

S. 6012

A. 8323

2015-2016 Regular Sessions

S E N A T E - A S S E M B L Y

June 25, 2015

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IN SENATE -- Introduced by Sen. FLANAGAN -- (at request of the Governor)  
-- read twice and ordered printed, and when printed to be committed to  
the Committee on Rules

IN ASSEMBLY -- Introduced by M. of A. HEASTIE -- (at request of the  
Governor) -- read once and referred to the Committee on Ways and Means

AN ACT to amend chapter 576 of the laws of 1974 amending the emergency housing rent control law relating to the control of and stabilization of rent in certain cases, the emergency housing rent control law, chapter 329 of the laws of 1963 amending the emergency housing rent control law relating to recontrol of rents in Albany, chapter 555 of the laws of 1982 amending the general business law and the administrative code of the city of New York relating to conversion of residential property to cooperative or condominium ownership in the city of New York, chapter 402 of the laws of 1983 amending the general business law relating to conversion of rental residential property to cooperative or condominium ownership in certain municipalities in the counties of Nassau, Westchester and Rockland and the rent regulation reform act of 1997, and to amend chapter 4 of the laws of 2013 amending the real property tax law and other laws relating to interim multiple dwellings in a city with a population of one million or more, in relation to extending the effectiveness thereof; to amend the emergency tenant protection act of nineteen seventy-four, the emergency housing rent control law, and the administrative code of the city of New York, in relation to deregulation thresholds; to amend the administrative code of the city of New York and the emergency tenant protection act of nineteen seventy-four, in relation to limiting rent increase after vacancy of a housing accommodation; to amend the administrative code of the city of New York, the emergency tenant protection act of nineteen seventy-four and the emergency housing rent control law, in relation to adjustment of maximum allowable rent; to amend chapter 97 of the laws of 2011, amending the general municipal law and the education law, relating to establishing limits upon school district and local government tax levies, in relation to extending

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

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such provisions; and to amend the real property tax law, in relation to extending certain provisions relating to exemption from taxation of alterations and improvements to multiple dwellings; to amend the tax law and part C of chapter 2 of the laws of 2005 amending the tax law relating to exemptions from sales and use taxes, in relation to extending certain provisions thereof; to amend the general city law and the administrative code of the city of New York, in relation to extending certain provisions relating to relocation and employment assistance credits; to amend the general city law and the administrative code of the city of New York, in relation to extending certain provisions relating to specially eligible premises and special rebates; to amend the administrative code of the city of New York, in relation to extending certain provisions relating to exemptions and deductions from base rent; to amend the real property tax law, in relation to extending certain provisions relating to eligibility periods and requirements; to amend the real property tax law, in relation to extending certain provisions relating to eligibility periods and requirements, benefit periods and applications for abatements; to amend the administrative code of the city of New York, in relation to extending certain provisions relating to a special reduction in determining the taxable base rent; to amend the real property tax law and the administrative code of the city of New York, in relation to extending certain provisions relating to applications for abatement of tax payments; to amend the real property tax law, in relation to extending certain provision relating to partial tax abatement for residential real property held in the cooperative or condominium form of ownership in a city having a population of one million or more; to amend the real property tax law, in relation to extending certain provisions relating to exemptions of certain new or substantially rehabilitated multiple dwellings from local taxation; to amend the public housing law, in relation to the division of housing and community renewal being authorized to establish a tenant protection unit; and to amend the multiple dwelling law, in relation to interim multiple dwellings (Part A); to amend the education law, in relation to charter schools (Subpart A); making an appropriation to the education department for reimbursement to non-public schools (Subpart B); to amend the education law, in relation to the release of standardized test questions and answers, teacher evaluations and establishing a content review committee; and making an appropriation therefor (Subpart C); to amend chapter 91 of the laws of 2002, amending the education law and other laws relating to reorganization of the New York city school construction authority, board of education and community boards, in relation to the effectiveness thereof; to amend chapter 345 of the laws of 2009, amending the education law and other laws relating to the New York city board of education, chancellor, community councils and community superintendents, in relation to the effectiveness thereof; and relating to the education budget plan of the mayor of the city of New York (Subpart D); and to amend the domestic relations law, in relation to determining who may solemnize a marriage (Subpart E) (Part B); and Intentionally omitted (Subpart A); to amend the tax law, in relation to establishing a property tax relief credit; to amend part K of chapter 59 of the laws of 2014, amending the tax law relating to providing an enhanced real property tax circuit breaker, in relation to the effectiveness thereof (Subpart B); to amend the education law and the general municipal law, in relation to capital local expenditures and the quantity change factor (Subpart C); to

amend the tax law, in relation to extending the authority of the county of Nassau to impose additional sales and compensating use taxes, and extending local government assistance programs in Nassau county (Subpart D); to amend the tax law and the vehicle and traffic law, in relation to special motor vehicle use taxes imposed by the county of Suffolk (Subpart E); to authorize assistance to the city of Yonkers to support public schools in the city (Subpart F); making an appropriation for money for services and expenses of the city of Rochester (Subpart G); and appropriating money for certain municipal corporations and school districts; and providing for the repeal of such provisions upon expiration thereof (Subpart H) (Part C)

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

1 Section 1. This act enacts into law major components of legislation  
2 relating to real property tax levies, rent regulation and education.  
3 Each component is wholly contained within a Part identified as Parts A  
4 through C. The effective date for each particular provision contained  
5 within such Part is set forth in the last section of such Part. Any  
6 provision in any section contained within a Part, including the effective  
7 date of the Part, which makes a reference to a section "of this  
8 act", when used in connection with that particular component, shall be  
9 deemed to mean and refer to the corresponding section of the Part in  
10 which it is found. Section three of this act sets forth the general  
11 effective date of this act.

12 PART A

13 Section 1. Short title. This act shall be known and may be cited as  
14 the "rent act of 2015".

15 S 1-a. Section 17 of chapter 576 of the laws of 1974 amending the  
16 emergency housing rent control law relating to the control of and  
17 stabilization of rent in certain cases, as amended by chapter 19 of the  
18 laws of 2015, is amended to read as follows:

19 S 17. Effective date. This act shall take effect immediately and  
20 shall remain in full force and effect until and including the [twenty-  
21 third] FIFTEENTH day of June [2015] 2019; except that sections two and  
22 three shall take effect with respect to any city having a population of  
23 one million or more and section one shall take effect with respect to  
24 any other city, or any town or village whenever the local legislative  
25 body of a city, town or village determines the existence of a public  
26 emergency pursuant to section three of the emergency tenant protection  
27 act of nineteen seventy-four, as enacted by section four of this act,  
28 and provided that the housing accommodations subject on the effective  
29 date of this act to stabilization pursuant to the New York city rent  
30 stabilization law of nineteen hundred sixty-nine shall remain subject to  
31 such law upon the expiration of this act.

32 S 2. Subdivision 2 of section 1 of chapter 274 of the laws of 1946  
33 constituting the emergency housing rent control law, as amended by chap-  
34 ter 19 of the laws of 2015, is amended to read as follows:

35 2. The provisions of this act, and all regulations, orders and  
36 requirements thereunder shall remain in full force and effect until and  
37 including June [23] 15, [2015] 2019.

1 S 3. Section 2 of chapter 329 of the laws of 1963 amending the emer-  
2 gency housing rent control law relating to recontrol of rents in Albany,  
3 as amended by chapter 19 of the laws of 2015, is amended to read as  
4 follows:

5 S 2. This act shall take effect immediately and the provisions of  
6 subdivision 6 of section 12 of the emergency housing rent control law,  
7 as added by this act, shall remain in full force and effect until and  
8 including June [23] 15, [2015] 2019.

9 S 4. Section 10 of chapter 555 of the laws of 1982 amending the gener-  
10 al business law and the administrative code of the city of New York  
11 relating to conversion of residential property to cooperative or condo-  
12 minium ownership in the city of New York, as amended by chapter 19 of  
13 the laws of 2015, is amended to read as follows:

14 S 10. This act shall take effect immediately; provided, that the  
15 provisions of sections one, two and nine of this act shall remain in  
16 full force and effect only until and including June [23] 15, [2015]  
17 2019; provided further that the provisions of section three of this act  
18 shall remain in full force and effect only so long as the public emer-  
19 gency requiring the regulation and control of residential rents and  
20 evictions continues as provided in subdivision 3 of section 1 of the  
21 local emergency housing rent control act; provided further that the  
22 provisions of sections four, five, six and seven of this act shall  
23 expire in accordance with the provisions of section 26-520 of the admin-  
24 istrative code of the city of New York as such section of the adminis-  
25 trative code is, from time to time, amended; provided further that the  
26 provisions of section 26-511 of the administrative code of the city of  
27 New York, as amended by this act, which the New York City Department of  
28 Housing Preservation and Development must find are contained in the code  
29 of the real estate industry stabilization association of such city in  
30 order to approve it, shall be deemed contained therein as of the effec-  
31 tive date of this act; and provided further that any plan accepted for  
32 filing by the department of law on or before the effective date of this  
33 act shall continue to be governed by the provisions of section 352-eeee  
34 of the general business law as they had existed immediately prior to the  
35 effective date of this act.

36 S 5. Section 4 of chapter 402 of the laws of 1983 amending the general  
37 business law relating to conversion of rental residential property to  
38 cooperative or condominium ownership in certain municipalities in the  
39 counties of Nassau, Westchester and Rockland, as amended by chapter 19  
40 of the laws of 2015, is amended to read as follows:

41 S 4. This act shall take effect immediately; provided, that the  
42 provisions of sections one and three of this act shall remain in full  
43 force and effect only until and including June [23] 15, [2015] 2019; and  
44 provided further that any plan accepted for filing by the department of  
45 law on or before the effective date of this act shall continue to be  
46 governed by the provisions of section 352-eee of the general business  
47 law as they had existed immediately prior to the effective date of this  
48 act.

49 S 6. Subdivision 6 of section 46 of chapter 116 of the laws of 1997  
50 constituting the rent regulation reform act of 1997, as amended by chap-  
51 ter 19 of the laws of 2015, is amended to read as follows:

52 6. sections twenty-eight, twenty-eight-a, twenty-eight-b and twenty-  
53 eight-c of this act shall expire and be deemed repealed after June [23]  
54 15, [2015] 2019;

55 S 7. Paragraph (n) of subdivision 2 of section 2 of chapter 274 of the  
56 laws of 1946, constituting the emergency housing rent control law, as

amended by section 9 of part B of chapter 97 of the laws of 2011, is amended to read as follows:

(n) any housing accommodation with a maximum rent of two thousand dollars or more per month at any time between the effective date of this paragraph and October first, nineteen hundred ninety-three which is or becomes vacant on or after the effective date of this paragraph; or, for any housing accommodation with a maximum rent of two thousand dollars or more per month at any time on or after the effective date of the rent regulation reform act of 1997 and before the effective date of the rent act of 2011, which is or becomes vacant on or after the effective date of the rent regulation reform act of 1997 and before the effective date of the rent act of 2011. This exclusion shall apply regardless of whether the next tenant in occupancy or any subsequent tenant in occupancy is charged or pays less than two thousand dollars a month; or, for any housing accommodation with a maximum rent of two thousand five hundred dollars or more per month at any time on or after the effective date of the rent act of 2011, which is or becomes vacant on or after such effective date, BUT PRIOR TO THE EFFECTIVE DATE OF THE RENT ACT OF 2015; OR, ANY HOUSING ACCOMMODATION WITH A LEGAL REGULATED RENT THAT WAS TWO THOUSAND SEVEN HUNDRED DOLLARS OR MORE PER MONTH AT ANY TIME ON OR AFTER THE EFFECTIVE DATE OF THE RENT ACT OF 2015, WHICH BECOMES VACANT AFTER THE EFFECTIVE DATE OF THE RENT ACT OF 2015, PROVIDED, HOWEVER, THAT STARTING ON JANUARY 1, 2016, AND ANNUALLY THEREAFTER, THE MAXIMUM LEGAL REGULATED RENT FOR THIS DEREGULATION THRESHOLD, SHALL ALSO BE INCREASED BY THE SAME PERCENTAGE AS THE MOST RECENT ONE YEAR RENEWAL ADJUSTMENT, ADOPTED BY THE APPLICABLE RENT GUIDELINES BOARD. This exclusion shall apply regardless of whether the next tenant in occupancy or any subsequent tenant in occupancy actually is charged or pays less than two thousand [five] SEVEN hundred dollars [a], AS ADJUSTED BY THE APPLICABLE RENT GUIDELINES BOARD, PER month. An exclusion pursuant to this paragraph shall not apply, however, to or become effective with respect to housing accommodations which the commissioner determines or finds that the landlord or any person acting on his or her behalf, with intent to cause the tenant to vacate, has engaged in any course of conduct (including, but not limited to, interruption or discontinuance of required services) which interfered with or disturbed or was intended to interfere with or disturb the comfort, repose, peace or quiet of the tenant in his or her use or occupancy of the housing accommodations and in connection with such course of conduct, any other general enforcement provision of this law shall also apply.

S 8. Paragraph 13 of subdivision a of section 5 of section 4 of chapter 576 of the laws of 1974, constituting the emergency tenant protection act of nineteen seventy-four, as amended by section 10 of part B of chapter 97 of the laws of 2011, is amended to read as follows:

(13) any housing accommodation with a legal regulated rent of two thousand dollars or more per month at any time between the effective date of this paragraph and October first, nineteen hundred ninety-three which is or becomes vacant on or after the effective date of this paragraph; or, for any housing accommodation with a legal regulated rent of two thousand dollars or more per month at any time on or after the effective date of the rent regulation reform act of 1997 and before the effective date of the rent act of 2011, which is or becomes vacant on or after the effective date of the rent regulation reform act of 1997 and before the effective date of the rent act of 2011. This exclusion shall apply regardless of whether the next tenant in occupancy or any subsequent tenant in occupancy is charged or pays less than two thousand

1 dollars a month; or, for any housing accommodation with a legal regu-  
2 lated rent of two thousand five hundred dollars or more per month at any  
3 time on or after the effective date of the rent act of 2011, which is or  
4 becomes vacant on or after such effective date, BUT PRIOR TO THE EFFEC-  
5 TIVE DATE OF THE RENT ACT OF 2015; OR, ANY HOUSING ACCOMMODATION WITH A  
6 LEGAL REGULATED RENT THAT WAS TWO THOUSAND SEVEN HUNDRED DOLLARS OR MORE  
7 PER MONTH AT ANY TIME ON OR AFTER THE EFFECTIVE DATE OF THE RENT ACT OF  
8 2015, WHICH BECOMES VACANT AFTER THE EFFECTIVE DATE OF THE RENT ACT OF  
9 2015, PROVIDED, HOWEVER, THAT STARTING ON JANUARY 1, 2016, AND ANNUALLY  
10 THEREAFTER, THE MAXIMUM LEGAL REGULATED RENT FOR THIS DEREGULATION  
11 THRESHOLD, SHALL ALSO BE INCREASED BY THE SAME PERCENTAGE AS THE MOST  
12 RECENT ONE YEAR RENEWAL ADJUSTMENT, ADOPTED BY THE APPLICABLE RENT  
13 GUIDELINES BOARD. An exclusion pursuant to this paragraph shall apply  
14 regardless of whether the next tenant in occupancy or any subsequent  
15 tenant in occupancy actually is charged or pays less than two thousand  
16 [five] SEVEN hundred dollars a month. Provided however, that an exclu-  
17 sion pursuant to this paragraph shall not apply to housing accommo-  
18 dations which became or become subject to this act (a) by virtue of  
19 receiving tax benefits pursuant to section four hundred twenty-one-a or  
20 four hundred eighty-nine of the real property tax law, except as other-  
21 wise provided in subparagraph (i) of paragraph (f) of subdivision two of  
22 section four hundred twenty-one-a of the real property tax law, or (b)  
23 by virtue of article seven-C of the multiple dwelling law. This para-  
24 graph shall not apply, however, to or become effective with respect to  
25 housing accommodations which the commissioner determines or finds that  
26 the landlord or any person acting on his or her behalf, with intent to  
27 cause the tenant to vacate, has engaged in any course of conduct  
28 (including, but not limited to, interruption or discontinuance of  
29 required services) which interfered with or disturbed or was intended to  
30 interfere with or disturb the comfort, repose, peace or quiet of the  
31 tenant in his or her use or occupancy of the housing accommodations and  
32 in connection with such course of conduct, any other general enforcement  
33 provision of this act shall also apply.

34 S 9. Subparagraph (k) of paragraph 2 of subdivision e of section  
35 26-403 of the administrative code of the city of New York, as amended by  
36 section 11 of part B of chapter 97 of the laws of 2011, is amended to  
37 read as follows:

38 (k) Any housing accommodation which becomes vacant on or after April  
39 first, nineteen hundred ninety-seven and before the effective date of  
40 the rent act of 2011, and where at the time the tenant vacated such  
41 housing accommodation the maximum rent was two thousand dollars or more  
42 per month; or, for any housing accommodation which is or becomes vacant  
43 on or after the effective date of the rent regulation reform act of 1997  
44 and before the effective date of the rent act of 2011 with a maximum  
45 rent of two thousand dollars or more per month. This exclusion shall  
46 apply regardless of whether the next tenant in occupancy or any subse-  
47 quent tenant in occupancy is charged or pays less than two thousand  
48 dollars a month; or, for any housing accommodation with a maximum rent  
49 of two thousand five hundred dollars or more per month at any time on or  
50 after the effective date of the rent act of 2011, which is or becomes  
51 vacant on or after such effective date, BUT PRIOR TO THE EFFECTIVE DATE  
52 OF THE RENT ACT OF 2015; OR, ANY HOUSING ACCOMMODATION WITH A LEGAL  
53 REGULATED RENT THAT WAS TWO THOUSAND SEVEN HUNDRED DOLLARS OR MORE PER  
54 MONTH AT ANY TIME ON OR AFTER THE EFFECTIVE DATE OF THE RENT ACT OF  
55 2015, WHICH BECOMES VACANT AFTER THE EFFECTIVE DATE OF THE RENT ACT OF  
56 2015, PROVIDED, HOWEVER, THAT STARTING ON JANUARY 1, 2016, AND ANNUALLY

1 THEREAFTER, THE MAXIMUM LEGAL REGULATED RENT FOR THIS DEREGULATION  
2 THRESHOLD, SHALL ALSO BE INCREASED BY THE SAME PERCENT AS THE MOST  
3 RECENT ONE YEAR RENEWAL ADJUSTMENT, ADOPTED BY THE NEW YORK CITY RENT  
4 GUIDELINES BOARD PURSUANT TO THE RENT STABILIZATION LAW. This exclusion  
5 shall apply regardless of whether the next tenant in occupancy or any  
6 subsequent tenant in occupancy actually is charged or pays less than two  
7 thousand [five] SEVEN hundred dollars a month. Provided however, that an  
8 exclusion pursuant to this subparagraph shall not apply to housing  
9 accommodations which became or become subject to this law by virtue of  
10 receiving tax benefits pursuant to section four hundred eighty-nine of  
11 the real property tax law. This subparagraph shall not apply, however,  
12 to or become effective with respect to housing accommodations which the  
13 commissioner determines or finds that the landlord or any person acting  
14 on his or her behalf, with intent to cause the tenant to vacate, has  
15 engaged in any course of conduct (including, but not limited to, inter-  
16 ruption or discontinuance of required services) which interfered with or  
17 disturbed or was intended to interfere with or disturb the comfort,  
18 repose, peace or quiet of the tenant in his or her use or occupancy of  
19 the housing accommodations and in connection with such course of  
20 conduct, any other general enforcement provision of this law shall also  
21 apply.

22 S 10. Section 26-504.2 of the administrative code of the city of New  
23 York, as amended by section 12 of part B of chapter 97 of the laws of  
24 2011, is amended to read as follows:

25 S 26-504.2 Exclusion of high rent accommodations. a. "Housing accommo-  
26 dations" shall not include: any housing accommodation which becomes  
27 vacant on or after April first, nineteen hundred ninety-seven and before  
28 the effective date of the rent act of 2011 and where at the time the  
29 tenant vacated such housing accommodation the legal regulated rent was  
30 two thousand dollars or more per month; or, for any housing accommo-  
31 dation which is or becomes vacant on or after the effective date of the  
32 rent regulation reform act of 1997 and before the effective date of the  
33 rent act of 2011, with a legal regulated rent of two thousand dollars or  
34 more per month; OR FOR ANY HOUSING ACCOMMODATION THAT BECOMES VACANT ON  
35 OR AFTER THE EFFECTIVE DATE OF THE RENT ACT OF 2015, WHERE SUCH LEGAL  
36 REGULATED RENT WAS TWO THOUSAND SEVEN HUNDRED DOLLARS OR MORE, AND AS  
37 FURTHER ADJUSTED BY THIS SECTION. STARTING ON JANUARY 1, 2016, AND  
38 ANNUALLY THEREAFTER, THE MAXIMUM LEGAL REGULATED RENT FOR THIS DEREGU-  
39 LATION THRESHOLD, SHALL ALSO BE INCREASED BY THE SAME PERCENT AS THE  
40 MOST RECENT ONE YEAR RENEWAL ADJUSTMENT, ADOPTED BY THE NEW YORK CITY  
41 RENT GUIDELINES BOARD PURSUANT TO THE RENT STABILIZATION LAW. This  
42 exclusion shall apply regardless of whether the next tenant in occupancy  
43 or any subsequent tenant in occupancy is charged or pays less than two  
44 thousand dollars a month; or, for any housing accommodation with a legal  
45 regulated rent of two thousand five hundred dollars or more per month at  
46 any time on or after the effective date of the rent act of 2011, which  
47 is or becomes vacant on or after such effective date, BUT PRIOR TO THE  
48 EFFECTIVE DATE OF THE RENT ACT OF 2015; OR, ANY HOUSING ACCOMMODATION  
49 WITH A LEGAL REGULATED RENT THAT WAS TWO THOUSAND SEVEN HUNDRED DOLLARS  
50 OR MORE PER MONTH AT ANY TIME ON OR AFTER THE EFFECTIVE DATE OF THE RENT  
51 ACT OF 2015, WHICH BECOMES VACANT AFTER THE EFFECTIVE DATE OF THE RENT  
52 ACT OF 2015, PROVIDED, HOWEVER, THAT STARTING ON JANUARY 1, 2016, AND  
53 ANNUALLY THEREAFTER, SUCH LEGAL REGULATED RENT FOR THIS DEREGULATION  
54 THRESHOLD, SHALL ALSO BE INCREASED BY THE SAME PERCENTAGE AS THE MOST  
55 RECENT ONE YEAR RENEWAL ADJUSTMENT, ADOPTED BY THE NEW YORK CITY RENT  
56 GUIDELINES BOARD. This exclusion shall apply regardless of whether the

1 next tenant in occupancy or any subsequent tenant in occupancy actually  
2 is charged or pays less than two thousand [five] SEVEN hundred dollars,  
3 AS ADJUSTED BY THE APPLICABLE RENT GUIDELINES BOARD, a month. Provided  
4 however, that an exclusion pursuant to this subdivision shall not apply  
5 to housing accommodations which became or become subject to this law (a)  
6 by virtue of receiving tax benefits pursuant to section four hundred  
7 twenty-one-a or four hundred eighty-nine of the real property tax law,  
8 except as otherwise provided in subparagraph (i) of paragraph (f) of  
9 subdivision two of section four hundred twenty-one-a of the real proper-  
10 ty tax law, or (b) by virtue of article seven-C of the multiple dwelling  
11 law. This section shall not apply, however, to or become effective with  
12 respect to housing accommodations which the commissioner determines or  
13 finds that the landlord or any person acting on his or her behalf, with  
14 intent to cause the tenant to vacate, engaged in any course of conduct  
15 (including, but not limited to, interruption or discontinuance of  
16 required services) which interfered with or disturbed or was intended to  
17 interfere with or disturb the comfort, repose, peace or quiet of the  
18 tenant in his or her use or occupancy of the housing accommodations and  
19 in connection with such course of conduct, any other general enforcement  
20 provision of this law shall also apply.

