

3354

2013-2014 Regular Sessions

I N A S S E M B L Y

January 24, 2013

Introduced by M. of A. WRIGHT, BRAUNSTEIN, SILVER, KIM, WEPRIN, SIMANOW-ITZ, DenDEKKER, CYMBROWITZ -- Multi-Sponsored by -- M. of A. ARROYO, BENEDETTO, BOYLAND, BRENNAN, BROOK-KRASNY, CLARK, COLTON, COOK, DINOW-ITZ, ESPINAL, GLICK, GOLDFEDER, HEASTIE, HEVESI, HIKIND, JACOBS, LENTOL, MARKEY, MILLER, MILLMAN, MOSLEY, NOLAN, O'DONNELL, ORTIZ, PERRY, PRETLOW, ROBINSON, ROZIC, SEPULVEDA, SIMOTAS, TITUS, WEINSTEIN -- read once and referred to the Committee on Ways and Means

AN ACT to amend the real property tax law, in relation to exemption from taxation of alterations and improvements to multiple dwellings to eliminate fire and health hazards and a partial abatement of real property taxes for condominiums and cooperatives, in a city having a population of one million or more; to amend the administrative code of the city of New York, in relation to certain tax credits; to amend the real property tax law, in relation to interim multiple dwellings in a city with a population of one million or more; to amend the multiple dwelling law, in relation to interim multiple dwellings in a city with a population of one million or more; and providing for the repeal of certain provisions of the multiple dwelling law upon expiration thereof

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

1 Section 1. The opening paragraph of paragraph (a) of subdivision 1 of
2 section 489 of the real property tax law, as amended by chapter 244 of
3 the laws of 2006, is amended to read as follows:
4 Any city to which the multiple dwelling law is applicable, acting
5 through its local legislative body or other governing agency, is hereby
6 authorized and empowered, to and including [June] JANUARY first, two
7 thousand [eleven] FIFTEEN, to adopt and amend local laws or ordinances
8 providing that any increase in assessed valuation of real property shall
9 be exempt from taxation for local purposes, as provided herein, to the
10 extent such increase results from:

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

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1 S 2. The closing paragraph of subparagraph 6 of paragraph (a) of
2 subdivision 1 of section 489 of the real property tax law, as amended by
3 chapter 244 of the laws of 2006, is amended to read as follows:

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

1 improvements and prior to the completion of such conversion, alterations
2 or improvements.

3 S 3. Section 489 of the real property tax law is amended by adding
4 four new subdivisions 17, 18, 19 and 20 to read as follows:

5 17. (A) FOR PURPOSES OF THIS SUBDIVISION, "SUBSTANTIAL GOVERNMENTAL
6 ASSISTANCE" SHALL MEAN:

7 (I) GRANTS, LOANS OR SUBSIDIES FROM ANY FEDERAL, STATE OR LOCAL AGENCY
8 OR INSTRUMENTALITY IN FURTHERANCE OF A PROGRAM FOR THE DEVELOPMENT OF
9 AFFORDABLE HOUSING APPROVED BY THE LOCAL HOUSING AGENCY, INCLUDING,
10 WITHOUT LIMITATION, FINANCING OR INSURANCE PROVIDED BY THE STATE OF NEW
11 YORK MORTGAGE AGENCY OF THE NEW YORK CITY RESIDENTIAL MORTGAGE INSURANCE
12 CORPORATION; OR

13 (II) A WRITTEN AGREEMENT BETWEEN A HOUSING DEVELOPMENT FUND CORPO-
14 RATION AND THE LOCAL HOUSING AGENCY LIMITING THE INCOMES OF PERSONS
15 ENTITLED TO PURCHASE SHARES OR RENT HOUSING ACCOMMODATIONS THEREIN.

16 (B) ANY LOCAL LAW OR ORDINANCE PROVIDING FOR BENEFITS PURSUANT TO THIS
17 SECTION MUST ALSO PROVIDE THE FOLLOWING WITH RESPECT TO CONVERSIONS,
18 ALTERATIONS OR IMPROVEMENTS COMPLETED ON OR AFTER DECEMBER THIRTY-FIRST,
19 TWO THOUSAND ELEVEN:

20 (I) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION WITH RESPECT TO
21 MULTIPLE DWELLINGS, BUILDINGS AND STRUCTURES OWNED AND OPERATED EITHER
22 BY LIMITED-PROFIT HOUSING COMPANIES ESTABLISHED PURSUANT TO ARTICLE TWO
23 OF THE PRIVATE HOUSING FINANCE LAW OR REDEVELOPMENT COMPANIES ESTAB-
24 LISHED PURSUANT TO ARTICLE FIVE OF THE PRIVATE HOUSING FINANCE LAW, OR
25 WITH RESPECT TO A GROUP OF MULTIPLE DWELLINGS THAT WAS DEVELOPED AS A
26 PLANNED COMMUNITY AND THAT IS OWNED AS TWO SEPARATE CONDOMINIUMS
27 CONTAINING A TOTAL OF TEN THOUSAND OR MORE DWELLING UNITS, ANY MULTIPLE
28 DWELLING, BUILDING OR STRUCTURE THAT IS OWNED AS A COOPERATIVE OR A
29 CONDOMINIUM THAT HAS AN AVERAGE ASSESSED VALUE OF THIRTY THOUSAND
30 DOLLARS OR MORE PER DWELLING UNIT SHALL ONLY BE ELIGIBLE FOR SUCH BENE-
31 FITS IF THE ALTERATIONS OR IMPROVEMENTS FOR WHICH SUCH MULTIPLE DWELL-
32 ING, BUILDING OR STRUCTURE HAS APPLIED FOR THE BENEFITS PURSUANT TO THIS
33 SECTION WERE CARRIED OUT WITH SUBSTANTIAL GOVERNMENTAL ASSISTANCE; AND

34 (II) NO BENEFITS PURSUANT TO THIS SECTION SHALL BE GRANTED FOR THE
35 CONVERSION OF ANY NON-RESIDENTIAL BUILDING OR STRUCTURE INTO A CLASS A
36 MULTIPLE DWELLING UNLESS SUCH CONVERSION WAS CARRIED OUT WITH SUBSTAN-
37 TIAL GOVERNMENTAL ASSISTANCE.

38 18. ANY LOCAL LAW OR ORDINANCE PROVIDING FOR BENEFITS PURSUANT TO THIS
39 SECTION MUST ALSO PROVIDE, WITH RESPECT TO CONVERSIONS, ALTERATIONS OR
40 IMPROVEMENTS FOR WHICH APPLICATION WAS MADE AFTER THE EFFECTIVE DATE OF
41 THIS SUBDIVISION, THAT IF SUCH CONVERSIONS, ALTERATIONS OR IMPROVEMENTS
42 ARE NOT COMPLETED ON THE DATE UPON WHICH SUCH LOCAL HOUSING AGENCY
43 INSPECTS THE ITEMS OF WORK CLAIMED IN SUCH APPLICATION, THE LOCAL HOUS-
44 ING AGENCY SHALL REQUIRE THE APPLICANT TO PAY TWO TIMES THE ACTUAL COST
45 FOR ANY ADDITIONAL INSPECTIONS NEEDED TO VERIFY THE COMPLETION OF SUCH
46 CONVERSION, ALTERATION OR IMPROVEMENT.

47 19. THE REVOCATION OF BENEFITS GRANTED TO ANY MULTIPLE DWELLING,
48 BUILDING OR STRUCTURE PURSUANT TO THIS SECTION SHALL NOT EXEMPT ANY
49 DWELLING UNIT THEREIN FROM CONTINUED COMPLIANCE WITH THE REQUIREMENTS OF
50 THIS SECTION OR OF ANY LOCAL LAW OR ORDINANCE PROVIDING FOR BENEFITS
51 PURSUANT TO THIS SECTION.

52 20. NOTWITHSTANDING THE PROVISIONS OF ANY GENERAL, SPECIAL OR LOCAL
53 LAW OR ANY LOCAL ORDINANCE PROVIDING FOR BENEFITS PURSUANT TO THIS
54 SECTION THE DEPARTMENT MAY REQUIRE THAT THE APPLICATIONS FOR EXEMPTION
55 OR ABATEMENT UNDER THIS SECTION THAT ARE FILED ON OR AFTER A DATE SPECI-
56 FIED IN SUCH LOCAL LAW OR ORDINANCE BE FILED ELECTRONICALLY.

1 S 4. Paragraph (a) of subdivision 1 of section 467-a of the real prop-
2 erty tax law, as added by chapter 273 of the laws of 1996, is amended to
3 read as follows:

4 (a) "Applicant" means the board of managers of a condominium or the
5 board of directors of a cooperative apartment corporation, PROVIDED
6 THAT, IN ADDITION, THE COMMISSIONER OF FINANCE MAY BY RULE DESIGNATE THE
7 OWNER OF A DWELLING UNIT AS AN APPLICANT.

