



## Independence Plaza North Tenants Association

### Instructions for Filling Out the DHCR Overcharge Complaint Form

a) Included here is a copy of the form, with notes showing how to answer each question.

b) Garage Tenants: a form is provided here which you can use as an attachment to show the garage rent you have paid. (This will be the attachment for question #20.)

Reminder: The Overcharge form is available on our web site, <http://ipnta.org> or from DHCR, <http://www.dhcr.state.ny.us/ora/forms/pdf/ra89.pdf>

Submit overcharge form with whatever documentation you have, but DO file even if you do not have all the documentation.

Please note: The instruction page on the DHCR form states you will hear back from DHCR. **This does not apply to IP**, which at this time is still not considered "stabilized."

Use that page for mailing address, not for general instructions. We have a special case.



Docket Number:

**Tenant's Complaint of Rent and/or Other Specific Overcharges  
 in Rent Stabilized Apartments**

Type or print in ink all information requested (write in the box)

1. Tenant's Last Name First Name Middle Initial

YOUR NAME

2. Current Mailing Address (Include Street Number and Name) Apartment No.

IPN YOUR ADDRESS

3. City (Borough or Town) State Zip Code

Include this at the beginning of your address.

4. Subject Building Address and Apartment Number (If different from the above.)

Same as above

5. Telephone Number (Home) \_\_\_\_\_ (Day time) \_\_\_\_\_

The information requested is necessary to process your complaint. Your complaint will not be accepted if information is missing.

6. I informed my building  owner  managing agent about my complaint on \_\_\_/\_\_\_/\_\_\_

See attached

by  letter (attach copy)  phone  in person

7. I am a  prime tenant  sub-tenant  hotel/SRO tenant

8. I live in a co-operative apartment.  Yes  No

9. Number of rental units in the building:  six or more  less than six

Enter date here

10. I moved into the subject apartment on \_\_\_/\_\_\_/\_\_\_ (Complete (a) or (b) below)

(a) with a written lease of \_\_\_\_\_ years, commencing on \_\_\_/\_\_\_/\_\_\_ and expiring on \_\_\_/\_\_\_/\_\_\_  
 at an initial rent of \$ \_\_\_\_\_ per month.

(b) without a written lease at an initial rent of \$ \_\_\_\_\_ per month.

It's OK if you don't have your initial rent or lease as long as it was before 2004.

11. My current rent is \$ \_\_\_\_\_ per month.

12. Electricity  is  is not included in my rent. Electricity was included in rent until June 2007.

This is the base rent on your bill

If you pay your rent to a **Prime Tenant** or any person other than the owner, complete Section 14.

**13. Mailing Address of Owner/Agent:**

Name: Stellar Management  
Number/Street: 156 William St  
Apt. No.: \_\_\_\_\_

City, State, Zip Code: NY NY 10038

Telephone Number: ( ) \_\_\_\_\_

**14. Mailing Address of Prime Tenant:**

Name: \_\_\_\_\_  
Number/Street: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Telephone Number: ( ) \_\_\_\_\_

**15. I am complaining about Rent Overcharges arising from the following item(s):** (Check all that apply)

- Major Capital Improvement (MCI) Increase(s)
- Individual Apartment Improvements (IAI)
- Rent Reduction Order(s)
- Apartment Registration
- Others: \_\_\_\_\_

IPNTA suggests you answer #15 & #16 as follows:  
#15 Other: Landlord was receiving J51 tax abatement.  
#16: Landlord received J51 tax abatement.

**16. I believe I am being overcharged because:** (What are the rental events occurring in the last four years which you believe caused the alleged overcharge? Please list below and submit proof to support your claims).

\_\_\_\_\_  
\_\_\_\_\_

**17. Security Deposits:** I am being charged \$ \_\_\_\_\_ as a security deposit, which is more than one month's rent.

*Enter total amount*

A security deposit of \$ \_\_\_\_\_ was paid to the owner/agent on \_\_\_\_/\_\_\_\_/\_\_\_\_.

- (a) If you vacated the subject apartment did you use your security deposit to pay part of the rent?  
 Yes  No

*Include most recent amount paid and all others that you know: amount & date. If you don't know when paid leave blank*

**18. Have you filed any other complaint(s) with DHCR?**

Yes  No, If "yes," list Docket Number(s): \_\_\_\_\_

- (a) Has the complaint in this application been raised in Court?  Yes  No

If :yes:  it is pending, Index No. \_\_\_\_\_

or  a decision has been made, (attach a copy of the decision).