21 b. The owner of any housing accommodation that is not subject to this  
22 law pursuant to the provisions of subdivision a of this section or  
23 subparagraph k of paragraph 2 of subdivision e of section 26-403 of this  
24 code shall give written notice certified by such owner to the first  
25 tenant of that housing accommodation after such housing accommodation  
26 becomes exempt from the provisions of this law or the city rent and  
27 rehabilitation law. Such notice shall contain the last regulated rent,  
28 the reason that such housing accommodation is not subject to this law or  
29 the city rent and rehabilitation law, a calculation of how either the  
30 rental amount charged when there is no lease or the rental amount  
31 provided for in the lease has been derived so as to reach two thousand  
32 dollars or more per month or, for a housing accommodation with a legal  
33 regulated rent or maximum rent of two thousand five hundred dollars or  
34 more per month on or after the effective date of the rent act of 2011,  
35 AND BEFORE THE EFFECTIVE DATE OF THE RENT ACT OF 2015, which is or  
36 becomes vacant on or after such effective date, whether the next tenant  
37 in occupancy or any subsequent tenant in occupancy actually is charged  
38 or pays less than a legal regulated rent or maximum rent of two thousand  
39 five hundred dollars or more per month, OR TWO THOUSAND SEVEN HUNDRED  
40 DOLLARS OR MORE, PER MONTH, STARTING ON JANUARY 1, 2016, AND ANNUALLY  
41 THEREAFTER, THE MAXIMUM LEGAL REGULATED RENT FOR THIS DEREGULATION  
42 THRESHOLD, SHALL ALSO BE INCREASED BY THE SAME PERCENT AS THE MOST  
43 RECENT ONE YEAR RENEWAL ADJUSTMENT, ADOPTED BY THE NEW YORK CITY RENT  
44 GUIDELINES BOARD PURSUANT TO THE RENT STABILIZATION LAW, a statement  
45 that the last legal regulated rent or the maximum rent may be verified  
46 by the tenant by contacting the state division of housing and community  
47 renewal, or any successor thereto, and the address and telephone number  
48 of such agency, or any successor thereto. Such notice shall be sent by  
49 certified mail within thirty days after the tenancy commences or after  
50 the signing of the lease by both parties, whichever occurs first or  
51 shall be delivered to the tenant at the signing of the lease. In addi-  
52 tion, the owner shall send and certify to the tenant a copy of the  
53 registration statement for such housing accommodation filed with the  
54 state division of housing and community renewal indicating that such  
55 housing accommodation became exempt from the provisions of this law or  
56 the city rent and rehabilitation law, which form shall include the last



regulated rent, and shall be sent to the tenant within thirty days after the tenancy commences or the filing of such registration, whichever occurs later.

S 11. Subdivision a-2 of section 10 of section 4 of chapter 576 of the laws of 1974, constituting the emergency tenant protection act of nineteen seventy-four, as amended by section 13 of part B of chapter 97 of the laws of 2011, is amended to read as follows:

(a-2) Provides that where the amount of rent charged to and paid by the tenant is less than the legal regulated rent for the housing accommodation, the amount of rent for such housing accommodation which may be charged upon renewal or upon vacancy thereof, may, at the option of the owner, be based upon such previously established legal regulated rent, as adjusted by the most recent applicable guidelines increases and other increases authorized by law. [Where, subsequent to vacancy, such legal regulated rent, as adjusted by the most recent applicable guidelines increases and any other increases authorized by law is two thousand dollars or more per month or, for any housing accommodation which is or becomes vacant on or after the effective date of the rent act of 2011, is two thousand five hundred dollars or more per month, such housing accommodation shall be excluded from the provisions of this act pursuant to paragraph thirteen of subdivision a of section five of this act] SUCH HOUSING ACCOMMODATION SHALL BE EXCLUDED FROM THE PROVISIONS OF THIS ACT PURSUANT TO PARAGRAPH THIRTEEN OF SUBDIVISION A OF SECTION FIVE OF THIS ACT WHEN SUBSEQUENT TO VACANCY: (I) SUCH LEGAL REGULATED RENT IS TWO THOUSAND FIVE HUNDRED DOLLARS PER MONTH, OR MORE, FOR ANY HOUSING ACCOMMODATION THAT IS, OR BECOMES, VACANT AFTER THE EFFECTIVE DATE OF THE RENT ACT OF 2011 BUT PRIOR TO THE EFFECTIVE DATE OF THE RENT ACT OF 2015 OR (II) SUCH LEGAL REGULATED RENT IS TWO THOUSAND SEVEN HUNDRED DOLLARS PER MONTH OR MORE FOR ANY HOUSING ACCOMMODATION THAT IS OR BECOMES VACANT ON OR AFTER THE RENT ACT OF 2015; STARTING ON JANUARY 1, 2016, AND ANNUALLY THEREAFTER, THE MAXIMUM LEGAL REGULATED RENT FOR THIS DEREGULATION THRESHOLD, SHALL ALSO BE INCREASED BY THE SAME PERCENT AS THE MOST RECENT ONE YEAR RENEWAL ADJUSTMENT, ADOPTED BY THE APPLICABLE RENT GUIDELINES BOARD PURSUANT TO THE RENT STABILIZATION LAW.

S 12. Paragraph 14 of subdivision c of section 26-511 of the administrative code of the city of New York, as amended by section 14 of part B of chapter 97 of the laws of 2011, is amended to read as follows:

(14) provides that where the amount of rent charged to and paid by the tenant is less than the legal regulated rent for the housing accommodation, the amount of rent for such housing accommodation which may be charged upon renewal or upon vacancy thereof, may, at the option of the owner, be based upon such previously established legal regulated rent, as adjusted by the most recent applicable guidelines increases and any other increases authorized by law. [Where, subsequent to vacancy, such legal regulated rent, as adjusted by the most recent applicable guidelines increases and any other increases authorized by law is two thousand dollars or more per month or, for any housing accommodation which is or becomes vacant on or after the effective date of the rent act of 2011, is two thousand five hundred dollars or more per month, such housing accommodation shall be excluded from the provisions of this law pursuant to section 26-504.2 of this chapter] SUCH HOUSING ACCOMMODATION SHALL BE EXCLUDED FROM THE PROVISIONS OF THIS CODE PURSUANT TO SECTION 26-504.2 OF THIS CHAPTER WHEN, SUBSEQUENT TO VACANCY: (I) SUCH LEGAL REGULATED RENT PRIOR TO VACANCY IS TWO THOUSAND FIVE HUNDRED DOLLARS PER MONTH, OR MORE, FOR ANY HOUSING ACCOMMODATION THAT IS OR BECOMES VACANT AFTER THE EFFECTIVE DATE OF THE RENT ACT OF 2011 BUT PRIOR TO THE EFFEC-

TIVE DATE OF THE RENT ACT OF 2015 OR (II) SUCH LEGAL REGULATED RENT IS TWO THOUSAND SEVEN HUNDRED DOLLARS PER MONTH OR MORE, PROVIDED, HOWEVER THAT ON JANUARY 1, 2016, AND ANNUALLY THEREAFTER, THE MAXIMUM LEGAL REGULATED RENT FOR THIS DEREGULATION THRESHOLD SHALL BE ADJUSTED BY THE SAME PERCENTAGE AS THE MOST RECENT ONE YEAR RENEWAL ADJUSTMENT AS ADJUSTED BY THE RELEVANT RENT GUIDELINES BOARD, FOR ANY HOUSING ACCOMMODATION THAT IS OR BECOMES VACANT ON OR AFTER THE RENT ACT OF 2015.

S 13. Paragraph 3 of subdivision (a) of section 5-a of section 4 of chapter 576 of the laws of 1974, constituting the emergency tenant protection act of nineteen seventy-four, as added by section 30 of part B of chapter 97 of the laws of 2011, is amended to read as follows:

3. Deregulation rent threshold means two thousand dollars for proceedings commenced before July first, two thousand eleven. For proceedings commenced on or after July first, two thousand eleven, the deregulation rent threshold means two thousand five hundred dollars. FOR PROCEEDINGS COMMENCED ON OR AFTER JULY FIRST, TWO THOUSAND FIFTEEN, THE DEREGULATION RENT THRESHOLD MEANS TWO THOUSAND SEVEN HUNDRED DOLLARS, PROVIDED, HOWEVER THAT ON JANUARY 1, 2016, AND ANNUALLY THEREAFTER, THE MAXIMUM LEGAL REGULATED RENT FOR THIS DEREGULATION THRESHOLD SHALL BE ADJUSTED BY THE SAME PERCENTAGE AS THE MOST RECENT ONE YEAR RENEWAL ADJUSTMENT ADOPTED BY THE RENT GUIDELINES BOARD.

S 14. Paragraph 3 of subdivision (a) of section 2-a of chapter 274 of the laws of 1946, constituting the emergency housing rent control law, as added by section 32 of part B of chapter 97 of the laws of 2011, is amended to read as follows:

3. Deregulation rent threshold means two thousand dollars for proceedings commenced prior to July first, two thousand eleven. For proceedings commenced on or after July first, two thousand eleven, the deregulation rent threshold means two thousand five hundred dollars. FOR PROCEEDINGS COMMENCED ON OR AFTER JULY FIRST, TWO THOUSAND FIFTEEN, THE DEREGULATION RENT THRESHOLD MEANS TWO THOUSAND SEVEN HUNDRED DOLLARS, PROVIDED, HOWEVER, THAT ON JANUARY 1, 2016, AND ANNUALLY THEREAFTER, THE MAXIMUM LEGAL REGULATED RENT FOR THIS DEREGULATION THRESHOLD SHALL BE ADJUSTED BY THE SAME PERCENTAGE AS THE MOST RECENT ONE YEAR RENEWAL ADJUSTMENT ADOPTED BY THE RENT GUIDELINES BOARD.

S 15. Paragraph 3 of subdivision (a) of section 26-403.1 of the administrative code of the city of New York, as added by section 34 of part B of chapter 97 of the laws of 2011, is amended to read as follows:

3. Deregulation rent threshold means two thousand dollars for proceedings commenced before July first, two thousand eleven. For proceedings commenced on or after July first, two thousand eleven, the deregulation rent threshold means two thousand five hundred dollars. FOR PROCEEDINGS COMMENCED ON OR AFTER JULY FIRST, TWO THOUSAND FIFTEEN, THE DEREGULATION RENT THRESHOLD MEANS TWO THOUSAND SEVEN HUNDRED DOLLARS, PROVIDED, HOWEVER, THAT ON JANUARY FIRST, TWO THOUSAND SIXTEEN, AND ANNUALLY THEREAFTER, SUCH DEREGULATION RENT THRESHOLD SHALL BE ADJUSTED BY THE SAME PERCENTAGE AS THE MOST RECENT ONE YEAR RENEWAL ADJUSTMENT ADOPTED BY THE RELEVANT GUIDELINES BOARD.

S 16. Paragraph 3 of subdivision (a) of section 26-504.3 of the administrative code of the city of New York, as added by section 36 of part B of chapter 97 of the laws of 2011, is amended to read as follows:

3. Deregulation rent threshold means two thousand dollars for proceedings commenced before July first, two thousand eleven. For proceedings commenced on or after July first, two thousand eleven, the deregulation rent threshold means two thousand five hundred dollars. FOR PROCEEDINGS COMMENCED ON OR AFTER JULY FIRST, TWO THOUSAND FIFTEEN,

1 THE DEREGULATION RENT THRESHOLD MEANS TWO THOUSAND SEVEN HUNDRED  
2 DOLLARS, PROVIDED, HOWEVER, THAT ON JANUARY FIRST, TWO THOUSAND SIXTEEN,  
3 AND ANNUALLY THEREAFTER, SUCH DEREGULATION RENT THRESHOLD SHALL BE  
4 ADJUSTED BY THE SAME PERCENTAGE AS THE MOST RECENT ONE YEAR RENEWAL  
5 ADJUSTMENT ADOPTED BY THE RELEVANT GUIDELINES BOARD.

6 S 16-a. Paragraph 5-a of subdivision c of section 26-511 of the admin-  
7 istrative code of the city of New York, as amended by section 7 of part  
8 B of chapter 97 of the laws of 2011, is amended to read as follows:

9 (5-a) provides that, notwithstanding any provision of this chapter,  
10 the legal regulated rent for any vacancy lease entered into after the  
11 effective date of this paragraph shall be as hereinafter provided in  
12 this paragraph. The previous legal regulated rent for such housing  
13 accommodation shall be increased by the following: (i) if the vacancy  
14 lease is for a term of two years, twenty percent of the previous legal  
15 regulated rent; or (ii) if the vacancy lease is for a term of one year  
16 the increase shall be twenty percent of the previous legal regulated  
17 rent less an amount equal to the difference between (a) the two year  
18 renewal lease guideline promulgated by the guidelines board of the city  
19 of New York applied to the previous legal regulated rent and (b) the one  
20 year renewal lease guideline promulgated by the guidelines board of the  
21 city of New York applied to the previous legal regulated rent. HOWEVER,  
22 WHERE THE AMOUNT CHARGED AND PAID BY THE PRIOR TENANT PURSUANT TO PARA-  
23 GRAPH FOURTEEN OF THIS SUBDIVISION, WAS LESS THAN THE LEGAL REGULATED  
24 RENT, SUCH INCREASE TO THE LEGAL REGULATED RENT SHALL NOT EXCEED: FIVE  
25 PERCENT OF THE PREVIOUS LEGAL REGULATED RENT IF THE LAST VACANCY LEASE  
26 COMMENCED LESS THAN TWO YEARS AGO; TEN PERCENT OF THE PREVIOUS LEGAL  
27 REGULATED RENT IF THE LAST VACANCY LEASE COMMENCED LESS THAN THREE YEARS  
28 AGO; FIFTEEN PERCENT OF THE PREVIOUS LEGAL REGULATED RENT IF THE LAST  
29 VACANCY LEASE COMMENCED LESS THAN FOUR YEARS AGO; TWENTY PERCENT OF THE  
30 PREVIOUS LEGAL REGULATED RENT IF THE LAST VACANCY LEASE COMMENCED FOUR  
31 OR MORE YEARS AGO. In addition, if the legal regulated rent was not  
32 increased with respect to such housing accommodation by a permanent  
33 vacancy allowance within eight years prior to a vacancy lease executed  
34 on or after the effective date of this paragraph, the legal regulated  
35 rent may be further increased by an amount equal to the product result-  
36 ing from multiplying such previous legal regulated rent by six-tenths of  
37 one percent and further multiplying the amount of rent increase result-  
38 ing therefrom by the greater of (A) the number of years since the im-  
39 position of the last permanent vacancy allowance, or (B) if the rent was  
40 not increased by a permanent vacancy allowance since the housing accom-  
41 modation became subject to this chapter, the number of years that such  
42 housing accommodation has been subject to this chapter. Provided that if  
43 the previous legal regulated rent was less than three hundred dollars  
44 the total increase shall be as calculated above plus one hundred dollars  
45 per month. Provided, further, that if the previous legal regulated rent  
46 was at least three hundred dollars and no more than five hundred dollars  
47 in no event shall the total increase pursuant to this paragraph be less  
48 than one hundred dollars per month. Such increase shall be in lieu of  
49 any allowance authorized for the one or two year renewal component ther-  
50 eof, but shall be in addition to any other increases authorized pursuant  
51 to this chapter including an adjustment based upon a major capital  
52 improvement, or a substantial modification or increase of dwelling space  
53 or services, or installation of new equipment or improvements or new  
54 furniture or furnishings provided in or to the housing accommodation  
55 pursuant to this section. The increase authorized in this paragraph may

not be implemented more than one time in any calendar year, notwithstanding the number of vacancy leases entered into in such year.

S 16-b. Subdivision (a-1) of section 10 of section 4 of chapter 576 of the laws of 1974 amending the emergency housing rent control law relating to the control of and stabilization of rent in certain cases, as amended by section 8 of part B of chapter 97 of the laws of 2011, is amended to read as follows:

(a-1) provides that, notwithstanding any provision of this act, the legal regulated rent for any vacancy lease entered into after the effective date of this subdivision shall be as hereinafter set forth. The previous legal regulated rent for such housing accommodation shall be increased by the following: (i) if the vacancy lease is for a term of two years, twenty percent of the previous legal regulated rent; or (ii) if the vacancy lease is for a term of one year the increase shall be twenty percent of the previous legal regulated rent less an amount equal to the difference between (a) the two year renewal lease guideline promulgated by the guidelines board of the county in which the housing accommodation is located applied to the previous legal regulated rent and (b) the one year renewal lease guideline promulgated by the guidelines board of the county in which the housing accommodation is located applied to the previous legal regulated rent. HOWEVER, WHERE THE AMOUNT CHARGED AND PAID BY THE PRIOR TENANT PURSUANT TO PARAGRAPH FOURTEEN OF THIS SUBDIVISION, WAS LESS THAN THE LEGAL REGULATED RENT, SUCH INCREASE TO THE LEGAL REGULATED RENT SHALL NOT EXCEED: FIVE PERCENT OF THE PREVIOUS LEGAL REGULATED RENT IF THE LAST VACANCY LEASE COMMENCED LESS THAN TWO YEARS AGO; TEN PERCENT OF THE PREVIOUS LEGAL REGULATED RENT IF THE LAST VACANCY COMMENCED LESS THAN THREE YEARS AGO; FIFTEEN PERCENT OF THE PREVIOUS LEGAL REGULATED RENT IF THE LAST VACANCY LEASE COMMENCED LESS THAN FOUR YEARS AGO; TWENTY PERCENT OF THE PREVIOUS LEGAL REGULATED RENT IF THE LAST VACANCY LEASE COMMENCED FOUR OR MORE YEARS AGO. In addition, if the legal regulated rent was not increased with respect to such housing accommodation by a permanent vacancy allowance within eight years prior to a vacancy lease executed on or after the effective date of this subdivision, the legal regulated rent may be further increased by an amount equal to the product resulting from multiplying such previous legal regulated rent by six-tenths of one percent and further multiplying the amount of rent increase resulting therefrom by the greater of (A) the number of years since the imposition of the last permanent vacancy allowance, or (B) if the rent was not increased by a permanent vacancy allowance since the housing accommodation became subject to this act, the number of years that such housing accommodation has been subject to this act. Provided that if the previous legal regulated rent was less than three hundred dollars the total increase shall be as calculated above plus one hundred dollars per month. Provided, further, that if the previous legal regulated rent was at least three hundred dollars and no more than five hundred dollars in no event shall the total increase pursuant to this subdivision be less than one hundred dollars per month. Such increase shall be in lieu of any allowance authorized for the one or two year renewal component thereof, but shall be in addition to any other increases authorized pursuant to this act including an adjustment based upon a major capital improvement, or a substantial modification or increase of dwelling space or services, or installation of new equipment or improvements or new furniture or furnishings provided in or to the housing accommodation pursuant to section six of this act. The increase authorized in this subdivision

1 may not be implemented more than one time in any calendar year, notwithstanding the number of vacancy leases entered into in such year.

2 S 17. The division of housing and community renewal shall, pursuant to  
3 this act, promulgate rules and regulations to implement and enforce all  
4 provisions of this act and any law renewed or continued by this act.

