

EXPLANATORY STATEMENT - HOTEL ORDER #37
Explanatory Statement and Findings of the Rent Guidelines Board
In Relation to 2007-08 Lease Increase Allowances for Hotels
Under the Jurisdiction of the Rent Stabilization Law

Explanatory Statement and Findings of the Rent Guidelines Board Concerning Increase Allowances for Hotel Units Under the Jurisdiction of the Rent Stabilization Law, Pursuant to Hotel Order Number 37, Effective October 1, 2007 through and including September 30, 2008.¹

Pursuant to the authority vested in it by the Rent Stabilization Law of 1969 and the Emergency Tenant Protection Act of 1974, implemented by Resolution Number 276 of 1974 of the New York City Council, and extended Chapter 82 of the Laws of 2003, it is the responsibility of the Rent Guidelines Board to establish guidelines for hotel increases. Hotel Order Number 37, adopted on June 26, 2007, applies to stabilized hotel units occupied by non-transient tenants.

Hotel Order Number 37 provides for an allowable increase of **0%** over the lawful rent actually charged and paid on September 30, 2007 for rooming houses, lodging houses, Class B hotels, single room occupancy buildings, and Class A residential hotels. The Order does not limit rental levels for commercial space, non-rent stabilized residential units, or transient units in hotel stabilized buildings during the guideline period. The Order also provides that for any dwelling unit in a hotel stabilized building which is voluntarily vacated by the tenant thereof, the level of rent increase governing a new tenancy shall be the same as the guideline for rent increases set forth above.

SPECIAL NOTE

In the past the Board has adopted rent increases to the rent stabilized hotel universe. In recent years, when increases were granted, the Board adopted provisos that were designed to deny owners from taking these increases under certain conditions. Since the Board voted a 0% increase for all classifications of rent stabilized hotels, this proviso is not included in Hotel Order 37. In event that increases are considered for subsequent Hotel Orders, at such time the current members of the Rent Guidelines Board urge future Boards to adopt and reinstate this proviso. This proviso and explanatory language are as follows:

Rooming house, lodging house, Class B hotel, single room occupancy building, and Class A residential hotel owners shall not be entitled to any of the above rent adjustments, and shall receive a 0 percent adjustment if permanent rent stabilized or rent controlled tenants paying no more than the legal regulated rent, at the time that any rent increase in this Order would otherwise be authorized, constitute fewer than 80% of all units in a building that are used or occupied, or intended, arranged or designed to be used or occupied in whole or in part as the home, residence or sleeping place of one or more human beings.

The following outlines the Rent Guidelines Board's intent of the above proviso:

¹ This Explanatory Statement explains the actions taken by the Board on individual points and reflects the general views of those voting in the majority. It is not meant to summarize all viewpoints expressed.

The Board's intention for the meaning of this proviso is that ALL dwelling units in the hotel, whether occupied, vacant, rented to tourists, transients, contract clients, students or other non-permanent tenants, or to permanent rent stabilized tenants, be counted in the denominator of the calculation. The only type of units in the hotel that may be excluded from the denominator are units that are used as stores or for similar business purposes such as doctor's offices. The numerator of the calculation is the number of units occupied by permanent rent stabilized or rent controlled tenants.

Here are two examples. One: a hotel has 100 units and 2 stores. 32 units are rented to permanent rent stabilized tenants, 10 are vacant and 58 are rented to transients and tourists. The calculation is as follows, the denominator is 100 and the numerator is 32. This calculation results in an occupancy percentage of LESS than 80% under the formula (32%) and an increase CANNOT be taken for the permanent stabilized tenants.

Two: a hotel has 150 units, 2 of which are used by a dentist and a doctor for their businesses, 8 are rented to tourists, 20 are vacant and 130 are occupied by permanent rent stabilized tenants. The denominator would be 148 and the numerator would be 130. This calculation results in an occupancy percentage of GREATER than 80% under the formula (88%) and an increase CAN be taken for the permanent stabilized tenants.