8 S 5. Paragraphs (a) and (b) of subdivision 2 of section 467-a of the
9 real property tax law, as added by chapter 273 of the laws of 1996, are
10 amended to read as follows:

11 (a) In a city having a population of one million or more, dwelling
12 units owned by unit owners who, as of the applicable taxable status
13 date, own no more than three dwelling units in any one property held in
14 the condominium form of ownership, shall be eligible to receive a
15 partial abatement of real property taxes, as set forth in paragraphs (c)
16 [and], (d), (D-1), (D-2), (D-3), (D-4), (D-5) AND (D-6) of this subdivi-
17 sion; provided, however, that a property held in the condominium form of
18 ownership that is receiving complete or partial real property tax
19 exemption or tax abatement pursuant to any other provision of this chap-
20 ter or any other state or local law, except as provided in paragraph (f)
21 of this subdivision, shall not be eligible to receive a partial abate-
22 ment pursuant to this section; and provided, further, that sponsors
23 shall not be eligible to receive a partial abatement pursuant to this
24 section; AND PROVIDED, FURTHER, THAT IN THE FISCAL YEAR COMMENCING IN
25 CALENDAR YEARS TWO THOUSAND TWELVE, TWO THOUSAND THIRTEEN, OR TWO THOU-
26 SAND FOURTEEN NO MORE THAN A MAXIMUM OF THREE DWELLING UNITS OWNED BY
27 ANY UNIT OWNER IN A SINGLE BUILDING, ONE OF WHICH MUST BE THE PRIMARY
28 RESIDENCE OF SUCH UNIT OWNER, SHALL BE ELIGIBLE TO RECEIVE A PARTIAL
29 ABATEMENT PURSUANT TO PARAGRAPHS (D-1), (D-2), (D-3) AND (D-4) OF THIS
30 SECTION.

31 (b) In a city having a population of one million or more, dwelling
32 units owned by tenant-stockholders who, as of the applicable taxable
33 status date, own no more than three dwelling units in any one property
34 held in the cooperative form of ownership, shall be eligible to receive
35 a partial abatement of real property taxes, as set forth in paragraphs
36 (c) [and], (d), (D-1), (D-2), (D-3), (D-4), (D-5) AND (D-6) of this
37 subdivision; provided, however, that a property held in the cooperative
38 form of ownership that is receiving complete or partial real property
39 tax exemption or tax abatement pursuant to any other provision of this
40 chapter or any other state or local law, except as provided in paragraph
41 (f) of this subdivision, shall not be eligible to receive a partial
42 abatement pursuant to this section; and provided, further, that sponsors
43 shall not be eligible to receive a partial abatement pursuant to this
44 section; AND PROVIDED, FURTHER, THAT IN THE FISCAL YEAR COMMENCING IN
45 CALENDAR YEARS TWO THOUSAND TWELVE, TWO THOUSAND THIRTEEN OR TWO THOU-
46 SAND FOURTEEN NO MORE THAN A MAXIMUM OF THREE DWELLING UNITS OWNED BY
47 ANY TENANT-STOCKHOLDER IN A SINGLE BUILDING, ONE OF WHICH MUST BE THE
48 PRIMARY RESIDENCE OF SUCH TENANT-STOCKHOLDER, SHALL BE ELIGIBLE TO
49 RECEIVE A PARTIAL ABATEMENT PURSUANT TO PARAGRAPHS (D-1), (D-2), (D-3)
50 AND (D-4) OF THIS SECTION. For purposes of this section, a tenant-
51 stockholder of a cooperative apartment corporation shall be deemed to
52 own the dwelling unit which is represented by his or her shares of stock
53 in such corporation. Any abatement so granted shall be credited by the
54 appropriate taxing authority against the tax due on the property as a
55 whole. The reduction in real property taxes received thereby shall be
56 credited by the cooperative apartment corporation against the amount of

1 such taxes attributable to eligible dwelling units at the time of
2 receipt.

3 S 6. Intentionally omitted.

4 S 7. Subdivision 2 of section 467-a of the real property tax law is
5 amended by adding six new paragraphs (d-1), (d-2), (d-3), (d-4), (d-5)
6 and (d-6) to read as follows:

7 (D-1) IN THE FISCAL YEARS COMMENCING IN CALENDAR YEAR TWO THOUSAND
8 TWELVE, TWO THOUSAND THIRTEEN AND TWO THOUSAND FOURTEEN, ELIGIBLE DWELL-
9 ING UNITS IN PROPERTY WHOSE AVERAGE UNIT ASSESSED VALUE IS LESS THAN OR
10 EQUAL TO FIFTY THOUSAND DOLLARS SHALL RECEIVE A PARTIAL ABATEMENT OF THE
11 REAL PROPERTY TAXES ATTRIBUTABLE TO OR DUE ON SUCH DWELLING UNITS OF
12 TWENTY-FIVE PERCENT, TWENTY-SIX AND ONE-HALF PERCENT AND TWENTY-EIGHT
13 AND ONE-TENTH PERCENT RESPECTIVELY.

14 (D-2) IN THE FISCAL YEARS COMMENCING IN CALENDAR YEAR TWO THOUSAND
15 TWELVE, TWO THOUSAND THIRTEEN AND TWO THOUSAND FOURTEEN, ELIGIBLE DWELL-
16 ING UNITS IN PROPERTY WHOSE AVERAGE UNIT ASSESSED VALUE IS MORE THAN
17 FIFTY THOUSAND DOLLARS, BUT LESS THAN OR EQUAL TO FIFTY-FIVE THOUSAND
18 DOLLARS, SHALL RECEIVE A PARTIAL ABATEMENT OF THE REAL PROPERTY TAXES
19 ATTRIBUTABLE TO OR DUE ON SUCH DWELLING UNITS OF TWENTY-TWO AND ONE-HALF
20 PERCENT, TWENTY-THREE AND EIGHT-TENTHS PERCENT AND TWENTY-FIVE AND TWO-
21 TENTHS PERCENT RESPECTIVELY.

22 (D-3) IN THE FISCAL YEARS COMMENCING IN CALENDAR YEAR TWO THOUSAND
23 TWELVE, TWO THOUSAND THIRTEEN AND TWO THOUSAND FOURTEEN, ELIGIBLE DWELL-
24 ING UNITS IN PROPERTY WHOSE AVERAGE UNIT ASSESSED VALUE IS MORE THAN
25 FIFTY-FIVE THOUSAND DOLLARS, BUT LESS THAN OR EQUAL TO SIXTY THOUSAND
26 DOLLARS, SHALL RECEIVE A PARTIAL ABATEMENT OF THE REAL PROPERTY TAXES
27 ATTRIBUTABLE TO OR DUE ON SUCH DWELLING UNITS OF TWENTY PERCENT, TWEN-
28 TY-ONE AND TWO-TENTHS PERCENT, AND TWENTY-TWO AND FIVE-TENTHS PERCENT
29 RESPECTIVELY.

30 (D-4) IN THE FISCAL YEARS COMMENCING IN CALENDAR YEAR TWO THOUSAND
31 TWELVE, TWO THOUSAND THIRTEEN AND TWO THOUSAND FOURTEEN, ELIGIBLE DWELL-
32 ING UNITS IN PROPERTY WHOSE AVERAGE UNIT ASSESSED VALUE IS MORE THAN
33 SIXTY THOUSAND DOLLARS SHALL RECEIVE A PARTIAL ABATEMENT OF THE REAL
34 PROPERTY TAXES ATTRIBUTABLE TO OR DUE ON SUCH DWELLING UNITS OF SEVEN-
35 TEEN AND ONE-HALF PERCENT.

36 (D-5) IN THE FISCAL YEARS COMMENCING IN CALENDAR YEAR TWO THOUSAND
37 TWELVE AND TWO THOUSAND THIRTEEN, DWELLING UNITS THAT RECEIVED AN ABATE-
38 MENT PURSUANT TO THIS SECTION IN THE FISCAL YEAR COMMENCING IN CALENDAR
39 YEAR TWO THOUSAND ELEVEN, AND THAT ARE NOT ELIGIBLE TO RECEIVE BENEFITS
40 UNDER PARAGRAPH (D-1), (D-2), (D-3), OR (D-4) OF THIS SUBDIVISION AND
41 THAT ARE LOCATED IN A PROPERTY THAT HAS AN AVERAGE UNIT ASSESSED VALUE
42 THAT IS LESS THAN OR EQUAL TO FIFTEEN THOUSAND DOLLARS SHALL RECEIVE A
43 PARTIAL ABATEMENT OF THE REAL PROPERTY TAXES ATTRIBUTABLE TO OR DUE ON
44 SUCH DWELLING UNITS OF TWELVE AND ONE HALF PERCENT, AND SIX AND TWENTY-
45 FIVE HUNDREDTHS PERCENT RESPECTIVELY. PROVIDED, HOWEVER, THAT NO SUCH
46 ABATEMENT SHALL BE ALLOWED FOR ANY FISCAL YEAR COMMENCING IN CALENDAR
47 YEAR TWO THOUSAND FOURTEEN OR LATER.

48 (D-6) IN THE FISCAL YEARS COMMENCING IN CALENDAR YEAR TWO THOUSAND
49 TWELVE AND TWO THOUSAND THIRTEEN, DWELLING UNITS THAT RECEIVED AN ABATE-
50 MENT PURSUANT TO THIS SECTION IN THE FISCAL YEAR COMMENCING IN CALENDAR
51 YEAR TWO THOUSAND ELEVEN, AND THAT ARE NOT ELIGIBLE TO RECEIVE BENEFITS
52 UNDER PARAGRAPH (D-1), (D-2), (D-3), OR (D-4) OF THIS SUBDIVISION AND
53 THAT ARE LOCATED IN A PROPERTY THAT HAS AN AVERAGE UNIT ASSESSED VALUE
54 THAT IS GREATER THAN FIFTEEN THOUSAND DOLLARS SHALL RECEIVE A PARTIAL
55 ABATEMENT OF THE REAL PROPERTY TAXES ATTRIBUTABLE TO OR DUE ON SUCH
56 DWELLING UNITS OF EIGHT AND SEVENTY-FIVE HUNDREDTHS PERCENT, AND FOUR

1 AND THREE HUNDRED SEVENTY-FIVE THOUSANDTHS PERCENT RESPECTIVELY.
2 PROVIDED, HOWEVER, THAT NO SUCH ABATEMENT SHALL BE ALLOWED, FOR ANY
3 FISCAL YEAR IN CALENDAR YEAR TWO THOUSAND FOURTEEN OR LATER.