5 S 18. Section 13 of part A of chapter 97 of the laws of 2011, amending  
6 the general municipal law and the education law, relating to establish-  
7 ing limits upon school district and local government tax levies, is  
8 amended to read as follows:

9 S 13. This act shall take effect immediately; provided, however, that  
10 sections two through eleven of this act shall take effect July 1, 2011  
11 and shall first apply to school district budgets and the budget adoption  
12 process for the 2012-13 school year; and shall continue to apply to  
13 school district budgets and the budget adoption process for any school  
14 year beginning in any calendar year during which this act is in effect;  
15 provided further, that if section 26 of part A of chapter 58 of the laws  
16 of 2011 shall not have taken effect on or before such date then section  
17 ten of this act shall take effect on the same date and in the same  
18 manner as such chapter of the laws of 2011, takes effect; provided  
19 further, that section one of this act shall first apply to the levy of  
20 taxes by local governments for the fiscal year that begins in 2012 and  
21 shall continue to apply to the levy of taxes by local governments for  
22 any fiscal year beginning in any calendar year during which this act is  
23 in effect; provided, further, that this act shall remain in full force  
24 and effect at a minimum until and including June 15, [2016] 2020 and  
25 shall remain in effect thereafter only so long as the public emergency  
26 requiring the regulation and control of residential rents and evictions  
27 and all such laws providing for such regulation and control continue as  
28 provided in subdivision 3 of section 1 of the local emergency rent  
29 control act, sections 26-501, 26-502 and 26-520 of the administrative  
30 code of the city of New York, section 17 of chapter 576 of the laws of  
31 1974 and subdivision 2 of section 1 of chapter 274 of the laws of 1946  
32 constituting the emergency housing rent control law, and section 10 of  
33 chapter 555 of the laws of 1982, amending the general business law and  
34 the administrative code of the city of New York relating to conversions  
35 of residential property to cooperative or condominium ownership in the  
36 city of New York as such laws are continued by chapter 93 of the laws of  
37 2011 and as such sections are amended from time to time.

38 S 19. The opening paragraph of paragraph (a) of subdivision 1 of  
39 section 489 of the real property tax law, as amended by chapter 4 of the  
40 laws of 2013, is amended to read as follows:

41 Any city to which the multiple dwelling law is applicable, acting  
42 through its local legislative body or other governing agency, is hereby  
43 authorized and empowered, to and including January first, two thousand  
44 [fifteen] NINETEEN, to adopt and amend local laws or ordinances provid-  
45 ing that any increase in assessed valuation of real property shall be  
46 exempt from taxation for local purposes, as provided herein, to the  
47 extent such increase results from:

48 S 20. The closing paragraph of subparagraph 6 of paragraph (a) of  
49 subdivision 1 of section 489 of the real property tax law, as amended by  
50 chapter 4 of the laws of 2013, is amended to read as follows:

51 Such conversion, alterations or improvements shall be completed within  
52 thirty months after the date on which same shall be started except that  
53 such thirty month limitation shall not apply to conversions of residen-  
54 tial units which are registered with the loft board in accordance with  
55 article seven-C of the multiple dwelling law pursuant to subparagraph  
56

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

49 S 21. Subdivision (h) of section 27 of chapter 4 of the laws of 2013  
50 amending the real property tax law and other laws relating to interim  
51 multiple dwellings in a city with a population of one million or more is  
52 amended to read as follows:

53 (h) sections twenty-one, twenty-two, twenty-three and twenty-four  
54 shall expire and be deemed repealed on June 30, [2015] 2019.

55 S 22. Section 282-a of the multiple dwelling law, as amended by chap-  
56 ter 159 of the laws of 2011, is amended to read as follows:

1 S 282-a. [Limitation on applications] APPLICATIONS for coverage of  
2 interim multiple dwellings and residential units. 1. All applications  
3 for registration as an interim multiple dwelling or for coverage of  
4 residential units under this article shall be filed with the loft board  
5 within six months after the date the loft board shall have adopted all  
6 rules or regulations necessary in order to implement the provisions of  
7 chapter one hundred forty-seven of the laws of two thousand ten,  
8 PROVIDED, HOWEVER, THAT APPLICATIONS FOR REGISTRATION AS AN INTERIM  
9 MULTIPLE DWELLING OR FOR COVERAGE OF RESIDENTIAL UNITS UNDER THIS ARTI-  
10 CLE MAY ALSO BE FILED FOR A TWO-YEAR PERIOD STARTING FROM THE EFFECTIVE  
11 DATE OF THE CHAPTER OF THE LAWS OF TWO THOUSAND FIFTEEN WHICH AMENDED  
12 THIS SECTION. The loft board may subsequently amend such rules and  
13 regulations but such amendments shall not recommence the time period in  
14 which applications may be filed. [Notwithstanding any other provision  
15 of this article, after such date no further applications for registra-  
16 tion or coverage as an interim multiple dwelling or for coverage under  
17 this article shall be accepted for owners or occupants of buildings that  
18 would otherwise qualify as interim multiple dwellings or for coverage  
19 pursuant to this article.]

20 2. Where any occupant has filed an application for coverage pursuant  
21 to this article and has received a docket number from the loft board, it  
22 shall be unlawful for an owner to cause or intend to cause such occupant  
23 to vacate, surrender or waive any rights in relation to such occupancy,  
24 due to repeated interruptions or discontinuances of essential services,  
25 or an interruption or discontinuance of an essential service for an  
26 extended duration or of such significance as to substantially impair  
27 habitability of such unit, at any time before the loft board has made a  
28 final determination, including appeals, to approve or deny such applica-  
29 tion. This [subdivision] SECTION shall not grant any rights of continued  
30 occupancy other than those otherwise granted by law. Any agreement that  
31 waives or limits the benefits of this [subdivision] SECTION shall be  
32 deemed void as against public policy. In addition to any other remedies  
33 provided in this article for failure to be in compliance, in article  
34 eight of this chapter, or in the regulations promulgated by the loft  
35 board, an occupant who has filed an application with the loft board for  
36 coverage under this article may[, no later than thirty-six months after  
37 the loft board shall have adopted rules and regulations as set forth in  
38 subdivision one of this section,] commence an action or proceeding in a  
39 court of competent jurisdiction, which notwithstanding any other  
40 provision of law shall include the housing part of the New York city  
41 civil court, to enforce the provisions of this [subdivision] SECTION.

42 S 22-a. Paragraph (vi) of subdivision 1 of section 284 of the multiple  
43 dwelling law, as amended by chapter 4 of the laws of 2013, is amended to  
44 read as follows:

45 (vi) Notwithstanding the provisions of paragraphs (i) through (v) of  
46 this subdivision the owner of an interim multiple dwelling made subject  
47 to this article by subdivision five of section two hundred eighty-one of  
48 this article (A) shall file an alteration application [within nine  
49 months from the effective date of the chapter of the laws of two thou-  
50 sand ten which amended this subparagraph] ON OR BEFORE MARCH  
51 TWENTY-FIRST, TWO THOUSAND ELEVEN, or, for units that became subject to  
52 this article pursuant to [the] chapter FOUR of the laws of two thousand  
53 thirteen [which amended this paragraph, within nine months of the  
54 promulgation of all necessary rules and regulations pursuant to section  
55 two hundred eighty-two-a of this article] ON OR BEFORE JUNE ELEVENTH,  
56 TWO THOUSAND FOURTEEN, OR, FOR UNITS IN AN INTERIM MULTIPLE DWELLING

1 THAT WERE LISTED ON AN APPLICATION FOR COVERAGE OR REGISTRATION FILED  
2 WITH THE LOFT BOARD PURSUANT TO THIS ARTICLE OR IN A COURT PLEADING  
3 AFTER MARCH ELEVENTH, TWO THOUSAND FOURTEEN, WITHIN NINE MONTHS OF  
4 EITHER THE DATE OF THE INITIAL APPLICATION FOR COVERAGE OR THE DATE OF  
5 THE LOFT BOARD'S ISSUANCE OF AN INTERIM MULTIPLE DWELLING NUMBER OR THE  
6 DATE OF THE SERVICE OF THE PLEADING, WHICHEVER IS EARLIER, and (B) shall  
7 take all reasonable and necessary action to obtain an approved alter-  
8 ation permit [within twelve months from such effective date] ON OR  
9 BEFORE JUNE TWENTY-FIRST, TWO THOUSAND ELEVEN, or, for units that became  
10 subject to this article pursuant to [the] chapter FOUR of the laws of  
11 two thousand thirteen [which amended this paragraph, within twelve  
12 months of the promulgation of all necessary rules and regulations pursu-  
13 ant to section two hundred eighty-two-a of this article] ON OR BEFORE  
14 SEPTEMBER ELEVENTH, TWO THOUSAND FOURTEEN, OR, FOR UNITS IN AN INTERIM  
15 MULTIPLE DWELLING THAT WERE LISTED ON AN APPLICATION FOR COVERAGE OR  
16 REGISTRATION FILED WITH THE LOFT BOARD PURSUANT TO THIS ARTICLE OR IN A  
17 COURT PLEADING AFTER MARCH ELEVENTH, TWO THOUSAND FOURTEEN, WITHIN  
18 TWELVE MONTHS OF EITHER THE DATE OF THE INITIAL APPLICATION FOR COVERAGE  
19 OR THE DATE OF THE LOFT BOARD'S ISSUANCE OF AN INTERIM MULTIPLE DWELLING  
20 NUMBER OR THE DATE OF THE SERVICE OF THE PLEADING, WHICHEVER IS EARLIER,  
21 and (C) shall achieve compliance with the standards of safety and fire  
22 protection set forth in article seven-B of this chapter for the residen-  
23 tial portions of the building within eighteen months from obtaining such  
24 alteration permit, and (D) shall take all reasonable and necessary  
25 action to obtain a certificate of occupancy as a class A multiple dwell-  
26 ing for the residential portions of the building or structure [within  
27 thirty months from such effective date] ON OR BEFORE DECEMBER  
28 TWENTY-FIRST, TWO THOUSAND TWELVE, or for units that became subject to  
29 this article pursuant to [the] chapter FOUR of the laws of two thousand  
30 thirteen [which amended this paragraph within thirty months of the  
31 promulgation of all necessary rules and regulations pursuant to section  
32 two hundred eighty-two-a of this article] ON OR BEFORE MARCH ELEVENTH,  
33 TWO THOUSAND SIXTEEN, OR, FOR UNITS IN AN INTERIM MULTIPLE DWELLING THAT  
34 WERE LISTED ON AN APPLICATION FOR COVERAGE OR REGISTRATION FILED WITH  
35 THE LOFT BOARD PURSUANT TO THIS ARTICLE OR IN A COURT PLEADING AFTER  
36 MARCH ELEVENTH, TWO THOUSAND SIXTEEN, WITHIN THIRTY MONTHS OF EITHER THE  
37 DATE OF THE INITIAL APPLICATION FOR COVERAGE OR THE DATE OF THE LOFT  
38 BOARD'S ISSUANCE OF AN INTERIM MULTIPLE DWELLING NUMBER OR THE DATE OF  
39 THE SERVICE OF THE PLEADING, WHICHEVER IS EARLIER. The loft board may,  
40 upon good cause shown, and upon proof of compliance with the standards  
41 of safety and fire protection set forth in article seven-B of this chap-  
42 ter, twice extend the time of compliance with the requirement to obtain  
43 a residential certificate of occupancy for periods not to exceed twelve  
44 months each.

45 S 23. Paragraphs 1 and 2 of subdivision c of section 26-516 of the  
46 administrative code of the city of New York, as amended by section 1 of  
47 chapter 480 of the laws of 2009, are amended to read as follows:

48 (1) to have violated an order of the division the commissioner may  
49 impose by administrative order after hearing, a civil penalty [in the  
50 amount of one thousand dollars for the first such offense and two] AT  
51 MINIMUM IN THE AMOUNT OF ONE THOUSAND BUT NOT TO EXCEED TWO THOUSAND  
52 DOLLARS FOR THE FIRST SUCH OFFENSE, AND AT A MINIMUM IN THE AMOUNT OF  
53 TWO THOUSAND BUT NOT TO EXCEED THREE thousand dollars for each subse-  
54 quent offense; or (2) to have harassed a tenant to obtain vacancy of his  
55 or her housing accommodation, the commissioner may impose by administra-  
56 tive order after hearing, a civil penalty for any such violation. Such



penalty shall be [in the amount of two thousand dollars for a first such offense and up to ten] AT A MINIMUM IN THE AMOUNT OF TWO THOUSAND BUT NOT TO EXCEED THREE THOUSAND DOLLARS FOR THE FIRST SUCH OFFENSE, AND AT MINIMUM IN THE AMOUNT OF TEN THOUSAND BUT NOT TO EXCEED ELEVEN thousand dollars for each subsequent offense or for a violation consisting of conduct directed at the tenants of more than one housing accommodation.

S 24. Paragraph 2 of subdivision c of section 26-516 of the administrative code of the city of New York, as amended by section 2 of chapter 480 of the laws of 2009, is amended to read as follows:

(2) to have harassed a tenant to obtain vacancy of his or her housing accommodation, the commissioner may impose by administrative order after hearing, a civil penalty for any such violation. Such penalty shall be [in the amount of two thousand dollars for a first such offense and up to ten] AT MINIMUM IN THE AMOUNT OF TWO THOUSAND BUT NOT TO EXCEED THREE THOUSAND DOLLARS FOR THE FIRST SUCH OFFENSE, AND AT A MINIMUM IN THE AMOUNT OF TEN THOUSAND BUT NOT TO EXCEED ELEVEN thousand dollars for each subsequent offense or for a violation consisting of conduct directed at the tenants of more than one housing accommodation.

S 25. Subparagraph (a) of paragraph 2 of subdivision b of section 26-413 of the administrative code of the city of New York, as amended by section 3 of chapter 480 of the laws of 2009, is amended to read as follows:

(a) Impose by administrative order after hearing, a civil penalty for any violation of said section and bring an action to recover same in any court of competent jurisdiction. Such penalty in the case of a violation of subdivision d of such section shall be [in the amount of two thousand dollars for the first offense and ten] AT MINIMUM IN THE AMOUNT OF TWO THOUSAND BUT NOT TO EXCEED THREE THOUSAND DOLLARS FOR THE FIRST SUCH OFFENSE, AND AT MINIMUM IN THE AMOUNT OF TEN THOUSAND BUT NOT TO EXCEED ELEVEN thousand dollars for each subsequent offense or for a violation consisting of conduct directed at the tenants of more than one housing accommodation; and in the case of any other violation of such section [in the amount of one thousand dollars for the first such offense and two] AT MINIMUM IN THE AMOUNT OF ONE THOUSAND BUT NOT TO EXCEED TWO THOUSAND DOLLARS FOR THE FIRST SUCH OFFENSE, AND AT MINIMUM IN THE AMOUNT OF TWO THOUSAND BUT NOT TO EXCEED THREE thousand dollars for each subsequent offense. Such order by the city rent agency shall be deemed a final determination for the purposes of judicial review as provided in section 26-411 of this chapter. Such action shall be brought on behalf of the city and any amount recovered shall be paid into the city treasury. Such right of action may be released, compromised or adjusted by the city rent agency at any time subsequent to the issuance of such administrative order.

S 26. Subparagraph (a) of paragraph 2 of subdivision b of section 26-413 of the administrative code of the city of New York, as amended by section 4 of chapter 480 of the laws of 2009, is amended to read as follows:

(a) Impose by administrative order after hearing, a civil penalty for any violation of said section and bring an action to recover same in any court of competent jurisdiction. Such penalty in the case of a violation of subdivision d of such section shall be [in the amount of two thousand dollars for a first such offense and ten] AT MINIMUM IN THE AMOUNT OF TWO THOUSAND BUT NOT TO EXCEED THREE THOUSAND DOLLARS FOR THE FIRST SUCH OFFENSE, AND AT MINIMUM IN THE AMOUNT OF TEN THOUSAND BUT NOT TO EXCEED ELEVEN thousand dollars for each subsequent offense or for a violation consisting of conduct directed at the tenants of more than one housing

1 accommodation; and in the case of any other violation of such section  
2 [in the amount of one thousand dollars for the first such offense and  
3 two] AT MINIMUM IN THE AMOUNT OF ONE THOUSAND BUT NOT TO EXCEED TWO  
4 THOUSAND DOLLARS FOR THE FIRST SUCH OFFENSE, AND AT MINIMUM IN THE  
5 AMOUNT OF TWO THOUSAND BUT NOT TO EXCEED THREE thousand dollars for each  
6 subsequent offense. Such order by the city rent agency shall be deemed a  
7 final determination for the purposes of judicial review as provided in  
8 section 26-411 of this chapter. Such action shall be brought on behalf  
9 of the city and any amount recovered shall be paid into the city treas-  
10 ury. Such right of action may be released, compromised or adjusted by  
11 the city rent agency at any time subsequent to the issuance of such  
12 administrative order.

13 S 27. Clauses (i) and (ii) of paragraph 3 of subdivision a of section  
14 12 of section 4 of chapter 576 of the laws of 1974 constituting the  
15 emergency tenant protection act of nineteen seventy-four, as amended by  
16 section 5 of chapter 480 of the laws of 2009, are amended to read as  
17 follows:

18 (i) to have violated an order of the division the commissioner may  
19 impose by administrative order after hearing, a civil penalty [in the  
20 amount of one thousand dollars for the first such offense and two] AT  
21 MINIMUM IN THE AMOUNT OF ONE THOUSAND BUT NOT TO EXCEED TWO THOUSAND  
22 DOLLARS FOR THE FIRST SUCH OFFENSE, AND AT MINIMUM IN THE AMOUNT OF TWO  
23 THOUSAND BUT NOT TO EXCEED THREE thousand dollars for each subsequent  
24 offense; or (ii) to have harassed a tenant to obtain vacancy of his  
25 housing accommodation, the commissioner may impose by administrative  
26 order after hearing, a civil penalty for any such violation. Such penal-  
27 ty shall be [in the amount of two thousand dollars for the first such  
28 offense and ten] AT MINIMUM IN THE AMOUNT OF TWO THOUSAND BUT NOT TO  
29 EXCEED THREE THOUSAND DOLLARS FOR THE FIRST SUCH OFFENSE, AND AT MINIMUM  
30 IN THE AMOUNT OF TEN THOUSAND BUT NOT TO EXCEED ELEVEN thousand dollars  
31 for each subsequent offense or for a violation consisting of conduct  
32 directed at the tenants of more than one housing accommodation.

33 S 28. Clause (ii) of paragraph 3 of subdivision a of section 12 of  
34 section 4 of chapter 576 of the laws of 1974 constituting the emergency  
35 tenant protection act of nineteen seventy-four, as amended by section 6  
36 of chapter 480 of the laws of 2009, is amended to read as follows:

37 (ii) to have harassed a tenant to obtain vacancy of his housing accom-  
38 modation, the commissioner may impose by administrative order after  
39 hearing, a civil penalty for any such violation. Such penalty shall be  
40 [in the amount of two thousand dollars for the first such offense and  
41 ten] AT MINIMUM IN THE AMOUNT OF TWO THOUSAND BUT NOT TO EXCEED THREE  
42 THOUSAND DOLLARS FOR THE FIRST SUCH OFFENSE, AND AT MINIMUM IN THE  
43 AMOUNT OF TEN THOUSAND BUT NOT TO EXCEED ELEVEN thousand dollars for  
44 each subsequent offense or for a violation consisting of conduct  
45 directed at the tenants of more than one housing accommodation.

