	0.86%
	ALL ITEMS	1.0000	1.0277	2.77%

LOCAL LAW 63/ INCOME & EXPENSE REVIEW

The sample size for the *Income and Expense (I&E) Study* includes over 15,900 properties containing over 709,000 units. This is the 19th 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 2010 Real Property Income and Expense (RPIE) statements for the year 2009:

Table 2

2011 Income and Expense Study Average Monthly Operating and Maintenance Costs Per Unit

	Pre '47	Post '46	All Stabilized
Total	\$751	\$842	\$781

Source: *2011 Income and Expense Study*, from 2010 Real Property Income and Expense filings for 2009, 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 \$717, rather than \$781. As a result, the following relationship between operating costs and residential rental income was suggested by the Local Law 63 data:

Table 2(a)

2009 Operating Cost to Rent/Income Ratio Adjusted to 1992 Audit

	O&M Costs ⁶	Rent	O&M to Rent Ratio	Income	O&M
--	------------------------	------	-------------------	--------	-----

Table with 8 columns: District, Neighborhood, # of Bldgs, Average Rent, Median Rent, Average Income, Median Income, Average Cost, Median Cost. Manhattan section.

Table with 8 columns: District, Neighborhood, # of Bldgs, Average Rent, Median Rent, Average Income, Median Income, Average Cost, Median Cost. Bronx section.

Table with 8 columns: District, Neighborhood, # of Bldgs, Average Rent, Median Rent, Average Income, Median Income, Average Cost, Median Cost. Brooklyn section.

Table with 8 columns: District, Neighborhood, # of Bldgs, Average Rent, Median Rent, Average Income, Median Income, Average Cost, Median Cost. Queens section.

Table with 8 columns: District, Neighborhood, # of Bldgs, Average Rent, Median Rent, Average Income, Median Income, Average Cost, Median Cost. Staten Island section.

Source: NYC Department of Finance, 2009 RPIE Filings Note: Community Districts containing fewer than 35 rent stabilized buildings are excluded from this analysis.

On June 1, 2011 the staff of the Rent Guidelines Board released a memo to Board members with additional information concerning mean and median rent levels. An excerpt of that memo follows:

This memo is in response to the following data inquiry by Brian Chigh:

Using Real Property Income and Expense (RPIE) data, please provide median rent, income and cost information for 2009 by building size.

The table below breaks down average and median rent, income and costs by building size in each community district, per unit per month. It is derived from the data used for the 2011 Income and Expense Study, which utilizes data from the 2009 RPIE filings collected by the NYC Department of Finance. It excludes a number of categories of building sizes in community districts that contain too few rent stabilized buildings to do an analysis. (For average and median rent, income and costs broken down by borough and building size, see Appendices 3 and 4 in the 2011 Income and Expense Study.)

Table with 9 columns: CP DIST., Neighborhood, Bldg Size, # of Bldgs, Avg Rent, Median Rent, Avg Income, Median Income, Avg Cost, Median Cost. Manhattan section.

Table with 9 columns: CP DIST., Neighborhood, Bldg Size, # of Bldgs, Avg Rent, Median Rent, Avg Income, Median Income, Avg Cost, Median Cost. Bronx section.

Table with 9 columns: CP DIST., Neighborhood, Bldg Size, # of Bldgs, Avg Rent, Median Rent, Avg Income, Median Income, Avg Cost, Median Cost. Queens section.

Table with 9 columns: CP DIST., Neighborhood, Bldg Size, # of Bldgs, Avg Rent, Median Rent, Avg Income, Median Income, Avg Cost, Median Cost. Brooklyn section.

Table with 9 columns: CP DIST., Neighborhood, Bldg Size, # of Bldgs, Avg Rent, Median Rent, Avg Income, Median Income, Avg Cost, Median Cost. Queens section.

Table with 9 columns: CP DIST., Neighborhood, Bldg Size, # of Bldgs, Avg Rent, Median Rent, Avg Income, Median Income, Avg Cost, Median Cost. Queens section.

Table with 9 columns: CP DIST., Neighborhood, Bldg Size, # of Bldgs, Avg Rent, Median Rent, Avg Income, Median Income, Avg Cost, Median Cost. Queens section.

Table with 4 columns: Component, Price Index 2010-11, Projected Price Index 2011-12. Year-to-Year Percentage Changes in Components of the Price Index of Operating Costs.

Table with 3 columns: Component, 2010-11, 2011-12. Utilities, Contractor Services, Administrative Costs, Insurance Costs, Parts & Supplies, Replacement Costs, Total (Weighted).

Source: 2011 Price Index of Operating Costs for Rent Stabilized Apartment Houses in New York City, which includes the 2012 PIOC Projection.

Overall, the PIOC is expected to grow by 7.4% from 2011 to 2012. Costs are predicted to rise in each component except Insurance, where costs are anticipated to decrease 1.8%. Fuel, the most volatile PIOC component, is expected to increase the greatest proportion, by 19.6%.

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 indicating how much rents would have to change for net operating income (NOI) in stabilized buildings to remain constant.

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

The first commensurate method is called the "Net Revenue" approach. While this formula takes into consideration the types of leases actually signed by tenants, it does not adjust landlords' NOI for inflation. The "Net Revenue" formula is presented in two ways: First, adjusting for the mix of lease terms; and second, adding an assumption for stabilized apartment turnover and the impact of revenue from vacancy increases.

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 1.7% increase in the Consumer Price Index (see Endnote 1) and the 6.1% increase in the PIOC is 6.0% for a one-year lease and 10.0% for a two-year lease.

The "traditional" commensurate adjustment is the formula that has been in use since the inception of the Rent Guidelines Board. The "traditional" commensurate yields 4.2% for a one-year lease and 6.9% for a two-year lease. This reflects the increase in operating costs of 6.1% found in the 2011 PIOC and the projection of a 7.4% increase next year.

As a means of compensating for cost changes, this "traditional" commensurate rent adjustment has two major flaws. First, although the formula is supposed to keep landlords' current dollar income constant, the formula does not consider the mix of one- and two-year lease renewals. Since only about three-fifths of leases are renewed in any given year, with a preponderance of leases having a two-year duration, the formula does not necessarily accurately estimate the amount of income needed to compensate landlords for O&M cost changes.

The following assumptions were used in the computation of the commensurates: (1) the required change in landlord revenue is 68.3% of the 2011 PIOC increase of 6.1%, or 4.2%. The 68.3% figure is the most recent ratio of average operating costs to average income in stabilized buildings; (2) for the "CPI-Adjusted NOI" commensurate, the increase in revenue due to the impact of inflation on NOI is 31.7% times the latest 12-month increase in the CPI ending February 2011 (1.7%) or 0.53%; (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 2008 Housing and Vacancy Survey; (5) for the commensurate formulae, including a vacancy assumption, the 10.45% median increase in vacancy leases found in the rent stabilized apartments that reported a vacancy lease in the 2009 apartment registration file from the Division of Housing and Community Renewal was used; and (6) the collectability of these commensurate adjustments are assumed.

Calculating the "traditional" commensurate rent adjustment requires an assumption about next year's PIOC. In this case, the 7.4% PIOC projection for 2012 is used. A second flaw of the "traditional" commensurate formula is that it does not consider the erosion of landlords' 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.

All of these methods have their limitations. The "traditional" commensurate formula is artificial and does not consider the impact of lease terms or inflation on landlords' income. The "Net Revenue" formula does not attempt to adjust NOI based on changes in interest rates or deflation of landlord profits. The "CPI-Adjusted NOI" formula inflates the debt service portion of NOI, even though interest rates have been generally falling, rather than rising, over recent years. Including a consideration of the amount of income owners receive on vacancy assumes that turnover rates are constant across the City.

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 (6.1%). 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 (7.4%). If the change in projected costs, which may not be an accurate estimate of owner's costs, is added to the "Net Revenue" and "CPI-Adjusted NOI" formulas, the resulting guidelines will likely over- or under-compensate for the change in costs.

Each of these formulae may be best thought of as a starting point for deliberations. The other Rent Guidelines Board annual research reports (e.g., the *Mortgage Survey Report* and the *Income and Expense Study*) and testimony to the Board can be used to modify the various estimates depending on these other considerations.

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.

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 2011 *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

New Financing of Permanent Mortgage Loans, Interest Rate and Points										
	2003	2004	2005	2006	2007	2008	2009	2010	2011	
Avg. Rates	6.2%	5.8%	5.5%	6.3%	6.3%	5.9%	6.5%	6.3%	5.8%	
Avg. Points	0.81	0.67	0.56	0.44	0.61	0.47	0.62	0.79	0.61	
Refinancing of Permanent Mortgage Loans, Interest Rate and Points										
	2003	2004	2005	2006	2007	2008	2009	2010	2011	
Avg. Rates	6.2%	5.7%	5.5%	6.3%	6.2%	5.8%	6.5%	6.3%	5.7%	
Avg. Points	0.78	0.60	0.56	0.44	0.61	0.44	0.62	0.83	0.61	

Source: 2003-2011 Annual Mortgage Survey Reports, RGB.

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.

CONDITION OF THE RENT STABILIZED HOUSING STOCK

The Board reviewed the number of buildings owned by the City following *in rem* actions and the number of units that are moving out of the rental market due to cooperative and condominium conversion.

