

10252

I N A S S E M B L Y

May 18, 2016

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

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 ASSEM-
BLY, 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 estab-
8 lished pursuant to article five of the private housing finance law, or
9 with respect to a group of multiple dwellings that was developed as a
10 planned community and that is owned as two separate condominiums
11 containing a total of ten thousand or more dwelling units, any multiple
12 dwelling, building or structure that is owned as a cooperative or a
13 condominium that has an average assessed value of [thirty] FIFTY thou-
14 sand dollars or more per dwelling unit shall only be eligible for such
15 benefits if the alterations or improvements for which such multiple
16 dwelling, building or structure has applied for the benefits pursuant to
17 this section were carried out with substantial governmental assistance;
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
21 local law number 49 of the city of New York for the year 1993, is
22 amended to read as follows:
23 (ii) is owned as a condominium and is occupied as the residence or
24 home of three or more families living independently of each other;
25 provided, however, that, in addition to all other conditions of eligi-
26 bility for the benefits of this section, except for multiple dwellings
27 in which units have been newly created by substantial rehabilitation of

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

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

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

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

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

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

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

35 S 5. This act shall take effect immediately.