46 S 29. Paragraph 6 of subdivision c of section 26-511 of the adminis-  
47 trative code of the city of New York, as amended by chapter 116 of the  
48 laws of 1997, is amended to read as follows:

49 (6) provides criteria whereby the commissioner may act upon applica-  
50 tions by owners for increases in excess of the level of fair rent  
51 increase established under this law provided, however, that such crite-  
52 ria shall provide (a) as to hardship applications, for a finding that  
53 the level of fair rent increase is not sufficient to enable the owner to  
54 maintain approximately the same average annual net income (which shall  
55 be computed without regard to debt service, financing costs or manage-  
56 ment fees) for the three year period ending on or within six months of

1 the date of an application pursuant to such criteria as compared with  
2 annual net income, which prevailed on the average over the period nine-  
3 teen hundred sixty-eight through nineteen hundred seventy, or for the  
4 first three years of operation if the building was completed since nine-  
5 teen hundred sixty-eight or for the first three fiscal years after a  
6 transfer of title to a new owner provided the new owner can establish to  
7 the satisfaction of the commissioner that he or she acquired title to  
8 the building as a result of a bona fide sale of the entire building and  
9 that the new owner is unable to obtain requisite records for the fiscal  
10 years nineteen hundred sixty-eight through nineteen hundred seventy  
11 despite diligent efforts to obtain same from predecessors in title and  
12 further provided that the new owner can provide financial data covering  
13 a minimum of six years under his or her continuous and uninterrupted  
14 operation of the building to meet the three year to three year compar-  
15 ative test periods herein provided; and (b) as to completed building-  
16 wide major capital improvements, for a finding that such improvements  
17 are deemed depreciable under the Internal Revenue Code and that the cost  
18 is to be amortized over [a seven-year] AN EIGHT-YEAR period FOR A BUILD-  
19 ING WITH THIRTY-FIVE OR FEWER HOUSING ACCOMMODATIONS, OR A NINE-YEAR  
20 PERIOD FOR A BUILDING WITH MORE THAN THIRTY-FIVE HOUSING ACCOMMODATIONS,  
21 FOR ANY DETERMINATION ISSUED BY THE DIVISION OF HOUSING AND COMMUNITY  
22 RENEWAL AFTER THE EFFECTIVE DATE OF THE RENT ACT OF 2015, based upon  
23 cash purchase price exclusive of interest or service charges. Notwith-  
24 standing anything to the contrary contained herein, no hardship increase  
25 granted pursuant to this paragraph shall, when added to the annual gross  
26 rents, as determined by the commissioner, exceed the sum of, (i) the  
27 annual operating expenses, (ii) an allowance for management services as  
28 determined by the commissioner, (iii) actual annual mortgage debt  
29 service (interest and amortization) on its indebtedness to a lending  
30 institution, an insurance company, a retirement fund or welfare fund  
31 which is operated under the supervision of the banking or insurance laws  
32 of the state of New York or the United States, and (iv) eight and one-  
33 half percent of that portion of the fair market value of the property  
34 which exceeds the unpaid principal amount of the mortgage indebtedness  
35 referred to in subparagraph (iii) of this paragraph. Fair market value  
36 for the purposes of this paragraph shall be six times the annual gross  
37 rent. The collection of any increase in the stabilized rent for any  
38 apartment pursuant to this paragraph shall not exceed six percent in any  
39 year from the effective date of the order granting the increase over the  
40 rent set forth in the schedule of gross rents, with collectability of  
41 any dollar excess above said sum to be spread forward in similar incre-  
42 ments and added to the stabilized rent as established or set in future  
43 years;

44 S 30. Paragraph 3 of subdivision d of section 6 of section 4 of chap-  
45 ter 576 of the laws of 1974, constituting the emergency tenant  
46 protection act, as amended by chapter 749 of the laws of 1990, is  
47 amended to read as follows:

48 (3) there has been since January first, nineteen hundred seventy-four  
49 a major capital improvement required for the operation, preservation or  
50 maintenance of the structure. An adjustment under this paragraph shall  
51 be in an amount sufficient to amortize the cost of the improvements  
52 pursuant to this paragraph over [a seven-year] AN EIGHT-YEAR period FOR  
53 A BUILDING WITH THIRTY-FIVE OR FEWER HOUSING ACCOMMODATIONS, OR A NINE-  
54 YEAR PERIOD FOR A BUILDING WITH MORE THAN THIRTY-FIVE HOUSING ACCOMMO-  
55 DATIONS, FOR ANY DETERMINATION ISSUED BY THE DIVISION OF HOUSING AND  
56 COMMUNITY RENEWAL AFTER THE EFFECTIVE DATE OF THE RENT ACT OF 2015, or

1 S 31. Subparagraph (g) of paragraph 1 of subdivision g of section  
2 26-405 of the administrative code of the city of New York, as amended by  
3 chapter 749 of the laws of 1990, is amended to read as follows:

4 (g) There has been since July first, nineteen hundred seventy, a major  
5 capital improvement required for the operation, preservation or mainte-  
6 nance of the structure. An adjustment under this subparagraph (g) FOR  
7 ANY ORDER OF THE COMMISSIONER ISSUED AFTER THE EFFECTIVE DATE OF THE  
8 RENT ACT OF 2015 shall be in an amount sufficient to amortize the cost  
9 of the improvements pursuant to this subparagraph (g) over [a seven-  
10 year] AN EIGHT-YEAR period FOR BUILDINGS WITH THIRTY-FIVE OR FEWER UNITS  
11 OR A NINE YEAR PERIOD FOR BUILDINGS WITH MORE THAN THIRY-FIVE UNITS, or

12 S 32. Subparagraph 7 of the second undesignated paragraph of paragraph  
13 (a) of subdivision 4 of section 4 of chapter 274 of the laws of 1946,  
14 constituting the emergency housing rent control law, as amended by  
15 section 25 of part B of chapter 97 of the laws of 2011, is amended to  
16 read as follows:

17 (7) there has been since March first, nineteen hundred fifty, a major  
18 capital improvement required for the operation, preservation or mainte-  
19 nance of the structure; WHICH FOR ANY ORDER OF THE COMMISSIONER ISSUED  
20 AFTER THE EFFECTIVE DATE OF THE RENT ACT OF 2015 THE COST OF SUCH  
21 IMPROVEMENT SHALL BE AMORTIZED OVER AN EIGHT-YEAR PERIOD FOR BUILDINGS  
22 WITH THIRTY-FIVE OR FEWER UNITS OR A NINE YEAR PERIOD FOR BUILDINGS WITH  
23 MORE THAN THIRY-FIVE UNITS, or

24 S 33. Subparagraph (A) of paragraph 7 of subdivision (ee) of section  
25 1115 of the tax law, as amended by section 1 of subpart A of part GG of  
26 chapter 59 of the laws of 2014, is amended to read as follows:

27 (A) "Tenant" means a person who, as lessee, enters into a space lease  
28 with a landlord for a term of ten years or more commencing on or after  
29 September first, two thousand five, but not later than, in the case of a  
30 space lease with respect to leased premises located in eligible areas as  
31 defined in clause (i) of subparagraph (D) of this paragraph, September  
32 first, two thousand [fifteen] SEVENTEEN and, in the case of a space  
33 lease with respect to leased premises located in eligible areas as  
34 defined in clause (ii) of subparagraph (D) of this paragraph not later  
35 than September first, two thousand [seventeen] NINETEEN, of premises for  
36 use as commercial office space in buildings located or to be located in  
37 the eligible areas. A person who currently occupies premises for use as  
38 commercial office space under an existing lease in a building in the  
39 eligible areas shall not be eligible for exemption under this subdivi-  
40 sion unless such existing lease, in the case of a space lease with  
41 respect to leased premises located in eligible areas as defined in  
42 clause (i) of subparagraph (D) of this paragraph expires according to  
43 its terms before September first, two thousand [fifteen] SEVENTEEN or  
44 such existing lease, in the case of a space lease with respect to leased  
45 premises located in eligible areas as defined in clause (ii) of subpara-  
46 graph (D) of this paragraph and such person enters into a space lease,  
47 for a term of ten years or more commencing on or after September first,  
48 two thousand five, of premises for use as commercial office space in a  
49 building located or to be located in the eligible areas, provided that  
50 such space lease with respect to leased premises located in eligible  
51 areas as defined in clause (i) of subparagraph (D) of this paragraph  
52 commences no later than September first, two thousand [fifteen] SEVEN-  
53 TEEN, and provided that such space lease with respect to leased premises  
54 located in eligible areas as defined in clause (ii) of subparagraph (D)  
55 of this paragraph commences no later than September first, two thousand  
56 [seventeen] NINETEEN and provided, further, that such space lease shall

1 expire no earlier than ten years after the expiration of the original  
2 lease.

3 S 34. Section 2 of part C of chapter 2 of the laws of 2005 amending  
4 the tax law relating to exemptions from sales and use taxes, as amended  
5 by section 2 of subpart A of part GG of chapter 59 of the laws of 2014,  
6 is amended to read as follows:

7 S 2. This act shall take effect September 1, 2005 and shall expire and  
8 be deemed repealed on December 1, [2018] 2020, and shall apply to sales  
9 made, uses occurring and services rendered on or after such effective  
10 date, in accordance with the applicable transitional provisions of  
11 sections 1106 and 1217 of the tax law; except that clause (i) of subpar-  
12 agraph (D) of paragraph seven of subdivision (ee) of section 1115 of the  
13 tax law, as added by section one of this act, shall expire and be deemed  
14 repealed December 1, [2016] 2018.

15 S 35. Subdivision (b) of section 25-z of the general city law, as  
16 amended by section 1 of subpart D of part GG of chapter 59 of the laws  
17 of 2014, is amended to read as follows:

18 (b) No eligible business shall be authorized to receive a credit under  
19 any local law enacted pursuant to this article until the premises with  
20 respect to which it is claiming the credit meet the requirements in the  
21 definition of eligible premises and until it has obtained a certif-  
22 ication of eligibility from the mayor of such city or an agency desig-  
23 nated by such mayor, and an annual certification from such mayor or an  
24 agency designated by such mayor as to the number of eligible aggregate  
25 employment shares maintained by such eligible business that may qualify  
26 for obtaining a tax credit for the eligible business' taxable year. Any  
27 written documentation submitted to such mayor or such agency or agencies  
28 in order to obtain any such certification shall be deemed a written  
29 instrument for purposes of section 175.00 of the penal law. Such local  
30 law may provide for application fees to be determined by such mayor or  
31 such agency or agencies. No such certification of eligibility shall be  
32 issued under any local law enacted pursuant to this article to an eligi-  
33 ble business on or after July first, two thousand [fifteen] SEVENTEEN  
34 unless:

35 (1) prior to such date such business has purchased, leased or entered  
36 into a contract to purchase or lease particular premises or a parcel on  
37 which will be constructed such premises or already owned such premises  
38 or parcel;

39 (2) prior to such date improvements have been commenced on such prem-  
40 ises or parcel, which improvements will meet the requirements of subdi-  
41 vision (e) of section twenty-five-y of this article relating to expendi-  
42 tures for improvements;

43 (3) prior to such date such business submits a preliminary application  
44 for a certification of eligibility to such mayor or such agency or agen-  
45 cies with respect to a proposed relocation to such particular premises;  
46 and

47 (4) such business relocates to such particular premises not later than  
48 thirty-six months or, in a case in which the expenditures made for the  
49 improvements specified in paragraph two of this subdivision are in  
50 excess of fifty million dollars within seventy-two months from the date  
51 of submission of such preliminary application.

52 S 36. Subdivision (b) of section 25-ee of the general city law, as  
53 amended by section 2 of subpart D of part GG of chapter 59 of the laws  
54 of 2014, is amended to read as follows:

55 (b) No eligible business or special eligible business shall be author-  
56 ized to receive a credit against tax under any local law enacted pursu-

1 ant to this article until the premises with respect to which it is  
2 claiming the credit meet the requirements in the definition of eligible  
3 premises and until it has obtained a certification of eligibility from  
4 the mayor of such city or any agency designated by such mayor, and an  
5 annual certification from such mayor or an agency designated by such  
6 mayor as to the number of eligible aggregate employment shares main-  
7 tained by such eligible business or such special eligible business that  
8 may qualify for obtaining a tax credit for the eligible business' taxa-  
9 ble year. No special eligible business shall be authorized to receive a  
10 credit against tax under the provisions of this article unless the  
11 number of relocated employee base shares calculated pursuant to subdivi-  
12 sion (o) of section twenty-five-dd of this article is equal to or great-  
13 er than the lesser of twenty-five percent of the number of New York city  
14 base shares calculated pursuant to subdivision (p) of such section and  
15 two hundred fifty employment shares. Any written documentation submitted  
16 to such mayor or such agency or agencies in order to obtain any such  
17 certification shall be deemed a written instrument for purposes of  
18 section 175.00 of the penal law. Such local law may provide for applica-  
19 tion fees to be determined by such mayor or such agency or agencies. No  
20 certification of eligibility shall be issued under any local law enacted  
21 pursuant to this article to an eligible business on or after July first,  
22 two thousand [fifteen] SEVENTEEN unless:

23 (1) prior to such date such business has purchased, leased or entered  
24 into a contract to purchase or lease premises in the eligible Lower  
25 Manhattan area or a parcel on which will be constructed such premises;

26 (2) prior to such date improvements have been commenced on such prem-  
27 ises or parcel, which improvements will meet the requirements of subdivi-  
28 sion (e) of section twenty-five-dd of this article relating to expend-  
29 itures for improvements;

30 (3) prior to such date such business submits a preliminary application  
31 for a certification of eligibility to such mayor or such agency or agen-  
32 cies with respect to a proposed relocation to such premises; and

33 (4) such business relocates to such premises as provided in subdivi-  
34 sion (j) of section twenty-five-dd of this article not later than thir-  
35 ty-six months or, in a case in which the expenditures made for the  
36 improvements specified in paragraph two of this subdivision are in  
37 excess of fifty million dollars within seventy-two months from the date  
38 of submission of such preliminary application.

39 S 37. Subdivision (b) of section 22-622 of the administrative code of  
40 the city of New York, as amended by section 3 of subpart D of part GG of  
41 chapter 59 of the laws of 2014, is amended to read as follows:

42 (b) No eligible business shall be authorized to receive a credit  
43 against tax or a reduction in base rent subject to tax under the  
44 provisions of this chapter, and of title eleven of the code as described  
45 in subdivision (a) of this section, until the premises with respect to  
46 which it is claiming the credit meet the requirements in the definition  
47 of eligible premises and until it has obtained a certification of eligi-  
48 bility from the mayor or an agency designated by the mayor, and an annu-  
49 al certification from the mayor or an agency designated by the mayor as  
50 to the number of eligible aggregate employment shares maintained by such  
51 eligible business that may qualify for obtaining a tax credit for the  
52 eligible business' taxable year. Any written documentation submitted to  
53 the mayor or such agency or agencies in order to obtain any such certif-  
54 ication shall be deemed a written instrument for purposes of section  
55 175.00 of the penal law. Application fees for such certifications shall  
56 be determined by the mayor or such agency or agencies. No certification

1 of eligibility shall be issued to an eligible business on or after July  
2 first, two thousand [fifteen] SEVENTEEN unless:

3 (1) prior to such date such business has purchased, leased or entered  
4 into a contract to purchase or lease particular premises or a parcel on  
5 which will be constructed such premises or already owned such premises  
6 or parcel;

7 (2) prior to such date improvements have been commenced on such prem-  
8 ises or parcel which improvements will meet the requirements of subdivi-  
9 sion (e) of section 22-621 of this chapter relating to expenditures for  
10 improvements;

11 (3) prior to such date such business submits a preliminary application  
12 for a certification of eligibility to such mayor or such agency or agen-  
13 cies with respect to a proposed relocation to such particular premises;  
14 and

15 (4) such business relocates to such particular premises not later than  
16 thirty-six months or, in a case in which the expenditures made for  
17 improvements specified in paragraph two of this subdivision are in  
18 excess of fifty million dollars within seventy-two months from the date  
19 of submission of such preliminary application.

20 S 38. Subdivision (b) of section 22-624 of the administrative code of  
21 the city of New York, as amended by section 4 of subpart D of part GG of  
22 chapter 59 of the laws of 2014, is amended to read as follows:

23 (b) No eligible business or special eligible business shall be author-  
24 ized to receive a credit against tax under the provisions of this chap-  
25 ter, and of title eleven of the code as described in subdivision (a) of  
26 this section, until the premises with respect to which it is claiming  
27 the credit meet the requirements in the definition of eligible premises  
28 and until it has obtained a certification of eligibility from the mayor  
29 or an agency designated by the mayor, and an annual certification from  
30 the mayor or an agency designated by the mayor as to the number of  
31 eligible aggregate employment shares maintained by such eligible busi-  
32 ness or special eligible business that may qualify for obtaining a tax  
33 credit for the eligible business' taxable year. No special eligible  
34 business shall be authorized to receive a credit against tax under the  
35 provisions of this chapter and of title eleven of the code unless the  
36 number of relocated employee base shares calculated pursuant to subdivi-  
37 sion (o) of section 22-623 of this chapter is equal to or greater than  
38 the lesser of twenty-five percent of the number of New York city base  
39 shares calculated pursuant to subdivision (p) of such section 22-623,  
40 and two hundred fifty employment shares. Any written documentation  
41 submitted to the mayor or such agency or agencies in order to obtain any  
42 such certification shall be deemed a written instrument for purposes of  
43 section 175.00 of the penal law. Application fees for such certif-  
44 ications shall be determined by the mayor or such agency or agencies. No  
45 certification of eligibility shall be issued to an eligible business on  
46 or after July first, two thousand [fifteen] SEVENTEEN unless:

47 (1) prior to such date such business has purchased, leased or entered  
48 into a contract to purchase or lease premises in the eligible Lower  
49 Manhattan area or a parcel on which will be constructed such premises;

50 (2) prior to such date improvements have been commenced on such prem-  
51 ises or parcel, which improvements will meet the requirements of subdivi-  
52 sion (e) of section 22-623 of this chapter relating to expenditures  
53 for improvements;

54 (3) prior to such date such business submits a preliminary application  
55 for a certification of eligibility to such mayor or such agency or agen-  
56 cies with respect to a proposed relocation to such premises; and

(4) such business relocates to such premises not later than thirty-six months or, in a case in which the expenditures made for the improvements specified in paragraph two of this subdivision are in excess of fifty million dollars within seventy-two months from the date of submission of such preliminary application.

S 39. Paragraph 1 of subdivision (b) of section 25-s of the general city law, as amended by section 1 of subpart E of part GG of chapter 59 of the laws of 2014, is amended to read as follows:

(1) non-residential premises that are wholly contained in property that is eligible to obtain benefits under title two-D or two-F of article four of the real property tax law, or would be eligible to receive benefits under such article except that such property is exempt from real property taxation and the requirements of paragraph (b) of subdivision seven of section four hundred eighty-nine-dddd of such title two-D, or the requirements of subparagraph (ii) of paragraph (b) of subdivision five of section four hundred eighty-nine-ccccc of such title two-F, whichever is applicable, have not been satisfied, provided that application for such benefits was made after May third, nineteen hundred eighty-five and prior to July first, two thousand [fifteen] SEVENTEEN, that construction or renovation of such premises was described in such application, that such premises have been substantially improved by such construction or renovation so described, that the minimum required expenditure as defined in such title two-D or two-F, whichever is applicable, has been made, and that such real property is located in an eligible area; or

S 40. Paragraph 3 of subdivision (b) of section 25-s of the general city law, as amended by section 2 of subpart E of part GG of chapter 59 of the laws of 2014, is amended to read as follows:

(3) non-residential premises that are wholly contained in real property that has obtained approval after October thirty-first, two thousand and prior to July first, two thousand [fifteen] SEVENTEEN for financing by an industrial development agency established pursuant to article eighteen-A of the general municipal law, provided that such financing has been used in whole or in part to substantially improve such premises (by construction or renovation), and that expenditures have been made for improvements to such real property in excess of ten per centum of the value at which such real property was assessed for tax purposes for the tax year in which such improvements commenced, that such expenditures have been made within thirty-six months after the earlier of (i) the issuance by such agency of bonds for such financing, or (ii) the conveyance of title to such property to such agency, and that such real property is located in an eligible area; or

S 41. Paragraph 5 of subdivision (b) of section 25-s of the general city law, as amended by section 3 of subpart E of part GG of chapter 59 of the laws of 2014, is amended to read as follows:

(5) non-residential premises that are wholly contained in real property owned by such city or the New York state urban development corporation, or a subsidiary thereof, a lease for which was approved in accordance with the applicable provisions of the charter of such city or by the board of directors of such corporation, and such approval was obtained after October thirty-first, two thousand and prior to July first, two thousand [fifteen] SEVENTEEN, provided, however, that such premises were constructed or renovated subsequent to such approval, that expenditures have been made subsequent to such approval for improvements to such real property (by construction or renovation) in excess of ten per centum of the value at which such real property was assessed for tax



1 purposes for the tax year in which such improvements commenced, that  
2 such expenditures have been made within thirty-six months after the  
3 effective date of such lease, and that such real property is located in  
4 an eligible area; or

5 S 42. Paragraph 2 of subdivision (c) of section 25-t of the general  
6 city law, as amended by section 4 of subpart E of part GG of chapter 59  
7 of the laws of 2014, is amended to read as follows:

8 (2) No eligible energy user, qualified eligible energy user, on-site  
9 cogenerator, or clean on-site cogenerator shall receive a rebate pursu-  
10 ant to this article until it has obtained a certification from the  
11 appropriate city agency in accordance with a local law enacted pursuant  
12 to this section. No such certification for a qualified eligible energy  
13 user shall be issued on or after November first, two thousand. No such  
14 certification of any other eligible energy user, on-site cogenerator, or  
15 clean on-site cogenerator shall be issued on or after July first, two  
16 thousand [fifteen] SEVENTEEN.

17 S 43. Paragraph 1 of subdivision (a) of section 25-aa of the general  
18 city law, as amended by section 5 of subpart E of part GG of chapter 59  
19 of the laws of 2014, is amended to read as follows:

20 (1) is eligible to obtain benefits under title two-D or two-F of arti-  
21 cle four of the real property tax law, or would be eligible to receive  
22 benefits under such title except that such property is exempt from real  
23 property taxation and the requirements of paragraph (b) of subdivision  
24 seven of section four hundred eighty-nine-dddd of such title two-D, or  
25 the requirements of subparagraph (ii) of paragraph (b) of subdivision  
26 five of section four hundred eighty-nine-ccccc of such title two-F,  
27 whichever is applicable, of the real property tax law have not been  
28 satisfied, provided that application for such benefits was made after  
29 the thirtieth day of June, nineteen hundred ninety-five and before the  
30 first day of July, two thousand [fifteen] SEVENTEEN, that construction  
31 or renovation of such building or structure was described in such appli-  
32 cation, that such building or structure has been substantially improved  
33 by such construction or renovation, and (i) that the minimum required  
34 expenditure as defined in such title has been made, or (ii) where there  
35 is no applicable minimum required expenditure, the building was  
36 constructed within such period or periods of time established by title  
37 two-D or two-F, whichever is applicable, of article four of the real  
38 property tax law for construction of a new building or structure; or

39 S 44. Paragraphs 2 and 3 of subdivision (a) of section 25-aa of the  
40 general city law, as amended by section 6 of subpart E of part GG of  
41 chapter 59 of the laws of 2014, are amended to read as follows:

42 (2) has obtained approval after the thirtieth day of June, nineteen  
43 hundred ninety-five and before the first day of July, two thousand  
44 [fifteen] SEVENTEEN, for financing by an industrial development agency  
45 established pursuant to article eighteen-A of the general municipal law,  
46 provided that such financing has been used in whole or in part to  
47 substantially improve such building or structure by construction or  
48 renovation, that expenditures have been made for improvements to such  
49 real property in excess of twenty per centum of the value at which such  
50 real property was assessed for tax purposes for the tax year in which  
51 such improvements commenced, and that such expenditures have been made  
52 within thirty-six months after the earlier of (i) the issuance by such  
53 agency of bonds for such financing, or (ii) the conveyance of title to  
54 such building or structure to such agency; or

55 (3) is owned by the city of New York or the New York state urban  
56 development corporation, or a subsidiary corporation thereof, a lease

1 for which was approved in accordance with the applicable provisions of  
2 the charter of such city or by the board of directors of such corpo-  
3 ration, as the case may be, and such approval was obtained after the  
4 thirtieth day of June, nineteen hundred ninety-five and before the first  
5 day of July, two thousand [fifteen] SEVENTEEN, provided that expendi-  
6 tures have been made for improvements to such real property in excess of  
7 twenty per centum of the value at which such real property was assessed  
8 for tax purposes for the tax year in which such improvements commenced,  
9 and that such expenditures have been made within thirty-six months after  
10 the effective date of such lease; or

11 S 45. Subdivision (f) of section 25-bb of the general city law, as  
12 amended by section 7 of subpart E of part GG of chapter 59 of the laws  
13 of 2014, is amended to read as follows:

14 (f) Application and certification. An owner or lessee of a building or  
15 structure located in an eligible revitalization area, or an agent of  
16 such owner or lessee, may apply to such department of small business  
17 services for certification that such building or structure is an eligi-  
18 ble building or targeted eligible building meeting the criteria of  
19 subdivision (a) or (q) of section twenty-five-aa of this article.  
20 Application for such certification must be filed after the thirtieth day  
21 of June, nineteen hundred ninety-five and before a building permit is  
22 issued for the construction or renovation required by such subdivisions  
23 and before the first day of July, two thousand [fifteen] SEVENTEEN,  
24 provided that no certification for a targeted eligible building shall be  
25 issued after October thirty-first, two thousand. Such application shall  
26 identify expenditures to be made that will affect eligibility under such  
27 subdivision (a) or (q). Upon completion of such expenditures, an appli-  
28 cant shall supplement such application to provide information (i) estab-  
29 lishing that the criteria of such subdivision (a) or (q) have been met;  
30 (ii) establishing a basis for determining the amount of special rebates,  
31 including a basis for an allocation of the special rebate among eligible  
32 revitalization area energy users purchasing or otherwise receiving ener-  
33 gy services from an eligible redistributor of energy or a qualified  
34 eligible redistributor of energy; and (iii) supporting an allocation of  
35 charges for energy services between eligible charges and other charges.  
36 Such department shall certify a building or structure as an eligible  
37 building or targeted eligible building after receipt and review of such  
38 information and upon a determination that such information establishes  
39 that the building or structure qualifies as an eligible building or  
40 targeted eligible building. Such department shall mail such certif-  
41 ication or notice thereof to the applicant upon issuance. Such certif-  
42 ication shall remain in effect provided the eligible redistributor of  
43 energy or qualified eligible redistributor of energy reports any changes  
44 that materially affect the amount of the special rebates to which it is  
45 entitled or the amount of reduction required by subdivision (c) of this  
46 section in an energy services bill of an eligible revitalization area  
47 energy user and otherwise complies with the requirements of this arti-  
48 cle. Such department shall notify the private utility or public utility  
49 service required to make a special rebate to such redistributor of the  
50 amount of such special rebate established at the time of certification  
51 and any changes in such amount and any suspension or termination by such  
52 department of certification under this subdivision. Such department may  
53 require some or all of the information required as part of an applica-  
54 tion or other report be provided by a licensed engineer.