Table 5

	2001	2002	2003	2004	2005	2006	2007	2008
Occupied Bldgs.	1,203	919	610	373	235	175	133	115
Vacant Bldgs.	633	524	367	275	221	155	92	75

Source: NYC Department of Housing Preservation and Development, Office of Property Management. Data from 2009 and 2010 is not available and is thus not included in this table.

Table 6

	2002	2003	2004	2005	2006	2007	2008	2009	2010
New Construction	136	190	268	361	644	573	454	335	236
Conversion Non-Eviction	14	10	16	24	53	66	50	29	20
Conversion Eviction	15	0	15	18	13	16	18	13	4
Rehabilitation	20	18	18	6	0	8	4	1	0
Total	185	218	317	409	710	663	526	378	260
Subtotal:									
HPD Sponsored Plans	15	0	15	18	13	16	18	13	4

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

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.

CONSUMER PRICE INDEX

The Board reviewed the Consumer Price Index. Table 7 shows the percentage change for the NY-Northeastern NJ Metropolitan area since 2004.

Table 7

	2004	2005	2006	2007	2008	2009	2010	2011
1st Quarter Avg. ¹²	2.8%	4.1%	3.4%	2.9%	3.7%	1.3%	2.1%	2.0%
Yearly Avg.	3.5%	3.9%	3.8%	2.8%	3.9%	0.4%	1.7%	--

Source: U.S. Bureau of Labor Statistics. Some 1st Quarter numbers have been revised from prior years.

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.

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.

Over the first two decades of rent stabilization, the change in the O&M to rent ratio contained in what was originally referred to as "Table 14" and most recently relabeled "Table 8" was updated each year to reflect the changes in operating costs as measured by the PIOC and changes in rents as measured by staff calculations derived from guideline increases. Over the years, some Board members and other housing experts have challenged the price index methodology and the soundness of the assumptions used in calculating the O&M to rent ratio in "Table 14". Several weaknesses in the table have been acknowledged for some time but it was kept in past explanatory statements to provide a historical perspective. However, "Table 14" presents a highly misleading picture of the changing relationship of operating costs to rents over time. Therefore the Board has removed this table from the Explanatory Statement and Findings.

With current longitudinal income and expense data, staff has constructed a more reliable index, using 1989 as a base year. Except for the most recent year and the coming year, this index measures changes in building income and operating expenses as reported in annual income and expense statements. The second to last year 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 8.

While we believe this to be a more reliable 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 8

Revised Calculation of Operating and Maintenance Cost Ratio for Rent Stabilized Buildings from 1989 to 2012

	Average Monthly O & M Per d.u. ¹³	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	\$730 (\$671)	\$1,052	.69 (.64)
2008	\$787 (\$723)	\$1,095	.72 (.66)
2009	\$819 (\$752)	\$1,154	.71 (.65)
2010 ¹⁴	\$847 (\$778)	\$1,236	.69 (.63)
2011 ¹⁵	\$898 (\$825)	\$1,295	.69 (.64)
2012 ¹⁶	\$965 (\$886)	\$1,345	.72 (.66)

Source: RGB *Income and Expense Studies*, 1989-2011, *Price Index of Operating Costs* 1992 - 2011, RGB Rent Index for 1992 - 2012 (see Table 8).

¹³ 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.

¹⁴ Estimated expense figure includes 2009 expense estimate updated by the staff PIOC for the period from 5/1/09 through 3/31/10 (3.4%). Income includes the income estimate for 2009 updated by staff estimate based upon renewal guidelines and choice of lease terms for a period from 4/1/09 through 3/31/10 (7.09% - i.e., the 10/1/08 to 9/30/09 rent projection (8.00%) times (.583), plus the 10/1/09 to 9/30/10 rent projection (5.82%) times (.417)).

¹⁵ Estimated expense figure includes 2010 expense estimate updated by the staff PIOC for the period from 3/1/10 through 2/28/11 (6.1%). Income includes the income estimate for 2010 updated by staff estimate based upon renewal guidelines and choice of lease terms for a period from 3/1/10 through 2/28/11 (4.81% - i.e., the 10/1/09 to 9/30/10 rent projection (5.82%) times (.583), plus the 10/1/10 to 9/30/11 rent projection (3.40%) times (.417)).

¹⁶ Estimated expense figure includes 2011 expense estimate updated by the staff PIOC projection for the period from 3/1/11 through 2/28/12 (7.4%). Income includes the income estimate for 2011 updated by staff estimate based upon renewal guidelines and choice of lease terms for a period from 3/1/11 through 2/28/12

(3.87% - i.e., the 10/1/10 to 9/30/11 rent projection (3.40%) times (.583), plus the 10/1/11 to 9/30/12 rent projection (4.53%) times (.417)).

CHANGES IN HOUSING AFFORDABILITY

New York City's economy remained fairly stable during 2010 as compared with the preceding year, with most economic indicators only marginally negative, including barely rising unemployment rates and homeless levels, and some positive, such as increasing Gross City Product and employment levels. Negative indicators include Citywide unemployment rates increasing to 9.5% during 2010, a 0.2 percentage point increase from the prior year. In addition, cash assistance levels increased for only the third time since at least 1994, increasing by 1.0% between 2009 and 2010. The number of food stamp recipients is also on the rise, increasing for the eighth consecutive year, by 14.9% in 2010. Homelessness levels also rose marginally, increasing to an average of just over 36,000 persons a night, a 0.7% increase.

More positive indicators include the annual measure of Gross City Product, which increased in real terms by 1.6% in 2010, including quarterly increases seen in every quarter since the fourth of 2009. In addition, employment levels grew, increasing 0.4% in 2010, and inflation-adjusted wages increased 3.5% during the most recent 12-month period (the fourth quarter of 2009 through the third quarter of 2010). There was also a 3.0% decrease in evictions, despite the number of "calendered" non-payment filings in Housing Court rising 3.4%.

The most recent numbers suggest that the economy improved more rapidly in the latter part of last year, with homeless levels down in both the third and fourth quarters of 2010, GCP increasing almost 4% in the fourth quarter, and public assistance levels falling 0.7% in the fourth quarter. Food stamp levels, which have been rising rapidly in recent years, also grew at a slower pace as the year progressed, rising by 20% in the first quarter of 2010, but by less than 11% in the fourth quarter. Citywide unemployment rates were also down in every month from June of 2010 through February of 2011, as compared with same months of the prior year. Employment levels also rose in the second, third, and fourth quarters of 2010, including a high of 1.3% growth during the fourth quarter.

On April 12, 2011 the staff of the Rent Guidelines Board released a memo to Board members with additional information concerning the 2011 Income and Affordability Study. An excerpt of that memo follows:

At the March 31, 2011 *Income and Affordability Study* presentation, five questions were asked of RGB staff for which answers were not immediately available. Detailed answers to all questions are provided herein.

Question 1: Can you provide descriptions of the Family Assistance Program (FA) and the Safety Net Assistance Program (SNA)?

Per the website of the NYS Office of Temporary and Disability Assistance:

Family Assistance (FA)

Family Assistance (FA) provides cash assistance to needy families that include a minor child living with a parent (including families where both parents are in the household) or a caretaker relative. FA operates under federal Temporary Assistance for Needy Families (TANF) guidelines.

Under FA, eligible adults are limited to receiving benefits for a total of 60 months in their lifetime, including months of TANF-funded assistance granted in other states. Once this limit is reached, that adult and all members of his or her FA household are ineligible to receive any more FA benefits. The months need not be consecutive, but rather each individual month in which TANF-funded benefits are received is included in the lifetime count. The counting of this 60-month limit began in December 1996.

Parents and other adult relatives receiving FA, and who are determined to be able to work must comply with federal work requirements to receive FA benefits.

Parents and other caretakers are also responsible for cooperating with the local department of social services in locating any absent parent. Non-cooperation without good cause could result in lower benefits.

Safety Net Assistance (SNA)

If you are not eligible for other assistance programs, you may be eligible for SNA. SNA is for:

- Single adults
- Childless couples
- Children living apart from any adult relative
- Families of persons abusing drugs or alcohol
- Families of persons refusing drug/alcohol screening, assessment or treatment
- Persons who have exceeded the 60-month limit on assistance
- Aliens who are eligible for temporary assistance, but who are not eligible for federal reimbursement

Recipients of SNA, who are determined to be able to work must also comply with work requirements to receive SNA benefits.

Generally, you can receive cash SNA for a maximum of two years in a lifetime. After that, if you are eligible for SNA, it is provided in non-cash form, such as a two party check or a voucher. In addition, non-cash SNA is provided for:

- Families of persons abusing drugs or alcohol
- Families of persons refusing drug/alcohol screening, assessment or treatment

Question 2: Can you provide detailed information about public assistance application denials?

Following is a table that details the reasons for public

assistance application denials (for both the Family Assistance Program and the Safety Net Assistance Program), from calendar years 2006 through 2010. See the notes just below the table for definitions of each category.

