

STATE OF NEW YORK

7569

2025-2026 Regular Sessions

IN ASSEMBLY

April 1, 2025

Introduced by M. of A. RAMOS -- read once and referred to the Committee on Real Property Taxation

AN ACT to amend the real property tax law, in relation to providing a real property tax exemption for certain residential properties with accessory dwelling units occupied by households in need in Suffolk county

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The real property tax law is amended by adding a new
2 section 421-r to read as follows:

3 § 421-r. Exemption of residential properties with accessory dwelling
4 units set aside for renting by households in need; certain towns and
5 villages. 1. In any town or village within Suffolk county, residential
6 properties possessing, on the same parcel as a pre-existing residential
7 building, one or more additional legal residential accessory dwelling
8 units providing independent rent-based living facilities for persons and
9 families in need as determined pursuant to paragraph (b) of this subdi-
10 vision, shall be exempt from state real property taxation, provided
11 that:

12 (a) the accessory dwelling unit or units represent no more than thirty
13 percent of the most up to date total assessment of the value of the
14 property;

15 (b) the accessory dwelling unit or units are rented and occupied by
16 persons or families whose annual gross income is at or below eighty
17 percent of the Suffolk county/Nassau county area median income adjusted
18 for household and unit size as determined by the division of housing and
19 community renewal;

20 (c) the monthly rent for the accessory dwelling unit or units is
21 calculated using the formula: thirty percent of fifty percent of the
22 Suffolk county/Nassau county area median income adjusted for household

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

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1 and unit size as determined by the division of housing and community
2 renewal, minus the applicable utility allowance;

3 (d) the primary building on the residential property where the acces-
4 sory dwelling unit or units are located is owned and occupied by persons
5 or families whose annual gross income is at or below one hundred twenty
6 percent of the Suffolk county/Nassau county area median income adjusted
7 for household size as determined by the division of housing and communi-
8 ty renewal;

9 (e) the property owner is a current occupant of the primary building
10 on the residential property where the accessory dwelling unit or units
11 are located; and

12 (f) the property owner applying for the exemption and the prospective
13 or current tenants of the accessory dwelling unit or units provide
14 documentation, including but not limited to proof of income, proof of
15 property ownership, employment records, and proof of residency, to the
16 division of housing and community renewal for the purpose of certifying
17 that the requirements of this subdivision are met as part of any appli-
18 cation for an exemption.

19 2. If satisfied that the applicant is entitled to an exemption pursu-
20 ant to this section, the assessor shall approve the application and such
21 eligible real property shall thereafter receive a real property tax
22 exemption equaling fifteen percent of the most up to date total assess-
23 ment of the property value; provided, however, that if it is certified
24 by the division of housing and community renewal that any person occupy-
25 ing an accessory dwelling unit located on the applicant property is
26 employed as a firefighter, emergency medical technician, or paramedic,
27 the real property tax exemption granted pursuant to this section shall
28 be equal to twenty percent of the most up to date total assessment of
29 the property value.

30 3. Any exemption granted pursuant to this section shall remain in
31 effect for as long as the property in receipt of such exemption meets
32 the requirements and conditions of this section.

33 4. Within one hundred eighty days of the effective date of this
34 section, the division of housing and community renewal shall be
35 empowered to:

36 (a) designate officials who shall be tasked with certifying that the
37 applicant and tenants of an applicant's accessory dwelling unit or units
38 are in compliance with the requirements and conditions of this section;
39 and

40 (b) establish policies and guidelines designed to assist tenants and
41 homeowners after an exemption granted pursuant to this section has
42 expired.

43 § 2. This act shall take effect immediately.