4 S 8. Paragraph (e) of subdivision 2 of section 467-a of the real prop-
5 erty tax law, as added by chapter 273 of the laws of 1996, is amended to
6 read as follows:

7 (e) Partial abatement pursuant to paragraphs (c) [and], (d), (D-1),
8 (D-2), (D-3), (D-4), (D-5) AND (D-6) of this subdivision shall be
9 computed on the net real property taxes attributable to or due on eligi-
10 ble dwelling units after deduction for any exemption on such dwelling
11 units received pursuant to any section listed in paragraph (f) of this
12 subdivision and after deduction of the portion of any abatement received
13 pursuant to section four hundred eighty-nine of this article that is
14 attributable to a dwelling unit in property held in the cooperative form
15 of ownership and after deduction of any abatement received pursuant to
16 section four hundred eighty-nine of this article by a dwelling unit in
17 property held in the condominium form of ownership.

18 S 9. Paragraphs (a), (b) and (c) of subdivision 3 of section 467-a of
19 the real property tax law, paragraphs (a) and (c) as amended by chapter
20 109 of the laws of 2008 and paragraph (b) as amended by section 6 of
21 part LL of chapter 407 of the laws of 1999, are amended to read as
22 follows:

23 (a) An application for an abatement pursuant to this section for the
24 fiscal year commencing in calendar year nineteen hundred ninety-six
25 shall be made no later than the fifteenth day of September, nineteen
26 hundred ninety-six. An application for an abatement pursuant to this
27 section for the fiscal year commencing in calendar year nineteen hundred
28 ninety-seven shall be made no later than the first day of April, nine-
29 teen hundred ninety-seven. An application for an abatement pursuant to
30 this section for the fiscal year commencing in calendar year nineteen
31 hundred ninety-eight shall be made no later than the first day of April,
32 nineteen hundred ninety-eight. An application for an abatement pursuant
33 to this section for the fiscal year commencing in calendar year nineteen
34 hundred ninety-nine shall be made in accordance with this subdivision
35 and subdivision three-a of this section. An application for an abatement
36 pursuant to this section for the fiscal year commencing in calendar year
37 two thousand shall be made no later than the fifteenth day of February,
38 two thousand. An application for an abatement pursuant to this section
39 for the fiscal year commencing in calendar year two thousand one shall
40 be made in accordance with this subdivision and subdivision three-b of
41 this section. An application for an abatement pursuant to this section
42 for the fiscal year commencing in calendar year two thousand two shall
43 be made no later than the fifteenth day of February, two thousand two.
44 An application for an abatement pursuant to this section for the fiscal
45 year commencing in calendar year two thousand three shall be made no
46 later than the fifteenth day of February, two thousand three. An appli-
47 cation for an abatement pursuant to this section for the fiscal year
48 commencing in calendar year two thousand four shall be made in accord-
49 ance with this subdivision and subdivision three-c of this section. An
50 application for an abatement pursuant to this section for the fiscal
51 year commencing in calendar year two thousand five shall be made no
52 later than the fifteenth day of February, two thousand five. An applica-
53 tion for an abatement pursuant to this section for the fiscal year
54 commencing in calendar year two thousand six shall be made no later than
55 the fifteenth day of February, two thousand six. An application for an
56 abatement pursuant to this section for the fiscal year commencing in

1 calendar year two thousand seven shall be made no later than the
2 fifteenth day of February, two thousand seven. An application for abate-
3 ment pursuant to this section for the fiscal year commencing in calendar
4 year two thousand eight shall be made in accordance with this subdivi-
5 sion and subdivision three-d of this section. An application for an
6 abatement pursuant to this section for the fiscal year commencing in
7 calendar year two thousand nine shall be made no later than the
8 fifteenth day of February, two thousand nine. An application for an
9 abatement pursuant to this section for the fiscal year commencing in
10 calendar year two thousand ten shall be made no later than the fifteenth
11 day of February, two thousand ten. An application for an abatement
12 pursuant to this section for the fiscal year commencing in calendar year
13 two thousand eleven shall be made no later than the fifteenth day of
14 February, two thousand eleven. AN APPLICATION FOR AN ABATEMENT PURSUANT
15 TO THIS SECTION FOR THE FISCAL YEARS COMMENCING IN CALENDAR YEARS TWO
16 THOUSAND TWELVE AND TWO THOUSAND THIRTEEN SHALL BE MADE IN ACCORDANCE
17 WITH SUBDIVISION THREE-E OF THIS SECTION. THE DATE OR DATES BY WHICH
18 APPLICATIONS FOR AN ABATEMENT PURSUANT TO THIS SECTION SHALL BE MADE FOR
19 THE FISCAL YEAR BEGINNING IN CALENDAR YEAR TWO THOUSAND FOURTEEN SHALL
20 BE ESTABLISHED BY THE COMMISSIONER OF FINANCE BY RULE, PROVIDED THAT
21 SUCH DATE OR DATES SHALL NOT BE LATER THAN THE FIFTEENTH DAY OF FEBRUARY
22 FOR SUCH CALENDAR YEAR.

23 (b) An application for an abatement pursuant to this section shall be
24 submitted to the commissioner of finance by the board of managers of a
25 condominium or the board of directors of a cooperative apartment corpo-
26 ration, PROVIDED THAT THE COMMISSIONER OF FINANCE MAY BY RULE REQUIRE
27 THE OWNER OF A DWELLING UNIT TO SUBMIT AN APPLICATION TO SUPPLEMENT
28 INFORMATION CONTAINED IN THE APPLICATION SUBMITTED BY THE BOARD OF
29 MANAGERS OF A CONDOMINIUM OR THE BOARD OF DIRECTORS OF A COOPERATIVE
30 APARTMENT CORPORATION AND MAY BY RULE APPLY AND ADJUST, AS APPROPRIATE,
31 ANY PROVISIONS OF THIS SECTION THAT RELATE TO APPLICATIONS SUBMITTED BY
32 SUCH BOARDS TO APPLICATIONS SUBMITTED BY SUCH OWNERS.

33 (c) No abatement pursuant to this section shall be granted unless the
34 applicant files an application for an abatement within the time periods
35 prescribed in paragraph (a) of this subdivision or subdivision three-a,
36 three-b, three-c [or], three-d OR THREE-E of this section, provided,
37 however, that the commissioner of finance may, for good cause shown,
38 extend the time for filing an application.

39 S 10. Section 467-a of the real property tax law is amended by adding
40 a new subdivision 3-e to read as follows:

41 3-E. (A) AN APPLICANT WHOSE PROPERTY DID NOT RECEIVE AN ABATEMENT
42 PURSUANT TO THIS SECTION FOR THE FISCAL YEAR COMMENCING IN CALENDAR YEAR
43 TWO THOUSAND ELEVEN SHALL SUBMIT AN APPLICATION FOR AN ABATEMENT PURSU-
44 ANT TO THIS SECTION FOR THE FISCAL YEARS COMMENCING IN CALENDAR YEARS
45 TWO THOUSAND TWELVE AND TWO THOUSAND THIRTEEN IN ACCORDANCE WITH PARA-
46 GRAPH (E) OF THIS SUBDIVISION.

47 (B) THE ABATEMENT FOR THE FISCAL YEAR COMMENCING IN CALENDAR YEAR TWO
48 THOUSAND TWELVE OF A COOPERATIVE APARTMENT CORPORATION THAT RECEIVED AN
49 ABATEMENT PURSUANT TO THIS SECTION FOR THE FISCAL YEAR COMMENCING IN
50 CALENDAR YEAR TWO THOUSAND ELEVEN AND THAT SUBMITTED AN INFORMATION
51 RETURN ON OR BEFORE FEBRUARY FIFTEENTH, TWO THOUSAND TWELVE, THAT
52 INCLUDED AN ELECTION BY THE BOARD OF DIRECTORS OF SUCH COOPERATIVE
53 APARTMENT CORPORATION THAT SUCH INFORMATION RETURN BE DEEMED AN APPLICA-
54 TION FOR AN ABATEMENT PURSUANT TO THIS SECTION FOR SUCH FISCAL YEAR,
55 SHALL BE BASED ON THE INFORMATION CONTAINED IN SUCH INFORMATION RETURN.