**19. Rental History:** List your leases for the last four years or from the date of your occupancy, if less than four years. Start with the current lease. *Information other than for the dates requested will not be considered.*

No	Lease Period(s) From - To	Lease Amount	Additional Security Deposit Charged, Yes or No, If Yes, Write Amount Below
1	current lease or extension	\$	
2		\$	
3		\$	
4	last M-L lease or extension	\$	
5		\$	

*Your just ~~M-L~~ Stellar Mgmt. lease started on 9/1/04. It automatically superceded your last Mitchell-Lama lease/extension.*

**20. Rental Payments:** Last four years or from the date of your occupancy (whichever is less)

Month & Year	Current Year <u>2008</u>	Last Year <u>2007</u>	2 Years Prior <u>2006</u>	3 Years Prior <u>2005</u>	4 Years Prior <u>2004</u>
January	<p>For each month (March 2008 back to April 2004) write the amount of your rent check. Indicate in notes below whether or not electricity is included in the amount of the check.</p> <p>Note 1: Beginning June 1, 2007 base rent no longer included electricity and was billed separately. [IF YOU ALSO PAID FOR AC ADD: My rent included electricity and I paid an \$___ per month for air conditioners.</p> <p>Note 2: (If you continue to pay rent and electricity in one check.) Since June 1, 2007 my base rent has been \$_____. I pay my rent and electric bill in one check.</p> <p>If you pay rent and electricity in two checks enter ONLY your monthly rent amount.</p>				
February					
March					
April					
May					
June					
July					
August					
September	\$	\$	\$	\$	\$
October	<p>If you are claiming overcharge on garage rental make an attachment. Write another NOTE: See attached addition to Question 20 regarding garage overcharge.</p>				
November					
December	\$	\$	\$	\$	\$

*write notes neatly here.*

**21. Major Capital Improvement (MCI) Rent Increase(s):** (If none known, state "None Known")

No	Docket Number(s)	Permanent Increase Per Month	Owner Started Collection On	Temporary Increase Per Month	Owner Started Collection On
1	None known.	\$		\$	
2		\$		\$	
3		\$		\$	
4		\$		\$	

**PAGE 4 OF DHCR APPLICATION**

22. **Individual Apartment Improvement (IAI) Rent Increase(s):** (If IAI was before your occupancy and you do not have this information state "Not Known". If IAI was during your occupancy, you must enter all information).

No	Item(s)	Date of Improvement	Before or During* your occupancy?	Amount Charged
1	<b>Not Known</b>			\$
2				\$
3				\$
4				\$

\*If the improvements were made during your occupancy, did you sign a written consent?  Yes  No

23. **Rent Reduction and Restoration Orders (Only those issued within the last four years):**

Docket Number(s)	Did you pay a reduced rent? Yes or No	If yes, when did you begin paying the reduced rent? (month/year)	What was the amount of rent you paid?	If the owner gave you a refund, what was the amount?	Was the rent restored to the full amount? Yes or No	If "yes", when did you begin paying the full amount? (month/year)
<b>None</b>			\$	\$		
			\$	\$		
			\$	\$		
			\$	\$		

24. **(Optional) Additional Comments or Other Rent Increases (Occurring within the last four years) Not Listed Above:** (Attach additional sheets if necessary for this information. Specific dates and documentation must be provided.)

**See Attached.**

**(Check all that apply)**

25. **Providing the following evidence will make processing quicker and more accurate. Please indicate which of the following documents are attached.**

- Leases   
  Rent Receipts   
  Canceled Checks   
  DHCR Order(s)
- Additional Sheet(s)   
  Other: \_\_\_\_\_

**Tenant's Affirmation**

I have read all the statements and I affirm that my statements are true and correct to the best of my knowledge and belief. False statements may subject me to the penalties provided by law.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Tenant

This form must be mailed or delivered to the Division of Housing and Community Renewal (DHCR) office where the subject building is located. These offices are listed below:

**New York City**

DHCR, Gertz Plaza  
92-31 Union Hall St., 4th Floor  
Jamaica, New York 11433

**Nassau**

DHCR  
50 Clinton Street, 6th Floor  
Hempstead, NY 11550

**Westchester/Rockland**

DHCR  
75 S. Broadway, 2nd Floor  
White Plains, NY 10601

**Do Not Write in Space Below.  
For DHCR Use Only.**

Date complaint received: \_\_\_\_\_

**Tenant's Submissions:**

- Leases     Rent Receipts     Canceled Checks     DHCR Order(s)  
 Additional Sheet(s)     Other: \_\_\_\_\_

**Comments:**

**Tenant's Complaint of Rent and/or Other Specific  
Overcharges in Rent Stabilized Apartments.**

Attachment to Complaint of:

Tenant's Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ Middle Initial: \_\_\_\_\_

Address: **IPN** \_\_\_\_\_ Apt.No. \_\_\_\_\_

Dated and affirmed: \_\_\_\_\_

Addition to Question 20. The following are Rental payments for garage space at IPN.

The payments listed \_\_\_\_\_ include \_\_\_\_\_ do not include NYC tax reduction.

Month & Year	2008	2007	2006	2005	2004
January	\$	\$	\$	\$	\$
February	\$	\$	\$	\$	\$
March	\$	\$	\$	\$	\$
April	\$	\$	\$	\$	\$
May	\$	\$	\$	\$	\$
June	\$	\$	\$	\$	\$
July	\$	\$	\$	\$	\$
August	\$	\$	\$	\$	\$
September	\$	\$	\$	\$	\$
October	\$	\$	\$	\$	\$
November	\$	\$	\$	\$	\$
December	\$	\$	\$	\$	\$