55 S 46. Paragraph 1 of subdivision (i) of section 22-601 of the adminis-  
56 trative code of the city of New York, as amended by section 8 of subpart

1 E of part GG of chapter 59 of the laws of 2014, is amended to read as  
2 follows:

3 (1) Non-residential premises that are wholly contained in property  
4 that is eligible to obtain benefits under part four or part five of  
5 subchapter two of chapter two of title eleven of this code, or would be  
6 eligible to receive benefits under such chapter except that such proper-  
7 ty is exempt from real property taxation and the requirements of para-  
8 graph two of subdivision g of section 11-259 of this code, or the  
9 requirements of subparagraph (b) of paragraph two of subdivision e of  
10 section 11-270 of this code, whichever is applicable, have not been  
11 satisfied, provided that application for such benefits was made after  
12 May third, nineteen hundred eighty-five and prior to July first, two  
13 thousand [fifteen] SEVENTEEN, that construction or renovation of such  
14 premises was described in such application, that such premises have been  
15 substantially improved by such construction or renovation so described,  
16 that the minimum required expenditure as defined in such part four or  
17 part five, whichever is applicable, has been made, and that such real  
18 property is located in an eligible area; or

19 S 47. Paragraph 3 of subdivision (i) of section 22-601 of the adminis-  
20 trative code of the city of New York, as amended by section 9 of subpart  
21 E of part GG of chapter 59 of the laws of 2014, is amended to read as  
22 follows:

23 (3) non-residential premises that are wholly contained in real proper-  
24 ty that has obtained approval after October thirty-first, two thousand  
25 and prior to July first, two thousand [fifteen] SEVENTEEN for financing  
26 by an industrial development agency established pursuant to article  
27 eighteen-A of the general municipal law, provided that such financing  
28 has been used in whole or in part to substantially improve such premises  
29 (by construction or renovation), and that expenditures have been made  
30 for improvements to such real property in excess of ten per centum of  
31 the value at which such real property was assessed for tax purposes for  
32 the tax year in which such improvements commenced, that such expendi-  
33 tures have been made within thirty-six months after the earlier of (i)  
34 the issuance by such agency of bonds for such financing, or (ii) the  
35 conveyance of title to such property to such agency, and that such real  
36 property is located in an eligible area; or

37 S 48. Paragraph 5 of subdivision (i) of section 22-601 of the adminis-  
38 trative code of the city of New York, as amended by section 10 of  
39 subpart E of part GG of chapter 59 of the laws of 2014, is amended to  
40 read as follows:

41 (5) non-residential premises that are wholly contained in real proper-  
42 ty owned by such city or the New York state urban development corpo-  
43 ration, or a subsidiary thereof, a lease for which was approved in  
44 accordance with the applicable provisions of the charter of such city or  
45 by the board of directors of such corporation, and such approval was  
46 obtained after October thirty-first, two thousand and prior to July  
47 first, two thousand [fifteen] SEVENTEEN, provided, however, that such  
48 premises were constructed or renovated subsequent to such approval, that  
49 expenditures have been made subsequent to such approval for improvements  
50 to such real property (by construction or renovation) in excess of ten  
51 per centum of the value at which such real property was assessed for tax  
52 purposes for the tax year in which such improvements commenced, that  
53 such expenditures have been made within thirty-six months after the  
54 effective date of such lease, and that such real property is located in  
55 an eligible area; or

1 S 49. Paragraph 1 of subdivision (c) of section 22-602 of the adminis-  
2 trative code of the city of New York, as amended by section 11 of  
3 subpart E of part GG of chapter 59 of the laws of 2014, is amended to  
4 read as follows:

5 (1) No eligible energy user, qualified eligible energy user, on-site  
6 cogenerator, clean on-site cogenerator or special eligible energy user  
7 shall receive a rebate pursuant to this chapter until it has obtained a  
8 certification as an eligible energy user, qualified eligible energy  
9 user, on-site cogenerator, clean on-site cogenerator or special eligible  
10 energy user, respectively, from the commissioner of small business  
11 services. No such certification for a qualified eligible energy user  
12 shall be issued on or after July first, two thousand three. No such  
13 certification of any other eligible energy user, on-site cogenerator or  
14 clean on-site cogenerator shall be issued on or after July first, two  
15 thousand [fifteen] SEVENTEEN. The commissioner of small business  
16 services, after notice and hearing, may revoke a certification issued  
17 pursuant to this subdivision where it is found that eligibility criteria  
18 have not been met or that compliance with conditions for continued  
19 eligibility has not been maintained. The corporation counsel may main-  
20 tain a civil action to recover an amount equal to any benefits improper-  
21 ly obtained.

22 S 50. Subparagraph (b-2) of paragraph 2 of subdivision i of section  
23 11-704 of the administrative code of the city of New York, as amended by  
24 section 1 of subpart F of part GG of chapter 59 of the laws of 2014, is  
25 amended to read as follows:

26 (b-2) The amount of the special reduction allowed by this subdivision  
27 with respect to a lease other than a sublease commencing between July  
28 first, two thousand five and June thirtieth, two thousand [fifteen]  
29 SEVENTEEN with an initial or renewal lease term of at least five years  
30 shall be determined as follows:

31 (i) For the base year the amount of such special reduction shall be  
32 equal to the base rent for the base year.

33 (ii) For the first, second, third and fourth twelve-month periods  
34 following the base year the amount of such special reduction shall be  
35 equal to the lesser of (A) the base rent for each such twelve-month  
36 period or (B) the base rent for the base year.

37 S 51. Subdivision 9 of section 499-aa of the real property tax law, as  
38 amended by section 1 of subpart G of part GG of chapter 59 of the laws  
39 of 2014, is amended to read as follows:

40 9. "Eligibility period." The period commencing April first, nineteen  
41 hundred ninety-five and terminating March thirty-first, two thousand  
42 one, provided, however, that with respect to eligible premises defined  
43 in subparagraph (i) of paragraph (b) of subdivision ten of this section,  
44 the period commencing July first, two thousand and terminating June  
45 thirtieth, two thousand [sixteen] EIGHTEEN, and provided, further,  
46 however, that with respect to eligible premises defined in subparagraph  
47 (ii) of paragraph (b) or paragraph (c) of subdivision ten of this  
48 section, the period commencing July first, two thousand five and termi-  
49 nating June thirtieth, two thousand [sixteen] EIGHTEEN.

50 S 52. Subparagraph (iii) of paragraph (a) of subdivision 3 of section  
51 499-cc of the real property tax law, as amended by section 2 of subpart  
52 G of part GG of chapter 59 of the laws of 2014, is amended to read as  
53 follows:

54 (iii) With respect to the eligible premises defined in subparagraph  
55 (ii) of paragraph (b) or paragraph (c) of subdivision ten of section  
56 four hundred ninety-nine-aa of this title and for purposes of determin-

ing whether the amount of expenditures required by subdivision one of this section have been satisfied, expenditures on improvements to the common areas of an eligible building shall be included only if work on such improvements commenced and the expenditures are made on or after July first, two thousand five and on or before December thirty-first, two thousand [sixteen] EIGHTEEN; provided, however, that expenditures on improvements to the common areas of an eligible building made prior to three years before the lease commencement date shall not be included.

S 53. Subdivisions 5 and 9 of section 499-a of the real property tax law, as amended by section 1 of subpart B of part GG of chapter 59 of the laws of 2014, are amended to read as follows:

5. "Benefit period." The period commencing with the first day of the month immediately following the rent commencement date and terminating no later than sixty months thereafter, provided, however, that with respect to a lease commencing on or after April first, nineteen hundred ninety-seven with an initial lease term of less than five years, but not less than three years, the period commencing with the first day of the month immediately following the rent commencement date and terminating no later than thirty-six months thereafter. Notwithstanding the foregoing sentence, a benefit period shall expire no later than March thirty-first, two thousand [twenty-two] TWENTY-FOUR.

9. "Eligibility period." The period commencing April first, nineteen hundred ninety-five and terminating March thirty-first, two thousand [sixteen] EIGHTEEN.

S 54. Paragraph (a) of subdivision 3 of section 499-c of the real property tax law, as amended by section 2 of subpart B of part GG of chapter 59 of the laws of 2014, is amended to read as follows:

(a) For purposes of determining whether the amount of expenditures required by subdivision one of this section have been satisfied, expenditures on improvements to the common areas of an eligible building shall be included only if work on such improvements commenced and the expenditures are made on or after April first, nineteen hundred ninety-five and on or before September thirtieth, two thousand [sixteen] EIGHTEEN; provided, however, that expenditures on improvements to the common areas of an eligible building made prior to three years before the lease commencement date shall not be included.

S 55. Subdivision 8 of section 499-d of the real property tax law, as amended by section 3 of subpart B of part GG of chapter 59 of the laws of 2014, is amended to read as follows:

8. Leases commencing on or after April first, nineteen hundred ninety-seven shall be subject to the provisions of this title as amended by chapter six hundred twenty-nine of the laws of nineteen hundred ninety-seven, chapter one hundred eighteen of the laws of two thousand one, chapter four hundred forty of the laws of two thousand three, chapter sixty of the laws of two thousand seven, chapter twenty-two of the laws of two thousand ten, CHAPTER FIFTY-NINE OF THE LAWS OF TWO THOUSAND FOURTEEN and the chapter of the laws of two thousand [fourteen] FIFTEEN that added this phrase. Notwithstanding any other provision of law to the contrary, with respect to leases commencing on or after April first, nineteen hundred ninety-seven, an application for a certificate of abatement shall be considered timely filed if filed within one hundred eighty days following the lease commencement date or within sixty days following the date chapter six hundred twenty-nine of the laws of nineteen hundred ninety-seven became a law, whichever is later.

S 56. Subparagraph (a) of paragraph 2 of subdivision i of section 11-704 of the administrative code of the city of New York, as amended by

1 section 4 of subpart B of part GG of chapter 59 of the laws of 2014, is  
2 amended to read as follows:

3 (a) An eligible tenant of eligible taxable premises shall be allowed a  
4 special reduction in determining the taxable base rent for such eligible  
5 taxable premises. Such special reduction shall be allowed with respect  
6 to the rent for such eligible taxable premises for a period not exceed-  
7 ing sixty months or, with respect to a lease commencing on or after  
8 April first, nineteen hundred ninety-seven with an initial lease term of  
9 less than five years, but not less than three years, for a period not  
10 exceeding thirty-six months, commencing on the rent commencement date  
11 applicable to such eligible taxable premises, provided, however, that in  
12 no event shall any special reduction be allowed for any period beginning  
13 after March thirty-first, two thousand [twenty-two] TWENTY-FOUR. For  
14 purposes of applying such special reduction, the base rent for the base  
15 year shall, where necessary to determine the amount of the special  
16 reduction allowable with respect to any number of months falling within  
17 a tax period, be prorated by dividing the base rent for the base year by  
18 twelve and multiplying the result by such number of months.

19 S 57. Paragraph (a) of subdivision 1 of section 489-ddddddd of the real  
20 property tax law, as amended by section 1 of subpart C of part GG of  
21 chapter 59 of the laws of 2014, is amended to read as follows:

22 (a) Application for benefits pursuant to this title may be made imme-  
23 diately following the effective date of a local law enacted pursuant to  
24 this title and continuing until March first, two thousand [seventeen]  
25 NINETEEN.

26 S 58. Subdivision 3 of section 489-ddddddd of the real property tax  
27 law, as amended by section 2 of subpart C of part GG of chapter 59 of  
28 the laws of 2014, is amended to read as follows:

29 3. (a) No benefits pursuant to this title shall be granted for  
30 construction work performed pursuant to a building permit issued after  
31 April first, two thousand [seventeen] NINETEEN.

32 (b) If no building permit was required, then no benefits pursuant to  
33 this title shall be granted for construction work that is commenced  
34 after April first, two thousand [seventeen] NINETEEN.

35 S 59. Paragraph 1 of subdivision a of section 11-271 of the adminis-  
36 trative code of the city of New York, as amended by section 3 of subpart  
37 C of part GG of chapter 59 of the laws of 2014, is amended to read as  
38 follows:

39 (1) Application for benefits pursuant to this part may be made imme-  
40 diately following the effective date of the local law that added this  
41 section and continuing until March first, two thousand [seventeen] NINE-  
42 TEEN.

43 S 60. Subdivision c of section 11-271 of the administrative code of  
44 the city of New York, as amended by section 4 of subpart C of part GG of  
45 chapter 59 of the laws of 2014, is amended to read as follows:

46 c. (1) No benefits pursuant to this part shall be granted for  
47 construction work performed pursuant to a building permit issued after  
48 April first, two thousand [seventeen] NINETEEN.

49 (2) If no building permit was required, then no benefits pursuant to  
50 this part shall be granted for construction work that is commenced after  
51 April first, two thousand [seventeen] NINETEEN.

52 S 60-a. Subparagraph (A) of paragraph 2 of subdivision (f) of section  
53 11-1706 of the administrative code of the city of New York, as added by  
54 chapter 4 of the laws of 2013, is amended to read as follows:

1 (A) Subject to the limitations set forth in subparagraphs (B) and (C)  
2 of this paragraph, the credit allowed to a taxpayer for a taxable year  
3 under this subdivision shall be determined as follows:

4 (i) For taxable years beginning on or after January first, two thou-  
5 sand fourteen and before July first, two thousand [fifteen] NINETEEN:

6 (I) If the city taxable income is thirty-five thousand dollars or  
7 less, the amount of the credit shall be one hundred percent of the  
8 amount determined in paragraph three of this subdivision.

9 (II) If the city taxable income is greater than thirty-five thousand  
10 dollars but less than one hundred thousand dollars, the amount of the  
11 credit shall be a percentage of the amount determined in paragraph three  
12 of this subdivision, such percentage to be determined by subtracting  
13 from one hundred percent, a percentage determined by subtracting thir-  
14 ty-five thousand dollars from city taxable income, dividing the result  
15 by sixty-five thousand dollars and multiplying by one hundred percent.

16 (III) If the city taxable income is one hundred thousand dollars or  
17 greater, no credit shall be allowed.

18 (IV) Provided further that for any taxable year of a taxpayer for  
19 which this credit is effective that encompasses days occurring after  
20 June thirtieth, two thousand [fifteen] NINETEEN, the amount of the cred-  
21 it determined in item (I) or (II) of this clause shall be multiplied by  
22 a fraction, the numerator of which is the number of days in the taxpay-  
23 er's taxable year occurring on or before June thirtieth, two thousand  
24 [fifteen] NINETEEN, and the denominator of which is the number of days  
25 in the taxpayer's taxable year.

26 S 61. Paragraphs (a) and (b) of subdivision 2 of section 467-a of the  
27 real property tax law, as amended by chapter 4 of the laws of 2013, are  
28 amended to read as follows:

29 (a) In a city having a population of one million or more, dwelling  
30 units owned by unit owners who, as of the applicable taxable status  
31 date, own no more than three dwelling units in any one property held in  
32 the condominium form of ownership, shall be eligible to receive a  
33 partial abatement of real property taxes, as set forth in paragraphs  
34 (c), (d), (d-1), (d-2), (d-3), (d-4), (d-5) and (d-6) of this subdivi-  
35 sion; provided, however, that a property held in the condominium form of  
36 ownership that is receiving complete or partial real property tax  
37 exemption or tax abatement pursuant to any other provision of this chap-  
38 ter or any other state or local law, except as provided in paragraph (f)  
39 of this subdivision, shall not be eligible to receive a partial abate-  
40 ment pursuant to this section; and provided, further, that sponsors  
41 shall not be eligible to receive a partial abatement pursuant to this  
42 section; and provided, further, that in the fiscal [year] YEARS commenc-  
43 ing in calendar years two thousand twelve, two thousand thirteen, [or]  
44 two thousand fourteen, TWO THOUSAND FIFTEEN, TWO THOUSAND SIXTEEN, TWO  
45 THOUSAND SEVENTEEN OR TWO THOUSAND EIGHTEEN no more than a maximum of  
46 three dwelling units owned by any unit owner in a single building, one  
47 of which must be the primary residence of such unit owner, shall be  
48 eligible to receive a partial abatement pursuant to paragraphs (d-1),  
49 (d-2), (d-3) and (d-4) of this [section] SUBDIVISION.

50 (b) In a city having a population of one million or more, dwelling  
51 units owned by tenant-stockholders who, as of the applicable taxable  
52 status date, own no more than three dwelling units in any one property  
53 held in the cooperative form of ownership, shall be eligible to receive  
54 a partial abatement of real property taxes, as set forth in paragraphs  
55 (c), (d), (d-1), (d-2), (d-3), (d-4), (d-5) and (d-6) of this subdivi-  
56 sion; provided, however, that a property held in the cooperative form of

1 ownership that is receiving complete or partial real property tax  
2 exemption or tax abatement pursuant to any other provision of this chap-  
3 ter or any other state or local law, except as provided in paragraph (f)  
4 of this subdivision, shall not be eligible to receive a partial abate-  
5 ment pursuant to this section; and provided, further, that sponsors  
6 shall not be eligible to receive a partial abatement pursuant to this  
7 section; and provided, further, that in the fiscal [year] YEARS commenc-  
8 ing in calendar years two thousand twelve, two thousand thirteen [or],  
9 two thousand fourteen, TWO THOUSAND FIFTEEN, TWO THOUSAND SIXTEEN, TWO  
10 THOUSAND SEVENTEEN OR TWO THOUSAND EIGHTEEN no more than a maximum of  
11 three dwelling units owned by any tenant-stockholder in a single build-  
12 ing, one of which must be the primary residence of such tenant-stock-  
13 holder, shall be eligible to receive a partial abatement pursuant to  
14 paragraphs (d-1), (d-2), (d-3) and (d-4) of this [section] SUBDIVISION.  
15 For purposes of this section, a tenant-stockholder of a cooperative  
16 apartment corporation shall be deemed to own the dwelling unit which is  
17 represented by his or her shares of stock in such corporation. Any  
18 abatement so granted shall be credited by the appropriate taxing author-  
19 ity against the tax due on the property as a whole. The reduction in  
20 real property taxes received thereby shall be credited by the cooper-  
21 ative apartment corporation against the amount of such taxes attribut-  
22 able to eligible dwelling units at the time of receipt.

23 S 62. Paragraphs (d-1), (d-2), (d-3) and (d-4) of subdivision 2 of  
24 section 467-a of the real property tax law, as added by chapter 4 of the  
25 laws of 2013, are amended to read as follows:

26 (d-1) In the fiscal years commencing in calendar [year] YEARS two  
27 thousand twelve, two thousand thirteen and two thousand fourteen, eligi-  
28 ble dwelling units in property whose average unit assessed value is less  
29 than or equal to fifty thousand dollars shall receive a partial abate-  
30 ment of the real property taxes attributable to or due on such dwelling  
31 units of twenty-five percent, twenty-six and one-half percent and twen-  
32 ty-eight and one-tenth percent respectively. IN THE FISCAL YEARS  
33 COMMENCING IN CALENDAR YEARS TWO THOUSAND FIFTEEN, TWO THOUSAND SIXTEEN,  
34 TWO THOUSAND SEVENTEEN AND TWO THOUSAND EIGHTEEN ELIGIBLE DWELLING UNITS  
35 IN PROPERTY WHOSE AVERAGE UNIT ASSESSED VALUE IS LESS THAN OR EQUAL TO  
36 FIFTY THOUSAND DOLLARS SHALL RECEIVE A PARTIAL ABATEMENT OF THE REAL  
37 PROPERTY TAXES ATTRIBUTABLE TO OR DUE ON SUCH DWELLING UNITS OF TWENTY-  
38 EIGHT AND ONE-TENTH PERCENT.