1 (C) THE ABATEMENT FOR THE FISCAL YEAR COMMENCING IN CALENDAR YEAR TWO
2 THOUSAND TWELVE OF A COOPERATIVE APARTMENT CORPORATION THAT RECEIVED AN
3 ABATEMENT PURSUANT TO THIS SECTION FOR THE FISCAL YEAR COMMENCING IN
4 CALENDAR YEAR TWO THOUSAND ELEVEN AND THAT SUBMITTED AN INFORMATION
5 RETURN ON OR BEFORE FEBRUARY FIFTEENTH, TWO THOUSAND TWELVE, THAT DID
6 NOT INCLUDE AN ELECTION BY THE BOARD OF DIRECTORS OF SUCH COOPERATIVE
7 APARTMENT CORPORATION THAT SUCH INFORMATION RETURN BE DEEMED AN APPLICA-
8 TION FOR AN ABATEMENT PURSUANT TO THIS SECTION FOR SUCH FISCAL YEAR,
9 SHALL BE BASED ON THE INFORMATION CONTAINED IN THE APPLICATION SUBMITTED
10 IN TWO THOUSAND ELEVEN OR ON THE INFORMATION CONTAINED IN SUCH INFORMA-
11 TION RETURN, OR BOTH, PROVIDED THAT NOTHING IN THIS PARAGRAPH SHALL
12 AUTHORIZE OR REQUIRE THE COMMISSIONER OF FINANCE TO GRANT AN ABATEMENT
13 WITH RESPECT TO A PROPERTY OR A DWELLING UNIT THAT IS NOT ELIGIBLE AS OF
14 THE APPLICABLE TAXABLE STATUS DATE FOR THE FISCAL YEAR COMMENCING IN
15 CALENDAR YEAR TWO THOUSAND TWELVE.

16 (D) THE BOARD OF MANAGERS OF A CONDOMINIUM THAT RECEIVED AN ABATEMENT
17 PURSUANT TO THIS SECTION FOR THE FISCAL YEAR COMMENCING IN CALENDAR YEAR
18 TWO THOUSAND ELEVEN SHALL SUBMIT AN APPLICATION FOR AN ABATEMENT PURSU-
19 ANT TO THIS SECTION FOR THE FISCAL YEAR COMMENCING IN CALENDAR YEAR TWO
20 THOUSAND TWELVE NO LATER THAN SIXTY DAYS FOLLOWING THE EFFECTIVE DATE OF
21 THE CHAPTER OF THE LAWS OF TWO THOUSAND THIRTEEN THAT ADDED THIS SUBDI-
22 VISION. IF SUCH BOARD OF MANAGERS DOES NOT SUBMIT SUCH APPLICATION
23 WITHIN SIXTY DAYS FOLLOWING THE EFFECTIVE DATE OF THE CHAPTER OF THE
24 LAWS OF TWO THOUSAND THIRTEEN THAT ADDED THIS SUBDIVISION, THEN THE
25 ABATEMENT FOR THE FISCAL YEAR COMMENCING IN CALENDAR YEAR TWO THOUSAND
26 TWELVE FOR SUCH CONDOMINIUM SHALL BE BASED ON THE INFORMATION CONTAINED
27 IN THE APPLICATION SUBMITTED IN TWO THOUSAND ELEVEN, PROVIDED THAT NOTH-
28 ING IN THIS PARAGRAPH SHALL AUTHORIZE OR REQUIRE THE COMMISSIONER OF
29 FINANCE TO GRANT AN ABATEMENT WITH RESPECT TO A PROPERTY OR A DWELLING
30 UNIT THAT IS NOT ELIGIBLE AS OF THE APPLICABLE TAXABLE STATUS DATE FOR
31 THE FISCAL YEAR COMMENCING IN CALENDAR YEAR TWO THOUSAND TWELVE.

32 (E) NOTWITHSTANDING PARAGRAPHS (A), (B), (C) AND (D) OF THIS SUBDIVI-
33 SION OR ANY OTHER INCONSISTENT PROVISION OF LAW, THE COMMISSIONER OF
34 FINANCE MAY REQUIRE EACH APPLICANT FOR AN ABATEMENT FOR THE FISCAL YEARS
35 COMMENCING IN CALENDAR YEARS TWO THOUSAND TWELVE AND TWO THOUSAND THIR-
36 TEEN TO SUBMIT AN APPLICATION BY A DATE AND IN A FORM DETERMINED BY SUCH
37 COMMISSIONER AND SUCH COMMISSIONER MAY DENY ABATEMENTS PURSUANT TO THIS
38 SECTION FOR FAILURE TO SUBMIT SUCH APPLICATION BY SUCH DATE PROVIDED
39 THAT SUCH DATE SHALL BE NO EARLIER THAN THIRTY DAYS FOLLOWING THE DATE
40 ON WHICH THE COMMISSIONER RELEASES THE APPLICATION FORM.

41 S 11. Subdivision 8 of section 467-a of the real property tax law, as
42 amended by chapter 453 of the laws of 2011, is amended to read as
43 follows:

44 8. Except to the extent that the owner of a dwelling unit of a proper-
45 ty situated in a city having a population of one million or more may
46 request a redacted copy of any application or statements pertaining to
47 such dwelling unit, as provided in subdivision four of this section, the
48 information contained in applications or statements in connection there-
49 with filed with the commissioner of finance pursuant to subdivision
50 three, three-a, three-b [or], three-c, THREE-D OR THREE-E of this
51 section shall not be subject to disclosure under article six of the
52 public officers law.

53 S 12. Section 11-1706 of the administrative code of the city of New
54 York is amended by adding a new subdivision (f) to read as follows:

55 (F) CREDIT FOR GENERAL CORPORATION TAX PAID. (1) A CITY RESIDENT
56 INDIVIDUAL, ESTATE OR TRUST WHOSE CITY ADJUSTED GROSS INCOME INCLUDES A

1 PRO RATA SHARE OF INCOME, LOSS AND DEDUCTIONS DESCRIBED IN PARAGRAPH ONE
2 OF SUBSECTION (A) OF SECTION THIRTEEN HUNDRED SIXTY-SIX OF THE INTERNAL
3 REVENUE CODE, FROM ONE OR MORE NEW YORK S CORPORATIONS AS DEFINED IN
4 SUBDIVISION ONE-A OF SECTION TWO HUNDRED EIGHT OF THE TAX LAW, OR FROM
5 ONE OR MORE QSSSS AS DEFINED IN SUBDIVISION ONE-B OF SECTION TWO HUNDRED
6 EIGHT OF THE TAX LAW, THAT ARE EXEMPT QSSSS BY REASON OF CLAUSE (A) OF
7 SUBPARAGRAPH ONE OF PARAGRAPH (K) OF SUBDIVISION NINE OF SECTION TWO
8 HUNDRED EIGHT OF THE TAX LAW, ON WHICH A TAX IS IMPOSED BY SUBCHAPTER
9 TWO OF CHAPTER SIX OF THIS TITLE, SHALL BE ALLOWED A CREDIT AS PROVIDED
10 IN PARAGRAPH TWO OF THIS SUBDIVISION AGAINST THE TAX OTHERWISE DUE UNDER
11 SECTIONS 11-1701, 11-1703, 11-1704 AND 11-1704.1 OF THIS CHAPTER.

12 (2)(A) SUBJECT TO THE LIMITATIONS SET FORTH IN SUBPARAGRAPHS (B) AND
13 (C) OF THIS PARAGRAPH, THE CREDIT ALLOWED TO A TAXPAYER FOR A TAXABLE
14 YEAR UNDER THIS SUBDIVISION SHALL BE DETERMINED AS FOLLOWS:

15 (I) FOR TAXABLE YEARS BEGINNING ON OR AFTER JANUARY FIRST, TWO THOU-
16 SAND FOURTEEN AND BEFORE JULY FIRST, TWO THOUSAND FIFTEEN:

17 (I) IF THE CITY TAXABLE INCOME IS THIRTY-FIVE THOUSAND DOLLARS OR
18 LESS, THE AMOUNT OF THE CREDIT SHALL BE ONE HUNDRED PERCENT OF THE
19 AMOUNT DETERMINED IN PARAGRAPH THREE OF THIS SUBDIVISION.

20 (II) IF THE CITY TAXABLE INCOME IS GREATER THAN THIRTY-FIVE THOUSAND
21 DOLLARS BUT LESS THAN ONE HUNDRED THOUSAND DOLLARS, THE AMOUNT OF THE
22 CREDIT SHALL BE A PERCENTAGE OF THE AMOUNT DETERMINED IN PARAGRAPH THREE
23 OF THIS SUBDIVISION, SUCH PERCENTAGE TO BE DETERMINED BY SUBTRACTING
24 FROM ONE HUNDRED PERCENT, A PERCENTAGE DETERMINED BY SUBTRACTING THIR-
25 TY-FIVE THOUSAND DOLLARS FROM CITY TAXABLE INCOME, DIVIDING THE RESULT
26 BY SIXTY-FIVE THOUSAND DOLLARS AND MULTIPLYING BY ONE HUNDRED PERCENT.

27 (III) IF THE CITY TAXABLE INCOME IS ONE HUNDRED THOUSAND DOLLARS OR
28 GREATER, NO CREDIT SHALL BE ALLOWED.

29 (IV) PROVIDED FURTHER THAT FOR ANY TAXABLE YEAR OF A TAXPAYER FOR
30 WHICH THIS CREDIT IS EFFECTIVE THAT ENCOMPASSES DAYS OCCURRING AFTER
31 JUNE THIRTIETH, TWO THOUSAND FIFTEEN, THE AMOUNT OF THE CREDIT DETER-
32 MINED IN ITEM (I) OR (II) OF THIS CLAUSE SHALL BE MULTIPLIED BY A FRAC-
33 TION, THE NUMERATOR OF WHICH IS THE NUMBER OF DAYS IN THE TAXPAYER'S
34 TAXABLE YEAR OCCURRING ON OR BEFORE JUNE THIRTIETH, TWO THOUSAND
35 FIFTEEN, AND THE DENOMINATOR OF WHICH IS THE NUMBER OF DAYS IN THE
36 TAXPAYER'S TAXABLE YEAR.