Reason for Denial of Public Assistance

Year	Client Request ¹	Financial ²	Residence ³	Compliance Employment Related ⁴	Compliance Other ⁵	Other ⁶	Total
2006	3,272	4,970	5,580	18,738	65,940	24,896	123,396
2007	3,427	5,755	1,236	36,361	69,097	15,434	131,310
2008	3,988	7,989	565	49,033	58,881	20,440	140,896
2009	5,642	10,184	289	53,886	55,243	23,138	148,382
2010	6,052	12,644	280	52,369	55,092	23,252	149,689
Total 2006-2010	22,381	41,542	7,950	210,387	304,253	107,160	693,673

1. Client Request: The client requests that the application be rescinded.
2. Financial: Includes denials for income and resource reasons, including situations where people have sources of income exceeding the standard of need for the case, or assets (bank accounts and other liquid assets, cars, certain lump sum payments and other non-household items of worth) over the Public Assistance thresholds. Resource denials are very small in relation to income denials.
3. Residence: Include anything related to where the applicant is, or is not, actually found to be living.
4. Compliance Employment Related: Failure to comply with the employment intake process
5. Compliance Other: "Other" compliance issues include things like failure to show for the application appointment or failure to provide documentation necessary to establish eligibility.
6. Other: Includes all cases where a standard denial code is not available and the case worker manually writes in the reason for the denial. These reasons might include inability to locate the person or cases where the person receives an emergency payment but does not qualify for FAP or SNA.

Question 3: Can homelessness statistics be correlated to population?

Following is a table that provides both population estimates and the average daily homeless shelter census, from 1990 through 2010. These figures do not include street homelessness. Also note that population estimates are provided by the U.S. Census Bureau and are based primarily on decennial censuses. As you get further removed from the Census year, the estimate becomes less reliable. Note the jump of almost 600,000 persons between 1999 and 2000, and the drop in population between 2009 and 2010.

Year	Average Daily Shelter Census	Population Estimate	% of Population that is Homeless
1990	20,131	7,322,155	0.27%
1991	22,498	7,304,481	0.31%
1992	23,494	7,304,895	0.32%
1993	23,748	7,329,079	0.32%
1994	23,431	7,341,300	0.32%
1995	23,950	7,349,560	0.33%
1996	24,554	7,360,622	0.33%
1997	22,145	7,382,901	0.30%
1998	21,277	7,404,140	0.29%
1999	22,575	7,428,162	0.30%
2000	23,712	8,015,348	0.30%
2001	27,799	8,063,137	0.34%
2002	34,576	8,092,749	0.43%
2003	38,310	8,126,718	0.47%
2004	37,319	8,169,940	0.46%
2005	33,687	8,213,839	0.41%
2006	32,430	8,250,567	0.39%
2007	34,109	8,310,212	0.41%
2008	33,554	8,346,794	0.40%
2009	35,915	8,391,881	0.43%
2010	36,175	8,175,133*	0.44%

*All population estimates are as of July 1 of the year specified, with the exception of 2010, which is as of April 1, 2010.

Question 4: Do you have eviction data for either public housing or rent stabilized housing?

Neither the Civil Court of the City of New York nor the NYC Dept. of Investigations (the agency which oversees New York City Marshals) is able to provide this data.

Question 5: How many homeless persons being relocated to permanent housing are being relocated to rent stabilized housing?

The NYC Dept. of Homeless Services is not able to provide this data.

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 10). 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 43.

Table 9

Changes in Price Index of Operating Costs for Apartments in Buildings with Various Heating Arrangements, 2010-11, and Commensurate Rent Adjustment

Index Type	2010-11 Price Index Change	One-Year Rent Adjustment Commensurate With O&M to Income Ratio of .683
All Dwelling Units	6.13%	4.19%
Pre 1947	6.59%	4.50%
Post 1946	5.23%	3.57%
Oil Used for Heating	7.72%	5.27%
Gas Used for Heating	2.77%	1.89%
Master Metered for Electricity	4.63%	3.16%

Note: The O&M to Income ratio is from the 2011 Income and Expense Study. Source: RGB's 2011 Price Index of Operating Costs for Rent Stabilized Apartment Houses in New York City.

On June 1, 2011 the staff of the Rent Guidelines Board released a memo to Board members with additional information concerning mean and median rent levels. An excerpt of that memo follows:

This memo is in response to the request by Ms. Cruz for the median and mean rents of rent stabilized apartments citywide and by borough. This information reflects rents as of April 1, 2010 as filed by building owners on the annual apartment registration with DHCR, and is the most recent data available.

	Average	Median
Bronx	\$1,060	\$973
Brooklyn	\$1,142	\$1,013
Manhattan	\$1,755	\$1,226
Queens	\$1,242	\$1,145
S.I.	\$1,229	\$1,076
Citywide	\$1,328	\$1,064

Source: DHCR, 2010 Apartment Registration Filings

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."

In 1986, Abt Associates Inc. conducted an expenditure study of loft owners to construct weights for the Loft Board's index of operating costs and to determine year-to-year price changes. In subsequent years, data from the PIOC for stabilized apartments was used to compute changes in costs and to update the loft expenditure weights. This is the procedure used this year.

The increase in the Loft Index this year was 5.0%, 1.1 percentage points lower than the increase for apartments. This difference is explained by the fact that Attorney Fees (2.2%) have a much higher weight in the Loft index than in the Apartments. This moderate increase in Attorney Fees, which was less than the overall index for both Apartments and Lofts, placed downward pressure on the Loft Index.

This year's guidelines for lofts are: **3.75%** for a one-year lease and **7.25%** for a two-year lease.

Table 10

Changes in the Price Index of Operating Costs for Lofts from 2010-2011

	Loft O & M Price Index Change
All Buildings	5.0%

Source: 2011 Price Index of Operating Costs for Rent Stabilized Apartment Houses in New York City.

SPECIAL GUIDELINES FOR VACANCY DECONTROLLED 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 the greater of the following:

- (1) 30% above the Maximum Base Rent, or
- (2) The Fair Market Rent for existing housing as established by the United States Department of Housing and Urban Development (HUD) for the New York City Primary Metropolitan Statistical Area pursuant to Section 8(c) (1) of the United States Housing Act of 1937 (42 U.S.C. section 1437f [c] (1)) and 24 C.F.R. Part 888, with such Fair Market Rents to be adjusted based upon whether the tenant pays his or her own gas and/or electric charges as part of his or her rent as such gas and/or electric charges are accounted for by the New York City Housing Authority.

The Board concluded that for units formerly subject to rent control, either an increase to rent levels reflecting the Fair Market Rent guidelines established by the U.S. Department of Housing and Urban Development (HUD), or 30% above the maximum base rent was a desirable minimum increase. Notably, the HUD guidelines differentiate minimum rents on the basis of bedroom count.

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

As of June 15, 1997, Vacancy Allowances are now determined by a formula set forth in the State Rent Regulation Reform Act of 1997 and in Chapter 97 of the Laws of 2011.

SUBLET ALLOWANCE

The increase landlords are allowed to charge under Order #43 when a rent stabilized apartment is sublet by the primary tenant to another tenant on or after October 1, 2011 and on or before September 30, 2012 shall be **10%**.

VOTES

The votes of the Board on the adopted motion pertaining to the provisions of Order #43 were as follows:

	Yes	No	Abstentions
Guidelines for Apartment Order #43	5	4	-

Dated: June 28, 2011

Filed with the City Clerk: June 30, 2011

Jonathan L. Kimmel
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).
- Local Laws of the City of New York for the year 1979, No. 25.
- 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.
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- Chapter 167 of the Laws of 1991.
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- Chapter 97 of the Laws of 2011.
- Written submissions by tenants, tenant organizations, owners, and owner organizations.
- RGB Staff, 2011 Price Index of Operating Costs.
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- RGB Staff, 2011 Income and Expense Study.
- RGB Staff, 2011 Income and Affordability Study.
- RGB Staff, 2011 Housing Supply Report.
- RGB Staff, Changes to the Rent Stabilized Housing Stock in New York City in 2010.
- U.S. Bureau of the Census, New York City Housing and Vacancy Surveys, 1970-2008.

NEW YORK CITY RENT GUIDELINES BOARD

2011 Hotel Order #41

June 27, 2011

Order Number 41 - Hotels, Rooming Houses, Single Room Occupancy Buildings and Lodging Houses. Rent levels to be effective for leases commencing **October 1, 2011** through **September 30, 2012**.

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, implemented by Resolution No. 276 of 1974 of the New York City Council and extended by Chapter 97 of the Laws of 2011, 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, 2011.

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, 2011**, 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, 2011** 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, 2011** shall be:

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

Except that the allowable level of rent adjustment over the lawful rent actually charged and paid on September 30, 2011 shall be 0% 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.

NEW TENANCIES

No **“vacancy allowance”** is permitted under this order. Therefore, the rents charged for tenancies commencing on or after **October 1, 2011** and on or before **September 30, 2012** may not exceed the levels over rentals charged on **September 30, 2011** 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 27, 2011

Jonathan L. Kimmel
Chair
New York City Rent Guidelines Board

EXPLANATORY STATEMENT - HOTEL ORDER #41 Explanatory Statement and Findings of the Rent Guidelines Board In Relation to 2011-12 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 41, Effective October 1, 2011 through and including September 30, 2012.¹⁷

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 Chapter 97 of the Laws of 2011, it is the responsibility of the Rent Guidelines Board to establish guidelines for hotel increases. Hotel Order Number 41, adopted on June 27, 2011, applies to stabilized hotel units occupied by non-transient tenants.

Hotel Order Number 41 provides for an allowable increase of **3%** over the lawful rent actually charged and paid on September 30, 2011 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.

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.

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 doctor's offices. 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.

¹⁷ 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.

