



**DISABILITY RENT INCREASE EXEMPTION (DRIE)
APPLICATION FOR APPEAL**

DRIE ID #:

Please use this form to appeal a DRIE decision. This form may be used by tenants or by owners/agents. This form must be submitted (postmarked) within 60 days from the date of the DRIE order (letter) you are appealing.

Please complete all sections on pages 1 and 2 and mail your completed form with all required documents to:
NYCDOF – DRIE Appeals Unit, 59 Maiden Lane, 22nd Floor, New York, NY 10038

SECTION 1 - APPEAL INFORMATION

1. Who is submitting this appeal?

- I am the DRIE tenant
- I am the Building Owner/Managing Agent

2. The tenant's DRIE ID # is: _____.

3. The DRIE letter I am appealing is dated: ____/____/____.

SECTION 2 - DRIE TENANT INFORMATION

1. Tenant's Name: _____
FIRST NAME LAST NAME

2. Address: _____ Apt: _____
NUMBER AND STREET

3. City: _____ Zip Code: _____

4. Telephone Number: (____) _____ 5. Email Address (optional): _____

SECTION 3 - OWNER/AGENT INFORMATION

This section is required ONLY if the appeal is being submitted by an owner/agent. If the appeal is being submitted by a tenant, you do not need to fill this out.

1. Agent/Owner's Name: _____
FIRST NAME LAST NAME

2. Address: _____ Apt/Ste: _____
NUMBER AND STREET

3. City: _____ Zip Code: _____

4. Telephone Number: (____) _____ 5. Email Address (optional): _____

SECTION 4 - GROUNDS FOR APPEAL

FOR TENANTS

Please choose one:

- I was denied DRIE because my total household income was too high. I do not agree and I am attaching proof that my total combined household income for the prior calendar year was \$50,000 or less.
- I was denied DRIE because my current rent is less than one-third (1/3) of my total monthly income. I do not agree and I am attaching proof to support my claim.
- I was denied DRIE for failure to submit required documents to prove program eligibility. I have attached proof to support my claim.
- OTHER. Please explain on a separate type written or clearly hand written sheet. Please remember to submit proof to support your claim.

SECTION 4 - GROUNDS FOR APPEAL - Continued**FOR OWNERS/AGENTS**

Please choose one:

- I am the Owner/Landlord and I do not believe the Tax Abatement Credit (TAC) amount is correct.
STOP! If you are attempting to correct a TAC amount, you should not submit an appeal form. Please submit a TAC Adjustment form instead (available at www.nyc.gov/finance). Please remember to submit proof to support your claim.
- I am the Owner/Landlord and my tenant moved or passed away.
STOP! If you are attempting to inform the Dept of Finance that a tenant moved or passed away and therefore is not eligible for DRIE, please submit a Notice of Tenant Ineligibility form instead (available at www.nyc.gov/finance). Please remember to submit proof to support your claim.
- I do not believe my tenant should be receiving DRIE because s/he does not meet the program requirements. Please explain on a separate type written or clearly hand written sheet. Please remember to submit proof to support your claim.
- OTHER. Please explain on a separate type written or clearly hand written sheet. Please remember to submit proof to support your claim.

SECTION 5 - CERTIFICATION

I hereby affirm under the penalties provided by law that the statements within this application are true, correct, and complete to the best of my knowledge.

Signature of Applicant

Date

FREQUENTLY ASKED QUESTIONS**Who can file an appeal?**

- A first time applicant to the DRIE program who was denied DRIE and disagrees with the decision.
- Tenants who were receiving but were revoked from the program and disagree with the decision.
- Owners/Agents of buildings with DRIE tenants who do not agree with a DRIE tenant's eligibility.

Is there a deadline for having an order appealed?

The appeal application must be postmarked within 60 days of the date on the notice received that you wish to dispute.

What happens to the order while it is under appeal?

The order remains in effect while Finance reviews your appeal application and supporting documentation.

For landlords who are contesting a DRIE order - The Administrative Code of the City of New York provides that:

- Any landlord who collect(s) or seeks to collect or enforce rent from a tenant in violation of the terms of a rent exemption order shall for the purposes of all remedies, sanctions and penalties provided in this title be deemed to have collected or attempted to collect or enforce a rent in excess of the legal regulated rent.

Can a Court review the DRIE Order?

A court cannot review a DRIE order until you go through the DRIE appeal process. If you disagree with the results of the DRIE appeal process, you may then appeal to the New York State Supreme Court. In most cases, the deadline to appeal to the Supreme Court is four months.

You cannot submit another appeal for one that has already been denied.

GENERAL INFORMATION AND ASSISTANCE

If you need help or have questions please contact 311 or visit nyc.gov/contactdrie.

You can visit our DRIE office at 66 John Street, 3rd floor, New York, NY.

We are open Monday through Friday, between 8:30 AM and 4:30 PM.