37 (B) NOTWITHSTANDING ANYTHING TO THE CONTRARY IN SUBPARAGRAPH (A) OF
38 THIS PARAGRAPH, THE CREDIT ALLOWED TO A TAXPAYER FOR A TAXABLE YEAR
39 UNDER THIS SUBDIVISION SHALL NOT EXCEED THE SUM OF THE TAXES THAT WOULD
40 OTHERWISE BE IMPOSED BY SECTIONS 11-1701, 11-1703, 11-1704 AND 11-1704.1
41 OF THIS CHAPTER ON SUCH TAXPAYER FOR SUCH TAXABLE YEAR AFTER THE ALLOW-
42 ANCE OF ANY OTHER CREDITS ALLOWED BY SUBDIVISIONS (A) AND (B) OF THIS
43 SECTION, AND SUBDIVISION (C) OF THIS SECTION, AS ADDED BY CHAPTER FOUR
44 HUNDRED EIGHTY-ONE OF THE LAWS OF NINETEEN HUNDRED NINETY-SEVEN AND
45 SUBSEQUENTLY AMENDED, AND SECTION 11-1721 OF THIS CHAPTER.

46 (C) NOTWITHSTANDING ANYTHING TO THE CONTRARY IN SUBPARAGRAPH (A) OF
47 THIS PARAGRAPH, NO CREDIT SHALL BE ALLOWED FOR ANY AMOUNT OF TAX
48 IMPOSED, OR CREDIT ALLOWED, BY SUBCHAPTER TWO OF CHAPTER SIX OF THIS
49 TITLE ON, OR TO, A COMBINED GROUP OF CORPORATIONS INCLUDING A NEW YORK S
50 CORPORATION OR AN EXEMPT QSSS, EXCEPT WHERE THE COMBINED GROUP CONSISTS
51 EXCLUSIVELY OF ONE OR MORE NEW YORK S CORPORATIONS AND ONE OR MORE
52 EXEMPT QSSSS OF SUCH CORPORATIONS AS DESCRIBED IN PARAGRAPH ONE OF THIS
53 SUBDIVISION, PROVIDED THAT EACH OF THE NEW YORK S CORPORATIONS INCLUDED
54 IN THE GROUP IS WHOLLY OWNED BY THE SAME INTERESTS AND IN THE SAME
55 PROPORTIONS AS EACH OTHER NEW YORK S CORPORATION INCLUDED IN THE GROUP.

(3) SUBJECT TO THE PROVISIONS OF SUBPARAGRAPH (B) OF THIS PARAGRAPH AND SUBPARAGRAPH (C) OF PARAGRAPH TWO OF THIS SUBDIVISION, THE AMOUNT DETERMINED IN THIS PARAGRAPH IS THE SUM OF THE TAXPAYER'S PRO RATA SHARE OF THE AMOUNTS DETERMINED IN SUBPARAGRAPH (A) OF THIS PARAGRAPH FOR EACH NEW YORK S CORPORATION, OR EXEMPT QSSS, DESCRIBED IN PARAGRAPH ONE OF THIS SUBSECTION, A PRO RATA SHARE OF WHOSE INCOME, LOSS AND DEDUCTIONS DESCRIBED IN PARAGRAPH ONE OF SUBSECTION (A) OF SECTION THIRTEEN HUNDRED SIXTY-SIX OF THE INTERNAL REVENUE CODE, IS INCLUDED IN THE TAXPAYER'S CITY ADJUSTED GROSS INCOME.

(A) THE AMOUNT DETERMINED IN THIS SUBPARAGRAPH IS THE SUM OF:

(I) THE TAXES IMPOSED BY SUBCHAPTER TWO OF CHAPTER SIX OF THIS TITLE ON SUCH CORPORATION, OR A COMBINED GROUP INCLUDING SUCH CORPORATION, FOR ITS TAXABLE YEAR ENDING WITHIN OR WITH THE TAXABLE YEAR OF THE TAXPAYER AND PAID BY SUCH CORPORATION, OR COMBINED GROUP; AND

(II) THE AMOUNT OF ANY CREDIT OR CREDITS TAKEN BY SUCH CORPORATION, OR A COMBINED GROUP INCLUDING SUCH CORPORATION, UNDER SUBDIVISION EIGHTEEN OF SECTION 11-604 OF THIS TITLE FOR ITS TAXABLE YEAR ENDING WITHIN OR WITH THE TAXABLE YEAR OF THE TAXPAYER.

(B) FOR PURPOSES OF THIS SUBDIVISION, THE TAXPAYER'S PRO RATA SHARE OF THE AMOUNT IN SUBPARAGRAPH (A) OF THIS PARAGRAPH FOR THE TAXABLE YEAR SHALL BE THE AMOUNT DETERMINED WITH RESPECT TO THE TAXPAYER:

(I) BY ASSIGNING AN EQUAL PORTION OF THE AMOUNT IN SUBPARAGRAPH (A) OF THIS PARAGRAPH TO EACH DAY OF THE CORPORATION'S TAXABLE YEAR ON WHICH THE CORPORATION HAS SHARES OUTSTANDING,

(II) THEN BY DIVIDING THAT PORTION PRO RATA AMONG THE SHARES OUTSTANDING ON THAT DAY; PROVIDED, HOWEVER,

(III) IF THE TAXABLE YEAR OF SUCH CORPORATION FOR PURPOSES OF CHAPTER SIX OF THIS TITLE IS DIFFERENT FROM ITS NEW YORK S YEAR OR S SHORT YEAR AS DEFINED IN SUBDIVISION ONE-A OF SECTION TWO HUNDRED EIGHT OF THE TAX LAW, OR SUBSECTION (F) OF SECTION FOURTEEN HUNDRED FIFTY OF THE TAX LAW, ONLY THOSE PORTIONS THAT ARE ASSIGNED TO DAYS OF THE TAXABLE YEAR THAT ARE ALSO DAYS OF THE NEW YORK S YEAR OR S SHORT YEAR SHALL BE TAKEN INTO ACCOUNT IN DETERMINING THE SHAREHOLDER'S PRO RATA SHARE OF THE AMOUNT DETERMINED IN SUBPARAGRAPH (A) OF THIS PARAGRAPH.

S 13. If any provision of section twelve of this act is adjudged by any court of competent jurisdiction to be invalid or unconstitutional, the credit provided for in such sections shall not be allowed for any tax period or periods with respect to which such judgment is in effect.

S 14. The provisions of subdivision (c) of section 11-245 of the administrative code of the city of New York shall not be applicable to any multiple dwelling located on lots numbered 13 and 14 of Manhattan block numbered 51, lots numbered 17, 18, and 21 of Manhattan block number 90, lots numbered 7, 8, 10, 11, 57 and 111 of Manhattan block numbered 1010, and lots numbered 33, 34 and 35 of Manhattan block numbered 1259 as such lots and blocks are numbered as of the date this act shall have become law, provided that the construction of such multiple dwellings on those lots commences on or after January 1, 2007, and on or before June 21, 2017, and provided that for all such multiple dwellings the department of housing preservation and development of New York City shall impose a requirement and either certify (i) that twenty percent of the units on site are affordable to households of low and moderate income pursuant to subdivision 7 of section 421-a of the real property tax law, or (ii) the requirements of subdivision 12 of section 421-a of the real property tax law are met. The provisions of subdivision (c) of section 11-245 of the administrative code of the city of New York shall not be applicable to any multiple dwelling that is located on

1 lot 10 of Manhattan block number 123, as such lot and block are numbered
2 as of the date this act shall have become law, provided that
3 construction of such multiple dwelling commenced on or after January 1,
4 2007, and on or before June 21, 2012, and provided further that the
5 individual or agent thereof seeking benefits pursuant to section 421-a
6 of the real property tax law enters into and fulfills the requirements
7 of a memorandum of understanding with the city of New York Department of
8 Housing Preservation and Development to fund in an amount not less than
9 \$9 million the construction of affordable rental housing within the City
10 of New York, provided, however, that such amount required shall be
11 reduced by the value of negotiable certificates that the individual or
12 agent thereof seeking benefits purchased, pursuant to section 6-08 of
13 title 28 of the rules of the city of New York as such rules existed as
14 of the date this act shall have become law, in order to entitle such
15 multiple dwelling to the benefits pursuant to section 421-a of the real
16 property tax law for a specified number of units in the geographic
17 exclusion area, provided that such negotiable certificates were gener-
18 ated by a written agreement with the Department of Housing Preservation
19 and Development, and provided further that, notwithstanding any other
20 provision of law, benefits granted pursuant to section 421-a of the real
21 property tax law for such multiple dwelling shall be granted as if
22 construction commenced on June 21, 2012. For the construction of any
23 multiple dwelling on the above referenced lots, with the exception of
24 lots numbered 17, 18 and 21 of Manhattan block numbered 90, which
25 receives benefits pursuant to section 421-a of the real property tax
26 law, any work which may involve the employment of laborers, workers or
27 mechanics shall be considered public work for the purposes of article
28 eight of the labor law, and any contracts or subcontracts which may
29 involve the employment of laborers, workers or mechanics shall be
30 enforceable under article eight of the labor law, provided, however,
31 that such provisions shall not apply to construction performed pursuant
32 to a project labor agreement that is a pre-hire collective bargaining
33 agreement governing the terms and conditions of employment entered into
34 by a construction user and/or its representative and a bona fide build-
35 ing and construction trade labor organization establishing the labor
36 organization as the collective bargaining representative for laborers,
37 workers and mechanics.