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 15 and 31, April 14 and 28, and June 2, 2011 following public notices. On May 3, the Board adopted proposed rent guidelines for hotels, apartments, and lofts.

Two public hearings were held on June 16 and June 20, 2011 to hear comments on the proposed rent adjustments for rent stabilized hotels and apartments. The hearings were held from 4:30 P.M. to 7:50 P.M. on June 16 and from 10:00 A.M. to 7:30 P.M. on June 20. The Board heard testimony from approximately 10 hotel tenants and tenant representatives, one hotel owner, and one public official. In addition, the Board's office received approximately three written statements from two tenants and a public official. On June 27, 2011, the guidelines set forth in Hotel Order Number 41 were adopted.

Selected Oral and Written Testimony from Tenants and Tenant Groups:

- “SRO landlords continue to reap good profits from this housing stock by renting to commercial hotel guests (tourists), or renting rooms to government agencies or universities as temporary housing and – they do not rely on permanent (rent-stabilized) tenants for their financial profit or survival.”
- “There is a well established relationship between the loss of affordable SRO housing and increased homelessness. Over the last two decades, tens of thousands of SRO units have been converted to other uses. Rents for the remaining units have increased dramatically while the cheapest units – those renting for less than the public assistance shelter allowance – have disappeared. The City has been left scrambling to find

solutions to “all-time record high” levels of homelessness.”

– “Rents have tended to rise in years in which no guidelines increases were granted as well as years when allowable increases were high. For many years, now, *no* residential hotel or SRO has been renting on a regular basis to new permanent tenants at anything approaching a rent that is affordable for the HVS-defined average SRO tenant. Their incomes now come overwhelmingly from daily rentals at rates of \$100 per day or more. Landlords also often charge hostel rates to rent bunk beds, at \$50-\$80 per bed with multiple bunk beds in one unit, pulling in upwards of \$200 a night for one unit.”

– “If the Rent Guidelines Board has to give rent increases it should be to landlords who derive the majority of their building income from permanent rent stabilized SRO tenants, apartment hotel tenants and/or rooming house tenants. The Board should institute a proviso that would address that.”

– “Our office, and the people who work with us, we are advocating for 0% across the board increase for SROs. Provisos are very difficult to enforce because it is impossible for us to know what percent of the units in those buildings are actually regulated tenants. And overwhelmingly, the people I work with, their buildings are being used for tourism, and for City placements, which are very high rents.”

– “It is difficult to adequately describe the effect that even small rent increases have on SRO tenants. The majority of SRO tenants live below the poverty line. They pay an unconscionable 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%.”

Selected Oral and Written Testimony from Owners and Owner Groups:

– “An SRO does not only have to keep the building in good shape, you have to keep the building clean, you have bathrooms to clean, we have to hire people to clean bathrooms, kitchens, and often we also pay for the utilities for the tenants. So, we need at least a 6% increase this year. And we need at least the same increase every year as the rent stabilized apartments get.”

– “If you have a large hotel that's subsidized by both the city and by tax incentives, you have commercial units and it's a non-profit organization, they're fine. But we're not. We need the rent increases.”

Selected Oral and Written Testimony from Public Officials:

– “I am here today to request that the members of the Rent Guidelines Board **freeze increases for all regulated rental units**, including Class A Hotels, Single Room Occupancy Buildings, and Rooming Houses.”

– “The proviso that exempts certain SROs and residential hotels from rent increases should continue because so few permanent tenants live in them; in many cases, the Department of Homeless Services, non-profits, colleges, and long term hotel guests in the units are giving the owners the necessary profits.”

– “The severity of the current economic crisis is almost unprecedented. It is not, however, a crisis in landlord costs. It is a crisis of joblessness, and lost income, and escalating health care costs that have driven tens of thousands of New Yorkers from their homes....The Board cannot act in a vacuum; it must recognize the catastrophic human cost, and enormous financial costs to the city, of supporting housing policies that are driving people into the streets.”

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 *2011 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 28, 2011. Guest speakers representing hotel tenants included Anderson Fils-Aime from the Goddard-Riverside Community Center's West Side SRO Law Project, Jonathan Burke from the East Side SRO Law Project of MFY Legal Services, and Larry Wood from the Goddard Riverside Community Center. There were no guest speakers representing hotel landlords 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) *2011 Mortgage Survey Report*, March 2011 (An evaluation of recent underwriting practices, financial availability and terms, and lending criteria);
- (2) *2011 Income and Affordability Study*, March 2011 (Includes employment trends, housing court actions, changes in eligibility requirements and public benefit levels in New York City);
- (3) *2011 Price Index of Operating Costs*, April 2011 (Measures the price change for a market basket of

goods and services which are used in the operation and maintenance of stabilized hotels);

- (4) **2011 Housing Supply Report, June 2011** (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 2010, June 2011** (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.housingnyc.com, and are also available at the RGB offices, 51 Chambers St., Suite 202, 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 stabilized Hotels. The three categories of hotels are: 1) "traditional" hotels — a multiple dwelling which 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 stabilized Hotels rose 7.6% this year, nearly double the increase of 3.9% witnessed the year before. The Price Index for Hotels was 1.5 percentage points higher than the increase in costs measured in the Apartment Price Index. Significant disparities between the Hotel Index and the Apartment Index were seen in the Tax and Utilities components. Taxes for Hotels (8.5%) increased at a higher pace than the increase for apartments (3.5%). In contrast, the increase in Utilities for all types of Hotels was 5.0%, versus the higher rise of 7.7% in apartment buildings. This difference was due to a double-digit increase in water and sewer costs having more weight in the Apartment Index.

In addition to the rise in costs mentioned above, increases were seen in six out of the seven remaining Hotel cost components. The largest increase in costs occurred in the Fuel component, which increased 22.5%. More moderate increases were witnessed in Labor (3.2%), Administrative Costs (3.1%) and Contractor Services (2.0%) components. The Parts and Supplies and Replacement Costs components, which carry very little weight in the Hotel Index, saw increases of 2.1% and 1.6%, respectively. Unlike the rise in cost of other Hotel components, Insurance Costs declined 0.4%. Among the different categories of Hotels, the index for "traditional" hotels increased 10.4%, which was higher than increases for both Rooming Houses (7.5%) and SROs (7.1%). The differences between these indices are due to the increased weight and more rapid increase in costs in the Tax component for "traditional" hotels.

Percent Change in the Components of the Price Index of Operating Costs March 2010 to March 2011, By Hotel Type and All Hotels

Spec #	Item Description	Hotel	RH	SRO	All Hotels
101	TAXES, FEES, & PERMITS	1.1581	1.0645	1.0427	1.0850
203-206, 208-216	LABOR COSTS	1.0308	1.0329	1.0338	1.0322
301-303	FUEL	1.2215	1.1973	1.2554	1.2252
401-407, 409-410	UTILITIES	1.0458	1.0897	1.0384	1.0499
501-509, 511-516, 518	CONTRACTOR SERVICES	1.0198	1.0208	1.0188	1.0198
601-608	ADMINISTRATIVE COSTS	1.0320	1.0281	1.0288	1.0305
701	INSURANCE COSTS	0.9964	0.9964	0.9964	0.9964
801-816	PARTS AND SUPPLIES	1.0110	1.0421	1.0325	1.0209
901-904, 907-911	REPLACEMENT COSTS	1.0155	1.0160	1.0160	1.0157
	ALL ITEMS	1.1041	1.0754	1.0708	1.0760

SOURCE: 2011 PRICE INDEX OF OPERATING COSTS

CHANGES IN HOUSING AFFORDABILITY

SPECIAL MATERIALS

CHANGES IN PERSONNEL

HOUSING PRESERVATION & DVLPMNT FOR PERIOD ENDING 07/08/11						
NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE
ABDALRAHIM	ALADDIN	31670	\$51936.0000	APPOINTED	NO	06/19/11
ACEVEDO	THELMA	56057	\$38934.0000	INCREASE	YES	06/19/11
AHMED	IPTAKHER	31670	\$45162.0000	APPOINTED	NO	06/19/11
ALI	SYED A	31670	\$45162.0000	APPOINTED	NO	06/19/11
CARRINGTON	CHRISTIA	31670	\$51936.0000	INCREASE	NO	06/19/11
COLON	JILLIAN M	10251	\$31852.0000	APPOINTED	NO	06/26/11
DE BERRY	DELORES	10251	\$31852.0000	APPOINTED	YES	06/30/11
DOCKERY	EFURU	10251	\$35285.0000	APPOINTED	YES	06/26/11
EDWARDS	MAGGIE	10251	\$28588.0000	APPOINTED	YES	06/26/11
FIELDS	ROBIN	10251	\$31852.0000	APPOINTED	YES	06/26/11
FINCHER	LIDIA M	10252	\$43869.0000	APPOINTED	YES	06/19/11
HASAN	ABUL Q	31670	\$45162.0000	APPOINTED	NO	06/19/11
HOWARD	PAMELA D	10251	\$31852.0000	APPOINTED	YES	06/26/11
IRIZARRY	DANIEL	22507	\$58448.0000	RETIRED	NO	06/18/11
JACKSON	STORMY N	10251	\$35285.0000	APPOINTED	YES	06/26/11
LESURE	MICHAEL L	10251	\$31852.0000	APPOINTED	YES	06/26/11
LEVENSON	SARA L	22507	\$68000.0000	INCREASE	YES	06/26/11
MCKENZIE	LEACROFT	31670	\$45162.0000	APPOINTED	NO	06/19/11
MEDINA	MATILDE	10251	\$35285.0000	APPOINTED	YES	06/26/11
MEDURI	CAROLANN	10251	\$38801.0000	APPOINTED	YES	06/27/11
MONTGOMERY	RHONDA J	10251	\$31852.0000	APPOINTED	YES	06/26/11
MOORE	MICHELLE Y	31670	\$45162.0000	APPOINTED	NO	06/19/11
OLIVER	ANDREE S	10251	\$31852.0000	APPOINTED	YES	06/26/11
OYANIYYI	OLUWASEY B	31670	\$51936.0000	INCREASE	NO	06/19/11
OYEWOLE	JULIUS	80122	\$53535.0000	RETIRED	YES	07/01/11
OYEWOLE	JULIUS	80112	\$46367.0000	RETIRED	NO	07/01/11
PADILLA	ZAIDA D	56056	\$35573.0000	INCREASE	YES	06/19/11
PARMAR	ILA D	10251	\$31852.0000	APPOINTED	YES	06/27/11
RAMIREZ	AGNES A	56056	\$17.2600	INCREASE	YES	06/26/11
RICHARDSON	ANTHONY R	22508	\$83330.0000	INCREASE	YES	06/26/11

