

5807--A

2015-2016 Regular Sessions

I N S E N A T E

June 3, 2015

Introduced by Sens. AVELLA, KLEIN -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- recommitted to the Committee on Local Government in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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 established pursuant to article five of the private housing finance law, or
8 with respect to a group of multiple dwellings that was developed as a
9 planned community and that is owned as two separate condominiums
10 containing a total of ten thousand or more dwelling units, any multiple
11 dwelling, building or structure that is owned as a cooperative or a
12 condominium that has an average assessed value of [thirty] FIFTY thousand dollars or more per dwelling unit shall only be eligible for such
13 benefits if the alterations or improvements for which such multiple
14 dwelling, building or structure has applied for the benefits pursuant to
15 this section were carried out with substantial governmental assistance;
16 and
17 and
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

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

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1 local law number 49 of the city of New York for the year 1993, is
2 amended to read as follows:

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

31 S 3. The opening paragraph of paragraph (a) of subdivision 1 of
32 section 489 of the real property tax law, as amended by section 19 of
33 part A of chapter 20 of the laws of 2015, is amended to read as follows:

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

41 S 4. The closing paragraph of subparagraph 6 of paragraph (a) of
42 subdivision 1 of section 489 of the real property tax law, as amended by
43 section 20 of part A of chapter 20 of the laws of 2015, is amended to
44 read as follows:

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

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

42 S 5. This act shall take effect immediately.