

**INDEPENDENCE PLAZA NORTH TENANTS ASSOCIATION:
SPECIAL ANNOUNCEMENT MARCH 9, 2010**

DHCR PASSES THE BUCK

On Monday, March 8 IPNTA's attorney, Seth Miller received DHCR's "Determination Pursuant to Court Request." DHCR is the New York State agency that administers the Rent Stabilization Law. The judge in the IPN J-51 litigation asked DHCR to consider IPN's rent stabilization status. J-51 is a tax benefit given to landlords who perform certain repairs or improvements; buildings receiving the benefit must be rent-regulated. Until June, 2004 IPN was "rent regulated" as a Mitchell Lama development.

IPN's landlord received the J-51 tax benefit until 2006 when it was "retroactively terminated" by HPD, the New York City agency that administers the J-51 tax benefit program. (Note: We still adamantly challenge the legality of "retroactive termination.") **Read DHCR's letter on our website WWW.IPNTA.ORG.**

WHAT DID DHCR DO?

- **Sidestepped the issues** and deferred to HPD despite the judge's clear indication that HPD's action was questionable.
- **Concluded that IPN is not subject to rent stabilization** because the HPD's "retroactive termination" meant there wasn't any J-51 benefit after IPN left the Mitchell-Lama program.

WHAT DOES THIS MEAN?

The ball is back in the judge's court. Now the judge must decide :

- IPN is rent stabilized

WHAT HAPPENS NEXT?

- We await the judge's decision and prepare for an appeal – whichever side wins

WHAT CAN YOU DO?

JOIN THE IPNTA AND CONTRIBUTE TO THE IPNTA LEGAL FUND NOW

IMPORTANT NOTE TO ALL PLAINTIFFS INVOLVED IN LITIGATION: If you are represented by Seth Miller, he will contact you shortly. If you are represented by someone else, contact your lawyer immediately. If you are not a plaintiff in a lawsuit and have questions about this litigation please drop a note into the IPNTA lobby box or send an e-mail to: info@ipnta.org.