DEFINITIONS

For the purpose of determining the appropriate classification of a hotel stabilized unit, the Board has set its definitions as follows:

- Residential hotels are “apartment hotels” which are designated as Class A multiple dwellings on the Certificate of Occupancy.
- Rooming houses are Class B multiple dwellings having fewer than thirty sleeping rooms as defined in Section 4(13) of the multiple dwelling law.
- A single room occupancy building is a Class A multiple dwelling which is either used in whole or in part for single room occupancy or as a furnished room house, pursuant to Section 248 of the multiple dwelling law.
- A Class B hotel is a hotel, which carries a Class B Certificate of Occupancy and contains units subject to rent stabilization.
- Lodging houses are those buildings designated as lodging houses on the Certificate of Occupancy.

BACKGROUND

Public meetings of the Board were held on March 27, April 12, 24 and 27, and June 5, 2007 following public notices. On May 7, the Board adopted proposed rent guidelines for hotels, apartments, and lofts.

Two public hearings were held on June 12 and June 19, 2007 to hear comments on the proposed rent adjustments for rent stabilized hotels and apartments. The hearings were held from 10:00 a.m. to 6:45 p.m. on June 12 and from 4:00 p.m. to 9:30 p.m. on June 19. The Board heard testimony from approximately 12 hotel tenants and tenant representatives, 1 hotel owner, and 3 public officials. In addition, the Board's office received approximately 11 written statements from owners and owner groups, tenants and tenant groups, and public officials. On June 26, 2007, the guidelines set forth in Hotel Order Number 37 were adopted.

Selected Oral and Written Testimony from Owners and Owner Groups:

- “The cost of owning and operating the building have [sic] increased annually in an amount at least equal to the increased cost of owning an apartment building, and yet the Rent Guidelines Board has not permitted the rent to increase in three of the last five years, and seven of the last twelve years, causing the landlord to effectively receive less income each year. ”
- “The cost of Real Estate Taxes, insurance, water, maintenance and fuel have continued to escalate, and yet the Rent Guidelines Board, year after year, gives a nominal or no increase at all to the owners of hotel stabilized properties. This is unfair, and places an unfair burden upon the owners of these properties.”
- “As I mentioned to you in the past, the properties I represent are grateful for the increase you awarded them last year, but the typical SRO and its ability to keep up with other property owners in New York is still very difficult. I ask that you consider evaluating their need on a different level.”
- “Most of my tenants pay \$500, and \$400, for rent per month. Now if you think this is adequate, you're wrong. It's way too low....This is my only building. I lose money every month and I expect you to raise the rent on my building....Please increase the rent by as much as you can. The more the better.”
- “For some unreasonable fact that is unknown to me, the RGB finds it appropriate to consistently guide for lower rent increases to SRO tenants than to other tenants. This practice should be abolished. Rent increases to SRO tenants should be the same or higher than those granted to apartment tenants. Rent increases should be granted based on reality, not fantasy.”

Selected Oral and Written Testimony from Tenants and Tenant Groups:

- “While a rent increase may represent minimal additional income to the owner of an SRO, even the smallest change in rent can force their tenants to lose their homes forever. On behalf of the SRO tenants of New York City, we respectfully ask this Board not to increase SRO rents at all in the coming year.”
- “In all but the rarest of cases, SRO owners do not derive their income from their permanent tenants. They either take advantage of the myriad of additional uses they can put their property towards, or they simply ‘warehouse’ vacant units and empty out entire buildings for good in order to find more lucrative uses for them.”

- “We respectfully ask that the Rent Guidelines Board not issue any rent increase for permanent tenants of hotels, rooming houses and lodging house for 2007. SRO owners are not dependent on the dwindling tenant population to cover their overhead and make a healthy profit, and the impact of even the smallest increase on these individuals will serve only to worsen the City’s homeless crisis. ”
- “Rent Stabilized rents have escalated beyond affordability....The Board needs to develop a system of checks and balances, force landlords to be more honest and accountable for their actions, and gather more accurate information overall. Vacancy decontrol statistics are not reported. There should be a moratorium on all rent increases until the millions of dollars in fines owed to the City are paid, and the thousands of violations are cured.”
- “Management there is trying to illegally change the building to a tourist hotel and also is now renting to students at rents that are more by far than the legal rates for their rooms. For these reasons I say my landlord deserves no rent increase and I also say keep the 80% rent stabilized tenant’s proviso in place.”