38 S 15. Subparagraph (i) of paragraph (a) of subdivision 2 of section
39 421-a of the real property tax law, as amended by section 38 of part B
40 of chapter 97 of the laws of 2011, is amended to read as follows:

41 (i) Within a city having a population of one million or more, new
42 multiple dwellings, except hotels, shall be exempt from taxation for
43 local purposes, other than assessments for local improvements, for the
44 tax year or years immediately following taxable status dates occurring
45 subsequent to the commencement and prior to the completion of
46 construction, but not to exceed three such tax years, [except for new
47 multiple dwellings the construction of which commenced between January
48 first, two thousand seven, and June thirtieth, two thousand nine, shall
49 have an additional thirty-six months to complete construction and shall
50 be eligible for full exemption from taxation for the first three years
51 of the period of construction; any eligible project that seeks to
52 utilize the six-year period of construction authorized by this section
53 must apply for a preliminary certificate of eligibility within one year
54 of the effective date of the rent act of 2011, provided, however that
55 such multiple dwellings shall be eligible for a maximum of three years
56 of benefits during the construction period,] and shall continue to be

exempt from such taxation in tax years immediately following the taxable status date first occurring after the expiration of the exemption herein conferred during construction so long as used at the completion of construction for dwelling purposes for a period not to exceed ten years in the aggregate after the taxable status date immediately following the completion thereof, as follows:

(A) except as otherwise provided herein there shall be full exemption from taxation during the period of construction or the period of three years immediately following commencement of construction, whichever expires sooner, [except for new multiple dwellings the construction of which commenced between January first, two thousand seven, and June thirtieth, two thousand nine, shall have an additional thirty-six months to complete construction and shall be eligible for full exemption from taxation for the first three years of the period of construction; any eligible project that seeks to utilize the six-year period of construction authorized by this section must apply for a preliminary certificate of eligibility within one year of the effective date of the rent act of 2011, provided, however that such multiple dwellings shall be eligible for a maximum of three years of benefits during the construction period,] and for two years following such period;

(B) followed by two years of exemption from eighty per cent of such taxation;

(C) followed by two years of exemption from sixty per cent of such taxation;

(D) followed by two years of exemption from forty per cent of such taxation;

(E) followed by two years of exemption from twenty per cent of such taxation;

The following table shall illustrate the computation of the tax exemption:

CONSTRUCTION OF CERTAIN MULTIPLE DWELLINGS

	Exemption
During Construction (maximum three years)[;	100%
except construction commenced between January	
first, two thousand seven and June	
thirtieth, two thousand nine (maximum	
three years)]	
Following completion of work	
Year:	

1	100%
2	100
3	80
4	80
5	60
6	60
7	40
8	40
9	20
10	20

S 16. Clause (A) of subparagraph (ii) of paragraph (a) of subdivision 2 of section 421-a of the real property tax law, as amended by section

1 39 of part B of chapter 97 of the laws of 2011, is amended to read as
2 follows:

3 (A) Within a city having a population of one million or more the local
4 housing agency may adopt rules and regulations providing that except in
5 areas excluded by local law new multiple dwellings, except hotels, shall
6 be exempt from taxation for local purposes, other than assessments for
7 local improvements, for the tax year or years immediately following
8 taxable status dates occurring subsequent to the commencement and prior
9 to the completion of construction, but not to exceed three such tax
10 years, [except for new multiple dwellings the construction of which
11 commenced between January first, two thousand seven, and June thirtieth,
12 two thousand nine, shall have an additional thirty-six months to
13 complete construction and shall be eligible for full exemption from
14 taxation for the first three years of the period of construction; any
15 eligible project that seeks to utilize the six-year period of
16 construction authorized by this section must apply for a preliminary
17 certificate of eligibility within one year of the effective date of the
18 rent act of 2011, provided, however that such multiple dwellings shall
19 be eligible for a maximum of three years of benefits during the
20 construction period,] and shall continue to be exempt from such taxation
21 in tax years immediately following the taxable status date first occur-
22 ring after the expiration of the exemption herein conferred during such
23 construction so long as used at the completion of construction for
24 dwelling purposes for a period not to exceed fifteen years in the aggre-
25 gate, as follows:

26 a. except as otherwise provided herein there shall be full exemption
27 from taxation during the period of construction or the period of three
28 years immediately following commencement of construction, whichever
29 expires sooner, [except for new multiple dwellings the construction of
30 which commenced between January first, two thousand seven, and June
31 thirtieth, two thousand nine, shall have an additional thirty-six months
32 to complete construction and shall be eligible for full exemption from
33 taxation for the first three years of the period of construction; any
34 eligible project that seeks to utilize the six-year period of
35 construction authorized by this section must apply for a preliminary
36 certificate of eligibility within one year of the effective date of the
37 rent act of 2011, provided, however that such multiple dwellings shall
38 be eligible for a maximum of three years of benefits during the
39 construction period,] and for eleven years following such period;

40 b. followed by one year of exemption from eighty percent of such taxa-
41 tion;

42 c. followed by one year of exemption from sixty percent of such taxa-
43 tion;

44 d. followed by one year of exemption from forty percent of such taxa-
45 tion;

46 e. followed by one year of exemption from twenty percent of such taxa-
47 tion.

48 S 17. Clause (A) of subparagraph (iii) of paragraph (a) of subdivision
49 2 of section 421-a of the real property tax law, as amended by section
50 40 of part B of chapter 97 of the laws of 2011, is amended to read as
51 follows:

52 (A) Within a city having a population of one million or more the local
53 housing agency may adopt rules and regulations providing that new multi-
54 ple dwellings, except hotels, shall be exempt from taxation for local
55 purposes, other than assessments for local improvements, for the tax
56 year or years immediately following taxable status dates occurring

1 subsequent to the commencement and prior to the completion of
2 construction, but not to exceed three such tax years, [except for new
3 multiple dwellings the construction of which commenced between January
4 first, two thousand seven, and June thirtieth, two thousand nine, shall
5 have an additional thirty-six months to complete construction and shall
6 be eligible for full exemption from taxation for the first three years
7 of the period of construction; any eligible project that seeks to
8 utilize the six-year period of construction authorized by this section
9 must apply for a preliminary certificate of eligibility within one year
10 of the effective date of the rent act of 2011, provided, however that
11 such multiple dwellings shall be eligible for a maximum of three years
12 of benefits during the construction period,] and shall continue to be
13 exempt from such taxation in tax years immediately following the taxable
14 status date first occurring after the expiration of the exemption herein
15 conferred during such construction so long as used at the completion of
16 construction for dwelling purposes for a period not to exceed twenty-
17 five years in the aggregate, provided that the area in which the project
18 is situated is a neighborhood preservation program area as determined by
19 the local housing agency as of June first, nineteen hundred eighty-five,
20 or is a neighborhood preservation area as determined by the New York
21 city planning commission as of June first, nineteen hundred eighty-five,
22 or is an area that was eligible for mortgage insurance provided by the
23 rehabilitation mortgage insurance corporation as of May first, nineteen
24 hundred ninety-two or is an area receiving funding for a neighborhood
25 preservation project pursuant to the neighborhood reinvestment corpo-
26 ration act (42 U.S.C. SS180 et seq.) as of June first, nineteen hundred
27 eighty-five, as follows:

28 a. except as otherwise provided herein there shall be full exemption
29 from taxation during the period of construction or the period of three
30 years immediately following commencement of construction, whichever
31 expires sooner, [except for new multiple dwellings the construction of
32 which commenced between January first, two thousand seven, and June
33 thirtieth, two thousand nine, shall have an additional thirty-six months
34 to complete construction and shall be eligible for full exemption from
35 taxation for the first three years of the period of construction; any
36 eligible project that seeks to utilize the six-year period of
37 construction authorized by this section must apply for a preliminary
38 certificate of eligibility within one year of the effective date of the
39 rent act of 2011, provided, however that such multiple dwellings shall
40 be eligible for a maximum of three years of benefits during the
41 construction period,] and for twenty-one years following such period;

42 b. followed by one year of exemption from eighty percent of such taxa-
43 tion;

44 c. followed by one year of exemption from sixty percent of such taxa-
45 tion;

46 d. followed by one year of exemption from forty percent of such taxa-
47 tion;

48 e. followed by one year of exemption from twenty percent of such taxa-
49 tion.

50 S 18. Subdivision 7 of section 467-a of the real property tax law, as
51 added by chapter 273 of the laws of 1996, is amended to read as follows:

52 7. The commissioner of finance shall be authorized to promulgate rules
53 necessary to effectuate the purposes of this section. NOTWITHSTANDING
54 ANY OTHER PROVISION OF LAW TO THE CONTRARY, SUCH RULES MAY INCLUDE, BUT
55 NEED NOT BE LIMITED TO, DENIAL, TERMINATION OR REVOCATION OF ANY ABATE-
56 MENT PURSUANT TO THIS SECTION IF ANY DWELLING UNIT IN A PROPERTY HELD IN

1 THE CONDOMINIUM FORM OF OWNERSHIP OR A PROPERTY HELD IN THE COOPERATIVE
2 FORM OF OWNERSHIP HAS REAL PROPERTY TAXES, WATER AND SEWER CHARGES,
3 PAYMENTS IN LIEU OF TAXES OR OTHER MUNICIPAL CHARGES DUE AND OWING,
4 UNLESS SUCH REAL PROPERTY TAXES, WATER AND SEWER CHARGES, PAYMENTS IN
5 LIEU OF TAXES OR OTHER MUNICIPAL CHARGES ARE CURRENTLY BEING PAID IN
6 TIMELY INSTALLMENTS PURSUANT TO A WRITTEN AGREEMENT WITH THE DEPARTMENT
7 OF FINANCE OR OTHER APPROPRIATE AGENCY.