39 (d-2) In the fiscal years commencing in calendar [year] YEARS two  
40 thousand twelve, two thousand thirteen and two thousand fourteen, eligi-  
41 ble dwelling units in property whose average unit assessed value is more  
42 than fifty thousand dollars, but less than or equal to fifty-five thou-  
43 sand dollars, shall receive a partial abatement of the real property  
44 taxes attributable to or due on such dwelling units of twenty-two and  
45 one-half percent, twenty-three and eight-tenths percent and twenty-five  
46 and two-tenths percent respectively. IN THE FISCAL YEARS COMMENCING IN  
47 CALENDAR YEARS TWO THOUSAND FIFTEEN, TWO THOUSAND SIXTEEN, TWO THOUSAND  
48 SEVENTEEN AND TWO THOUSAND EIGHTEEN ELIGIBLE DWELLING UNITS IN PROPERTY  
49 WHOSE AVERAGE UNIT ASSESSED VALUE IS MORE THAN FIFTY THOUSAND DOLLARS,  
50 BUT LESS THAN OR EQUAL TO FIFTY-FIVE THOUSAND DOLLARS, SHALL RECEIVE A  
51 PARTIAL ABATEMENT OF THE REAL PROPERTY TAXES ATTRIBUTABLE TO OR DUE ON  
52 SUCH DWELLING UNITS OF TWENTY-FIVE AND TWO-TENTHS PERCENT.

53 (d-3) In the fiscal years commencing in calendar [year] YEARS two  
54 thousand twelve, two thousand thirteen and two thousand fourteen, eligi-  
55 ble dwelling units in property whose average unit assessed value is more  
56 than fifty-five thousand dollars, but less than or equal to sixty thou-



1 sand dollars, shall receive a partial abatement of the real property  
2 taxes attributable to or due on such dwelling units of twenty percent,  
3 twenty-one and two-tenths percent, and twenty-two and five-tenths  
4 percent respectively. IN THE FISCAL YEARS COMMENCING IN CALENDAR YEARS  
5 TWO THOUSAND FIFTEEN, TWO THOUSAND SIXTEEN, TWO THOUSAND SEVENTEEN AND  
6 TWO THOUSAND EIGHTEEN ELIGIBLE DWELLING UNITS IN PROPERTY WHOSE AVERAGE  
7 UNIT ASSESSED VALUE IS MORE THAN FIFTY-FIVE THOUSAND DOLLARS, BUT LESS  
8 THAN OR EQUAL TO SIXTY THOUSAND DOLLARS, SHALL RECEIVE A PARTIAL ABATE-  
9 MENT OF THE REAL PROPERTY TAXES ATTRIBUTABLE TO OR DUE ON SUCH DWELLING  
10 UNITS OF TWENTY-TWO AND FIVE-TENTHS PERCENT.

11 (d-4) In the fiscal years commencing in calendar [year] YEARS two  
12 thousand twelve, two thousand thirteen [and], two thousand fourteen, TWO  
13 THOUSAND FIFTEEN, TWO THOUSAND SIXTEEN, TWO THOUSAND SEVENTEEN AND TWO  
14 THOUSAND EIGHTEEN, eligible dwelling units in property whose average  
15 unit assessed value is more than sixty thousand dollars shall receive a  
16 partial abatement of the real property taxes attributable to or due on  
17 such dwelling units of seventeen and one-half percent.

18 S 63. Paragraph (a) of subdivision 3 of section 467-a of the real  
19 property tax law, as amended by chapter 4 of the laws of 2013, is  
20 amended to read as follows:

21 (a) An application for an abatement pursuant to this section for the  
22 fiscal year commencing in calendar year nineteen hundred ninety-six  
23 shall be made no later than the fifteenth day of September, nineteen  
24 hundred ninety-six. An application for an abatement pursuant to this  
25 section for the fiscal year commencing in calendar year nineteen hundred  
26 ninety-seven shall be made no later than the first day of April, nine-  
27 teen hundred ninety-seven. An application for an abatement pursuant to  
28 this section for the fiscal year commencing in calendar year nineteen  
29 hundred ninety-eight shall be made no later than the first day of April,  
30 nineteen hundred ninety-eight. An application for an abatement pursuant  
31 to this section for the fiscal year commencing in calendar year nineteen  
32 hundred ninety-nine shall be made in accordance with this subdivision  
33 and subdivision three-a of this section. An application for an abatement  
34 pursuant to this section for the fiscal year commencing in calendar year  
35 two thousand shall be made no later than the fifteenth day of February,  
36 two thousand. An application for an abatement pursuant to this section  
37 for the fiscal year commencing in calendar year two thousand one shall  
38 be made in accordance with this subdivision and subdivision three-b of  
39 this section. An application for an abatement pursuant to this section  
40 for the fiscal year commencing in calendar year two thousand two shall  
41 be made no later than the fifteenth day of February, two thousand two.  
42 An application for an abatement pursuant to this section for the fiscal  
43 year commencing in calendar year two thousand three shall be made no  
44 later than the fifteenth day of February, two thousand three. An appli-  
45 cation for an abatement pursuant to this section for the fiscal year  
46 commencing in calendar year two thousand four shall be made in accord-  
47 ance with this subdivision and subdivision three-c of this section. An  
48 application for an abatement pursuant to this section for the fiscal  
49 year commencing in calendar year two thousand five shall be made no  
50 later than the fifteenth day of February, two thousand five. An applica-  
51 tion for an abatement pursuant to this section for the fiscal year  
52 commencing in calendar year two thousand six shall be made no later than  
53 the fifteenth day of February, two thousand six. An application for an  
54 abatement pursuant to this section for the fiscal year commencing in  
55 calendar year two thousand seven shall be made no later than the  
56 fifteenth day of February, two thousand seven. An application for abate-

1 ment pursuant to this section for the fiscal year commencing in calendar  
2 year two thousand eight shall be made in accordance with this subdivi-  
3 sion and subdivision three-d of this section. An application for an  
4 abatement pursuant to this section for the fiscal year commencing in  
5 calendar year two thousand nine shall be made no later than the  
6 fifteenth day of February, two thousand nine. An application for an  
7 abatement pursuant to this section for the fiscal year commencing in  
8 calendar year two thousand ten shall be made no later than the fifteenth  
9 day of February, two thousand ten. An application for an abatement  
10 pursuant to this section for the fiscal year commencing in calendar year  
11 two thousand eleven shall be made no later than the fifteenth day of  
12 February, two thousand eleven. An application for an abatement pursuant  
13 to this section for the fiscal years commencing in calendar years two  
14 thousand twelve and two thousand thirteen shall be made in accordance  
15 with subdivision three-e of this section. The date or dates by which  
16 applications for an abatement pursuant to this section shall be made for  
17 the fiscal [year] YEARS beginning in calendar [year] YEARS two thousand  
18 fourteen, TWO THOUSAND FIFTEEN, TWO THOUSAND SIXTEEN, TWO THOUSAND  
19 SEVENTEEN AND TWO THOUSAND EIGHTEEN shall be established by the commis-  
20 sioner of finance by rule, provided that such date or dates shall not be  
21 later than the fifteenth day of February for such calendar [year] YEARS.

22 S 63-a. Clause (A) of subparagraph (iv) of paragraph (a) of subdivi-  
23 sion 2 of section 421-a of the real property tax law, as amended by  
24 chapter 432 of the laws of 1998, the opening paragraph as amended by  
25 chapter 19 of the laws of 2015, is amended to read as follows:

26 (A) Unless excluded by local law, in the city of New York, the bene-  
27 fits of this subparagraph shall be available in the borough of Manhattan  
28 for new multiple dwellings on tax lots now existing or hereafter created  
29 south of or adjacent to either side of one hundred tenth street that  
30 commence construction after July first, nineteen hundred ninety-two and  
31 ON OR before [June twenty-third] DECEMBER THIRTY-FIRST, two thousand  
32 fifteen PROVIDED, HOWEVER, THAT SUCH A MULTIPLE DWELLING RECEIVES ITS  
33 FIRST TEMPORARY OR PERMANENT CERTIFICATE OF OCCUPANCY COVERING ALL RESI-  
34 DENTIAL AREAS ON OR BEFORE DECEMBER THIRTY-FIRST, TWO THOUSAND NINETEEN,  
35 AND SOLELY FOR PURPOSES OF DETERMINING WHETHER THIS CLAUSE APPLIES AND  
36 NOTWITHSTANDING ANY LOCAL LAW TO THE CONTRARY, "COMMENCE" SHALL MEAN THE  
37 DATE UPON WHICH EXCAVATION AND CONSTRUCTION OF INITIAL FOOTINGS AND  
38 FOUNDATIONS LAWFULLY BEGINS IN GOOD FAITH OR, FOR AN ELIGIBLE CONVER-  
39 SION, THE DATE UPON WHICH THE ACTUAL CONSTRUCTION OF THE CONVERSION,  
40 ALTERATION OR IMPROVEMENT OF THE PRE-EXISTING BUILDING OR STRUCTURE  
41 LAWFULLY BEGINS IN GOOD FAITH, only if:

42 a. the construction is carried out with the substantial assistance of  
43 grants, loans or subsidies from any federal, state or local agency or  
44 instrumentality, or

45 b. the local housing agency has imposed a requirement or has certified  
46 that twenty percent of the units are affordable to families of low and  
47 moderate income.

48 S 63-b. Subparagraph (ii) of paragraph (c) of subdivision 2 of section  
49 421-a of the real property tax law, as amended chapter 19 of the laws of  
50 2015, is amended to read as follows:

51 (ii) construction is commenced after January first, nineteen hundred  
52 seventy-five and ON OR before [June twenty-third] DECEMBER THIRTY-FIRST,  
53 two thousand fifteen provided, however, that (A) SUCH A MULTIPLE DWELL-  
54 ING RECEIVES ITS FIRST TEMPORARY OR PERMANENT CERTIFICATE OF OCCUPANCY  
55 COVERING ALL RESIDENTIAL AREAS ON OR BEFORE DECEMBER THIRTY-FIRST, TWO  
56 THOUSAND NINETEEN, (B) SOLELY FOR PURPOSES OF DETERMINING WHETHER THIS

SUBPARAGRAPH APPLIES AND NOTWITHSTANDING ANY LOCAL LAW TO THE CONTRARY, "COMMENCE" SHALL MEAN THE DATE UPON WHICH EXCAVATION AND CONSTRUCTION OF INITIAL FOOTINGS AND FOUNDATIONS LAWFULLY BEGINS IN GOOD FAITH OR, FOR AN ELIGIBLE CONVERSION, THE DATE UPON WHICH THE ACTUAL CONSTRUCTION OF THE CONVERSION, ALTERATION OR IMPROVEMENT OF THE PRE-EXISTING BUILDING OR STRUCTURE LAWFULLY BEGINS IN GOOD FAITH, AND (C) such commencement period shall not apply to multiple dwellings eligible for benefits under subparagraph (iv) of paragraph (a) of this subdivision;

S 63-c. Section 421-a of the real property tax law is amended by adding three new subdivisions 16, 16-a' and 17 to read as follows:

16. (A) DEFINITIONS. FOR THE PURPOSES OF THIS SUBDIVISION:

(I) "421-A BENEFITS" SHALL MEAN EXEMPTION FROM REAL PROPERTY TAXATION PURSUANT TO THIS SUBDIVISION.

(II) "AFFORDABILITY OPTION A" SHALL MEAN THAT, WITHIN ANY ELIGIBLE SITE: (A) NOT LESS THAN TEN PERCENT OF THE DWELLING UNITS ARE AFFORDABLE HOUSING FORTY PERCENT UNITS; (B) NOT LESS THAN AN ADDITIONAL TEN PERCENT OF THE DWELLING UNITS ARE AFFORDABLE HOUSING SIXTY PERCENT UNITS; (C) NOT LESS THAN AN ADDITIONAL FIVE PERCENT OF THE DWELLING UNITS ARE AFFORDABLE HOUSING ONE HUNDRED THIRTY PERCENT UNITS; AND (D) SUCH ELIGIBLE SITE IS DEVELOPED WITHOUT THE SUBSTANTIAL ASSISTANCE OF GRANTS, LOANS OR SUBSIDIES PROVIDED BY A FEDERAL, STATE OR LOCAL GOVERNMENTAL AGENCY OR INSTRUMENTALITY PURSUANT TO A PROGRAM FOR THE DEVELOPMENT OF AFFORDABLE HOUSING, EXCEPT THAT SUCH ELIGIBLE SITE MAY RECEIVE TAX EXEMPT BOND PROCEEDS AND FOUR PERCENT TAX CREDITS.

(III) "AFFORDABILITY OPTION B" SHALL MEAN THAT, WITHIN ANY ELIGIBLE SITE, (A) NOT LESS THAN TEN PERCENT OF THE DWELLING UNITS ARE AFFORDABLE HOUSING SEVENTY PERCENT UNITS, AND (B) NOT LESS THAN AN ADDITIONAL TWENTY PERCENT OF THE DWELLING UNITS ARE AFFORDABLE HOUSING ONE HUNDRED THIRTY PERCENT UNITS.

(IV) "AFFORDABILITY OPTION C" SHALL MEAN THAT, WITHIN ANY ELIGIBLE SITE EXCLUDING THE GEOGRAPHIC AREA SOUTH OF NINETY-SIXTH STREET IN THE BOROUGH OF MANHATTAN, AND ALL OTHER GEOGRAPHIC AREAS IN THE CITY OF NEW YORK EXCLUDED PURSUANT TO LOCAL LAW, (A) NOT LESS THAN THIRTY PERCENT OF THE DWELLING UNITS ARE AFFORDABLE HOUSING ONE HUNDRED THIRTY PERCENT UNITS, AND (B) SUCH ELIGIBLE SITE IS DEVELOPED WITHOUT THE SUBSTANTIAL ASSISTANCE OF GRANTS, LOANS OR SUBSIDIES PROVIDED BY A FEDERAL, STATE OR LOCAL GOVERNMENTAL AGENCY OR INSTRUMENTALITY PURSUANT TO A PROGRAM FOR THE DEVELOPMENT OF AFFORDABLE HOUSING.

(V) "AFFORDABILITY OPTION D" SHALL ONLY APPLY TO A HOMEOWNERSHIP PROJECT, OF WHICH ONE HUNDRED PERCENT OF THE UNITS SHALL HAVE AN AVERAGE ASSESSED VALUE NOT TO EXCEED SIXTY-FIVE THOUSAND DOLLARS UPON THE FIRST ASSESSMENT FOLLOWING THE COMPLETION DATE AND WHERE EACH OWNER OF ANY SUCH UNIT SHALL AGREE, IN WRITING, TO MAINTAIN SUCH UNIT AS THEIR PRIMARY RESIDENCE FOR NO LESS THAN FIVE YEARS FROM THE ACQUISITION OF SUCH UNIT.

(VI) "AFFORDABILITY PERCENTAGE" SHALL MEAN A FRACTION, THE NUMERATOR OF WHICH IS THE NUMBER OF AFFORDABLE HOUSING UNITS IN AN ELIGIBLE SITE AND THE DENOMINATOR OF WHICH IS THE TOTAL NUMBER OF DWELLING UNITS IN SUCH ELIGIBLE SITE.

(VII) "AFFORDABLE HOUSING FORTY PERCENT UNIT" SHALL MEAN A DWELLING UNIT THAT: (A) IS SITUATED WITHIN THE ELIGIBLE SITE FOR WHICH 421-A BENEFITS ARE GRANTED; AND (B) UPON INITIAL RENTAL AND UPON EACH SUBSEQUENT RENTAL FOLLOWING A VACANCY DURING THE RESTRICTION PERIOD, IS AFFORDABLE TO AND RESTRICTED TO OCCUPANCY BY INDIVIDUALS OR FAMILIES WHOSE HOUSEHOLD INCOME DOES NOT EXCEED FORTY PERCENT OF THE AREA MEDIAN

1 INCOME, ADJUSTED FOR FAMILY SIZE, AT THE TIME THAT SUCH HOUSEHOLD  
2 INITIALLY OCCUPIES SUCH DWELLING UNIT.

3 (VIII) "AFFORDABLE HOUSING SIXTY PERCENT UNIT" SHALL MEAN A DWELLING  
4 UNIT THAT: (A) IS SITUATED WITHIN THE ELIGIBLE SITE FOR WHICH 421-A  
5 BENEFITS ARE GRANTED; AND (B) UPON INITIAL RENTAL AND UPON EACH SUBSE-  
6 QUENT RENTAL FOLLOWING A VACANCY DURING THE RESTRICTION PERIOD, IS  
7 AFFORDABLE TO AND RESTRICTED TO OCCUPANCY BY INDIVIDUALS OR FAMILIES  
8 WHOSE HOUSEHOLD INCOME DOES NOT EXCEED SIXTY PERCENT OF THE AREA MEDIAN  
9 INCOME, ADJUSTED FOR FAMILY SIZE, AT THE TIME THAT SUCH HOUSEHOLD  
10 INITIALLY OCCUPIES SUCH DWELLING UNIT.

11 (IX) "AFFORDABLE HOUSING SEVENTY PERCENT UNIT" SHALL MEAN A DWELLING  
12 UNIT THAT: (A) IS SITUATED WITHIN THE ELIGIBLE SITE FOR WHICH 421-A  
13 BENEFITS ARE GRANTED; AND (B) UPON INITIAL RENTAL AND UPON EACH SUBSE-  
14 QUENT RENTAL FOLLOWING A VACANCY DURING THE RESTRICTION PERIOD, IS  
15 AFFORDABLE TO AND RESTRICTED TO OCCUPANCY BY INDIVIDUALS OR FAMILIES  
16 WHOSE HOUSEHOLD INCOME DOES NOT EXCEED SEVENTY PERCENT OF THE AREA MEDI-  
17 AN INCOME, ADJUSTED FOR FAMILY SIZE, AT THE TIME THAT SUCH HOUSEHOLD  
18 INITIALLY OCCUPIES SUCH DWELLING UNIT.

19 (X) "AFFORDABLE HOUSING ONE HUNDRED THIRTY PERCENT UNIT" SHALL MEAN A  
20 DWELLING UNIT THAT: (A) IS SITUATED WITHIN THE ELIGIBLE SITE FOR WHICH  
21 421-A BENEFITS ARE GRANTED; AND (B) UPON INITIAL RENTAL AND UPON EACH  
22 SUBSEQUENT RENTAL FOLLOWING A VACANCY DURING THE RESTRICTION PERIOD, IS  
23 AFFORDABLE TO AND RESTRICTED TO OCCUPANCY BY INDIVIDUALS OR FAMILIES  
24 WHOSE HOUSEHOLD INCOME DOES NOT EXCEED ONE HUNDRED THIRTY PERCENT OF THE  
25 AREA MEDIAN INCOME, ADJUSTED FOR FAMILY SIZE, AT THE TIME THAT SUCH  
26 HOUSEHOLD INITIALLY OCCUPIES SUCH DWELLING UNIT.

27 (XI) "AFFORDABLE HOUSING UNIT" SHALL MEAN, COLLECTIVELY AND INDIVID-  
28 UALLY, AFFORDABLE HOUSING FORTY PERCENT UNITS, AFFORDABLE HOUSING SIXTY  
29 PERCENT UNITS, AFFORDABLE HOUSING SEVENTY PERCENT UNITS, AND AFFORDABLE  
30 HOUSING ONE HUNDRED THIRTY PERCENT UNITS.

31 (XII) "AGENCY" SHALL MEAN THE DEPARTMENT OF HOUSING PRESERVATION AND  
32 DEVELOPMENT.

33 (XIII) "APPLICATION" SHALL MEAN AN APPLICATION FOR 421-A BENEFITS.

34 (XIV) "BUILDING SERVICE EMPLOYEE" SHALL MEAN ANY PERSON WHO IS REGU-  
35 LARLY EMPLOYED AT, AND PERFORMS WORK IN CONNECTION WITH THE CARE OR  
36 MAINTENANCE OF, AN ELIGIBLE SITE, INCLUDING, BUT NOT LIMITED TO, A  
37 WATCHMAN, GUARD, DOORMAN, BUILDING CLEANER, PORTER, HANDYMAN, JANITOR,  
38 GARDENER, GROUNDSKEEPER, ELEVATOR OPERATOR AND STARTER, AND WINDOW  
39 CLEANER, BUT NOT INCLUDING PERSONS REGULARLY SCHEDULED TO WORK FEWER  
40 THAN EIGHT HOURS PER WEEK AT THE ELIGIBLE SITE.

41 (XV) "COMMENCEMENT DATE" SHALL MEAN, WITH RESPECT TO ANY ELIGIBLE  
42 MULTIPLE DWELLING, THE DATE UPON WHICH EXCAVATION AND CONSTRUCTION OF  
43 INITIAL FOOTINGS AND FOUNDATIONS LAWFULLY BEGINS IN GOOD FAITH OR, FOR  
44 AN ELIGIBLE CONVERSION, THE DATE UPON WHICH THE ACTUAL CONSTRUCTION OF  
45 THE CONVERSION, ALTERATION OR IMPROVEMENT OF THE PRE-EXISTING BUILDING  
46 OR STRUCTURE LAWFULLY BEGINS IN GOOD FAITH.

47 (XVI) "COMPLETION DATE" SHALL MEAN THE DATE UPON WHICH THE LOCAL  
48 DEPARTMENT OF BUILDINGS ISSUES THE FIRST TEMPORARY OR PERMANENT CERTIF-  
49 ICATE OF OCCUPANCY COVERING ALL RESIDENTIAL AREAS OF AN ELIGIBLE MULTI-  
50 PLE DWELLING.

