

COUNTY LOCAL LAWS

29-55. Notice of rent increase request to other tenants.

If an extraordinary rent increase is approved for a dwelling unit located within a rental facility, for the effective period of the increase (as determined under subsection 29-57b.) no lease may be executed with holdover tenants within that rental facility at a rent in excess of that authorized by subsection 29-51a unless such holdover tenants received notice of the extraordinary rent increase request and had an opportunity to participate as a party in all proceedings relating to the request, and be a person aggrieved. The notice required by this Section shall be in conformity with the provisions of Section 29-64, and, in addition, shall state (1) that action on the request could affect the dwelling unit which a tenant may be offered for renewal or extension of his lease agreement, and (2) that the tenant has the right to participate in all proceedings relating to the request as a party and be a person aggrieved.

29-56. Rent adjustments, standards.

In evaluating any request for an extraordinary increase in rent, the Executive Director, his designee, and the Commission shall attempt to assure that rents for dwelling units covered by this Article are established at levels which avoid undue hardship on the landlord and the tenants. Action on the request shall take into account the landlord's operating expense experience, known or reasonably certain and unavoidable changes in operating and maintenance expenses, changes in services to tenants or in efficiency of operation, capital improvements or major rehabilitation of the rental facility, delays in implementing the rent increase for dwelling units under leases which extend beyond the effective date of the proposed increase, and such other factors as are pertinent to the Legislative Findings of this Article and the stabilization of rents. The following guidelines and limitations are in addition to the foregoing and shall be considered in determining the rent increase to be permitted:

(a) Capital improvements and major rehabilitations may be considered as relevant to the determination of the need for the rent increase if they are reasonably necessary for the health, safety, and welfare of the tenants or reasonably necessary to prevent the deterioration of the property or to maintain its competitive viability in relation to similar properties. The cost of capital improvements and major rehabilitation shall be amortized over a reasonable time period and in no event shall more than eighteen percent (18%) of such