New York City's economy remained fairly stable during 2010 as compared with the preceding year, with most economic indicators only marginally negative, including barely rising unemployment rates and homeless levels, and some positive, such as increasing Gross City Product and employment levels. Negative indicators include Citywide unemployment rates increasing to 9.5% during 2010, a 0.2 percentage point increase from the prior year. In addition, cash assistance levels increased for only the third time since at least 1994, increasing by 1.0% between 2009 and 2010. The number of food stamp recipients is also on the rise, increasing for the eighth consecutive year, by 14.9% in 2010. Homelessness levels also rose marginally, increasing to an average of just over 36,000 persons a night, a 0.7% increase.

More positive indicators include the annual measure of Gross City Product, which increased in real terms by 1.6% in 2010, including quarterly increases seen in every quarter since the fourth of 2009. In addition, employment levels grew, increasing 0.4% in 2010, and inflation-adjusted wages increased 3.5% during the most recent 12-month period (the fourth quarter of 2009 through the third quarter of 2010). There was also a 3.0% decrease in evictions, despite the number of "calendered" non-payment filings in Housing Court rising 3.4%.

The most recent numbers suggest that the economy improved more rapidly in the latter part of last year, with homeless levels down in both the third and fourth quarters of 2010, GCP increasing almost 4% in the fourth quarter, and public assistance levels falling 0.7% in the fourth quarter. Food stamp levels, which have been rising rapidly in recent years, also grew at a slower pace as the year progressed, rising by 20% in the first quarter of 2010, but by less than 11% in the fourth quarter. Citywide unemployment rates were also down in every month from June of 2010 through February of 2011, as compared with same months of the prior year. Employment levels also rose in the second, third, and fourth quarters of 2010, including a high of 1.3% growth during the fourth quarter.

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 2003.

Percentage Changes in the Consumer Price Index for the New York City - Northeastern New Jersey Metropolitan Area, 2003-2011 (For "All Urban Consumers")

	2003	2004	2005	2006	2007	2008	2009	2010	2011
1st Quarter Avg.¹	3.2%	2.8%	4.1%	3.4%	2.9%	3.7%	1.3%	2.1%	2.0%
Yearly Avg.	3.1%	3.5%	3.9%	3.8%	2.8%	3.9%	0.4%	1.7%	-

Source: U.S. Bureau of Labor Statistics.

18 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 2011 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.

2011 Mortgage Survey¹⁹ Average Interest Rates and Points for

ROBINSON	EDWARD J	31670	\$51936.0000	INCREASE	NO	06/19/11
RODRIGUEZ	MARY R	56056	\$35130.0000	INCREASE	YES	06/19/11
ROFFMAN	JASON	10251	\$35285.0000	APPOINTED	YES	06/26/11
SAID	MARIA	56056	\$35573.0000	INCREASE	YES	06/19/11
SALEH	MD	31670	\$45162.0000	APPOINTED	NO	06/19/11
SMALLS	KEESHA A	10251	\$31852.0000	APPOINTED	YES	06/26/11
SOTO	FLORIAN	31670	\$45162.0000	APPOINTED	NO	06/19/11

DEPARTMENT OF BUILDINGS FOR PERIOD ENDING 07/08/11

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE
CATAPANO	THOMAS V	06688	\$49059.0000	INCREASE	YES	06/19/11
HODGES	ROBERT C	31642	\$68620.0000	RETIRED	NO	07/01/11
TRIVENTO	ERICA A	56057	\$37169.0000	RESIGNED	YES	06/23/11

DEPT OF HEALTH/MENTAL HYGIENE FOR PERIOD ENDING 07/08/11

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE
ADAMSKI	ALYS	21744	\$73212.0000	RESIGNED	YES	06/17/11
ADAMSON	LINDA L	10026	\$105000.0000	APPOINTED	YES	06/26/11
ADEWOLU	ADEKUNBI O	51008	\$29.2000	APPOINTED	YES	10/12/10
AKINYOYE	JULIUS	31215	\$44201.0000	RETIRED	YES	06/30/11
ALEXANDER	EMMA J	10251	\$51722.0000	RETIRED	NO	06/30/11
ARTHUR	DENISE A	10026	\$111226.0000	INCREASE	YES	06/26/11
BACON	DEBORAH	10251	\$46099.0000	RETIRED	NO	06/30/11
BONNEAU THEODOR	EDWINE	51022	\$29.4200	APPOINTED	YES	10/12/10
BOURNE	MESHANA R	10124	\$45978.0000	PROMOTED	NO	06/26/11
CATLETT	SAMANTHA S	51191	\$32863.0000	RESIGNED	YES	06/29/11
CROUCH	BINDY L	5304A	\$151933.0000	RESIGNED	YES	06/05/11
DELAGARZA-JORDA	JULIA C	53859	\$159701.0000	RESIGNED	YES	06/28/11
ESPINOZA	NICOLE A	10209	\$12.9600	RESIGNED	YES	05/29/11
FUNG	MAGGIE	83052	\$51874.0000	APPOINTED	YES	06/19/11
GISTERAK	ZACHARY	10050	\$80000.0000	APPOINTED	YES	06/19/11
GRANT	YORAN T	21744	\$71220.0000	RESIGNED	YES	06/21/11
GUL	MUDASSAR	91212	\$19.8200	RESIGNED	NO	06/21/11
HALTOM	PATRICIA M	31215	\$38436.0000	RESIGNED	YES	06/21/11
JOHNSON	CAROL J	51191	\$37793.0000	RESIGNED	YES	06/19/11
KILANKO	ISAAC T	10069	\$138200.0000	RESIGNED	YES	06/26/11
KING	LISA	51022	\$29.4200	APPOINTED	YES	10/12/10
KIRSCH	CINDY J	10251	\$31852.0000	RETIRED	NO	06/26/11
KOONADI	SREENIVA	13632	\$102054.0000	APPOINTED	YES	06/26/11
KOSHY	ANN	51022	\$29.4200	RESIGNED	YES	06/09/11
LEE	MARISA D	21744	\$73212.0000	RESIGNED	YES	06/24/11
LEHMAN	DANIEL J	10026	\$189121.0000	RESIGNED	YES	06/12/11
MAIRA	DIANE M	51195	\$20.6800	RETIRED	NO	06/30/11
MANDEL-RICCI	JENNA G	10069	\$108794.0000	INCREASE	YES	06/12/11
MARTINEZ JR	WINSTON A	31215	\$45711.0000	INCREASE	YES	03/20/11

New and Refinanced Permanent Mortgage Loans 2002-2011

New Financing of Permanent Mortgage Loans, Interest Rate and Points										
	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Avg. Rates	7.4%	6.2%	5.8%	5.5%	6.3%	6.3%	5.8%	6.5%	6.3%	5.8%
Avg. Points	0.79	0.81	0.67	0.56	0.44	0.61	0.47	0.62	0.79	0.61
Refinancing of Permanent Mortgage Loans, Interest Rate and Points										
	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Avg. Rates	7.4%	6.2%	5.7%	5.5%	6.3%	6.2%	5.8%	6.5%	6.3%	5.7%
Avg. Points	0.83	0.78	0.60	0.56	0.44	0.61	0.44	0.62	0.83	0.61

Source: 2002-2011 Annual Mortgage Surveys, RGB.

¹⁹ 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.

HOTEL CONVERSION

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. Certificates are down for the sixth consecutive year, falling to 107 in 2010, down from 117 in 2009, and more than 200 in each year from 2004-2006. 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 less than 30 days, and in just the first two weeks after passage of the new laws, 15 locations were issued fines and/or full or partial vacate orders.

VOTE

The vote of the Rent Guidelines Board on the adopted motion pertaining to the provisions of Order Number 41 was as follows:

	Yes	No	Abstentions
Guidelines for Hotels	6	3	-

Dated: June 28, 2011
Filed with the City Clerk: June 30, 2011

Jonathan L. Kimmel
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).
Local Laws of the City of New York for the year 1979, No. 25.
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.
RGB Staff, 2011 Price Index of Operating Costs.
RGB Staff, 2011 Income and Affordability Study.
RGB Staff, 2011 Mortgage Survey Report.
RGB Staff, 2011 Housing Supply Report.
RGB Staff, Changes to the Rent Stabilized Housing Stock in NYC in 2010.
Written submissions by tenants, tenant organizations, owners, and owner organizations.