Selected Oral and Written Testimony from Public Officials:

- “Any SRO rent increase is unsupportable. As anyone who has witnessed the conditions of most SRO housing knows, it often serves as housing of last resort. For a person with a low income, even a small increase could mean the difference between being on the street or being in one’s own room. Last year, the Board approved a rent increase of two percent. I commend the Board for not proposing any rent increase for SROs this year.”
- “Most of the hotels have managed -- legally and illegally -- to obtain permanently exempt units that bring in far more per night than a regulated unit. Of course I would like to maintain the permanent units, but it is a difficult battle. I support no increase in hotel rents for the regulated tenants as so many of the building have a mixed registration that benefits the bottom line of owners.”
- “Landlords have already been sufficiently compensated for rising maintenance costs by RGB’s consistent votes to raise rents in prior years. Another rent increase could not only hurt those who live in rent-stabilized apartments, but also SRO residents, many of whom are formerly homeless and at great risk of becoming homeless again. The 2% rent adjustment the RGB approved last year has already jeopardized the homes of SRO residents and I strongly urge the Board to freeze SRO rents in the year ahead.”

MATERIAL CONSIDERED BY THE BOARD

In addition to oral and written testimony presented at its public hearing, the Board’s decision is based upon material gathered from the 2007 Price Index of Operating Costs for Hotel Stabilized Units in New York City, prepared by the staff of the Rent Guidelines Board, reports and testimony submitted by owner and tenant groups relating to the hotel sector, and reports submitted by public agencies. The Board heard testimony from invited guest speakers on April 27, 2007. Guest speakers representing hotel tenants included Yarrow Willman-Cole, Tenant Organizer, from the Goddard-Riverside Community Center’s West Side SRO Law Project, Christopher Schwartz, Supervising Attorney, from the East Side SRO Law Project of MFY

Legal Services, and Larry Wood, Community Organizer from the Goddard Riverside Community Center. There were no guest speakers representing hotel landlords at this meeting but Helen Maurizio, Executive Director of the Associated Hotels and Motels of Greater New York, submitted written testimony.

FINDINGS OF THE RENT GUIDELINES BOARD

RENT GUIDELINES BOARD RESEARCH

The Rent Guidelines Board based its determination on its consideration of the oral and written testimony noted above, as well as upon its consideration of statistical information prepared by the RGB staff set forth in these findings and the following reports:

- (1) *2007 Mortgage Survey Report*, March 2007, (An evaluation of recent underwriting practices, financial availability and terms, and lending criteria);
- (2) *2007 Income and Affordability Study*, April 2007, (Includes employment trends, housing court actions, changes in eligibility requirements and public benefit levels in New York City);
- (3) *2007 Price Index of Operating Costs for Rent Stabilized Hotels in New York City*, April 2007, (Measures the price change for a market basket of goods and services which are used in the operation and maintenance of stabilized hotels);
- (4) *2007 Housing Supply Report*, June 2007, (Includes information on the conversion of Hotels to luxury apartments and transient use, new housing construction measured by certificates of occupancy in new buildings and units authorized by new building permits, tax abatement and exemption programs, and cooperative and condominium conversion and construction activities in New York City); and,
- (5) *Changes to the Rent Stabilized Housing Stock in NYC in 2006*, June 2007, (A report quantifying all the events that lead to additions to and subtractions from the rent stabilized housing stock).

The five reports listed above may be found in their entirety on the RGB's website, www.housingnyc.com, and are also available at the RGB offices, 51 Chambers St., Suite 202, New York, NY upon request.

Price Index of Operating Costs for Rent Stabilized Hotel Units

The Price Index for all stabilized Hotels increased 5.3% this year, 2.2 percentage points lower than the 7.5% increase found the year before. The Price Index for Hotels was just 0.2 percentage points higher overall than the increase in costs measured in the Apartment Price Index. Significant disparities between the Hotel Index and the Apartment Index were seen in the Utilities and Labor Costs components. The increase in Utilities for all types of Hotels was 11.2% overall versus 6.3% in apartment buildings. This difference was due to electricity costs, which witnessed double-digit increases, having more weight in the Hotel Index. Labor Costs rose 3.8%,

about half as much as in the Apartment Index (8.1%). These disparities offset one another resulting in an index that was slightly higher than that for apartments.

Prices in all other components in the Hotel Index had similar changes in rates to the same components in the Apartment Index. Taxes increased in Hotels by 6.1%, 0.3 percentage points higher than for apartments. The rates for Contractor Services were similar, rising 5.5% in Hotels and 5.6% in apartments. Insurance costs increased at the same rate in both indices and Fuel costs were slightly higher in the Hotel Index. See the table on this page for changes in costs and prices for all rent stabilized hotels from 2006-07.

