

Rider To Lease Agreement

Regulation 18:61 (E) Vacancy Decontrol As To Multiple Tenants; Original Tenant Designation.

For purposes of establishing a Vacancy Decontrol or an apartment unit in accordance with Section 18:61 of the Rent Leveling and Stabilization Ordinance, a landlord who rents a residential apartment unit to multiple tenants may designate an original tenant category which consists of all the members of the original group of tenants to which the unit is rented.

-02 The designation under this regulation shall stipulate that a vacancy will be deemed to have occurred at the time that the last original tenant vacates the apartment unit and that the landlord will be fully entitled at such time to obtain whatever vacancy decontrol relief is available under the Ordinance in the same manner as if the unit had become completely vacant of all tenants. At such time, the tenants then in possession may be designated as original tenants as set forth herein. Sec. 155-34 of the ordinance – states “No dwelling shall be decontrolled pursuant to this article more than once in any three year period.”

-03 The designation under this regulation shall be signed by the landlord and the original tenants and a copy thereof shall be filed with the Rent Leveling Office within 30 days of the commencement of the tenancy. In the event that the tenants fail or refuse to sign the designation, the landlord may nevertheless sign and file same along with proof of service on each and all tenants in the unit. The designation shall set forth the names of the original tenants and the date of the designation along with a statement that for purposes of vacancy decontrol, a vacancy shall be declared to exist upon the last original tenant vacating the dwelling unit. The date of the vacancy shall be determined by the vacation of the last original tenant. It shall likewise state that the original tenants listed thereon are all the tenants in possession or occupancy of the unit at the time of the designation.

-04 In the event a written agreement exists which substantially contains the information specified above, and which has been entered into prior to the effective date of this regulation, then provided that this agreement is submitted by the landlord to the Rent Leveling Office upon a request for vacancy decontrol, it shall be given the same force and effect as a designation under this regulation even though the written agreement had not been filed within thirty (30) days of the commencement of the tenancy.

Approved and Adopted: April 7, 1988

Landlord and tenant(s) agree to the terms of this regulation by signing below.

Date

Landlord or Representative

Tenant

Tenant

Tenant

Address & Apartment # _____