MCSHANE	REGINA	C	95937	\$39,470.00	RETIRED	YES	05/08/11
MURRAY	PAULINE		51000	\$69386.0000	RETIRED	NO	06/23/11
ORTEGA	FELIX	M	51181	\$60953.0000	INCREASE	YES	06/19/11
POLLARD-HENRY	MYTRIS		10124	\$51445.0000	INCREASE	NO	06/12/11
ROBERSON	SHAVON	V	10251	\$31571.0000	APPOINTED	NO	06/26/11
SINGH	SHIVANAN	S	31215	\$44201.0000	INCREASE	YES	06/05/11
SKINNER	SHEVON	M	10032	\$88400.0000	RESIGNED	YES	06/19/11
THOMAS	MICHAEL	H	60215	\$28855.0000	RESIGNED	YES	06/23/11
THOMAS	PATRICIA	A	12626	\$52162.0000	RETIRED	NO	07/01/11
TORO	BRIAN	J	1002A	\$68466.0000	INCREASE	YES	06/26/11
TORO	BRIAN	J	51193	\$56497.0000	APPOINTED	NO	06/26/11
TRANCHIDA	VINCENT		53859	\$180834.0000	RESIGNED	YES	06/21/11
WACKMAN	JUDITH		5100B	\$29,200.00	RESIGNED	YES	06/05/11
WATHE-MURPHY	JEANETTE	W	51191	\$20,680.00	RETIRED	YES	06/30/11
WATHE-MURPHY	JEANETTE	W	81805	\$13,220.00	RETIRED	NO	06/30/11
ZARZANA	CHRISTOP	D	31215	\$38436.0000	RESIGNED	YES	06/22/11
ZEBULUN	ALMAZ	M	10252	\$33390.0000	RETIRED	NO	06/29/11

ADMIN TRIALS AND HEARINGS
FOR PERIOD ENDING 07/08/11

NAME	NUM	SALARY	ACTION	PROV	EFF DATE	
ABRAHAM	RONALD	95937	\$36,600.00	APPOINTED	YES	07/03/11
ALVAREZ	MELVIN	56057	\$22,590.00	APPOINTED	YES	07/03/11
ANDERSON	WILLIAM	T 10251	\$34400.0000	APPOINTED	YES	07/03/11
ARIAS	RAMONA	P 56057	\$37169.0000	APPOINTED	YES	07/03/11
BAILEY	ANTHONY	M 95937	\$39,470.00	APPOINTED	YES	07/03/11
BAKER MILLER	DAWN	95937	\$36,600.00	APPOINTED	YES	07/03/11
BALILE	SOFIA	95937	\$36,600.00	APPOINTED	YES	07/03/11
BATES	BETHLYN	95937	\$39,470.00	APPOINTED	YES	07/03/11
BELLO	THOMAS	F 95005	\$85000.0000	APPOINTED	YES	07/03/11
BENN-GREGG	ADELE	O 60910	\$44048.0000	APPOINTED	YES	07/03/11
BETHEL	GREGORY	A 40526	\$39402.0000	APPOINTED	YES	07/03/11
BLAND	JACQUELI	10251	\$35285.0000	APPOINTED	YES	07/03/11
BONANNO	THOMAS	S 95937	\$39,470.00	APPOINTED	YES	07/03/11
BROOKS	JOYCE	10124	\$49656.0000	APPOINTED	YES	07/03/11
BUDOFF	MARGERY	95937	\$39,470.00	APPOINTED	YES	07/03/11
BULLEN	MARY	E 10251	\$35285.0000	APPOINTED	YES	07/03/11
CAMERON	DONALD	E 95937	\$36,600.00	APPOINTED	YES	07/03/11
CAMPBELL	ECUA	60215	\$35174.0000	APPOINTED	YES	07/03/11
CAPERS	VASCHON	M 60215	\$33183.0000	APPOINTED	YES	07/03/11
CARDOSO	PATRICIA	95937	\$39,470.00	APPOINTED	YES	07/03/11
CASTRO	JEFFREY	95937	\$36,600.00	APPOINTED	YES	07/03/11
CASTRO-ARCE	YOLANDA	95937	\$36,600.00	APPOINTED	YES	07/03/11
CELIUS	PATRICIA	A 10250	\$28588.0000	APPOINTED	YES	07/03/11
CHATMAN	DELMERLY	10251	\$35285.0000	APPOINTED	YES	07/03/11
CHERREZ	MARIA	E 10251	\$33100.0000	APPOINTED	YES	07/03/11
CLEMENTE	ROBERT	S 95937	\$36,600.00	APPOINTED	YES	07/03/11
COHEN	ADELE	H 95937	\$39,470.00	APPOINTED	YES	07/03/11
COHEN	CATHRYN	A 95937	\$39,470.00	APPOINTED	YES	07/03/11
COLON	CARMEN	L 56056	\$17,260.00	APPOINTED	YES	07/03/11
CONNELL	GEALISE	60215	\$33183.0000	APPOINTED	YES	07/03/11
CORTIJO	CLARA	R 10251	\$35695.0000	APPOINTED	YES	07/03/11
COURTNEY	INDRINA	60215	\$33183.0000	APPOINTED	YES	07/03/11
CULLEN	ANN	95937	\$36,600.00	APPOINTED	YES	07/03/11
CURCHACK	SUSAN	95937	\$39,470.00	APPOINTED	YES	07/03/11
DANDOLA	JOHN	A 95937	\$39,470.00	APPOINTED	YES	07/03/11
DAVIS	JEFFREY	L 95937	\$36,600.00	APPOINTED	YES	07/03/11
DEFONTES	ERYN	A 95937	\$39,470.00	APPOINTED	YES	07/03/11
DEOWDAT	REGGIE	10252	\$38463.0000	APPOINTED	YES	07/03/11
DONIGER	ALAN	F 95937	\$39,470.00	APPOINTED	YES	07/03/11
DRISCOLL	TIMOTHY	B 95937	\$39,470.00	APPOINTED	YES	07/03/11
EDGEHILL	THEODORE	L 10124	\$46101.0000	APPOINTED	YES	07/03/11
EDWARDS	NATASHA	10251	\$28588.0000	INCREASE	YES	06/19/11
FANELLI	ANNA	M 95937	\$39,470.00	APPOINTED	YES	07/03/11
FANT	MARK	E 95937	\$36,610.00	APPOINTED	YES	07/03/11
FERNMAN	SYLVIA	J 95937	\$39,470.00	APPOINTED	YES	07/03/11
FELD	WILLIAM	10251	\$35309.0000	APPOINTED	YES	07/03/11
FELDMESSER	ANTHONY	M 95937	\$36,600.00	APPOINTED	YES	07/03/11
FELTON	MICHAEL	10251	\$31852.0000	APPOINTED	YES	07/03/11
FERRARA	JAMES	L 95937	\$36,600.00	APPOINTED	YES	07/03/11
FINKELSTEIN	SHARYN	95937	\$39,470.00	APPOINTED	YES	07/03/11
FRELIX	SANDRA	D 95937	\$39,470.00	APPOINTED	YES	07/03/11
GALLAGHER	JANET	30087	\$77015.0000	APPOINTED	YES	07/03/11
GANG	EFFIE	S 95937	\$39,470.00	APPOINTED	YES	07/03/11
GARNER	THERESA	10251	\$31940.0000	APPOINTED	YES	07/03/11
GETMAN	ROBERT	S 95937	\$36,600.00	APPOINTED	YES	07/03/11
GLENN DUNCAN	GRACE	E 10251	\$40050.0000	APPOINTED	YES	07/03/11
GOLKIN	DEWEY	95937	\$39,470.00	APPOINTED	YES	07/03/11
GONZALEZ	MIGUEL	A 95005	\$98696.0000	APPOINTED	YES	07/03/11
GOODMAN	SANDRA	56056	\$33112.0000	APPOINTED	YES	07/03/11
GOULD	LAWRENCE	G 95937	\$39,470.00	APPOINTED	YES	07/03/11
GRANVILLE	ELIZABET	E 95937	\$39,470.00	APPOINTED	YES	07/03/11
GRASSI	GARY	G 95937	\$39,470.00	APPOINTED	YES	07/03/11
GREAVES	VALERIE	D 95937	\$36,600.00	APPOINTED	YES	07/03/11
GREENE	WAYNE	P 30087	\$83176.0000	APPOINTED	YES	07/03/11
GROSS	ROBERT	A 95937	\$36,600.00	APPOINTED	YES	07/03/11
HALLERDIN	GAIL	I 95937	\$39,470.00	APPOINTED	YES	07/03/11
HANDLER	JENNIFER	B 95937	\$36,600.00	APPOINTED	YES	07/03/11
HARAWITZ	JODI	M 95937	\$36,600.00	APPOINTED	YES	07/03/11
HELLER	MICKEY	95937	\$36,600.00	APPOINTED	YES	07/03/11
HENRY	EILEEN	J 1002C	\$60495.0000	APPOINTED	YES	07/03/11
HINDY	GEORGE	V 95937	\$39,470.00	APPOINTED	YES	07/03/11
HIRSCH-HORLICK	LINDA	95937	\$39,470.00	APPOINTED	YES	07/03/11
HORT-CLEMENT	KATHERIN	A 95937	\$36,600.00	APPOINTED	YES	07/03/11
HUDSON	ERICKA	10124	\$45978.0000	APPOINTED	YES	07/03/11
HUTSON	KAREN	95937	\$36,600.00	APPOINTED	YES	07/03/11
JAFFE	MARTIN	H 95937	\$39,470.00	APPOINTED	YES	07/03/11
JONES	MARILYN	60215	\$33183.0000	APPOINTED	YES	07/03/11
JONES	TARA	P 10250	\$28588.0000	APPOINTED	YES	07/03/11
JORDAN	TAMARA	I 95937	\$36,600.00	APPOINTED	YES	07/03/11
KANDEL	RANDY	F 95937	\$39,470.00	APPOINTED	YES	07/03/11
KAPLAN	VITALY	10250	\$28588.0000	APPOINTED	YES	07/03/11
KEEFE	JEANNE	M 95937	\$39,470.00	APPOINTED	YES	07/03/11
KELMANS	RICHARD	N 95937	\$39,470.00	APPOINTED	YES	07/03/11
KEWLEY	ROSEMARI	60215	\$44182.0000	APPOINTED	YES	07/03/11
KNAJDL	ELIZABET	A 95937	\$39,470.00	APPOINTED	YES	07/03/11
KONKA	VEERA	V 95937	\$39,470.00	APPOINTED	YES	07/03/11
KRAMER	MARTIN	R 95937	\$36,600.00	APPOINTED	YES	07/03/11
KUPFERBERG	DAVID	R 10250	\$28588.0000	APPOINTED	YES	07/03/11
KURUVILA	BIKKU	K 95937	\$39,470.00	APPOINTED	YES	07/03/11
KUZYK	DANIEL	T 95937	\$39,470.00	APPOINTED	YES	07/03/11
LANDIS	SUSAN	S 95937	\$39,470.00	APPOINTED	YES	07/03/11
LAWSON	DARLA	A 10250	\$28588.0000	APPOINTED	YES	07/03/11
LEE	DAVID	W 95937	\$39,470.00	APPOINTED	YES	07/03/11
LEHNER	CRAIG	P 95937	\$39,470.00	APPOINTED	YES	07/03/11
LEWIS	VANESSA	M 95937	\$36,600.00	APPOINTED	YES	07/03/11
LIBURD	ROBIN	10124	\$46223.0000	APPOINTED	YES	07/03/11
LICATA	RICHARD	V 95937	\$36,600.00	APPOINTED	YES	07/03/11
LUKE	FRANKLIN	56056	\$35221.0000	APPOINTED	YES	07/03/11
MAHONEY	NICHOLAS	O 95937	\$36,600.00	APPOINTED	YES	07/03/11
MANNING	DEBBIE	A 10252	\$32941.0000	APPOINTED	YES	07/03/11
MARCH	LINDA	95937	\$39,470.00	APPOINTED	YES	07/03/11
MARGOLIS	LEONARD	S 95937	\$39,470.00	APPOINTED	YES	07/03/11
MARTIN	CYNTHIA	10124	\$46127.0000	APPOINTED	YES	07/03/11
MARTINDALE	PETAL	95937	\$36,600.00	APPOINTED	YES	07/03/11
MARVIN	ELLIOT	R 95937	\$39,470.00	APPOINTED	YES	07/03/11
MASULLO	GALE	P 95937	\$39,470.00	APPOINTED	YES	07/03/11
MAURY-ROSA	SYLVIA	Y 10251	\$41360.0000	APPOINTED	YES	07/03/11
MCENEANEY	JANET	95937	\$36,600.00	APPOINTED	YES	07/03/11
MCMAHON	JEAN	95937	\$36,600.00	APPOINTED	YES	07/03/11
MCSWEENEY	LAUREN	95937	\$36,600.00	APPOINTED	YES	07/03/11
MENDEZ	ADELAIDA	10251	\$33167.0000	APPOINTED	YES	07/03/11
MERTSARIS	HIPPOCRA	30086	\$28,720.00	APPOINTED	YES	07/03/11
MILLER	CHARLES	P 1002A	\$74314.0000	APPOINTED	YES	07/03/11
MONDESIR	LORNA	A 56057	\$41000.0000	APPOINTED	YES	06/19/11
MORRIS	RONALD	10251	\$38810.0000	APPOINTED	YES	07/03/11
NOLAN	ELIZABET	10252	\$45014.0000	APPOINTED	NO	06/05/11
OBBERMAN	IGOR	95937	\$36,600.00	APPOINTED	YES	07/03/11
ORTIZ	KAREN	M 95937	\$36,600.00	APPOINTED	YES	07/03/11
ORTIZ	LUZ	N 56056	\$17,260.00	APPOINTED	YES	07/03/11
PHILIP	JOHN	V 95937	\$36,600.00	APPOINTED	YES	07/03/11
PURDY	WILLIAM	J 95937	\$36,600.00	APPOINTED	YES	07/03/11
RAND	ELEANOR	G 95937	\$39,470.00	APPOINTED	YES	07/03/11
RASMUSSEN	MARY	10251	\$37402.0000	APPOINTED	YES	07/03/11
REDDICK	AMANDA	10209	\$9,410.00	APPOINTED	YES	06/19/11
ROBERTS	DARRA	L 10124	\$46223.0000	APPOINTED	YES	07/03/11
ROCCOSALVO	FELICIA	J 30087	\$77030.0000	APPOINTED	YES	07/03/11
RODRIGUEZ	KIMBERLY	10251	\$35285.0000	APPOINTED	NO	06/05/11