Among the different categories of Hotels, both the index for “traditional” hotels and SROs increased 4.1%, while the index for Rooming Houses increased 6.3%. The differences between these indices are primarily due to the increased weight placed on the Tax component for “traditional” hotels and the disparity among the three hotel types in the Fuel Costs component, with Rooming Houses showing the highest increase in the cost for fuel.

Percent Change in the Components of the Price Index of Operating Costs April 2006 to April 2007, By Hotel Type and All Hotels

Spec #	Item Description	Hotel	RH	SRO	All Hotels
101	TAXES, FEES, & PERMITS	1.0203	1.0774	1.0770	1.0606
205-206, 208-216	LABOR COSTS	1.0395	1.0384	1.0343	1.0385
301-303	FUEL	1.0130	1.0436	0.9675	1.0084
401-407, 409-410	UTILITIES	1.1236	1.1113	1.0793	1.1123
501-509, 511-516, 518	CONTRACTOR SERVICES	1.0559	1.0557	1.0528	1.0552
601-608	ADMINISTRATIVE COSTS	1.0691	1.0601	1.0636	1.0668
701	INSURANCE COSTS	1.0188	1.0188	1.0188	1.0188
801-816	PARTS AND SUPPLIES	1.0154	1.0282	1.0297	1.0204
901-904, 907-911	REPLACEMENT COSTS	1.0210	1.0244	1.0235	1.0220
	ALL ITEMS	1.0405	1.0630	1.0409	1.0526

Source: 2007 Price Index of Operating Costs

CHANGES IN HOUSING AFFORDABILITY

For the third year in a row, New York City’s economy generally improved as compared with the preceding year, with declining unemployment rates, rising wages and employment levels, and Gross City Product growing steadily from the last quarter of 2003 through the third quarter of 2006 (fourth quarter data for 2006 was not yet released as of publication). Unemployment rates decreased for the third year in a row, falling 0.8 percentage points to 4.9%, the lowest citywide level in at least the past 30 years (the RGB only has access to employment data dating from 1976). Total employment levels in the City increased 1.4%, and the City’s Gross City Product increased by 3.7% during the four quarters from the fall of 2005 through the summer of 2006, with positive growth expected during the fourth quarter of 2006. Real wages also increased by 0.8% between 2004 and 2005 (the most recent year for which there are statistics). In addition, homelessness levels fell close to 4% between 2005 and 2006. And public assistance cases fell for the second year in a row, dropping more than 5% between fiscal years 2005 and 2006.

CONSUMER PRICE INDEX

The Board reviewed the Consumer Price Index. Table that follows shows the percentage change for the NY-Northeastern NJ Metropolitan area since 2000.

Percentage Changes in the Consumer Price Index for the New York City - Northeastern New Jersey Metropolitan Area, 2000-2007 (For "All Urban Consumers")								
	2000	2001	2002	2003	2004	2005	2006	2007
1st Quarter Avg. ²	3.0%	2.8%	2.3%	3.2%	2.8%	4.1%	3.4%	2.9%
Yearly Avg.	3.1%	2.5%	2.6%	3.1%	3.5%	3.9%	3.8%	--

Source: U.S. Bureau of Labor Statistics.

EFFECTIVE RATES OF INTEREST

The Board took into account current mortgage interest rates and the availability of financing and refinancing. It reviewed the staff's *2007 Mortgage Survey* of lending institutions. The table below gives the reported rate and points for the past nine years as reported by the mortgage survey.

2007 Mortgage Survey ³ Average Interest Rates and Points for New and Refinanced Permanent Mortgage Loans 1999-2007									
New Financing of Permanent Mortgage Loans, Interest Rate and Points									
	1999	2000	2001	2002	2003	2004	2005	2006	2007
Avg. Rates	7.8%	8.7%	8.4%	7.4%	6.2%	5.8%	5.5%	6.3%	6.3%
Avg. Points	1.01	0.99	0.99	0.79	0.81	0.67	0.56	0.44	0.61
Refinancing of Permanent Mortgage Loans, Interest Rate and Points									
	1999	2000	2001	2002	2003	2004	2005	2006	2007
Avg. Rates	7.2%	8.6%	8.0%	7.4%	6.2%	5.7%	5.5%	6.3%	6.2%
Avg. Points	0.92	1.01	1.06	0.83	0.78	0.60	0.56	0.44	0.61

Source: 1999-2007 Annual Mortgage Surveys, RGB.

