

8228--A

2015-2016 Regular Sessions

I N A S S E M B L Y

June 12, 2015

Introduced by M. of A. CYMBROWITZ, ROBINSON -- read once and referred to the Committee on Aging -- ordered to a third reading -- committed 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 rent increase exemption orders

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

1 Section 1. Subdivision 2 of section 467-b of the real property tax law
2 is amended by adding a new paragraph (d) to read as follows:
3 (D) (1) PROVIDED, HOWEVER, THAT IN A CITY WITH A POPULATION OF ONE
4 MILLION OR MORE, A HEAD OF THE HOUSEHOLD WHO HAS RECEIVED A RENT
5 INCREASE EXEMPTION ORDER THAT HAS EXPIRED AND WHO, UPON RENEWAL APPLICA-
6 TION FOR THE PERIOD COMMENCING IMMEDIATELY AFTER SUCH EXPIRATION, IS
7 DETERMINED TO BE INELIGIBLE FOR A RENT INCREASE EXEMPTION ORDER BECAUSE
8 THE COMBINED INCOME OF ALL MEMBERS OF THE HOUSEHOLD EXCEEDS THE MAXIMUM
9 AMOUNT ALLOWED BY THIS SECTION OR THE MAXIMUM RENT OR LEGAL REGULATED
10 RENT DOES NOT EXCEED ONE-THIRD OF THE COMBINED INCOME OF ALL MEMBERS OF
11 THE HOUSEHOLD, MAY SUBMIT A NEW APPLICATION DURING THE FOLLOWING CALEN-
12 DAR YEAR, AND IF SUCH HEAD OF THE HOUSEHOLD RECEIVES A RENT INCREASE
13 EXEMPTION ORDER THAT COMMENCES DURING SUCH CALENDAR YEAR, THE TAX ABATE-
14 MENT AMOUNT FOR SUCH ORDER SHALL BE CALCULATED AS IF SUCH PRIOR RENT
15 INCREASE EXEMPTION ORDER HAD NOT EXPIRED. HOWEVER, NO TAX ABATEMENT
16 BENEFITS MAY BE PROVIDED FOR THE PERIOD OF INELIGIBILITY.
17 (2) NO HEAD OF THE HOUSEHOLD MAY RECEIVE MORE THAN THREE RENT INCREASE
18 EXEMPTION ORDERS CALCULATED AS IF A PRIOR RENT INCREASE EXEMPTION ORDER
19 HAD NOT EXPIRED, AS DESCRIBED IN SUBPARAGRAPH ONE OF THIS PARAGRAPH.
20 S 2. Paragraph a of subdivision 3 of section 467-c of the real proper-
21 ty tax law is amended by adding a new subparagraph 4 to read as follows:

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

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1 (4) (A) PROVIDED, HOWEVER, THAT IN A CITY WITH A POPULATION OF ONE
2 MILLION OR MORE, A HEAD OF THE HOUSEHOLD WHO HAS RECEIVED A RENT
3 INCREASE EXEMPTION ORDER THAT HAS EXPIRED AND WHO, UPON RENEWAL APPLICA-
4 TION FOR THE PERIOD COMMENCING IMMEDIATELY AFTER SUCH EXPIRATION, IS
5 DETERMINED TO BE INELIGIBLE FOR A RENT INCREASE EXEMPTION ORDER BECAUSE
6 THE COMBINED INCOME OF ALL MEMBERS OF THE HOUSEHOLD EXCEEDS THE MAXIMUM
7 AMOUNT ALLOWED BY THIS SECTION OR THE MAXIMUM RENT OR LEGAL REGULATED
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11 EXEMPTION ORDER THAT COMMENCES DURING SUCH CALENDAR YEAR, THE TAX ABATE-
12 MENT AMOUNT FOR SUCH ORDER SHALL BE CALCULATED AS IF SUCH PRIOR RENT
13 INCREASE EXEMPTION ORDER HAD NOT EXPIRED. HOWEVER, NO TAX ABATEMENT
14 BENEFITS MAY BE PROVIDED FOR THE PERIOD OF INELIGIBILITY.

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

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