

1087

2015-2016 Regular Sessions

I N A S S E M B L Y

January 8, 2015

Introduced by M. of A. DINOWITZ, BENEDETTO, GOTTFRIED, ROSENTHAL, ABBATE, COOK, ROBINSON, CRESPO, PERRY, WRIGHT, RIVERA, BROOK-KRASNY, GOLDFEDER, SIMANOWITZ, WEPRIN, COLTON -- Multi-Sponsored by -- M. of A. DenDEKKER, FARRELL, GLICK, HEASTIE, HEVESI, MARKEY, McDONOUGH, MILLER, OAKS, SALADINO, TITONE -- read once and referred to the Committee on Aging

AN ACT to amend the real property tax law, in relation to renewal notices for applications under the SCRIE program

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, 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. The head of the household must apply every two years to the appro-
5 priate rent control agency or administrative agency for a tax abatement
6 certificate on a form prescribed by said agency. A tax abatement certif-
7 icate setting forth an amount not in excess of the increase in maximum
8 rent or legal regulated rent for the taxable period or such other amount
9 as shall be determined under subdivision three of this section shall be
10 issued by said agency to each head of the household who is found to be
11 eligible under this section on or before the last date prescribed by law
12 for the payment of the taxes or the first installment thereof of any
13 municipal corporation which has granted an abatement of taxes. Copies of
14 such certificate shall be issued to the owner of the real property
15 containing the dwelling unit of the head of the household and to the
16 collecting officer charged with the duty of collecting the taxes of each
17 municipal corporation which has granted the abatement of taxes author-
18 ized by this section. THE APPROPRIATE RENT CONTROL AGENCY OR ADMINIS-
19 TRATIVE AGENCY SHALL SEND A NOTICE OF REQUIRED RENEWAL TO EACH HEAD OF
20 HOUSEHOLD CURRENTLY RECEIVING AN EXEMPTION UNDER THIS SECTION VIA UNITED

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

LBD00052-01-5

1 STATES POSTAL SERVICE TO THEIR PRIMARY RESIDENCE NO LESS THAN THIRTY
2 DAYS PRIOR TO THE APPLICATION RENEWAL DATE.

3 S 2. Subdivision 4 of section 467-b of the real property tax law, as
4 added by chapter 689 of the laws of 1972, is amended to read as follows:

5 4. The head of the household must apply each year to the appropriate
6 rent control agency for a tax abatement certificate on a form prescribed
7 by said agency. A tax abatement certificate setting forth an amount not
8 in excess of the increase in maximum rent for the taxable period shall
9 be issued by said agency to each head of the household who is found to
10 be eligible under this section on or before the last date prescribed by
11 law for the payment of the taxes or the first installment thereof of any
12 city, town or village which has granted an abatement of taxes. Copies of
13 such certificate shall be issued to the owner of the real property
14 containing the dwelling unit of the head of the household and to the
15 collecting officer charged with the duty of collecting the taxes of each
16 city, town or village which has granted the abatement of taxes author-
17 ized by this section. THE APPROPRIATE RENT CONTROL AGENCY OR ADMINIS-
18 TRATIVE AGENCY SHALL SEND A NOTICE OF REQUIRED RENEWAL TO EACH HEAD OF
19 HOUSEHOLD CURRENTLY RECEIVING AN EXEMPTION UNDER THIS SECTION VIA UNITED
20 STATES POSTAL SERVICE TO THEIR PRIMARY RESIDENCE NO LESS THAN THIRTY
21 DAYS PRIOR TO THE APPLICATION RENEWAL DATE.

22 S 3. Subdivision 4 of section 467-c of the real property tax law, as
23 added by chapter 208 of the laws of 1975, is amended to read as follows:

24 4. Any such local law or ordinance may provide that the eligible head
25 of the household shall apply annually to the supervising agency for a
26 rent increase exemption order/tax abatement certificate on a form to be
27 prescribed and made available by the supervising agency. The supervising
28 agency shall approve or disapprove applications and, if it approves,
29 shall issue a rent increase exemption order/tax abatement certificate.
30 Copies of such order/certificate shall be issued to the housing company
31 managing the dwelling unit of the eligible head of the household, to the
32 eligible head of the household and to the collecting officer charged
33 with the duty of collecting the taxes of the municipality. THE APPRO-
34 PRIATE SUPERVISING AGENCY SHALL SEND A NOTICE OF REQUIRED RENEWAL TO
35 EACH HEAD OF HOUSEHOLD CURRENTLY RECEIVING AN EXEMPTION UNDER THIS
36 SECTION VIA UNITED STATES POSTAL SERVICE TO THEIR PRIMARY RESIDENCE NO
37 LESS THAN THIRTY DAYS PRIOR TO THE APPLICATION RENEWAL DATE.

38 S 4. This act shall take effect on the ninetieth day after it shall
39 have become a law; provided that the amendments to section 467-b of the
40 real property tax law made by section one of this act shall be subject
41 to the expiration and reversion of such section pursuant to section 17
42 of chapter 576 of the laws of 1974, as amended, when upon such date the
43 provisions of section two of this act shall take effect.