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**For Landlords of Rent Stabilized Buildings: Surcharges Can be Collected for Certain Appliances Used in Rented Premises**

In rent stabilized buildings, landlords may not charge rents above those permitted under guidelines established annually by local Rent Guidelines Boards. If a landlord does not obey the rent laws, tenants may file a complaint with Department of Housing and Community Renewal (DHCR), which can direct owners to reduce rents and/or may levy fines on the owner. However, surcharges are allowed for the use of certain appliances. The following paragraphs discuss the allowable surcharges landlords may charge on a monthly basis.

There are several factors that will determine the amount of monthly surcharges a landlord may charge a tenant for appliance installation and use. The appliances that the DHCR contemplates when allowing surcharges include washing machines, dryers, dishwashers and air conditioners. For instance, some factors include the following: whether the tenant pays for electricity (“electrical exclusion”) on the premises or whether the owner pays for electricity (“electrical inclusion”); whether the premises are in a Rent Stabilized New York City location or an Emergency Tenant Protections Act (ETPA) location (which includes Nassau, Rockland and Westchester counties) and for air conditioners, whether the owner or tenant provided them.

**Washing Machines, Dryers and Dishwashers**

Owners are not required to allow tenants to install washing machines, dryers or dishwashers, unless the lease provides otherwise. However, when a tenant does request permission from the owner to install a washing machine, dryer or dishwasher, and the owner consents, the owner may collect a surcharge. The allowable surcharge is based on factors such as the cost of energy to heat water and the cost of electricity, as well as water costs and the wear and tear on plumbing.

Procedurally, it is important to note that the surcharge does not become a part of the legally regulated or maximum rent for the purpose of computing any guidelines or other increases under the Rent Laws or Regulations. The following chart indicates the current per month charge allowable for the particular appliance in “inclusion” or “exclusion” buildings: (Cont.)

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