S T A T E O F N E W Y O R K

8228

2015-2016 Regular Sessions

I N A S S E M B L Y

June 12, 2015

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

AN ACT to amend the real property tax law, in relation to rent increase exemption orders

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

Section 1. Subdivision 2 of section 467-b of the real property tax law is amended by adding a new paragraph (c) to read as follows:

(C) (1) PROVIDED, HOWEVER, THAT IN A CITY WITH A POPULATION OF ONE MILLION OR MORE, A HEAD OF THE HOUSEHOLD WHO HAS RECEIVED A RENT INCREASE EXEMPTION ORDER THAT HAS EXPIRED AND WHO, UPON RENEWAL APPLICATION FOR THE PERIOD COMMENCING IMMEDIATELY AFTER SUCH EXPIRATION, IS DETERMINED TO BE INELIGIBLE FOR A RENT INCREASE EXEMPTION ORDER BECAUSE THE COMBINED INCOME OF ALL MEMBERS OF THE HOUSEHOLD EXCEEDS THE MAXIMUM AMOUNT ALLOWED BY THIS SECTION OR THE MAXIMUM RENT OR LEGAL REGULATED RENT DOES NOT EXCEED ONE-THIRD OF THE COMBINED INCOME OF ALL MEMBERS OF THE HOUSEHOLD, MAY SUBMIT A NEW APPLICATION DURING THE FOLLOWING CALENDAR YEAR, AND IF SUCH HEAD OF THE HOUSEHOLD RECEIVES A RENT INCREASE EXEMPTION ORDER THAT COMMENCES DURING SUCH CALENDAR YEAR, THE TAX ABATEMENT AMOUNT FOR SUCH ORDER SHALL BE CALCULATED AS IF SUCH PRIOR RENT INCREASE EXEMPTION ORDER HAD NOT EXPIRED. HOWEVER, NO TAX ABATEMENT BENEFITS MAY BE PROVIDED FOR THE PERIOD OF INELIGIBILITY.

(2) NO HEAD OF THE HOUSEHOLD MAY RECEIVE MORE THAN THREE RENT INCREASE EXEMPTION ORDERS CALCULATED AS IF A PRIOR RENT INCREASE EXEMPTION ORDER HAD NOT EXPIRED, AS DESCRIBED IN SUBPARAGRAPH ONE OF THIS PARAGRAPH.

S 2. Paragraph a of subdivision 3 of section 467-c of the real property tax law is amended by adding a new subparagraph 3 to read as follows:

(3) (A) PROVIDED, HOWEVER, THAT IN A CITY WITH A POPULATION OF ONE MILLION OR MORE, A HEAD OF THE HOUSEHOLD WHO HAS RECEIVED A RENT INCREASE EXEMPTION ORDER THAT HAS EXPIRED AND WHO, UPON RENEWAL APPLICATION FOR THE PERIOD COMMENCING IMMEDIATELY AFTER SUCH EXPIRATION, IS

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

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DETERMINED TO BE INELIGIBLE FOR A RENT INCREASE EXEMPTION ORDER BECAUSE THE COMBINED INCOME OF ALL MEMBERS OF THE HOUSEHOLD EXCEEDS THE MAXIMUM AMOUNT ALLOWED BY THIS SECTION OR THE MAXIMUM RENT OR LEGAL REGULATED RENT DOES NOT EXCEED ONE-THIRD OF THE COMBINED INCOME OF ALL MEMBERS OF THE HOUSEHOLD, MAY SUBMIT A NEW APPLICATION DURING THE FOLLOWING CALENDAR YEAR, AND IF SUCH HEAD OF THE HOUSEHOLD RECEIVES A RENT INCREASE EXEMPTION ORDER THAT COMMENCES DURING SUCH CALENDAR YEAR, THE TAX ABATEMENT AMOUNT FOR SUCH ORDER SHALL BE CALCULATED AS IF SUCH PRIOR RENT INCREASE EXEMPTION ORDER HAD NOT EXPIRED. HOWEVER, NO TAX ABATEMENT BENEFITS MAY BE PROVIDED FOR THE PERIOD OF INELIGIBILITY.

(B) NO HEAD OF THE HOUSEHOLD MAY RECEIVE MORE THAN THREE RENT INCREASE EXEMPTION ORDERS CALCULATED AS IF A PRIOR RENT INCREASE EXEMPTION ORDER HAD NOT EXPIRED, AS DESCRIBED IN SUBPARAGRAPH ONE OF THIS PARAGRAPH.

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