Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

27-112 - Definitions applying to rental affordable housing

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LAST AMENDED
12/5/2024

The following definitions shall apply to rental #affordable housing#:

Legal regulated rent

A "legal regulated rent" is, with respect to any #affordable housing unit#, the initial #monthly rent# registered with the Division of Housing and Community Renewal at #rent-up# in accordance with paragraph (b) of Section 27-161 (Additional requirements for rental affordable housing).

Maximum monthly rent

The "maximum monthly rent" for an #affordable housing unit# is a rent that is affordable to an occupant in the #income band# applicable to such #affordable housing unit#, as set forth in the #guidelines# or #restrictive declaration#.

Monthly rent

The "monthly rent" is the monthly amount charged, pursuant to paragraph (b) of Section 27-161 (Additional requirements for rental affordable housing), to a tenant in an #affordable housing unit#.

Rent stabilization

“Rent stabilization” is the Rent Stabilization Law of 1969 and the Emergency Tenant Protection Act of 1974 and all regulations promulgated pursuant thereto or in connection therewith. If the Rent Stabilization Law of 1969 or the Emergency Tenant Protection Act of 1974 is repealed, invalidated or allowed to expire, #rent stabilization# shall be defined as set forth in the #guidelines#.

Rent-up

“Rent-up” is the first rental of vacant #affordable housing units# on or after the #restrictive declaration date#, except that, where one or more #affordable housing units# in #preservation affordable housing# were occupied by #grandfathered tenants# on the #restrictive declaration date#, #rent-up# shall have the same meaning as #restrictive declaration date#.

Rent-up date

The “rent-up date” is the date upon which leases for a percentage of vacant #affordable housing units# set forth in the #guidelines# have been executed, except that, where one or more #affordable housing units# in #preservation affordable housing# were occupied by #grandfathered tenants# on the #restrictive declaration date#, the #rent-up date# is the #restrictive declaration date#.

Supportive housing project

A #supportive housing project# is a #building# or a portion thereof that is a non-profit institution with sleeping accommodations, as specified in Section 22-13 (Use Group III – Community Facilities), inclusive, restricted to use as #affordable housing# for persons with special needs pursuant to a regulatory agreement with a Federal, State, or local agency or instrumentality.

Supportive housing unit

A “supportive housing unit” is #floor area# in a #supportive housing project# that consists of sleeping quarters for persons with special needs and any private living space appurtenant thereto.