8 S 19. Subdivision 8 of section 467-a of the real property tax law, as
9 amended by chapter 453 of the laws of 2011, is amended to read as
10 follows:

11 8. Except to the extent that the owner of a dwelling unit of a proper-
12 ty situated in a city having a population of one million or more may
13 request a redacted copy of any application or statements pertaining to
14 such dwelling unit, as provided in subdivision four of this section, the
15 information contained in applications or statements in connection there-
16 with filed with the commissioner of finance pursuant to subdivision
17 three, three-a, three-b [or], three-c, THREE-D OR THREE-E of this
18 section shall not be subject to disclosure under article six of the
19 public officers law.

20 S 20. Section 467-a of the real property tax law is amended by adding
21 a new subdivision 9 to read as follows:

22 9. THE COMMISSIONER OF FINANCE SHALL BE AUTHORIZED TO PREPARE AND
23 SUBMIT AMENDED TAX BILLS TO TAXPAYERS TO REFLECT ANY ADJUSTMENTS NECES-
24 SARY TO APPLY THE PARTIAL ABATEMENT RECEIVED PURSUANT TO THIS SECTION.
25 IF A CONDOMINIUM OR COOPERATIVE HAS PAID AN AMOUNT THAT IS DIFFERENT
26 THAN THE AMOUNT DUE ON ANY AMENDED TAX BILL, THE COMMISSIONER OF FINANCE
27 MAY WAIVE ANY INTEREST OTHERWISE DUE ON SUCH AMOUNT.

28 S 21. Subdivision 5 of section 281 of the multiple dwelling law, as
29 amended by chapter 139 of the laws of 2011, is amended to read as
30 follows:

31 5. Notwithstanding the provisions of paragraphs (i), (iii) and (iv) of
32 subdivision two of this section, but subject to paragraphs (i) and (ii)
33 of subdivision one of this section and paragraph (ii) of subdivision two
34 of this section, the term "interim multiple dwelling" shall include
35 buildings, structures or portions thereof that are located in a city of
36 more than one million persons which were occupied for residential
37 purposes as the residence or home of any three or more families living
38 independently from one another for a period of twelve consecutive months
39 during the period commencing January first, two thousand eight, and
40 ending December thirty-first, two thousand nine, provided that the unit:
41 is not located in a basement or cellar and has at least one entrance
42 that does not require passage through another residential unit to obtain
43 access to the unit, has at least one window opening onto a street or a
44 lawful yard or court as defined in the zoning resolution for such muni-
45 cipality, and is at least [five hundred fifty] FOUR HUNDRED square feet
46 in area. The term "interim multiple dwelling" as used in this subdivi-
47 sion shall not include (i) any building in an industrial business zone
48 established pursuant to chapter six-D of title twenty-two of the admin-
49 istrative code of the city of New York except that a building in the
50 Williamsburg/Greenpoint or North Brooklyn industrial business zones and
51 a building located in that portion of the Long Island city industrial
52 business zone that has frontage on either side of forty-seventh avenue
53 or is located north of forty-seventh avenue and south of Skillman avenue
54 or in that portion of the Long Island city industrial business zone that
55 is located north of forty-fourth drive, south of Queens plaza north, and
56 west of twenty-third street may be included in the term "interim multi-

1 ple dwelling," or (ii) units in any building, OTHER THAN A BUILDING THAT
2 IS ALREADY DEFINED AS AN "INTERIM MULTIPLE DWELLING" PURSUANT TO SUBDI-
3 VISION ONE, TWO, THREE OR FOUR OF THIS SECTION, that, at the time this
4 subdivision shall take effect AND CONTINUING AT THE TIME OF THE
5 SUBMISSION OF AN APPLICATION FOR COVERAGE BY ANY PARTY, also contains a
6 use actively and currently pursued, which use is set forth in use groups
7 fifteen through eighteen, as described in the zoning resolution of such
8 municipality in effect on June twenty-first, two thousand ten, and which
9 the loft board has determined in rules and regulation is inherently
10 incompatible with residential use in the same building, provided that
11 THE LOFT BOARD MAY BY RULE EXEMPT CATEGORIES OF UNITS OR BUILDINGS FROM
12 SUCH USE INCOMPATIBILITY DETERMINATIONS INCLUDING BUT NOT LIMITED TO
13 RESIDENTIALLY OCCUPIED UNITS OR SUBCATEGORIES OF SUCH UNITS, AND
14 PROVIDED, FURTHER THAT if a building does not contain such active uses
15 at the time this subdivision takes effect, no subsequent use by the
16 owner of the building shall eliminate the protections of this section
17 for any residential occupants in the building already qualified for such
18 protections. The term "interim multiple dwelling," as used in this
19 subdivision shall also include buildings, structures or portions thereof
20 that are located north of West 24th Street and south of West 27th Street
21 and west of tenth avenue and east of eleventh avenue in a city of more
22 than one million persons which were occupied for residential purposes as
23 the residence or home of any two or more families living independently
24 from one another for a period of twelve consecutive months during the
25 period commencing January first, two thousand eight, and ending December
26 thirty-first, two thousand nine and subject to all the conditions and
27 limitations of this subdivision other than the number of units in the
28 building. A reduction in the number of occupied residential units in a
29 building after meeting the aforementioned twelve consecutive month
30 requirement shall not eliminate the protections of this section for any
31 remaining residential occupants qualified for such protections. Non-re-
32 sidential space in a building as of the effective date of this subdivi-
33 sion shall be offered for residential use only after the obtaining of a
34 residential certificate of occupancy for such space and such space shall
35 be exempt from this article, even if a portion of such building may be
36 an interim multiple dwelling.

37 S 22. Subdivision 2 of section 286 of the multiple dwelling law, as
38 amended by chapter 414 of the laws of 1999, subparagraphs (A) and (B) of
39 paragraph (ii) and paragraph (iii) as amended by chapter 135 of the laws
40 of 2010, is amended to read as follows:

41 2. (i) Prior to compliance with safety and fire protection standards
42 of article seven-B of this chapter, residential occupants qualified for
43 protection pursuant to this article shall be entitled to continued occu-
44 pancy, provided that the unit is their primary residence, and shall pay
45 the same rent, including escalations, specified in their lease or rental
46 agreement to the extent to which such lease or rental agreement remains
47 in effect or, in the absence of a lease or rental agreement, the same
48 rent most recently paid and accepted by the owner; if there is no lease
49 or other rental agreement in effect, rent adjustments prior to article
50 seven-B compliance shall be in conformity with guidelines to be set by
51 the loft board for such residential occupants within six months from the
52 effective date of this article.

53 (ii) In addition to any rent adjustment pursuant to paragraph (i) of
54 this subdivision, on or after June twenty-first, nineteen hundred nine-
55 ty-two, the rent for residential units in interim multiple dwellings
56 that are not yet in compliance with the requirements of subdivision one

1 of section two hundred eighty-four of this article shall be adjusted as
2 follows:

3 (A) Upon the owners' filing of an alteration application, as required
4 by paragraph (ii), (iii), (iv), (v), or (vi) of subdivision one of
5 section two hundred eighty-four of this article, an adjustment equal to
6 [six] THREE percent of the rent in effect at the time the owner files
7 the alteration application.

8 (B) Upon obtaining an alteration permit, as required by paragraph
9 (ii), (iii), (iv), (v), or (vi) of subdivision one of section two
10 hundred eighty-four of this article, an adjustment equal to [eight]
11 THREE percent of the rent in effect at the time the owner obtains the
12 alteration permit.

13 (C) Upon achieving compliance with the standards of safety and fire
14 protection set forth in article seven-B of this chapter for the residen-
15 tial portions of the building, an adjustment equal to [six] FOUR percent
16 of the rent in effect at the time the owner achieves such compliance.

17 (D) Owners who filed an alteration application prior to the effective
18 date of this subparagraph shall be entitled to a prospective adjustment
19 equal to six percent of the rent on the effective date of this subpara-
20 graph.

21 (E) Owners who obtained an alteration permit prior to June twenty-
22 first, nineteen hundred ninety-two shall be entitled to a prospective
23 adjustment equal to fourteen percent of the rent on June twenty-first,
24 nineteen hundred ninety-two.

25 (F) Owners who achieved compliance with the standards of safety and
26 fire protection set forth in article seven-B of this chapter for the
27 residential portions of the building prior to June twenty-first, nine-
28 teen hundred ninety-two shall be entitled to a prospective adjustment
29 equal to twenty percent of the rent on June twenty-first, nineteen
30 hundred ninety-two.

31 (iii) Any rent adjustments pursuant to paragraph (ii) of this subdivi-
32 sion shall not apply to units which were rented at market value after
33 June twenty-first, nineteen hundred eighty-two and prior to June twen-
34 ty-first, nineteen hundred ninety-two. This paragraph shall not apply to
35 units made subject to this article by subdivision five of section two
36 hundred eighty-one of this article.