RODRIGUEZ	MARIA	60215	\$33183.0000	APPOINTED	YES	07/03/11
RODRIGUEZ	MICHELLE	95937	\$36,600.00	APPOINTED	YES	07/03/11
RODRIGUEZ	YAHARA	10251	\$29913.0000	APPOINTED	YES	07/03/11
ROTHBAUM	ALICE	C 95937	\$36,600.00	APPOINTED	YES	07/03/11
RUBIN	GARRET	95937	\$39,470.00	APPOINTED	YES	07/03/11
RUEDA	MARVIN	A 56057	\$37169.0000	APPOINTED	YES	07/03/11
RUSSELL	JOSEPH	B 95937	\$39,470.00	APPOINTED	YES	07/03/11
RYAN	HERBERT	F 95937	\$39,470.00	APPOINTED	YES	07/03/11
SAGAR	ROHIT	K 40526	\$42049.0000	APPOINTED	YES	07/03/11
SANTORO	SUSAN	B 95937	\$39,470.00	APPOINTED	YES	07/03/11
SCHNEIDER	JUDITH	R 95937	\$39,470.00	APPOINTED	YES	07/03/11
SCHRIFFEN	GERARD	J 95937	\$36,600.00	APPOINTED	YES	07/03/11
SCHWECKE	CARMENA	B 95005	\$100752.0000	APPOINTED	YES	07/03/11
SEGARRA	ANGELIQU	95937	\$36,600.00	APPOINTED	YES	07/03/11
SHAIKH	INAYAT	95937	\$39,470.00	APPOINTED	YES	07/03/11
SHIFRIN	ILENE	M 30085	\$86399.0000	APPOINTED	YES	07/03/11
SMILOW	MARTIN	I 13632	\$91463.0000	APPOINTED	YES	07/03/11
SMITHEEN	IESHA	F 10209	\$9,410.00	APPOINTED	YES	06/19/11
SNIDER	BONNIE	10251	\$33192.0000	APPOINTED	YES	07/03/11
SNYDER	JESSE	L 95937	\$36,600.00	APPOINTED	YES	07/03/11
SNYDER	MARK	H 95937	\$39,470.00	APPOINTED	YES	07/03/11
STERBIN	JOHANNA	E 95937	\$39,470.00			

READER'S GUIDE

The City Record (CR) is published each business day and includes notices of proposed New York City procurement actions, contract awards, and other procurement-related information. Solicitation notices for most procurements valued at or above \$100,000 for information technology and for construction and construction related services, above \$50,000 for other services, and above \$25,000 for other goods are published for at least one day. Other types of procurements, such as sole source, require notice in The City Record for five consecutive days. Unless otherwise specified, the agencies and offices listed are open for business Monday through Friday from 9:00 A.M. to 5:00 P.M., except on legal holidays.

NOTICE TO ALL NEW YORK CITY CONTRACTORS

The New York State Constitution ensures that all laborers, workers or mechanics employed by a contractor or subcontractor doing public work are to be paid the same wage rate that prevails in the trade where the public work is being done. Additionally, New York State Labor Law §§ 220 and 230 provide that a contractor or subcontractor doing public work in construction or building service must pay its employees no less than the prevailing wage. Section 6-109 (the Living Wage Law) of the New York City Administrative Code also provides for a "living wage", as well as prevailing wage, to be paid to workers employed by City contractors in certain occupations. The Comptroller of the City of New York is mandated to enforce prevailing wage. Contact the NYC Comptroller's Office at www.comptroller.nyc.gov, and click on Prevailing Wage Schedules to view rates.

CONSTRUCTION/CONSTRUCTION SERVICES OR CONSTRUCTION-RELATED SERVICES

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.

