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## Homes and Community Renewal

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### Operational Bulletin 2024-2 Individual Apartment Improvement FAQs

#### **When is an IAI effective?**

The effective date of an IAI is when it becomes collectible.

For occupied apartments, the effective date is the first rent payment date after the items have been consented to and installed. Example, tenant signs consent on 6/15/24, Owner installs 7/5/24, the rent increase will be effective 8/1/24.

For vacant apartments, the effective date is the commencement of the vacancy lease. Example, the apartment is currently vacant, and I installed new items 6/15/24. New tenant signs a vacancy lease on 7/5/24 with a commencement date of 9/1/24 to 8/31/25. The effective date would be 9/1/24.

#### **Will IAIs installed post HSTPA (6/14/2019) and before 10/17/2024 still remain temporary increases?**

No. Those increases are now permanent rent increases and will not be removed after 30 years.

#### **Do IAIs installed post HSTPA and before 10/17/2024 count towards the \$30K cap under Tier 1?**

Yes.

#### **Do IAIs installed post HSTPA and before 10/17/2024 count towards the \$50K cap under Tier 2?**

Yes.

#### **For Tier 2 installations, will a docket number be issued confirming/denying eligibility?**

Yes. An Order will be issued confirming or denying eligibility for Tier 2 installations.

(10/2024)

**Can an appeal be filed if the Order denies eligibility?**

Yes, an adverse determination will be appealable through the filing of a Petition for Administrative Review (PAR).

**Can apartments that were vacant but registered as Temporarily Exempt or Owner Occupied be eligible for Tier 2 eligibility?**

Only currently vacant apartments that were timely registered as vacant in 2022, 2023 and 2024 are eligible.

**If a tenant succeeded to an apartment, will that count towards the 25 years of continuous occupancy requirement for Tier 2 eligibility?**

Succession to an apartment does count towards the 25 years of continuous occupancy requirement.

**Can an owner make a supplemental IAI filing or amend the IAI notification under Tier 2 after submitted to DHCR?**

Supplemental filings and amendments are not allowed. Owner may make updates to the notification before submitting to DHCR.

**For Tier 2 installations, are photos sufficient to prove a substandard condition in the apartment?**

No. Owners will be required to provide an affidavit and/or statement, by a licensed contractor or other licensed professional such as an architect or engineer attesting that the item being replaced was necessary due to a substandard condition and/or such item had exceeded its useful life.

**Will DHCR set forth a percentage of ownership that can be used as a threshold to determine partial or beneficial ownership of the property?**

No. Any owner that has a stake in the property regardless of percentage is subject to pre-work requirements.

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