HOTEL CONVERSION

Conversion of single room occupancy (SRO) buildings also continued in high numbers over the past year. SRO owners may convert SRO housing to other uses after obtaining a "Certificate of No Harassment" from HPD. The last several years have seen significantly more Certificates issued than in previous years in Manhattan, where the vast majority of SRO's are located. In 1995 and 1996, an average of 67 applications were filed each year. However, from 1997 through 2001, an average of 114 applications for Certificates were filed, and levels have remained over 200 for three consecutive years, with 209 certificates applied for in 2006.

² 1st Quarter Average refers to the change of the CPI average of the first three months of one year to the average of the first three months of the following year.

³ Institutions were asked to provide information on their "typical" loan to rent stabilized buildings. Data for each variable in any particular year and from year to year may be based upon responses from a different number of institutions.

On June 4, 2007 the staff of the Rent Guidelines Board released a memo to Board members analyzing the 2005 NYS Division of Housing and Community Renewal's (DHCR) 2005 building registration file of hotels, rooming houses, and SROs. The following is the text from that memo:

For your information and use, staff members recently analyzed the 2005 DHCR registration database for data related to hotels, SROs, or rooming houses (hereafter referred to only as "hotels"). In 2005, 445 buildings that were self-identified as hotels registered units with the DHCR. These 445 buildings contained a total of 15,569 units⁴, 14,672 (94.2%) of which have rent data reported. Because much of the data in the DHCR file seems anomalous, staff elected to release only limited data on rents.

Building owners/managers were asked to identify which of their units were temporarily or permanently exempt from rent stabilization laws. In 2005, 123 units were reported as being permanently exempt (0.8% of the total hotel unit universe), while 4,049 units were reported as temporarily exempt (26.1% of the total hotel universe). Units in hotels are most commonly reported as being temporarily exempt because of "Transient Occupancy in Hotel/SRO," as was the reason given for 80.3% of temporarily exempt units. Less common was "Not Prime Residence/Not-for-Profit" and "Owner Occupancy/Employee." For permanently exempt units, more than half were reported as being deregulated due to High Rent/Vacancy Decontrol, while just a few were reported as being deregulated due to substantial rehabilitation or other reasons. In general, units that are temporarily exempt are either rented at what the market will bear, for as little as one night, or rented to government agencies or universities as temporary housing.

Each building registered with DHCR can also be analyzed by the ratio of exempt units to total units. Of the 445 buildings registered in 2005, the average percentage of units in each building that are exempt is 22.1%. The median is 0% (because just slightly more than half of all buildings have no exempt units). Looking at just those 213 buildings that contain at least one exempt unit, the average building has 46.2% of its units exempt, with a median of 30.0%.

The most recent proviso stipulates that at least 80% of a hotel must be used for permanent residences in order for guideline increases to be taken. In 2005, 8,597 rent stabilized units were reported to be in buildings that are at least 80% rent stabilized. 8,526 of these units reported legal rents (the most a tenant is allowed to be legally charged), with a mean and median of \$951.45 and \$780 respectively. Mean and median actual rents on these apartments (the amount actually being charged a tenant, which may be lower than legally allowed) were reported for 3,587 units and were \$533.10 and \$500.68 respectively. Assuming that those tenants with a reported actual rent are paying the amount reported, and all other tenants are paying the reported legal rent, mean and median rents are \$677.93 and \$562 respectively.

Rent stabilized units that fall under the current hotel proviso can be organized by Community District. Just over 70% of these units are located in Manhattan, with nearly 40% of the units in two community districts (CD): CD #4 (Clinton/Chelsea) and CD #7 (Manhattan Valley/Upper West Side/Lincoln Center). Following is a table that shows each borough and community district, with a count of buildings and units:

⁴ Total units include only those units registered with DHCR in 2005 and may not be reflective of all units in the building. Units that were permanently exempt prior to 2005 are not represented in this analysis. Therefore, in some cases, the total unit count in a building may be understated. Rents are also self-reported by owners and may or may not be accurate.