51 (XVII) "CONSTRUCTION PERIOD" SHALL MEAN, WITH RESPECT TO ANY ELIGIBLE  
52 MULTIPLE DWELLING, A PERIOD: (A) BEGINNING ON THE LATER OF THE COMMENCE-  
53 MENT DATE OF SUCH ELIGIBLE MULTIPLE DWELLING OR THREE YEARS BEFORE THE  
54 COMPLETION DATE OF SUCH ELIGIBLE MULTIPLE DWELLING; AND (B) ENDING ON  
55 THE DAY PRECEDING THE COMPLETION DATE OF SUCH ELIGIBLE MULTIPLE DWELL-  
56 ING.

(XVIII) "ELIGIBLE CONVERSION" SHALL MEAN THE CONVERSION, ALTERATION OR IMPROVEMENT OF A PRE-EXISTING BUILDING OR STRUCTURE RESULTING IN A MULTIPLE DWELLING IN WHICH NO MORE THAN FORTY-NINE PERCENT OF THE FLOOR AREA CONSISTS OF SUCH PRE-EXISTING BUILDING OR STRUCTURE.

(XIX) "ELIGIBLE MULTIPLE DWELLING" SHALL MEAN A MULTIPLE DWELLING OR HOMEOWNERSHIP PROJECT CONTAINING SIX OR MORE DWELLING UNITS CREATED THROUGH NEW CONSTRUCTION OR ELIGIBLE CONVERSION FOR WHICH THE COMMENCEMENT DATE IS AFTER DECEMBER THIRTY-FIRST, TWO THOUSAND FIFTEEN AND ON OR BEFORE JUNE FIFTEENTH, TWO THOUSAND NINETEEN, AND FOR WHICH THE COMPLETION DATE IS ON OR BEFORE JUNE FIFTEENTH, TWO THOUSAND TWENTY-THREE.

(XX) "ELIGIBLE SITE" SHALL MEAN EITHER: (A) A TAX LOT CONTAINING AN ELIGIBLE MULTIPLE DWELLING; OR (B) A ZONING LOT CONTAINING TWO OR MORE ELIGIBLE MULTIPLE DWELLINGS THAT ARE PART OF A SINGLE APPLICATION.

(XXI) "FISCAL OFFICER" SHALL MEAN THE COMPTROLLER OR OTHER ANALOGOUS OFFICER IN A CITY HAVING A POPULATION OF ONE MILLION OR MORE.

(XXII) "FLOOR AREA" SHALL MEAN THE HORIZONTAL AREAS OF THE SEVERAL FLOORS, OR ANY PORTION THEREOF, OF A DWELLING OR DWELLINGS, AND ACCESSORY STRUCTURES ON A LOT MEASURED FROM THE EXTERIOR FACES OF EXTERIOR WALLS, OR FROM THE CENTER LINE OF PARTY WALLS.

(XXIII) "FOUR PERCENT TAX CREDITS" SHALL MEAN FEDERAL LOW INCOME HOUSING TAX CREDITS COMPUTED IN ACCORDANCE WITH CLAUSE (II) OF SUBPARAGRAPH (B) OF PARAGRAPH (1) OF SUBSECTION (B) OF SECTION FORTY-TWO OF THE INTERNAL REVENUE CODE OF NINETEEN HUNDRED EIGHTY-SIX, AS AMENDED.

(XXIV) "HOMEOWNERSHIP PROJECT" SHALL MEAN A MULTIPLE DWELLING OR PORTION THEREOF OPERATED AS CONDOMINIUM OR COOPERATIVE HOUSING, HOWEVER, IT SHALL NOT INCLUDE A MULTIPLE DWELLING OR PORTION THEREOF OPERATED AS COOPERATIVE OR CONDOMINIUM HOUSING LOCATED WITHIN THE BOROUGH OF MANHATTAN, AND SHALL NOT INCLUDE A MULTIPLE DWELLING THAT CONTAINS MORE THAN THIRTY-FIVE UNITS.

(XXV) "MARKET UNIT" SHALL MEAN A DWELLING UNIT IN AN ELIGIBLE MULTIPLE DWELLING OTHER THAN AN AFFORDABLE HOUSING UNIT.

(XXVI) "MULTIPLE DWELLING" SHALL HAVE THE MEANING SET FORTH IN THE MULTIPLE DWELLING LAW.

(XXVII) "NON-RESIDENTIAL TAX LOT" SHALL MEAN A TAX LOT THAT DOES NOT CONTAIN ANY DWELLING UNITS.

(XXVIII) "RENT STABILIZATION" SHALL MEAN, COLLECTIVELY, THE RENT STABILIZATION LAW OF NINETEEN HUNDRED SIXTY-NINE, THE RENT STABILIZATION CODE, AND THE EMERGENCY TENANT PROTECTION ACT OF NINETEEN SEVENTY-FOUR, ALL AS IN EFFECT AS OF THE EFFECTIVE DATE OF THE CHAPTER OF THE LAWS OF TWO THOUSAND FIFTEEN THAT ADDED THIS SUBDIVISION OR AS AMENDED THEREAFTER, TOGETHER WITH ANY SUCCESSOR STATUTES OR REGULATIONS ADDRESSING SUBSTANTIALLY THE SAME SUBJECT MATTER.

(XXIX) "RENTAL PROJECT" SHALL MEAN AN ELIGIBLE SITE IN WHICH ALL DWELLING UNITS INCLUDED IN ANY APPLICATION ARE OPERATED AS RENTAL HOUSING.

(XXX) "RESIDENTIAL TAX LOT" SHALL MEAN A TAX LOT THAT CONTAINS DWELLING UNITS.

(XXXI) "RESTRICTION PERIOD" SHALL MEAN A PERIOD COMMENCING ON THE COMPLETION DATE AND EXPIRING ON THE THIRTY-FIFTH ANNIVERSARY OF THE COMPLETION DATE, NOTWITHSTANDING ANY EARLIER TERMINATION OR REVOCATION OF 421-A BENEFITS.

(XXXII) "TAX EXEMPT BOND PROCEEDS" SHALL MEAN THE PROCEEDS OF AN EXEMPT FACILITY BOND, AS DEFINED IN PARAGRAPH (7) OF SUBSECTION (A) OF SECTION ONE HUNDRED FORTY-TWO OF THE INTERNAL REVENUE CODE OF NINETEEN HUNDRED EIGHTY-SIX, AS AMENDED, THE INTEREST UPON WHICH IS EXEMPT FROM TAXATION

1 UNDER SECTION ONE HUNDRED THREE OF THE INTERNAL REVENUE CODE OF NINETEEN  
2 HUNDRED EIGHTY-SIX, AS AMENDED.

3 (XXXIII) "THIRTY-FIVE YEAR BENEFIT" SHALL MEAN: (A) FOR THE  
4 CONSTRUCTION PERIOD, A ONE HUNDRED PERCENT EXEMPTION FROM REAL PROPERTY  
5 TAXATION, OTHER THAN ASSESSMENTS FOR LOCAL IMPROVEMENTS; (B) FOR THE  
6 FIRST TWENTY-FIVE YEARS OF THE RESTRICTION PERIOD, A ONE HUNDRED PERCENT  
7 EXEMPTION FROM REAL PROPERTY TAXATION, OTHER THAN ASSESSMENTS FOR LOCAL  
8 IMPROVEMENTS; AND (C) FOR THE FINAL TEN YEARS OF THE RESTRICTION PERIOD,  
9 AN EXEMPTION FROM REAL PROPERTY TAXATION, OTHER THAN ASSESSMENTS FOR  
10 LOCAL IMPROVEMENTS, EQUAL TO THE AFFORDABILITY PERCENTAGE.

11 (XXXIV) "TWENTY YEAR BENEFIT" SHALL MEAN: (A) FOR THE CONSTRUCTION  
12 PERIOD, A ONE HUNDRED PERCENT EXEMPTION FROM REAL PROPERTY TAXATION,  
13 OTHER THAN ASSESSMENTS FOR LOCAL IMPROVEMENTS; (B) FOR THE FIRST FOUR-  
14 TEEN YEARS OF THE RESTRICTION PERIOD, A ONE HUNDRED PERCENT EXEMPTION  
15 FROM REAL PROPERTY TAXATION, OTHER THAN ASSESSMENTS FOR LOCAL IMPROVE-  
16 MENTS, PROVIDED, HOWEVER, THAT NO EXEMPTION SHALL BE GIVEN FOR ANY  
17 PORTION OF A UNIT'S ASSESSED VALUE THAT EXCEEDS \$65,000; AND (C) FOR THE  
18 FINAL SIX YEARS OF THE RESTRICTION PERIOD, A TWENTY-FIVE PERCENT  
19 EXEMPTION FROM REAL PROPERTY TAXATION, OTHER THAN ASSESSMENTS FOR LOCAL  
20 IMPROVEMENTS, PROVIDED, HOWEVER, THAT NO EXEMPTION SHALL BE GIVEN FOR  
21 ANY PORTION OF A UNIT'S ASSESSED VALUE THAT EXCEEDS \$65,000.

22 (B) BENEFIT. IN CITIES HAVING A POPULATION OF ONE MILLION OR MORE,  
23 NOTWITHSTANDING THE PROVISIONS OF ANY OTHER SUBDIVISION OF THIS SECTION  
24 OR OF ANY GENERAL, SPECIAL OR LOCAL LAW TO THE CONTRARY, NEW ELIGIBLE  
25 SITES, EXCEPT HOTELS, THAT COMPLY WITH THE PROVISIONS OF THIS SUBDIVI-  
26 SION SHALL BE EXEMPT FROM REAL PROPERTY TAXATION, OTHER THAN ASSESSMENTS  
27 FOR LOCAL IMPROVEMENTS, IN THE AMOUNTS AND FOR THE PERIODS SPECIFIED IN  
28 THIS PARAGRAPH. A RENTAL PROJECT THAT MEETS ALL OF THE REQUIREMENTS OF  
29 THIS SUBDIVISION SHALL RECEIVE A THIRTY-FIVE YEAR BENEFIT AND A HOMEOWN-  
30 ERSHIP PROJECT THAT MEETS ALL OF THE REQUIREMENTS OF THIS SUBDIVISION  
31 SHALL RECEIVE A TWENTY YEAR BENEFIT.

32 (C) TAX PAYMENTS. IN ADDITION TO ANY OTHER AMOUNTS PAYABLE PURSUANT TO  
33 THIS SUBDIVISION, THE OWNER OF ANY ELIGIBLE SITE RECEIVING 421-A BENE-  
34 FITS SHALL PAY, IN EACH TAX YEAR IN WHICH SUCH 421-A BENEFITS ARE IN  
35 EFFECT, REAL PROPERTY TAXES AND ASSESSMENTS AS FOLLOWS:

36 (I) WITH RESPECT TO EACH ELIGIBLE MULTIPLE DWELLING CONSTRUCTED ON  
37 SUCH ELIGIBLE SITE, REAL PROPERTY TAXES ON THE ASSESSED VALUATION OF  
38 SUCH LAND AND ANY IMPROVEMENTS THEREON IN EFFECT DURING THE TAX YEAR  
39 PRIOR TO THE COMMENCEMENT DATE OF SUCH ELIGIBLE MULTIPLE DWELLING, WITH-  
40 OUT REGARD TO ANY EXEMPTION FROM OR ABATEMENT OF REAL PROPERTY TAXATION  
41 IN EFFECT DURING SUCH TAX YEAR, WHICH REAL PROPERTY TAXES SHALL BE  
42 CALCULATED USING THE TAX RATE IN EFFECT AT THE TIME SUCH TAXES ARE DUE;  
43 AND

44 (II) ALL ASSESSMENTS FOR LOCAL IMPROVEMENTS.

45 (D) LIMITATION ON BENEFITS FOR NON-RESIDENTIAL SPACE. IF THE AGGREGATE  
46 FLOOR AREA OF COMMERCIAL, COMMUNITY FACILITY AND ACCESSORY USE SPACE IN  
47 AN ELIGIBLE SITE, OTHER THAN PARKING WHICH IS LOCATED NOT MORE THAN  
48 TWENTY-THREE FEET ABOVE THE CURB LEVEL, EXCEEDS TWELVE PERCENT OF THE  
49 AGGREGATE FLOOR AREA IN SUCH ELIGIBLE SITE, ANY 421-A BENEFITS SHALL BE  
50 REDUCED BY A PERCENTAGE EQUAL TO SUCH EXCESS. IF AN ELIGIBLE SITE  
51 CONTAINS MULTIPLE TAX LOTS, THE TAX ARISING OUT OF SUCH REDUCTION IN  
52 421-A BENEFITS SHALL FIRST BE APPORTIONED PRO RATA AMONG ANY NON-RESI-  
53 DENTIAL TAX LOTS. AFTER ANY SUCH NON-RESIDENTIAL TAX LOTS ARE FULLY  
54 TAXABLE, THE REMAINDER OF THE TAX ARISING OUT OF SUCH REDUCTION IN 421-A  
55 BENEFITS, IF ANY, SHALL BE APPORTIONED PRO RATA AMONG THE REMAINING  
56 RESIDENTIAL TAX LOTS.

1 (E) CALCULATION OF BENEFIT. BASED ON THE CERTIFICATION OF THE AGENCY  
2 CERTIFYING THE APPLICANT'S ELIGIBILITY FOR 421-A BENEFITS, THE ASSESSORS  
3 SHALL CERTIFY TO THE COLLECTING OFFICER THE AMOUNT OF TAXES TO BE  
4 EXEMPTED.

5 (F) AFFORDABILITY REQUIREMENTS. DURING THE RESTRICTION PERIOD, A  
6 RENTAL PROJECT SHALL COMPLY WITH EITHER AFFORDABILITY OPTION A, AFFORDA-  
7 BILITY OPTION B, OR AFFORDABILITY OPTION C OR FOR PURPOSES OF A HOMEOWN-  
8 ERSHIP PROJECT, SUCH PROJECT SHALL COMPLY WITH AFFORDABILITY OPTION D.  
9 SUCH ELECTION SHALL BE MADE IN THE APPLICATION AND SHALL NOT THEREAFTER  
10 BE CHANGED. THE RENTAL PROJECT SHALL ALSO COMPLY WITH ALL PROVISIONS OF  
11 THIS PARAGRAPH DURING THE RESTRICTION PERIOD AND WITH SUBPARAGRAPH (III)  
12 OF THIS PARAGRAPH BOTH DURING AND AFTER THE RESTRICTION PERIOD TO THE  
13 EXTENT PROVIDED IN SUCH SUBPARAGRAPH.

14 (I) AFFORDABLE UNITS SHALL SHARE THE SAME COMMON ENTRANCES AND COMMON  
15 AREAS AS MARKET RATE UNITS, AND SHALL NOT BE ISOLATED TO A SPECIFIC  
16 FLOOR OR AREA OF A BUILDING. COMMON ENTRANCES SHALL MEAN ANY AREA REGU-  
17 LARLY USED BY ANY RESIDENT FOR INGRESS AND EGRESS FROM A MULTIPLE DWELL-  
18 ING; AND

19 (II) UNLESS PREEMPTED BY THE REQUIREMENTS OF A FEDERAL, STATE OR LOCAL  
20 HOUSING PROGRAM, EITHER (A) THE AFFORDABLE HOUSING UNITS IN AN ELIGIBLE  
21 SITE SHALL HAVE A UNIT MIX PROPORTIONAL TO THE MARKET UNITS, OR (B) AT  
22 LEAST FIFTY PERCENT OF THE AFFORDABLE HOUSING UNITS IN AN ELIGIBLE SITE  
23 SHALL HAVE TWO OR MORE BEDROOMS AND NO MORE THAN TWENTY-FIVE PERCENT OF  
24 THE AFFORDABLE HOUSING UNITS SHALL HAVE LESS THAN ONE BEDROOM.

25 (III) NOTWITHSTANDING ANY PROVISION OF RENT STABILIZATION TO THE  
26 CONTRARY, ALL AFFORDABLE HOUSING UNITS SHALL BE FULLY SUBJECT TO RENT  
27 STABILIZATION DURING THE RESTRICTION PERIOD, PROVIDED THAT TENANTS HOLD-  
28 ING A LEASE AND IN OCCUPANCY OF SUCH AFFORDABLE HOUSING UNITS AT THE  
29 EXPIRATION OF THE RESTRICTION PERIOD SHALL HAVE THE RIGHT TO REMAIN AS  
30 RENT STABILIZED TENANTS FOR THE DURATION OF THEIR OCCUPANCY.

31 (IV) ALL RENT STABILIZATION REGISTRATIONS REQUIRED TO BE FILED PURSU-  
32 ANT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH SHALL CONTAIN A DESIGNATION  
33 THAT SPECIFICALLY IDENTIFIES AFFORDABLE HOUSING UNITS CREATED PURSUANT  
34 TO THIS SUBDIVISION AS "421-A AFFORDABLE HOUSING UNITS" AND SHALL  
35 CONTAIN AN EXPLANATION OF THE REQUIREMENTS THAT APPLY TO ALL SUCH  
36 AFFORDABLE HOUSING UNITS.

37 (V) FAILURE TO COMPLY WITH THE PROVISIONS OF THIS PARAGRAPH THAT  
38 REQUIRE THE CREATION, MAINTENANCE, RENT STABILIZATION COMPLIANCE AND  
39 OCCUPANCY OF AFFORDABLE HOUSING UNITS OR FOR PURPOSES OF A HOMEOWNERSHIP  
40 PROJECT THE FAILURE TO COMPLY WITH AFFORDABILITY OPTION D SHALL RESULT  
41 IN REVOCATION OF ANY 421-A BENEFITS FOR THE PERIOD OF SUCH NON-COMPLI-  
42 ANCE.

43 (VI) NOTHING IN THIS SUBDIVISION SHALL (A) PROHIBIT THE OCCUPANCY OF  
44 AN AFFORDABLE HOUSING UNIT BY INDIVIDUALS OR FAMILIES WHOSE INCOME AT  
45 ANY TIME IS LESS THAN THE MAXIMUM PERCENTAGE OF THE AREA MEDIAN INCOME,  
46 ADJUSTED FOR FAMILY SIZE, SPECIFIED FOR SUCH AFFORDABLE HOUSING UNIT  
47 PURSUANT TO THIS SUBDIVISION, OR (B) PROHIBIT THE OWNER OF AN ELIGIBLE  
48 SITE FROM REQUIRING, UPON INITIAL RENTAL OR UPON ANY RENTAL FOLLOWING A  
49 VACANCY, THE OCCUPANCY OF ANY AFFORDABLE HOUSING UNIT BY SUCH LOWER  
50 INCOME INDIVIDUALS OR FAMILIES.

51 (VII) FOLLOWING ISSUANCE OF A TEMPORARY CERTIFICATE OF OCCUPANCY AND  
52 UPON EACH VACANCY THEREAFTER, AN AFFORDABLE HOUSING UNIT SHALL PROMPTLY  
53 BE OFFERED FOR RENTAL BY INDIVIDUALS OR FAMILIES WHOSE INCOME DOES NOT  
54 EXCEED THE MAXIMUM PERCENTAGE OF THE AREA MEDIAN INCOME, ADJUSTED FOR  
55 FAMILY SIZE, SPECIFIED FOR SUCH AFFORDABLE HOUSING UNIT PURSUANT TO THIS  
56 SUBDIVISION AND WHO INTEND TO OCCUPY SUCH AFFORDABLE HOUSING UNIT AS

1 THEIR PRIMARY RESIDENCE. AN AFFORDABLE HOUSING UNIT SHALL NOT BE (A)  
2 RENTED TO A CORPORATION, PARTNERSHIP OR OTHER ENTITY, OR (B) HELD OFF  
3 THE MARKET FOR A PERIOD LONGER THAN IS REASONABLY NECESSARY TO PERFORM  
4 REPAIRS NEEDED TO MAKE SUCH AFFORDABLE HOUSING UNIT AVAILABLE FOR OCCU-  
5 PANCY.

6 (VIII) AN AFFORDABLE HOUSING UNIT SHALL NOT BE RENTED ON A TEMPORARY,  
7 TRANSIENT OR SHORT-TERM BASIS. EVERY LEASE AND RENEWAL THEREOF FOR AN  
8 AFFORDABLE HOUSING UNIT SHALL BE FOR A TERM OF ONE OR TWO YEARS, AT THE  
9 OPTION OF THE TENANT.

10 (IX) AN AFFORDABLE HOUSING UNIT SHALL NOT BE CONVERTED TO COOPERATIVE  
11 OR CONDOMINIUM OWNERSHIP.

12 (X) THE AGENCY MAY ESTABLISH BY RULE SUCH REQUIREMENTS AS THE AGENCY  
13 DEEMS NECESSARY OR APPROPRIATE FOR (A) THE MARKETING OF AFFORDABLE HOUS-  
14 ING UNITS, BOTH UPON INITIAL OCCUPANCY AND UPON ANY VACANCY, (B) MONI-  
15 TORING COMPLIANCE WITH THE PROVISIONS OF THIS PARAGRAPH AND (C) THE  
16 MARKETING AND MONITORING OF ANY HOMEOWNERSHIP PROJECT THAT IS GRANTED AN  
17 EXEMPTION PURSUANT TO THIS SUBDIVISION. SUCH REQUIREMENTS MAY INCLUDE,  
18 BUT NEED NOT BE LIMITED TO, RETAINING A MONITOR APPROVED BY THE AGENCY  
19 AND PAID FOR BY THE OWNER.

20 (XI) NOTWITHSTANDING ANY PROVISION OF THIS SUBDIVISION TO THE CONTRA-  
21 RY, A MARKET UNIT SHALL BE SUBJECT TO RENT STABILIZATION UNLESS, IN THE  
22 ABSENCE OF 421-A BENEFITS, THE OWNER WOULD BE ENTITLED TO REMOVE SUCH  
23 MARKET UNIT FROM RENT STABILIZATION UPON VACANCY BY REASON OF THE MONTH-  
24 LY RENT EXCEEDING ANY LIMIT ESTABLISHED THEREUNDER.

