

6702--A

2015-2016 Regular Sessions

I N A S S E M B L Y

March 30, 2015

Introduced by M. of A. PERRY -- Multi-Sponsored by -- M. of A. GALEF --
read once and referred to the Committee on Aging -- recommitted to the
Committee on Aging in accordance with Assembly Rule 3, sec. 2 --
committee discharged, bill amended, ordered reprinted as amended and
recommitted to said committee

AN ACT to amend the real property tax law, in relation to exemption from
rental increases and abatement of real property taxes on certain types
of housing occupied by low income senior citizens

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

1 Section 1. Subdivision 4 of section 467-b of the real property tax
2 law, as amended by chapter 651 of the laws of 1988, is amended to read
3 as follows:
4 4. A. (1) The head of the household must apply every two years to the
5 appropriate rent control agency or administrative agency for a tax
6 abatement certificate on a form prescribed by said agency.
7 (2) UPON THE ADOPTION OF A LOCAL LAW, ORDINANCE, OR RESOLUTION BY THE
8 GOVERNING BOARD OF A MUNICIPALITY, ANY HEAD OF HOUSEHOLD THAT HAS BEEN
9 ISSUED A TAX ABATEMENT CERTIFICATE PURSUANT TO THIS SECTION FOR FIVE
10 CONSECUTIVE BENEFIT PERIODS, AND WHOSE INCOME AND RESIDENCE HAVE NOT
11 CHANGED SINCE THEIR LAST RENEWAL APPLICATION, SHALL BE ELIGIBLE TO FILE
12 A SHORT FORM RENEWAL. SUCH STATEMENT SHALL BE ON A FORM PRESCRIBED BY
13 THE APPROPRIATE RENT CONTROL AGENCY OR ADMINISTRATIVE AGENCY AND SHALL
14 INCLUDE THE FOLLOWING: (I) A SWORN STATEMENT CERTIFYING THAT SUCH HEAD
15 OF HOUSEHOLD CONTINUES TO BE ELIGIBLE TO RECEIVE SUCH CERTIFICATE AND
16 THAT THEIR INCOME AND RESIDENCE HAVE NOT CHANGED; AND (II) A CERTIF-
17 ICATION TO BE SIGNED BY THE APPLICANT STATING THAT ALL INFORMATION
18 CONTAINED IN THEIR STATEMENT IS TRUE AND CORRECT TO THE BEST OF THE
19 APPLICANT'S KNOWLEDGE AND BELIEF AND STATING THAT THEY UNDERSTAND THAT
20 THE WILLFUL MAKING OF ANY FALSE STATEMENT OF MATERIAL FACT THEREIN SHALL
21 SUBJECT THEM TO THE PROVISIONS OF LAW RELEVANT TO THE MAKING AND FILING

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

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1 OF FALSE INSTRUMENTS AND LOSS OF THEIR BENEFIT, AND THAT SUBSEQUENT
2 REAPPLICATION SHALL BE AS A NEW APPLICANT.

3 (B) A tax abatement certificate setting forth an amount not in excess
4 of the increase in maximum rent or legal regulated rent for the taxable
5 period or such other amount as shall be determined under subdivision
6 three of this section shall be issued by said agency to each head of the
7 household who is found to be eligible under this section on or before
8 the last date prescribed by law for the payment of the taxes or the
9 first installment thereof of any municipal corporation which has granted
10 an abatement of taxes. Copies of such certificate shall be issued to
11 the owner of the real property containing the dwelling unit of the head
12 of the household and to the collecting officer charged with the duty of
13 collecting the taxes of each municipal corporation which has granted the
14 abatement of taxes authorized by this section.

15 S 2. Subdivision 4 of section 467-c of the real property tax law, as
16 added by chapter 208 of the laws of 1975, is amended to read as follows:

17 4. A. (1) Any such local law or ordinance may provide that the eligi-
18 ble head of the household shall apply annually to the supervising agency
19 for a rent increase exemption order/tax abatement certificate on a form
20 to be prescribed and made available by the supervising agency.

21 (2) UPON THE ADOPTION OF A LOCAL LAW, ORDINANCE, OR RESOLUTION BY THE
22 GOVERNING BOARD OF A MUNICIPALITY, ANY HEAD OF HOUSEHOLD THAT HAS BEEN
23 ISSUED A TAX ABATEMENT CERTIFICATE PURSUANT TO THIS SECTION FOR FIVE
24 CONSECUTIVE BENEFIT PERIODS, AND WHOSE INCOME AND RESIDENCE HAVE NOT
25 CHANGED SINCE THEIR LAST RENEWAL APPLICATION, SHALL BE ELIGIBLE TO FILE
26 A SHORT FORM RENEWAL. SUCH STATEMENT SHALL BE ON A FORM PRESCRIBED BY
27 THE APPROPRIATE RENT CONTROL AGENCY OR ADMINISTRATIVE AGENCY AND SHALL
28 INCLUDE THE FOLLOWING: (I) A SWORN STATEMENT CERTIFYING THAT SUCH HEAD
29 OF HOUSEHOLD CONTINUES TO BE ELIGIBLE TO RECEIVE SUCH CERTIFICATE AND
30 THAT THEIR INCOME AND RESIDENCE HAVE NOT CHANGED; AND (II) A CERTIF-
31 ICATION TO BE SIGNED BY THE APPLICANT STATING THAT ALL INFORMATION
32 CONTAINED IN THEIR STATEMENT IS TRUE AND CORRECT TO THE BEST OF THE
33 APPLICANT'S KNOWLEDGE AND BELIEF AND STATING THAT THEY UNDERSTAND THAT
34 THE WILLFUL MAKING OF ANY FALSE STATEMENT OF MATERIAL FACT THEREIN SHALL
35 SUBJECT THEM TO THE PROVISIONS OF LAW RELEVANT TO THE MAKING AND FILING
36 OF FALSE INSTRUMENTS AND LOSS OF THEIR BENEFIT, AND THAT SUBSEQUENT
37 REAPPLICATION SHALL BE AS A NEW APPLICANT.

38 (B) The supervising agency shall approve or disapprove applications
39 and, if it approves, shall issue a rent increase exemption order/tax
40 abatement certificate. Copies of such order/certificate shall be issued
41 to the housing company managing the dwelling unit of the eligible head
42 of the household, to the eligible head of the household and to the
43 collecting officer charged with the duty of collecting the taxes of the
44 municipality.

45 S 3. This act shall take effect immediately; provided, however, that
46 the amendment to subdivision 4 of section 467-b of the real property tax
47 law made by section one of this act shall not affect the expiration of
48 such section and shall be deemed to expire therewith.