

5807--A

2015-2016 Regular Sessions

I N   S E N A T E

June 3, 2015

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Introduced by Sens. AVELLA, KLEIN -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- recommitted to the Committee on Local Government in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the real property tax law and the administrative code of the city of New York, in relation to increasing the average assessed value threshold

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

1     Section 1. Subparagraph (i) of paragraph (b) of subdivision 17 of  
2     section 489 of the real property tax law, as added by chapter 4 of the  
3     laws of 2013, is amended to read as follows:  
4     (i) except as otherwise provided in this section with respect to  
5     multiple dwellings, buildings and structures owned and operated either  
6     by limited-profit housing companies established pursuant to article two  
7     of the private housing finance law or redevelopment companies estab-  
8     lished pursuant to article five of the private housing finance law, or  
9     with respect to a group of multiple dwellings that was developed as a  
10    planned community and that is owned as two separate condominiums  
11    containing a total of ten thousand or more dwelling units, any multiple  
12    dwelling, building or structure that is owned as a cooperative or a  
13    condominium that has an average assessed value of [thirty] FIFTY thou-  
14    sand dollars or more per dwelling unit shall only be eligible for such  
15    benefits if the alterations or improvements for which such multiple  
16    dwelling, building or structure has applied for the benefits pursuant to  
17    this section were carried out with substantial governmental assistance;  
18    and  
19    S 2. Subparagraph (ii) of paragraph 3 of subdivision d of section  
20    11-243 of the administrative code of the city of New York, as amended by

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

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1 local law number 49 of the city of New York for the year 1993, is  
2 amended to read as follows:

3 (ii) is owned as a condominium and is occupied as the residence or  
4 home of three or more families living independently of each other;  
5 provided, however, that, in addition to all other conditions of eligi-  
6 bility for the benefits of this section, except for multiple dwellings  
7 in which units have been newly created by substantial rehabilitation of  
8 vacant buildings or conversions of non-residential buildings, the avail-  
9 ability of benefits under this section for such multiple dwellings,  
10 buildings or structures shall be conditioned on the following: (a)  
11 alterations or improvements to at least one building-wide system are  
12 part of the application for benefits, and (b) (i) the assessed valuation  
13 of such multiple dwelling, building, or structure, including land, shall  
14 not exceed an average of [thirty] FIFTY thousand dollars per dwelling  
15 unit at the time of the commencement of the alterations or improvements,  
16 and (ii) during the three years immediately preceding the commencement  
17 of the alterations or improvements the average per room sale price of  
18 the dwelling units or the stock allocated to such dwelling units shall  
19 have been no greater than thirty-five percent of the maximum mortgage  
20 amount for a single family home eligible for purchase by the Federal  
21 National Mortgage Association; provided that if less than ten percent of  
22 the dwelling units or an amount of stock less than the amount allocable  
23 to ten percent of such dwelling units was not transferred during such  
24 preceding three year period, eligibility for benefits shall be condi-  
25 tioned upon the multiple dwelling, building, or structure having an  
26 assessed valuation per dwelling unit of no more than twenty-five thou-  
27 sand dollars at the time of the commencement of the alterations or  
28 improvements. Provided, further, that such benefits shall be available  
29 only for alterations or improvements commenced on or after June first,  
30 nineteen hundred eighty-six.

31 S 3. The opening paragraph of paragraph (a) of subdivision 1 of  
32 section 489 of the real property tax law, as amended by section 19 of  
33 part A of chapter 20 of the laws of 2015, is amended to read as follows:

34 Any city to which the multiple dwelling law is applicable, acting  
35 through its local legislative body or other governing agency, is hereby  
36 authorized and empowered, to and including January first, two thousand  
37 [nineteen] TWENTY-ONE, to adopt and amend local laws or ordinances  
38 providing that any increase in assessed valuation of real property shall  
39 be exempt from taxation for local purposes, as provided herein, to the  
40 extent such increase results from:

41 S 4. The closing paragraph of subparagraph 6 of paragraph (a) of  
42 subdivision 1 of section 489 of the real property tax law, as amended by  
43 section 20 of part A of chapter 20 of the laws of 2015, is amended to  
44 read as follows:

45 Such conversion, alterations or improvements shall be completed within  
46 thirty months after the date on which same shall be started except that  
47 such thirty month limitation shall not apply to conversions of residen-  
48 tial units which are registered with the loft board in accordance with  
49 article seven-C of the multiple dwelling law pursuant to subparagraph  
50 one of this paragraph. Notwithstanding the foregoing, a sixty month  
51 period for completion shall be available for alterations or improvements  
52 undertaken by a housing development fund company organized pursuant to  
53 article eleven of the private housing finance law, which are carried out  
54 with the substantial assistance of grants, loans or subsidies from any  
55 federal, state or local governmental agency or instrumentality or which  
56 are carried out in a property transferred from such city if alterations

1 and improvements are completed within seven years after the date of  
2 transfer. In addition, the local housing agency is hereby empowered to  
3 grant an extension of the period of completion for any project carried  
4 out with the substantial assistance of grants, loans or subsidies from  
5 any federal, state or local governmental agency or instrumentality, if  
6 such alterations or improvements are completed within sixty months from  
7 commencement of construction. Provided, further, that such conversion,  
8 alterations or improvements shall in any event be completed prior to  
9 June thirtieth, two thousand [nineteen] TWENTY-ONE. Exemption for  
10 conversions, alterations or improvements pursuant to subparagraph one,  
11 two, three or four of this paragraph shall continue for a period not to  
12 exceed fourteen years and begin no sooner than the first quarterly tax  
13 bill immediately following the completion of such conversion, alter-  
14 ations or improvements. Exemption for alterations or improvements pursu-  
15 ant to this subparagraph or subparagraph five of this paragraph shall  
16 continue for a period not to exceed thirty-four years and shall begin no  
17 sooner than the first quarterly tax bill immediately following the  
18 completion of such alterations or improvements. Such exemption shall be  
19 equal to the increase in the valuation which is subject to exemption in  
20 full or proportionally under this subdivision for ten or thirty years,  
21 whichever is applicable. After such period of time, the amount of such  
22 exempted assessed valuation of such improvements shall be reduced by  
23 twenty percent in each succeeding year until the assessed value of the  
24 improvements are fully taxable. Provided, however, exemption for any  
25 conversion, alterations or improvements which are aided by a loan or  
26 grant under article eight, eight-A, eleven, twelve, fifteen or twenty-  
27 two of the private housing finance law, section six hundred ninety-six-a  
28 or section ninety-nine-h of the general municipal law, or section three  
29 hundred twelve of the housing act of nineteen hundred sixty-four (42  
30 U.S.C.A. 1452b), or the Cranston-Gonzalez national affordable housing  
31 act (42 U.S.C.A. 12701 et. seq.), or started after July first, nineteen  
32 hundred eighty-three by a housing development fund company organized  
33 pursuant to article eleven of the private housing finance law which are  
34 carried out with the substantial assistance of grants, loans or subsi-  
35 dies from any federal, state or local governmental agency or instrumen-  
36 tality or which are carried out in a property transferred from any city  
37 and where alterations and improvements are completed within seven years  
38 after the date of transfer may commence at the beginning of any tax  
39 quarter subsequent to the start of such conversion, alterations or  
40 improvements and prior to the completion of such conversion, alterations  
41 or improvements.

42 S 5. This act shall take effect immediately.