<i>Community District</i>	<i># of Buildings</i>	<i># of Units</i>
Manhattan		
<i>Greenwich Village, West Village, NoHo, SoHo, Lower East Side, Chinatown, Little Italy (CD #2)</i>	11	234
<i>Tompkins Square, East Village, Lower East Side, Chinatown, Two Bridges (CD #3)</i>	13	282
<i>Clinton, Chelsea (CD #4)</i>	38	1,465
<i>Midtown (CD #5)</i>	16	1,058
<i>Stuyvesant Town, Tudor City, Turtle Bay, Peter Cooper Village, Murray Hill, Gramercy Park, Kips Bay, Sutton Place (CD #6)</i>	9	151
<i>Manhattan Valley, Upper West Side, and Lincoln Square (CD #7)</i>	38	1,877
<i>Upper East Side, Lenox Hill, Yorkville, and Roosevelt Island (CD #8)</i>	4	67
<i>Hamilton Heights, Manhattanville, and Morningside Heights (CD #9)</i>	12	150
<i>Harlem and Polo Grounds (CD #10)</i>	32	326
<i>East Harlem and Harlem (CD #11)</i>	9	169
<i>Inwood and Washington Heights (CD #12)</i>	11	326
Manhattan Total	193	6,105
Bronx		
<i>Mott Haven, Port Morris, and Melrose (CD #1)</i>	5	98
<i>Hunts Point, Longwood, and Morrisania (CD #2)</i>	4	60
<i>Crotona Park, Claremont Village, Concourse Village, Woodstock, and Morrisania (CD #3)</i>	2	62
<i>Highbridge, Concourse, Mount Eden, and Concourse Village (CD #4)</i>	6	454
<i>Fordham, University Heights, Morris Heights, Bathgate, and Mount Hope (CD #5)</i>	1	13
<i>Belmont, Bathgate, West Farms, East Tremont, and Bronx Park South (CD #6)</i>	2	34
<i>Norwood, University Heights, Jerome Park, Bedford Park, Fordham, and Kingsbridge Heights (CD #7)</i>	7	209
<i>Parkchester, Unionport, Soundview, Castle Hill, Bruckner, Harding Park, Bronx River and Clason Point (CD #9)</i>	8	106
<i>Morris Park, Pelham Parkway, Pelham Gardens, Allerton, Bronxdale, Laconia, and Van Nest (CD #11)</i>	2	75
<i>Edenwald, Wakefield, Williamsbridge, Woodlawn, Fish Bay, Eastchester, Olinville, and Baycheste (CD #12)</i>	2	133
Bronx Total	39	1,244

<i>Community District</i>	<i># of Buildings</i>	<i># of Units</i>
Brooklyn		
<i>Brooklyn Heights, Fulton Mall, Boerum Hill, Fort Greene, Brooklyn Navy Yard, Fulton Ferry, and Clinton Hill (CD #2)</i>	16	200
<i>Bedford-Stuyvesant, Stuyvesant Heights, and Ocean Hill (CD #3)</i>	11	106
<i>Bushwick and Ridgewood (CD #4)</i>	5	25
<i>East New York, Cypress Hills, Highland Park, New Lots, City Line, and Starrett City (CD #5)</i>	1	1
<i>Red Hook, Carroll Gardens, Park Slope, Gowanus, and Cobble Hill (CD #6)</i>	7	139
<i>Sunset Park and Windsor Terrace (CD #7)</i>	3	17
<i>Crown Heights, Prospect Heights, and Weeksville (CD #8)</i>	14	141
<i>Crown Heights, Prospect Lefferts Gardens, and Wingate (CD #9)</i>	1	6
<i>Bath Beach, Gravesend, Mapleton, and Bensonhurst (CD #11)</i>	1	68
<i>Boro Park, Kensington, Ocean Parkway, and Midwood (CD #12)</i>	1	1
<i>Coney Island, Brighton Beach, Bensonhurst, Gravesend, and Seagate (CD #13)</i>	1	41
<i>Flatbush, Midwood, Kensington, and Ocean Parkway (CD #14)</i>	3	75
<i>Sheepshead Bay, Manhattan Beach, Kings Bay, Gerritsen Beach, Kings Highway, East Gravesend, Madison, Homecrest, and Plum Beach (CD #15)</i>	1	17
<i>Brownsville and Ocean Hill (CD #16)</i>	1	6
<i>East Flatbush, Remsen Village, Farragut, Rugby, Erasmus and Ditmas Village (CD #17)</i>	2	72
Brooklyn Total	68	915
Queens		
<i>Astoria, Old Astoria, Long Island City, Queensbridge, Ditmars, Ravenswood, Steinway, Garden Bay, and Woodside (CD #1)</i>	3	29
<i>Long Island City, Woodside, and Sunnyside (CD #2)</i>	10	64
<i>Elmhurst, Corona, Roosevelt Avenue, Lefrak City, Queens Center Mall, Flushing Meadows, and Corona Park (CD #4)</i>	4	34
<i>Ridgewood, Glendale, Middle Village, Maspeth, and Liberty Park (CD #5)</i>	1	5
<i>Fresh Meadows, Cunningham Heights, Hilltop Village, Pomonak Houses, Fresh Meadows, Jamaica Estates, Holliswood, Flushing South, Utopia, Kew Gardens Hills, and Briarwood (CD #8)</i>	2	118
<i>Breezy Point, Belle Harbor, Neponsit, Arverne, Bayswater, Edgemere, Rockaway Park, Rockaway and Far Rockaway (CD #14)</i>	2	35
Queens Total	22	285
Staten Island		
<i>Arlington, Castleton Corners, Clifton, Concord, Elm Park, Fort Wadsworth, Graniteville, Grymes Hill, Livingston, Mariners Harbor, Meiers Corners, New Brighton, Port Ivory, Port Richmond, Randall Manor, Rosebank, St. George, Shore Acres, Silver Lake, Stapleton, Sunnyside, Tompkinsville, West Brighton, and Westerleigh (CD #1)</i>	2	48
Staten Island Total	2	48
New York City Total	324	8,597

