



Challenge Re: Maximum Base Rent Order

1. Mailing Address of Tenant or Representative:

Name: _____
 Number/Street: _____
 _____ Apt. No. _____
 City, State, Zip Code: _____
 Telephone Number: _____

2. Mailing Address of Owner/Agent:

Name: _____
 Number/Street: _____

 City, State, Zip Code: _____
 Telephone Number: _____

3. Subject Building: _____
(Number and Street) (City, State, Zip Code)

4. This form is being filed by the Owner Tenant (Complete Item 5 below), against the _____ MBR Order
 issued on ____ / ____ / ____ under Docket No. _____, (Check one box only) Granting
(Enter year)
 MBR Increases with an Effective Date of ____ / ____ / ____ or Denying MBR Increases.

5. To be completed by Tenant only: Notice of Increase in Maximum Base Rent (MBR) and Maximum Collectible Rent (MCR) Computations Division of Housing and Community Renewal (DHCR form RN-26 or RN-26S) was received from the owner on ____ / ____ / ____.

Read carefully Notice Form RN-26 or RN-26S, the explanations accompanying those forms, and the instructions below before completing the reverse side of this form.

Instructions

- A. File the original of this form with the Division of Housing and Community Renewal (DHCR) at the address given above. If the challenge is being filed by the Owner, this form must be filed within thirty-five (35) days of the **issue date** of the Order. If the challenge is being filed by the Tenant(s), this form must be filed within thirty-five (35) days after **receiving** a copy of the Notice of Increase (DHCR form RN-26 or RN-26S).
- B. If a challenge affects more than one apartment and identical objections are made, this form should be designated "Master" in Item 1 above. In addition, complete the section titled Schedule of Tenants by listing the names of the tenants and their apartment numbers. When multiple tenants file, they must sign their names and enter their apartment numbers below, and they must designate a representative who must sign the form on the reverse side. (Use additional sheets for tenants' names, apartment numbers, and signatures if necessary).
- C. This form is used only to file objections to an Order of Eligibility or Order Denying Maximum Base Rents. **This form may not be used to register complaints.** Tenants may file complaints of a reduction in essential services on DHCR form RA-81 or RA-84. Complaints of rent overcharge are filed on DHCR form RA-89C. Appropriate forms may be obtained at any of the Borough Rent Offices shown below.
- D. Until an order is issued determining your challenge, the Maximum Collectible Rent under the MBR Order as computed on the Notice of Increase DHCR form RN-26 or RN-26S remains in effect.

File this form with DHCR at the address given above.

Schedule of Tenants

To the Owner: If filing a "Master" challenge, enter the apartment number and tenant name for all rent-controlled tenants.

To the Tenants: Multiple tenants filing together should sign their names and enter their apartment numbers below and designate their representative on the reverse side. (For rent-controlled tenants only.)

| Apt. No. | Rent-Controlled Tenant | Signature |
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Complete the appropriate section below, explaining your objection to the Order:

I/We object to the Maximum Base Rent Order issued for the listed apartment(s), on the following grounds:

Owner of Subject Building complied/failed to comply with all certification requirements. Explain fully:

Effective date of the Order of Eligibility. Explain fully:

MBR Order issued incorrectly. State basis for claim of error:

As a Reminder: To qualify for MBR increases owners must certify that:

1. All rent-impairing and at least 80% of all other violations on record one year prior to the effective date of MBR increases have been cleared, corrected or abated six months prior to the effective date of such MBR increases;
2. 90% of the allowance for operating and maintenance expenses applicable to the building have been expended or incurred; and
3. Essential services have been and will continue to be maintained.

The last two certifications must be made at least 90 days prior to the effective date of the MBR increases. Late certifications result in a delayed effective date. In addition, owners must pay the MBR processing fee and must have registered the stabilized apartments in the subject building with the Division of Housing and Community Renewal.

(If more space is needed, attach additional sheets.)

Required signature of owner, tenant or designated representative: _____

Dated: ____ / ____ / ____

WARNING: Any person who willfully makes any statement or entry which is false in any material respect or willfully omits or neglects to make any material statement or entry required to be made, shall be guilty of a crime punishable by fine or imprisonment, or both, and, in addition, a civil fine may be levied by the Commissioner for each violation. (See Penal Law, Sections 175.30, 175.35, 210.45; New York City Administrative Code, Sections 26-412e, 26-413a and 26-413b (s) (a))

Designation of Tenants' Representative

The rent-controlled tenants whose signatures appear listed on the reverse side and on any attached sheets, designate:

_____ (Name) (Address)

as our representative in this challenge against the Maximum Base Rent Order. We authorize the Division of Housing and Community Renewal to mail all notices and orders to the designated representative with the same force and effect as if such notices or orders were mailed to each of us individually.

Dated: ____ / ____ / ____

This form need not be notarized; however, false statements may subject you to the penalties provided by law.