

5807

2015-2016 Regular Sessions

I N S E N A T E

June 3, 2015

Introduced by Sen. AVELLA -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the real property tax law and the administrative code of the city of New York, in relation to increasing the average assessed value threshold

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subparagraph (i) of paragraph (b) of subdivision 17 of
2 section 489 of the real property tax law, as added by chapter 4 of the
3 laws of 2013, is amended to read as follows:
4 (i) except as otherwise provided in this section with respect to
5 multiple dwellings, buildings and structures owned and operated either
6 by limited-profit housing companies established pursuant to article two
7 of the private housing finance law or redevelopment companies estab-
8 lished pursuant to article five of the private housing finance law, or
9 with respect to a group of multiple dwellings that was developed as a
10 planned community and that is owned as two separate condominiums
11 containing a total of ten thousand or more dwelling units, any multiple
12 dwelling, building or structure that is owned as a cooperative or a
13 condominium that has an average assessed value of [thirty] FIFTY thou-
14 sand dollars or more per dwelling unit shall only be eligible for such
15 benefits if the alterations or improvements for which such multiple
16 dwelling, building or structure has applied for the benefits pursuant to
17 this section were carried out with substantial governmental assistance;
18 and
19 S 2. Subparagraph (ii) of paragraph 3 of subdivision d of section
20 11-243 of the administrative code of the city of New York, as amended by
21 local law number 49 of the city of New York for the year 1993, is
22 amended to read as follows:
23 (ii) is owned as a condominium and is occupied as the residence or
24 home of three or more families living independently of each other;

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets [] is old law to be omitted.

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1 provided, however, that, in addition to all other conditions of eligi-
2 bility for the benefits of this section, except for multiple dwellings
3 in which units have been newly created by substantial rehabilitation of
4 vacant buildings or conversions of non-residential buildings, the avail-
5 ability of benefits under this section for such multiple dwellings,
6 buildings or structures shall be conditioned on the following: (a)
7 alterations or improvements to at least one building-wide system are
8 part of the application for benefits, and (b) (i) the assessed valuation
9 of such multiple dwelling, building, or structure, including land, shall
10 not exceed an average of [thirty] FIFTY thousand dollars per dwelling
11 unit at the time of the commencement of the alterations or improvements,
12 and (ii) during the three years immediately preceding the commencement
13 of the alterations or improvements the average per room sale price of
14 the dwelling units or the stock allocated to such dwelling units shall
15 have been no greater than thirty-five percent of the maximum mortgage
16 amount for a single family home eligible for purchase by the Federal
17 National Mortgage Association; provided that if less than ten percent of
18 the dwelling units or an amount of stock less than the amount allocable
19 to ten percent of such dwelling units was not transferred during such
20 preceding three year period, eligibility for benefits shall be condi-
21 tioned upon the multiple dwelling, building, or structure having an
22 assessed valuation per dwelling unit of no more than twenty-five thou-
23 sand dollars at the time of the commencement of the alterations or
24 improvements. Provided, further, that such benefits shall be available
25 only for alterations or improvements commenced on or after June first,
26 nineteen hundred eighty-six.

27 S 3. The opening paragraph of paragraph (a) of subdivision 1 of
28 section 489 of the real property tax law, as amended by chapter 4 of the
29 laws of 2013, is amended to read as follows:

30 Any city to which the multiple dwelling law is applicable, acting
31 through its local legislative body or other governing agency, is hereby
32 authorized and empowered, to and including January first, two thousand
33 [fifteen] TWENTY, to adopt and amend local laws or ordinances providing
34 that any increase in assessed valuation of real property shall be exempt
35 from taxation for local purposes, as provided herein, to the extent such
36 increase results from:

37 S 4. The closing paragraph of subparagraph 6 of paragraph (a) of
38 subdivision 1 of section 489 of the real property tax law, as amended by
39 chapter 4 of the laws of 2013, is amended to read as follows:

40 Such conversion, alterations or improvements shall be completed within
41 thirty months after the date on which same shall be started except that
42 such thirty month limitation shall not apply to conversions of residen-
43 tial units which are registered with the loft board in accordance with
44 article seven-C of the multiple dwelling law pursuant to subparagraph
45 one of this paragraph. Notwithstanding the foregoing, a sixty month
46 period for completion shall be available for alterations or improvements
47 undertaken by a housing development fund company organized pursuant to
48 article eleven of the private housing finance law, which are carried out
49 with the substantial assistance of grants, loans or subsidies from any
50 federal, state or local governmental agency or instrumentality or which
51 are carried out in a property transferred from such city if alterations
52 and improvements are completed within seven years after the date of
53 transfer. In addition, the local housing agency is hereby empowered to
54 grant an extension of the period of completion for any project carried
55 out with the substantial assistance of grants, loans or subsidies from
56 any federal, state or local governmental agency or instrumentality, if

1 such alterations or improvements are completed within sixty months from
2 commencement of construction. Provided, further, that such conversion,
3 alterations or improvements shall in any event be completed prior to
4 June thirtieth, two thousand [fifteen] TWENTY. Exemption for conver-
5 sions, alterations or improvements pursuant to subparagraph one, two,
6 three or four of this paragraph shall continue for a period not to
7 exceed fourteen years and begin no sooner than the first quarterly tax
8 bill immediately following the completion of such conversion, alter-
9 ations or improvements. Exemption for alterations or improvements pursu-
10 ant to this subparagraph or subparagraph five of this paragraph shall
11 continue for a period not to exceed thirty-four years and shall begin no
12 sooner than the first quarterly tax bill immediately following the
13 completion of such alterations or improvements. Such exemption shall be
14 equal to the increase in the valuation which is subject to exemption in
15 full or proportionally under this subdivision for ten or thirty years,
16 whichever is applicable. After such period of time, the amount of such
17 exempted assessed valuation of such improvements shall be reduced by
18 twenty percent in each succeeding year until the assessed value of the
19 improvements are fully taxable. Provided, however, exemption for any
20 conversion, alterations or improvements which are aided by a loan or
21 grant under article eight, eight-A, eleven, twelve, fifteen or twenty-
22 two of the private housing finance law, section six hundred ninety-six-a
23 or section ninety-nine-h of the general municipal law, or section three
24 hundred twelve of the housing act of nineteen hundred sixty-four (42
25 U.S.C.A. 1452b), or the Cranston-Gonzalez national affordable housing
26 act (42 U.S.C.A. 12701 et. seq.), or started after July first, nineteen
27 hundred eighty-three by a housing development fund company organized
28 pursuant to article eleven of the private housing finance law which are
29 carried out with the substantial assistance of grants, loans or subsi-
30 dies from any federal, state or local governmental agency or instrumen-
31 tality or which are carried out in a property transferred from any city
32 and where alterations and improvements are completed within seven years
33 after the date of transfer may commence at the beginning of any tax
34 quarter subsequent to the start of such conversion, alterations or
35 improvements and prior to the completion of such conversion, alterations
36 or improvements.

37 S 5. This act shall take effect immediately.