Source: 2005 DHCR Apartment Registration file

Finally, hotels can be analyzed by their reported size. The following table presents the number of buildings in each of nine size categories.

Number of Registered Hotels by Building Size, All Hotel Types, 2005

<i># of Units in Building</i>	<i># of Buildings</i>	<i>Percentage</i>	<i>Cumulative %</i>
1-5	36	8.1%	8.1%
6-10	147	33.0%	41.1%
11-15	95	21.3%	62.5%
16-20	29	6.5%	69.0%
21-30	27	6.1%	75.1%
31-50	31	7.0%	82.0%
51-100	38	8.5%	90.6%
101-200	25	5.6%	96.2%
more than 200	17	3.8%	100.0%
Total	445	100.0%	100.0%

Source: 2005 DHCR Apartment Registration file

VOTE

The vote of the Rent Guidelines Board on the adopted motion pertaining to the provisions of Order Number 37 was as follows:

	<u>Yes</u>	<u>No</u>	<u>Abstentions</u>
Guidelines for Hotels	6	3	-

Dated: June 27, 2007

Filed with the City Clerk: June 29, 2007

 Marvin Markus, Chair
 Rent Guidelines Board

BIBLIOGRAPHY

The City of New York Rent Stabilization Law of 1969 Section 26 - 501 et, seq.
Chapter 576 of the Laws of 1974 (The Emergency Tenant Protection Act).
Resolution Number 276 of 1974 of the New York City Council.
Chapter 203 of the Laws of 1977.
Chapter 933 of the Laws of 1977 (Open Meetings Law).
Local Laws of the City of New York for the year 1979, No. 25.
Chapter 234 of the Laws of 1980.
Chapter 383 of the Laws of 1981.
Local Laws of the City of New York for the Year 1982, No. 18.
Chapter 403 of the Laws of 1983.
Chapter 248 of the Laws of 1985.
Chapter 45 of the New York City Charter.
Chapter 65 of the Laws of 1987.
Chapter 144 of the Laws of 1989.
Chapter 167 of the Laws of 1991.
Chapter 253 of the Laws of 1993.
Rent Regulation Reform Act of 1997.
Chapter 82 of the Laws of 2003.
RGB Staff, *2007 Price Index of Operating Costs for Rent Stabilized Hotels in New York City*.
RGB Staff, *2007 Income and Affordability Study*.
RGB Staff, *2007 Mortgage Survey Report*.
RGB Staff, *2007 Housing Supply Report*.
RGB Staff, *Changes to the Rent Stabilized Housing Stock in NYC in 2006*.
Written submissions by tenants, tenant organizations, owners, and owner organizations.