VENDOR ENROLLMENT APPLICATION

New York City procures approximately \$17 billion worth of goods, services, construction and construction-related services every year. The NYC Procurement Policy Board Rules require that agencies primarily solicit from established mailing lists called bidder/proposer lists. Registration for these lists is free of charge. To register for these lists, prospective suppliers should fill out and submit the NYC-FMS Vendor Enrollment application, which can be found online at www.nyc.gov/selltonyc. To request a paper copy of the application, or if you are uncertain whether you have already submitted an application, call the Vendor Enrollment Center at (212) 857-1680.

SELLING TO GOVERNMENT TRAINING WORKSHOP

New and experienced vendors are encouraged to register for a free training course on how to do business with New York City. "Selling to Government" workshops are conducted by the Department of Small Business Services at 110 William Street, New York, NY 10038. Sessions are convened on the second Tuesday of each month from 10:00 A.M. to 12:00 P.M. For more information, and to register, call (212) 618-8845 or visit www.nyc.gov/html/sbs/nycbiz and click on Summary of Services, followed by Selling to Government.

PRE-QUALIFIED LISTS

New York City procurement policy permits agencies to develop and solicit from pre-qualified lists of vendors, under prescribed circumstances. When an agency decides to develop a pre-qualified list, criteria for pre-qualification must be clearly explained in the solicitation and notice of the opportunity to pre-qualify for that solicitation must be published in at least five issues of the CR. Information and qualification questionnaires for inclusion on such lists may be obtained directly from the Agency Chief Contracting Officer at each agency (see Vendor Information Manual). A completed qualification questionnaire may be submitted to an Agency Chief Contracting Officer at any time, unless otherwise indicated, and action (approval or denial) shall be taken by the agency within 90 days from the date of submission. Any denial or revocation of pre-qualified status can be appealed to the Office of Administrative Trials and Hearings (OATH). Section 3-10 of the Procurement Policy Board Rules describes the criteria for the general use of pre-qualified lists. For information regarding specific pre-qualified lists, please visit www.nyc.gov/selltonyc.

NON-MAYORAL ENTITIES

The following agencies are not subject to Procurement Policy Board Rules and do not follow all of the above procedures: City University, Department of Education, Metropolitan Transportation Authority, Health & Hospitals Corporation, and the Housing Authority. Suppliers interested in applying for inclusion on bidders lists for Non-Mayoral entities should contact these entities directly at the addresses given in the Vendor Information Manual.

PUBLIC ACCESS CENTER

The Public Access Center is available to suppliers and the public as a central source for supplier-related information through on-line computer access. The Center is located at 253 Broadway, 9th floor, in lower Manhattan, and is open Monday through Friday from 9:30 A.M. to 5:00 P.M., except on legal holidays. For more information, contact the Mayor's Office of Contract Services at (212) 341-0933 or visit www.nyc.gov/mocs.

ATTENTION: NEW YORK CITY MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISES

Join the growing number of Minority and Women-Owned Business Enterprises (M/WBEs) that are competing for New York City's business. In order to become certified for the program, your company must substantiate that it: (1) is at least fifty-one percent (51%) owned, operated and controlled by a minority or woman and (2) is either located in New York City or has a significant tie to New York City's business community. To obtain a copy of the certification application and to learn more about this program, contact the Department of Small Business Services at (212) 513-6311 or visit www.nyc.gov/sbs and click on M/WBE Certification and Access.

PROMPT PAYMENT

It is the policy of the City of New York to pay its bills promptly. The Procurement Policy Board Rules generally require that the City pay its bills within 30 days after the receipt of a proper invoice. The City pays interest on all late invoices. However, there are certain types of payments that are not eligible for interest; these are listed in Section 4-06 of the Procurement Policy Board Rules. The Comptroller and OMB determine the interest rate on late payments twice a year: in January and in July.

PROCUREMENT POLICY BOARD RULES

The Rules may also be accessed on the City's website at www.nyc.gov/selltonyc

COMMON ABBREVIATIONS USED IN THE CR

The CR contains many abbreviations. Listed below are simple explanations of some of the most common ones appearing in the CR:

ACCO	Agency Chief Contracting Officer
AMT	Amount of Contract
CSB	Competitive Sealed Bid including multi-step
CSP	Competitive Sealed Proposal including multi-step
CR	The City Record newspaper
DP	Demonstration Project
DUE	Bid/Proposal due date; bid opening date
EM	Emergency Procurement
FCRC	Franchise and Concession Review Committee
IFB	Invitation to Bid
IG	Intergovernmental Purchasing
LBE	Locally Based Business Enterprise
M/WBE	Minority/Women's Business Enterprise
NA	Negotiated Acquisition
OLB	Award to Other Than Lowest Responsive Bidder/Proposer
PIN	Procurement Identification Number
PPB	Procurement Policy Board
PQL	Pre-qualified Vendors List
RFEI	Request for Expressions of Interest
RFI	Request for Information
RFP	Request for Proposals
RFQ	Request for Qualifications
SS	Sole Source Procurement
ST/FED	Subject to State and/or Federal requirements

KEY TO METHODS OF SOURCE SELECTION

The Procurement Policy Board (PPB) of the City of New York has by rule defined the appropriate methods of source selection for City procurement and reasons justifying their use. The CR procurement notices of many agencies include an abbreviated reference to the source selection method utilized. The following is a list of those methods and the abbreviations used:

CSB	Competitive Sealed Bidding including multi-step <i>Special Case Solicitations/Summary of Circumstances:</i>
CSP	Competitive Sealed Proposal including multi-step
CP/1	Specifications not sufficiently definite
CP/2	Judgement required in best interest of City
CP/3	Testing required to evaluate
CB/PQ/4	
CP/PQ/4	CSB or CSP from Pre-qualified Vendor List/Advance qualification screening needed
DP	Demonstration Project
SS	Sole Source Procurement/only one source
RS	Procurement from a Required Source/ST/FED
NA	Negotiated Acquisition
<i>For ongoing construction project only:</i>	
NA/8	Compelling programmatic needs
NA/9	New contractor needed for changed/additional work
NA/10	Change in scope, essential to solicit one or limited number of contractors

NA/11	Immediate successor contractor required due to termination/default <i>For Legal services only:</i>
NA/12	Specialized legal devices needed; CSP not advantageous
WA	Solicitation Based on Waiver/Summary of Circumstances (<i>Client Services/CSB or CSP only</i>)
WA1	Prevent loss of sudden outside funding
WA2	Existing contractor unavailable/immediate need
WA3	Unsuccessful efforts to contract/need continues
IG	Intergovernmental Purchasing (award only)
IG/F	Federal
IG/S	State
IG/O	Other
EM	Emergency Procurement (award only): An unforeseen danger to:
EM/A	Life
EM/B	Safety
EM/C	Property
EM/D	A necessary service
AC	Accelerated Procurement/markets with significant short-term price fluctuations
SCE	Service Contract Extension/insufficient time; necessary service; fair price <i>Award to Other Than Lowest Responsible & Responsive Bidder or Proposer/Reason (award only)</i>
OLB/a	anti-apartheid preference
OLB/b	local vendor preference
OLB/c	recycled preference
OLB/d	other: (specify)

HOW TO READ CR PROCUREMENT NOTICES

Procurement notices in the CR are arranged by alphabetically listed Agencies, and within Agency, by Division if any. The notices for each Agency (or Division) are further divided into three subsections: Solicitations, Awards; and Lists & Miscellaneous notices. Each of these subsections separately lists notices pertaining to Goods, Services, or Construction.

Notices of Public Hearings on Contract Awards appear at the end of the Procurement Section.

At the end of each Agency (or Division) listing is a paragraph giving the specific address to contact to secure, examine and/or to submit bid or proposal documents, forms, plans, specifications, and other information, as well as where bids will be publicly opened and read. This address should be used for the purpose specified unless a different one is given in the individual notice. In that event, the directions in the individual notice should be followed.

The following is a SAMPLE notice and an explanation of the notice format used by the CR.

SAMPLE NOTICE:

POLICE

DEPARTMENT OF YOUTH SERVICES

■ SOLICITATIONS

Services (Other Than Human Services)

BUS SERVICES FOR CITY YOUTH PROGRAM – Competitive Sealed Bids – PIN# 056020000293 – DUE 04-21-03 AT 11:00 A.M.

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.

NYPD, Contract Administration Unit, 51 Chambers Street, Room 310, New York, NY 10007. Manuel Cruz (646) 610-5225.

☛ m27-30

ITEM	EXPLANATION
POLICE DEPARTMENT	Name of contracting agency
DEPARTMENT OF YOUTH SERVICES	Name of contracting division
■ SOLICITATIONS	Type of Procurement action
<i>Services (Other Than Human Services)</i>	Category of procurement
BUS SERVICES FOR CITY YOUTH PROGRAM	Short Title
CSB	Method of source selection
PIN # 056020000293	Procurement identification number
DUE 04-21-03 AT 11:00 am	Bid submission due 4-21-03 by 11:00 am; bid opening date/time is the same.
<i>Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents; etc.</i>	Paragraph at the end of Agency Division listing providing Agency contact information
	NYPD, Contract Administration Unit 51 Chambers Street, Room 310 New York, NY 10007. Manuel Cruz (646) 610-5225.
☛	Indicates New Ad
m27-30	Date that notice appears in The City Record