

S T A T E O F N E W Y O R K

S. 5669--A

A. 8271--A

2011-2012 Regular Sessions

S E N A T E - A S S E M B L Y

June 9, 2011

IN SENATE -- Introduced by Sen. SAVINO -- read twice and ordered printed, and when printed to be committed to the Committee on Cities -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

IN ASSEMBLY -- Introduced by M. of A. TITONE -- read once and referred to the Committee on Cities -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to confirm eligibility for and direct the New York city department of finance to provide exemption from taxation of certain residential dwelling units in the county of Richmond

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

1 Section 1. 1. Notwithstanding any law, rule or regulation to the
2 contrary, where certificates of eligibility for moderate rehabilitation
3 with enriched benefits were issued by the New York city department of
4 housing preservation and development on July 28, 2000 and January 30,
5 2002 for alterations and improvements constructed between 1997 and 2000
6 with regard to a group of eight class A multiple dwellings reflected on
7 three separate tax lots, comprised of eleven hundred or more residential
8 rental units located on the same residential street in the county of
9 Richmond, exclusively occupied by low income tenants receiving benefits
10 under section 8 of the United States housing act of 1937 whose incomes
11 do not exceed 50 percent of the area median income, which are subject to
12 a 50-year use agreement pursuant to the United States low-income housing
13 preservation and resident homeownership act of 1990 and funded by at
14 least 10 million dollars of federal subsidies, each such tax lot shall
15 be exempt from taxation for local purposes for 34 years under section
16 489 of the real property tax law and section 11-243 of the administra-
17 tive code of the city of New York. The New York city department of

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

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1 finance is hereby directed to comply with the provisions of this
2 section.

3 2. For tax lots granted benefits under this section pursuant to
4 certificates of eligibility issued on July 28, 2000, exemption benefits
5 shall be based upon all increases in the buildings assessed valuation,
6 without regard to whether such increases were the result of physical or
7 equalization increases, as follows:

8 (a) beginning in tax year 2001-2002 and ending at the completion of
9 tax year 2030-2031, the exemption benefit shall equal the difference
10 between the building assessed value for that tax year and tax year
11 1997-1998 multiplied by the then current overall class 2 tax rate;

12 (b) for tax year 2031-2032, the exemption benefit shall equal eighty
13 percent of the difference between the then current building assessed
14 value and the building assessed value in tax year 2001-2002 multiplied
15 by the then current class 2 tax rate;

16 (c) for tax year 2032-2033, the exemption benefit shall equal sixty
17 percent of the difference between the then current building assessed
18 value and the building assessed value in tax year 2001-2002 multiplied
19 by the then current class 2 tax rate;

20 (d) for tax year 2033-2034, the exemption benefit shall equal forty
21 percent of the difference between the then current building assessed
22 value and the building assessed value in tax year 2001-2002 multiplied
23 by the then current class 2 tax rate.

24 (e) for tax year 2034-2035, the exemption benefit shall equal twenty
25 percent of the difference between the then current building assessed
26 value and the building assessed value in tax year 2001-2002 multiplied
27 by the then current class 2 tax rate.

28 3. For tax lots granted benefits under this section pursuant to
29 certificates of eligibility issued on January 30, 2002, exemption bene-
30 fits shall be based upon all increases in the buildings assessed valu-
31 ation, without regard to whether such increases were the result of phys-
32 ical or equalization increases, as follows:

33 (a) beginning in tax year 2002-2003 and ending at the completion of
34 tax year 2031-2032, the exemption benefit shall equal the difference
35 between the building assessed value for that tax year and tax year
36 1998-1999 multiplied by the then current overall class 2 tax rate;

37 (b) for tax year 2032-2033, the exemption benefit shall equal eighty
38 percent of the difference between the then current building assessed
39 value and the building assessed value in tax year 2002-2003 multiplied
40 by the then current class 2 tax rate;

41 (c) for tax year 2033-2034, the exemption benefit shall equal sixty
42 percent of the difference between the then current building assessed
43 value and the building assessed value in tax year 2002-2003 multiplied
44 by the then current class 2 tax rate;

45 (d) for tax year 2034-2035, the exemption benefit shall equal forty
46 percent of the difference between the then current building assessed
47 value and the building assessed value in tax year 2002-2003 multiplied
48 by the then current class 2 tax rate;

49 (e) for tax year 2035-2036, the exemption benefit shall equal twenty
50 percent of the difference between the then current building assessed
51 value and the building assessed value in tax year 2002-2003 multiplied
52 by the then current class 2 tax rate;

53 4. For all tax years prior to the tax year in which this act takes
54 effect, all exemption benefits created pursuant to subdivisions two and
55 three of this section shall result in the creation of credits. The total
56 of all credits for tax years prior to the tax year in which this act

1 takes effect shall be applied by the New York city department of finance
2 to reduce taxes for the remainder of the benefit period, beginning in
3 the first tax year in which this act takes effect through tax year
4 2035-2036.
5 5. The New York city department of housing preservation and develop-
6 ment is hereby empowered to grant an extension of the period of
7 completion for any project described in subdivision one of this section,
8 where construction commenced in 2005, if such alterations or improve-
9 ments are completed within 96 months from commencement of construction;
10 provided that such conversion, alterations or improvements shall in any
11 event be completed prior to December 31, 2013.
12 S 2. This act shall take effect immediately.