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I N A S S E M B L Y

February 4, 2014

Introduced by M. of A. ROSENTHAL -- read once and referred to the  
Committee on Aging

AN ACT to amend the real property tax law, in relation to redetermi-  
nation based on income for a tax abatement for rent-controlled and  
rent regulated property occupied by senior citizens or persons with  
disabilities

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

1 Section 1. Paragraph g of subdivision 3 of section 467-b of the real  
2 property tax law, as amended by chapter 188 of the laws of 2005, is  
3 amended to read as follows:  
4 g. notwithstanding any other provision of law to the contrary, where a  
5 head of the household holds a current, valid tax abatement certificate  
6 and[, after the effective date of this paragraph,] there is a permanent  
7 INCREASE OR decrease in the combined income of all members of the house-  
8 hold in an amount which exceeds twenty percent of such income as repres-  
9 ented in such head of the household's last approved application for a  
10 tax abatement certificate or for renewal thereof, such head of the  
11 household may apply for a redetermination of the amount set forth there-  
12 in. SUCH DETERMINATION MAY ALSO BE UNDERTAKEN BY THE CITY RENT AGENCY.  
13 Upon [application] REDETERMINATION, such amount shall be redetermined so  
14 as to re-establish the ratio of adjusted rent to income which existed at  
15 the time of approval of such head of the household's last application  
16 for a tax abatement certificate or for renewal thereof; provided, howev-  
17 er, that in no event shall the amount of the adjusted rent be redeter-  
18 mined to be (i) in the case of a head of the household who does not  
19 receive a monthly allowance for shelter pursuant to the social services  
20 law, less than one-third of the combined income of all members of the  
21 household; or (ii) in the case of a head of the household who receives a  
22 monthly allowance for shelter pursuant to the social services law, less  
23 than the maximum allowance for shelter which such head of the household  
24 is entitled to receive pursuant to such law. For purposes of this para-  
25 graph, a decrease in the combined income of all members of the household  
26 shall not include any decrease in such income resulting from the manner

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

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1 in which income is calculated pursuant to any amendment to paragraph c  
2 of subdivision one of this section made on or after April first, nine-  
3 teen hundred eighty-seven. For purposes of this paragraph, "adjusted  
4 rent" shall mean maximum rent or legal regulated rent less the amount  
5 set forth in a tax abatement certificate.

6 S 2. This act shall take effect immediately, provided that the amend-  
7 ments to paragraph g of subdivision 3 of section 467-b of the real prop-  
8 erty tax law, made by section one of this act, shall not affect the  
9 expiration of such section and shall be deemed to expire therewith.