37 (iv) Payment of any rent adjustments pursuant to paragraph (ii) of
38 this subdivision shall commence the month immediately following the
39 month in which the act entitling the owner to the adjustment occurred.

40 S 23. Subdivision 2 of section 285 of the multiple dwelling law, as
41 amended by chapter 135 of the laws of 2010, is amended to read as
42 follows:

43 2. Notwithstanding any other provision of this article, an owner may
44 apply to the loft board for exemption of a building or portion thereof
45 from this article on the basis that compliance with this article in
46 obtaining a legal residential certificate of occupancy would cause an
47 unjustifiable hardship either because: (i) it would cause an unreason-
48 ably adverse impact on a non-residential conforming use tenant within
49 the building or (ii) the cost of compliance renders legal residential
50 conversion infeasible. Residential and other tenants shall be given not
51 less than sixty days notice in advance of the hearing date for such
52 application. If the loft board approves such application, the building
53 or portion thereof shall be exempt from this article, and may be
54 converted to non-residential conforming uses, provided, however, that
55 the owner shall, as a condition of approval of such application, agree
56 to file an irrevocable recorded covenant in form satisfactory to the

1 loft board enforceable for fifteen years by the municipality, that the
2 building will not be re-converted to residential uses during such time.
3 The standard for granting such hardship application for a building or
4 portion thereof shall be as follows: (a) the loft board shall only grant
5 the minimum relief necessary to relieve any alleged hardship with the
6 understanding if compliance is reasonably possible it should be achieved
7 even if it requires alteration of units, relocation of tenants to vacant
8 space within the building, re-design of space or application for a non-
9 use-related variance, special permit, minor modification or administra-
10 tive certification; (b) self-created hardship shall not be allowed; (c)
11 the test for cost infeasibility shall be that of a reasonable return on
12 the owner's investment not maximum return on investment; (d) the test
13 for unreasonably adverse impact on a non-residential conforming use
14 tenant shall be whether residential conversion would necessitate
15 displacement. Such hardship applications shall be submitted to the loft
16 board within nine months of the establishment of the loft board (or, in
17 the case of interim multiple dwellings referred to in subdivision four
18 of section two hundred eighty-one of this article, within nine months of
19 [the effective date of such subdivision four] JULY TWENTY-SEVENTH, NINE-
20 TEEN HUNDRED EIGHTY-SEVEN or in the case of interim multiple dwellings
21 made subject to this article by subdivision five of section two hundred
22 eighty-one of this article, within nine months of the effective date of
23 such subdivision five, OR, FOR UNITS THAT BECAME SUBJECT TO THIS ARTICLE
24 PURSUANT TO THE CHAPTER OF THE LAWS OF TWO THOUSAND THIRTEEN WHICH
25 AMENDED THIS PARAGRAPH, WITHIN NINE MONTHS OF THE PROMULGATION OF ALL
26 NECESSARY RULES AND REGULATIONS PURSUANT TO SECTION TWO HUNDRED EIGHTY-
27 TWO-A OF THIS ARTICLE, but shall not be considered, absent a waiver by
28 the loft board, unless the owner has also filed an alteration applica-
29 tion. In determination of any such hardship application, the loft board
30 may demand such information as it deems necessary. In approving any such
31 hardship application, the loft board may fix reasonable terms and condi-
32 tions for the vacating of residential occupancy.

33 S 24. Paragraph (vi) of subdivision 1 of section 284 of the multiple
34 dwelling law, as amended by chapter 135 of the laws of 2010, is amended
35 to read as follows:

36 (vi) Notwithstanding the provisions of paragraphs (i) through (v) of
37 this subdivision the owner of an interim multiple dwelling made subject
38 to this article by subdivision five of section two hundred eighty-one of
39 this article (A) shall file an alteration application within nine months
40 from the effective date of the chapter of the laws of two thousand ten
41 which amended this subparagraph, OR, FOR UNITS THAT BECAME SUBJECT TO
42 THIS ARTICLE PURSUANT TO THE CHAPTER OF THE LAWS OF TWO THOUSAND THIR-
43 TEEN WHICH AMENDED THIS PARAGRAPH, WITHIN NINE MONTHS OF THE PROMULGA-
44 TION OF ALL NECESSARY RULES AND REGULATIONS PURSUANT TO SECTION TWO
45 HUNDRED EIGHTY-TWO-A OF THIS ARTICLE, and (B) shall take all reasonable
46 and necessary action to obtain an approved alteration permit within
47 twelve months from such effective date, OR, FOR UNITS THAT BECAME
48 SUBJECT TO THIS ARTICLE PURSUANT TO THE CHAPTER OF THE LAWS OF TWO THOU-
49 SAND THIRTEEN WHICH AMENDED THIS PARAGRAPH, WITHIN TWELVE MONTHS OF THE
50 PROMULGATION OF ALL NECESSARY RULES AND REGULATIONS PURSUANT TO SECTION
51 TWO HUNDRED EIGHTY-TWO-A OF THIS ARTICLE, and (C) shall achieve compli-
52 ance with the standards of safety and fire protection set forth in arti-
53 cle seven-B of this chapter for the residential portions of the building
54 within eighteen months from obtaining such alteration permit [or eigh-
55 teen months from such effective date, whichever is later], and (D) shall
56 take all reasonable and necessary action to obtain a certificate of

1 occupancy as a class A multiple dwelling for the residential portions of
2 the building or structure within [thirty-six] THIRTY months from such
3 effective date, OR FOR UNITS THAT BECAME SUBJECT TO THIS ARTICLE PURSU-
4 ANT TO THE CHAPTER OF THE LAWS OF TWO THOUSAND THIRTEEN WHICH AMENDED
5 THIS PARAGRAPH WITHIN THIRTY MONTHS OF THE PROMULGATION OF ALL NECESSARY
6 RULES AND REGULATIONS PURSUANT TO SECTION TWO HUNDRED EIGHTY-TWO-A OF
7 THIS ARTICLE. The loft board may, upon good cause shown, and upon proof
8 of compliance with the standards of safety and fire protection set forth
9 in article seven-B of this chapter, twice extend the time of compliance
10 with the requirement to obtain a residential certificate of occupancy
11 for periods not to exceed twelve months each.

12 S 25. Section 11-243 of the administrative code of the city of New
13 York is amended by adding a new subdivision ee to read as follows:

14 EE. THE DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT SHALL MAKE
15 INFORMATION RELATING TO THE PROVISIONS OF THIS SECTION AVAILABLE ON THE
16 DEPARTMENT'S WEBSITE, AND SHALL PROVIDE A CONTACT PHONE NUMBER ALLOWING
17 TENANTS TO DETERMINE BENEFITS AVAILABLE PURSUANT TO THIS SECTION. THE
18 DEPARTMENT SHALL CONVENE A TASK FORCE THAT SHALL EXAMINE AND REPORT ON
19 METHODS TO IMPROVE THE TRANSPARENCY OF THE PROGRAM ESTABLISHED PURSUANT
20 TO THIS SECTION.

21 S 26. Severability clause. If any clause, sentence, paragraph, subdi-
22 vision, section or subpart of this act shall be adjudged by any court of
23 competent jurisdiction to be invalid, such judgment shall not affect,
24 impair, or invalidate the remainder thereof, but shall be confined in
25 its operation to the clause, sentence, paragraph, subdivision, section
26 or subpart thereof directly involved in the controversy in which such
27 judgment shall have been rendered. It is hereby declared to be the
28 intent of the legislature that this act would have been enacted even if
29 such invalid provisions had not been included herein.

30 S 27. This act shall take effect immediately and shall be deemed to
31 have been in full force and effect on and after June 1, 2012; provided,
32 that:

33 (a) sections one, two and three of this act shall be deemed to have
34 been in full force and effect on and after December 31, 2011;

35 (b) the amendments made to section 489 of the real property tax law by
36 section three of this act shall not be deemed to change the eligibility
37 for benefits, pursuant to such section and any local law or ordinance
38 providing for benefits pursuant to such section, as a result of conver-
39 sions, alterations or improvements completed before December 31, 2011;

40 (c) the provisions of section fourteen of this act shall be deemed to
41 have been in full force and effect on and after December 31, 2007;

42 (d) the provisions of sections fifteen, sixteen and seventeen of this
43 act shall be deemed to have been in full force and effect on and after
44 December 28, 2010;

45 (e) with respect to any application for a preliminary certificate of
46 eligibility that is filed no later than June 24, 2012, or that is filed
47 for a project that was the subject of mortgage foreclosure proceedings
48 or other lien enforcement litigation by a lender on or before June 24,
49 2012, such project shall be subject to that portion of the definition of
50 "commence" contained in item (1) of clause (iv) of subparagraph (2) of
51 paragraph (b) of subdivision (a) of section 6-09 of title twenty-eight
52 of the rules of the city of New York;

53 (f) sections eighteen, nineteen and twenty of this act shall be deemed
54 to have been in full force and effect on and after June 1, 2011;

55 (g) notwithstanding any inconsistent provision of this act, the amend-
56 ment to subdivision 5 of section 281 of the multiple dwelling law made

1 by section twenty-one of this act in relation to the authority of the
2 loft board to exempt categories or subcategories of units or buildings
3 by rule from determinations of inherently incompatible uses shall be
4 deemed to have been in force and effect on and after June 21, 2010 and
5 to authorize rules of the loft board promulgated after such date that
6 make such exemptions; and
7 (h) sections twenty-one, twenty-two, twenty-three and twenty-four
8 shall expire and be deemed repealed on June 30, 2015.