

814

2015-2016 Regular Sessions

I N   A S S E M B L Y

January 7, 2015

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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 redetermination 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 ASSEMBLY, 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

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

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1 is entitled to receive pursuant to such law. For purposes of this para-  
2 graph, a decrease in the combined income of all members of the household  
3 shall not include any decrease in such income resulting from the manner  
4 in which income is calculated pursuant to any amendment to paragraph c  
5 of subdivision one of this section made on or after April first, nine-  
6 teen hundred eighty-seven. For purposes of this paragraph, "adjusted  
7 rent" shall mean maximum rent or legal regulated rent less the amount  
8 set forth in a tax abatement certificate.

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