



# REAL PROPERTY INCOME AND EXPENSE STATEMENT PETITION FOR HEARING

**2015**

**Mail to:** NYC Department of Finance, RPIE Unit, 66 John Street, 12th Floor, New York, NY 10038

**INSTRUCTIONS:** Complete all sections, attach all supporting documents for hearing and mail to the address above. Use a separate form for each property. Please include the Power of Attorney if representative is not the owner.

**BOROUGH:** \_\_\_\_\_ **BLOCK:** \_\_\_\_\_ **LOT:** \_\_\_\_\_

**Street Address of the Property:** \_\_\_\_\_

**SECTION I - OWNER INFORMATION - All information in this section must be completed (Please print).**

**Owner Name:** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_

**Telephone Number:** \_\_\_\_\_ **Fax Number:** \_\_\_\_\_ **Email Address:** \_\_\_\_\_

**SECTION II - REPRESENTATIVE INFORMATION - All information in this section must be completed (Please print).**

**Name of Representative (Last, First):** \_\_\_\_\_  Same as Above  Net Lessee  Attorney  Agent

**Mailing Address:** \_\_\_\_\_

**Telephone Number:** \_\_\_\_\_ **Fax Number:** \_\_\_\_\_ **Email Address:** \_\_\_\_\_

**SECTION III - HEARING REQUEST - All information in this section must be completed (Please print).**

The above-named owner or duly authorized representative of owner hereby requests a hearing to determine whether a penalty should be imposed as a result of the owner's failure to comply with the 2015 Real Property Income and Expense ("RPIE") filing requirements for the above-referenced property, as required by New York City Administrative Code section 11-208.1, and Title 19 of the Rules of the City of New York sections 33-01 to 33-07.

Owner requests (**must check one**):

**Hearing by mail (without personal appearance).** Please submit any additional documents and legal memoranda you wish to submit in support of owner's position. You will be notified of the decision.

**OR**

**Hearing in-person.** Please submit any additional documents and legal memoranda you wish to submit in support of owner's position. You will be notified of a date, time and place to attend an in-person hearing.

In the space provided, briefly describe the issue(s) upon which owner requests a hearing. Attach additional sheets if necessary. A statement of the issues(s) is REQUIRED.

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

**SECTION IV - SPECIAL CIRCUMSTANCES (Please print).**

If requesting an in-person hearing, indicate if you will need:  A language interpreter - OR -  An accommodation of disability

Please indicate language: \_\_\_\_\_

Type of Accommodation: \_\_\_\_\_

**SECTION V - SIGNATURE**

Respectfully submitted:

**Signed:** \_\_\_\_\_ **Print Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

## What can I do to avoid a Non-Compliance penalty?

1. **File an RPIE or Claim of Exclusion by the deadline outlined in your Non-Compliance Notice.** Meeting your filing requirement is the simplest way to avoid penalties. If you file a complete and accurate RPIE by the deadline, you avoid all penalties.
2. **File a Petition for a Hearing.** The reasons why you might choose to file a Petition are outlined below. Filing the Petition pends the penalty until the Petition is heard and a final determination is made. If your Petition is upheld, the penalty can be reduced fully or partially. If your Petition is denied, the full penalty will be due.

If you do neither, we'll impose the penalties outlined in the Non-Compliance letter.

## What does submitting a Petition for Hearing do?

Submitting the Petition allows you to argue that the proposed penalty should not be imposed in whole or in part. Your Petition will be reviewed by an Administrative Law Judge and you can show up for the hearing or simply submit your argument and documentation via mail.

## Why would I consider submitting a Petition for a Hearing?

You can petition for a hearing to contest your status as a required filer or as a non-filer. If you believe that Finance is mistaken in how it categorizes your property and you want to contest your requirement to file, submit a petition. Likewise, if you believe that you have already submitted a complete RPIE, you can submit petition and include evidence of your completed submission. You can also contact the RPIE Unit at [rpie@finance.nyc.gov](mailto:rpie@finance.nyc.gov) to review your filing status.

Please note that requests to remove a penalty for "reasonable cause" such as forgetting to file, loss of documents, etc. will not be granted because there is no exception for reasonable cause in the RPIE law.

## What is the deadline for submitting the Petition for Hearing?

All Petitions must be postmarked within 30 days of the date of the Non-Compliance notice.

## What happens when I submit a Petition for Hearing?

Your petition will be reviewed via mail or in person by an Administrative Law Judge and a final penalty, if any, will be determined by Finance. Any penalty will be pended until the Petition can be heard and a final determination made. You will receive a letter about the final outcome of the hearing and any penalty due.