25 (G) BUILDING SERVICE EMPLOYEES. (I) FOR THE PURPOSES OF THIS PARA-  
26 GRAPH, "APPLICANT" SHALL MEAN AN APPLICANT FOR 421-A BENEFITS, ANY  
27 SUCCESSOR TO SUCH APPLICANT, OR ANY EMPLOYER OF BUILDING SERVICE EMPLOY-  
28 EES FOR SUCH APPLICANT, INCLUDING, BUT NOT LIMITED TO, A PROPERTY  
29 MANAGEMENT COMPANY OR CONTRACTOR.

30 (II) ALL BUILDING SERVICE EMPLOYEES EMPLOYED BY THE APPLICANT AT THE  
31 ELIGIBLE SITE SHALL RECEIVE THE APPLICABLE PREVAILING WAGE FOR THE  
32 ENTIRE RESTRICTION PERIOD.

33 (III) THE FISCAL OFFICER SHALL HAVE THE POWER TO ENFORCE THE  
34 PROVISIONS OF THIS PARAGRAPH. IN ENFORCING SUCH PROVISIONS, THE FISCAL  
35 OFFICER SHALL HAVE THE POWER:

36 (A) TO INVESTIGATE OR CAUSE AN INVESTIGATION TO BE MADE TO DETERMINE  
37 THE PREVAILING WAGES FOR BUILDING SERVICE EMPLOYEES; IN MAKING SUCH  
38 INVESTIGATION, THE FISCAL OFFICER MAY UTILIZE WAGE AND FRINGE BENEFIT  
39 DATA FROM VARIOUS SOURCES, INCLUDING, BUT NOT LIMITED TO, DATA AND  
40 DETERMINATIONS OF FEDERAL, STATE OR OTHER GOVERNMENTAL AGENCIES;

41 (B) TO INSTITUTE AND CONDUCT INSPECTIONS AT THE SITE OF THE WORK OR  
42 ELSEWHERE;

43 (C) TO EXAMINE THE BOOKS, DOCUMENTS AND RECORDS PERTAINING TO THE  
44 WAGES PAID TO, AND THE HOURS OF WORK PERFORMED BY, BUILDING SERVICE  
45 EMPLOYEES;

46 (D) TO HOLD HEARINGS AND, IN CONNECTION THEREWITH, TO ISSUE SUBPOENAS,  
47 ADMINISTER OATHS AND EXAMINE WITNESSES; THE ENFORCEMENT OF A SUBPOENA  
48 ISSUED UNDER THIS PARAGRAPH SHALL BE REGULATED BY THE CIVIL PRACTICE LAW  
49 AND RULES;

50 (E) TO MAKE A CLASSIFICATION BY CRAFT, TRADE OR OTHER GENERALLY RECOG-  
51 NIZED OCCUPATIONAL CATEGORY OF THE BUILDING SERVICE EMPLOYEES AND TO  
52 DETERMINE WHETHER SUCH WORK HAS BEEN PERFORMED BY THE BUILDING SERVICE  
53 EMPLOYEES IN SUCH CLASSIFICATION;

54 (F) TO REQUIRE THE APPLICANT TO FILE WITH THE FISCAL OFFICER A RECORD  
55 OF THE WAGES ACTUALLY PAID BY SUCH APPLICANT TO THE BUILDING SERVICE  
56 EMPLOYEES AND OF THEIR HOURS OF WORK;



1 (G) TO DELEGATE ANY OF THE FOREGOING POWERS TO HIS OR HER DEPUTY OR  
2 OTHER AUTHORIZED REPRESENTATIVE; AND

3 (H) TO PROMULGATE RULES AS HE OR SHE SHALL CONSIDER NECESSARY FOR THE  
4 PROPER EXECUTION OF THE DUTIES, RESPONSIBILITIES AND POWERS CONFERRED  
5 UPON HIM OR HER BY THE PROVISIONS OF THIS SUBPARAGRAPH.

6 (IV) IF THE FISCAL OFFICER FINDS THAT THE APPLICANT HAS FAILED TO  
7 COMPLY WITH THE PROVISIONS OF THIS PARAGRAPH, HE OR SHE SHALL PRESENT  
8 EVIDENCE OF SUCH NONCOMPLIANCE TO THE AGENCY.

9 (V) SUBPARAGRAPH (II) OF THIS PARAGRAPH SHALL NOT BE APPLICABLE TO:

10 (A) AN ELIGIBLE MULTIPLE DWELLING CONTAINING LESS THAN THIRTY DWELLING  
11 UNITS; OR

12 (B) AN ELIGIBLE MULTIPLE DWELLING IN WHICH ALL OF THE DWELLING UNITS  
13 ARE AFFORDABLE HOUSING UNITS AND NOT LESS THAN FIFTY PERCENT OF SUCH  
14 AFFORDABLE HOUSING UNITS, UPON INITIAL RENTAL AND UPON EACH SUBSEQUENT  
15 RENTAL FOLLOWING A VACANCY DURING THE RESTRICTION PERIOD, ARE AFFORDABLE  
16 TO AND RESTRICTED TO OCCUPANCY BY INDIVIDUALS OR FAMILIES WHOSE HOUSE-  
17 HOLD INCOME DOES NOT EXCEED ONE HUNDRED TWENTY-FIVE PERCENT OF THE AREA  
18 MEDIAN INCOME, ADJUSTED FOR FAMILY SIZE, AT THE TIME THAT SUCH HOUSEHOLD  
19 INITIALLY OCCUPIES SUCH DWELLING UNIT.

20 (H) REPLACEMENT RATIO. IF THE LAND ON WHICH AN ELIGIBLE SITE IS  
21 LOCATED CONTAINED ANY DWELLING UNITS THREE YEARS PRIOR TO THE COMMENCE-  
22 MENT DATE OF THE FIRST ELIGIBLE MULTIPLE DWELLING THEREON, THEN SUCH  
23 ELIGIBLE SITE SHALL CONTAIN AT LEAST ONE AFFORDABLE HOUSING UNIT FOR  
24 EACH DWELLING UNIT THAT EXISTED ON SUCH DATE AND WAS THEREAFTER DEMOL-  
25 IShed, REMOVED OR RECONFIGURED.

26 (I) CONCURRENT EXEMPTIONS OR ABATEMENTS. AN ELIGIBLE MULTIPLE DWELLING  
27 RECEIVING 421-A BENEFITS SHALL NOT RECEIVE ANY EXEMPTION FROM OR ABATE-  
28 MENT OF REAL PROPERTY TAXATION UNDER ANY OTHER LAW.

29 (J) VOLUNTARY RENUNCIATION OR TERMINATION. NOTWITHSTANDING THE  
30 PROVISIONS OF ANY GENERAL, SPECIAL OR LOCAL LAW TO THE CONTRARY, AN  
31 OWNER SHALL NOT BE ENTITLED TO VOLUNTARILY RENOUNCE OR TERMINATE ANY  
32 421-A BENEFITS UNLESS THE AGENCY AUTHORIZES SUCH RENUNCIATION OR TERMI-  
33 NATION IN CONNECTION WITH THE COMMENCEMENT OF A NEW TAX EXEMPTION PURSU-  
34 ANT TO EITHER THE PRIVATE HOUSING FINANCE LAW OR SECTION FOUR HUNDRED  
35 TWENTY-C OF THIS TITLE.

36 (K) TERMINATION OR REVOCATION. THE AGENCY MAY TERMINATE OR REVOKE  
37 421-A BENEFITS FOR NONCOMPLIANCE WITH THIS SUBDIVISION. IF 421-A BENE-  
38 FITS ARE TERMINATED OR REVOKED FOR NONCOMPLIANCE WITH THIS SUBDIVISION,  
39 ALL OF THE AFFORDABLE HOUSING UNITS SHALL REMAIN SUBJECT TO RENT  
40 STABILIZATION OR FOR A HOMEOWNERSHIP PROJECT SUCH PROJECT SHALL CONTINUE  
41 TO COMPLY WITH AFFORDABILITY OPTION D OF THIS SUBDIVISION AND ALL OTHER  
42 REQUIREMENTS OF THIS SUBDIVISION FOR THE RESTRICTION PERIOD AND ANY  
43 ADDITIONAL PERIOD EXPRESSLY PROVIDED IN THIS SUBDIVISION, AS IF THE  
44 421-A BENEFITS HAD NOT BEEN TERMINATED OR REVOKED.

45 (L) POWERS CUMULATIVE. THE ENFORCEMENT PROVISIONS OF THIS SUBDIVISION  
46 SHALL NOT BE EXCLUSIVE, AND ARE IN ADDITION TO ANY OTHER RIGHTS, REME-  
47 DIES, OR ENFORCEMENT POWERS SET FORTH IN ANY OTHER LAW OR AVAILABLE AT  
48 LAW OR IN EQUITY.

49 (M) MULTIPLE TAX LOTS. IF AN ELIGIBLE SITE CONTAINS MULTIPLE TAX LOTS,  
50 AN APPLICATION MAY BE SUBMITTED WITH RESPECT TO ONE OR MORE OF SUCH TAX  
51 LOTS. THE AGENCY SHALL DETERMINE ELIGIBILITY FOR 421-A BENEFITS BASED  
52 UPON THE TAX LOTS INCLUDED IN SUCH APPLICATION.

53 (N) APPLICATIONS. (I) THE APPLICATION WITH RESPECT TO ANY ELIGIBLE  
54 MULTIPLE DWELLING SHALL BE FILED WITH THE AGENCY NOT LATER THAN ONE YEAR  
55 AFTER THE COMPLETION DATE OF SUCH ELIGIBLE MULTIPLE DWELLING.

(II) NOTWITHSTANDING THE PROVISIONS OF ANY GENERAL, SPECIAL OR LOCAL LAW TO THE CONTRARY, THE AGENCY MAY REQUIRE BY RULE THAT APPLICATIONS BE FILED ELECTRONICALLY.

(III) THE AGENCY MAY RELY ON CERTIFICATION BY AN ARCHITECT OR ENGINEER SUBMITTED BY AN APPLICANT IN CONNECTION WITH THE FILING OF AN APPLICATION. A FALSE CERTIFICATION BY SUCH ARCHITECT OR ENGINEER SHALL BE DEEMED TO BE PROFESSIONAL MISCONDUCT PURSUANT TO SECTION SIXTY-FIVE HUNDRED NINE OF THE EDUCATION LAW. ANY LICENSEE FOUND GUILTY OF SUCH MISCONDUCT UNDER THE PROCEDURES PRESCRIBED IN SECTION SIXTY-FIVE HUNDRED TEN OF THE EDUCATION LAW SHALL BE SUBJECT TO THE PENALTIES PRESCRIBED IN SECTION SIXTY-FIVE HUNDRED ELEVEN OF THE EDUCATION LAW, AND SHALL THEREAFTER BE INELIGIBLE TO SUBMIT A CERTIFICATION PURSUANT TO THIS SUBDIVISION.

(O) FILING FEE. THE AGENCY MAY REQUIRE A FILING FEE OF THREE THOUSAND DOLLARS PER DWELLING UNIT IN CONNECTION WITH ANY APPLICATION. HOWEVER, THE AGENCY MAY PROMULGATE RULES IMPOSING A LESSER FEE FOR ELIGIBLE SITES CONTAINING ELIGIBLE MULTIPLE DWELLINGS CONSTRUCTED WITH THE SUBSTANTIAL ASSISTANCE OF GRANTS, LOANS OR SUBSIDIES PROVIDED BY A FEDERAL, STATE OR LOCAL GOVERNMENTAL AGENCY OR INSTRUMENTALITY PURSUANT TO A PROGRAM FOR THE DEVELOPMENT OF AFFORDABLE HOUSING.

(P) RULES. THE AGENCY MAY PROMULGATE RULES TO CARRY OUT THE PROVISIONS OF THIS SUBDIVISION.

(Q) AUTHORITY OF CITY TO ENACT LOCAL LAW. EXCEPT AS OTHERWISE SPECIFIED IN THIS SUBDIVISION, A CITY TO WHICH THIS SUBDIVISION IS APPLICABLE MAY ENACT A LOCAL LAW TO RESTRICT, LIMIT OR CONDITION THE ELIGIBILITY FOR OR THE SCOPE OR AMOUNT OF 421-A BENEFITS IN ANY MANNER, PROVIDED THAT SUCH LOCAL LAW MAY NOT GRANT 421-A BENEFITS BEYOND THOSE PROVIDED IN THIS SUBDIVISION AND PROVIDED FURTHER THAT SUCH LOCAL LAW SHALL NOT TAKE EFFECT SOONER THAN ONE YEAR AFTER IT IS ENACTED. THE PROVISIONS OF SECTIONS 11-245 AND 11-245.1 OF THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK OR OF ANY OTHER LOCAL LAW OF THE CITY OF NEW YORK THAT WERE ENACTED ON OR BEFORE THE EFFECTIVE DATE OF THE CHAPTER OF THE LAWS OF TWO THOUSAND FIFTEEN WHICH ADDED THIS PARAGRAPH SHALL NOT RESTRICT, LIMIT OR CONDITION THE ELIGIBILITY FOR OR THE SCOPE OR AMOUNT OF 421-A BENEFITS PURSUANT TO THIS SUBDIVISION.

(R) ELECTION. NOTWITHSTANDING ANYTHING IN THIS SUBDIVISION TO THE CONTRARY, IF A MEMORANDUM OF UNDERSTANDING PURSUANT TO SUBDIVISION SIXTEEN-A OF THIS SECTION HAS BEEN EXECUTED AND NOTICED, A RENTAL PROJECT OR HOMEOWNERSHIP PROJECT WITH A COMMENCEMENT DATE ON OR BEFORE DECEMBER THIRTY-FIRST, TWO THOUSAND FIFTEEN THAT HAS NOT RECEIVED BENEFITS PURSUANT TO THIS SECTION PRIOR TO THE EFFECTIVE DATE OF THE CHAPTER OF THE LAWS OF TWO THOUSAND FIFTEEN THAT ADDED THIS SUBDIVISION MAY ELECT TO COMPLY WITH THIS SUBDIVISION AND RECEIVE 421-A BENEFITS PURSUANT TO THIS SUBDIVISION.

S 16-A. THE PROVISIONS OF SUBDIVISION SIXTEEN OF THIS SECTION SHALL TAKE EFFECT ONLY UPON THE CONDITION THAT ON OR BEFORE JANUARY FIFTEENTH, TWO THOUSAND SIXTEEN, A MEMORANDUM OF UNDERSTANDING IS EXECUTED BY ONE, OR MORE, REPRESENTATIVE OF THE LARGEST TRADE ASSOCIATION OF RESIDENTIAL REAL ESTATE DEVELOPERS, EITHER FOR PROFIT OR NOT-FOR-PROFIT, IN NEW YORK CITY AS WELL AS ONE, OR MORE, REPRESENTATIVE OF THE LARGEST TRADE LABOR ASSOCIATION REPRESENTING BUILDING AND CONSTRUCTION WORKERS, WITH MEMBERSHIP IN NEW YORK CITY.

SUCH MEMORANDUM OF UNDERSTANDING SHALL INCLUDE PROVISIONS REGARDING WAGES OR WAGE SUPPLEMENTS FOR CONSTRUCTION WORKERS ON BUILDINGS OVER FIFTEEN UNITS WHERE SUCH BUILDINGS ENJOY THE BENEFITS OF SUBDIVISION SIXTEEN OF THIS SECTION; PROVIDED, HOWEVER THAT SUCH MEMORANDUM MAY ALSO

1 ADDRESS ISSUES INCLUDING THOSE RELATED TO THE (I) NUMBER OF UNITS, (II)  
2 APPLICATION OF A WAGE SCHEDULE TO DIFFERENT SIZE PROJECTS AND (III) WAGE  
3 SCHEDULES FOR VARIOUS GEOGRAPHIC LOCATIONS IN NEW YORK CITY. THE TERMS  
4 AND CONDITIONS OF THE MEMORANDUM OF UNDERSTANDING SHALL APPLY TO ALL  
5 PROJECTS WITH MORE THAN FIFTEEN UNITS THAT RECEIVE BENEFITS UNDER THIS  
6 SUBDIVISION SIXTEEN OF SECTION AFTER THE MEMORANDUM OF UNDERSTANDING IS  
7 EXECUTED.

8 NOTWITHSTANDING THE FOREGOING, IF ON OR BEFORE JANUARY FIFTEENTH, TWO  
9 THOUSAND SIXTEEN, THE MEMORANDUM OF UNDERSTANDING HAS NOT BEEN FULLY  
10 EXECUTED, THE PROVISIONS OF SUBDIVISION SIXTEEN OF THIS SECTION SHALL BE  
11 SUSPENDED SUCH THAT NO NEW APPLICATIONS SHALL BE ACCEPTED UNDER SUBDIVI-  
12 SION SIXTEEN OF THIS SECTION. ABSENT SUCH FULL EXECUTION OF SUCH MEMO-  
13 RANDUM AND NOTICE TO THE LEGISLATIVE BILL DRAFTING COMMISSION, THE BENE-  
14 FITS OF SUBDIVISION SIXTEEN OF THIS SECTION SHALL REMAIN SUSPENDED THAT  
15 NO NEW APPLICATIONS SHALL BE ACCEPTED UNDER SUBDIVISION SIXTEEN OF THIS  
16 SECTION, UNTIL SUCH MEMORANDUM IS EXECUTED.

17 17. (A) DEFINITIONS. FOR PURPOSES OF THIS SUBDIVISION:

18 (I) "AFFORDABLE HOUSING EIGHTY PERCENT UNITS" SHALL MEAN DWELLING  
19 UNITS THAT: (A) ARE SITUATED WITHIN THE EXTENDED AFFORDABILITY PROPERTY;  
20 (B) UPON INITIAL RENTAL AND UPON EACH SUBSEQUENT RENTAL FOLLOWING A  
21 VACANCY DURING THE EXTENDED AFFORDABILITY PERIOD, ARE EACH AFFORDABLE  
22 AND RESTRICTED TO OCCUPANCY BY INDIVIDUALS OR FAMILIES WHOSE HOUSEHOLD  
23 INCOME DOES NOT EXCEED ONE HUNDRED PERCENT OF THE AREA MEDIAN INCOME,  
24 ADJUSTED FOR FAMILY SIZE, AT THE TIME THAT SUCH HOUSEHOLD INITIALLY  
25 OCCUPIES SUCH DWELLING UNIT; AND (C) UPON INITIAL RENTAL AND UPON EACH  
26 SUBSEQUENT RENTAL FOLLOWING A VACANCY DURING THE EXTENDED AFFORDABILITY  
27 PERIOD, ARE COLLECTIVELY AFFORDABLE AND RESTRICTED TO OCCUPANCY BY INDIV-  
28 VIDUALS OR FAMILIES WHOSE HOUSEHOLD INCOME DOES NOT EXCEED AN AVERAGE OF  
29 EIGHTY PERCENT OF THE AREA MEDIAN INCOME, ADJUSTED FOR FAMILY SIZE, AT  
30 THE TIME THAT SUCH HOUSEHOLD INITIALLY OCCUPIES SUCH DWELLING UNIT.

31 (II) "AFFORDABLE HOUSING ONE HUNDRED THIRTY PERCENT UNITS" SHALL MEAN  
32 DWELLING UNITS THAT: (A) ARE SITUATED WITHIN AN EXTENDED AFFORDABILITY  
33 PROPERTY; AND (B) UPON INITIAL RENTAL AND UPON EACH SUBSEQUENT RENTAL  
34 FOLLOWING A VACANCY DURING THE EXTENDED AFFORDABILITY PERIOD, ARE EACH  
35 AFFORDABLE AND RESTRICTED TO OCCUPANCY BY INDIVIDUALS OR FAMILIES WHOSE  
36 HOUSEHOLD INCOME DOES NOT EXCEED ONE HUNDRED THIRTY PERCENT OF THE AREA  
37 MEDIAN INCOME, ADJUSTED FOR FAMILY SIZE, AT THE TIME THAT SUCH HOUSEHOLD  
38 INITIALLY OCCUPIES SUCH DWELLING UNIT.

39 (III) "AFFORDABLE HOUSING UNIT" SHALL MEAN, COLLECTIVELY AND INDIVID-  
40 UALLY, AFFORDABLE HOUSING EIGHTY PERCENT UNITS AND AFFORDABLE HOUSING  
41 ONE HUNDRED THIRTY PERCENT UNITS.

42 (IV) "AGENCY" SHALL MEAN THE DEPARTMENT OF HOUSING PRESERVATION AND  
43 DEVELOPMENT.

44 (V) "APPLICATION" SHALL MEAN AN APPLICATION FOR EXTENDED BENEFITS  
45 PURSUANT TO THIS SUBDIVISION.

46 (VI) "BUILDING SERVICE EMPLOYEE" SHALL MEAN ANY PERSON WHO IS REGULAR-  
47 LY EMPLOYED AT, AND PERFORMS WORK IN CONNECTION WITH THE CARE OR MAINTENANCE OF, AN EXTENDED AFFORDABILITY PROPERTY, INCLUDING, BUT NOT LIMITED  
48 TO, A WATCHMAN, GUARD, DOORMAN, BUILDING CLEANER, PORTER, HANDYMAN,  
49 JANITOR, GARDENER, GROUNDSKEEPER, ELEVATOR OPERATOR AND STARTER, AND  
50 WINDOW CLEANER, BUT NOT INCLUDING PERSONS REGULARLY SCHEDULED TO WORK  
51 FEWER THAN EIGHT HOURS PER WEEK IN THE EXTENDED AFFORDABILITY PROPERTY.

52 (VII) "COMMENCEMENT DATE" SHALL MEAN THE LATER OF: (A) THE EXPIRATION  
53 DATE; OR (B) THE RESTRICTIVE DECLARATION DATE.

54 (VIII) "EXPIRATION DATE" SHALL MEAN THE DATE UPON WHICH BENEFITS  
55 GRANTED TO A TWENTY YEAR BENEFIT PROPERTY OR TWENTY-FIVE YEAR BENEFIT  
56

1 PROPERTY PURSUANT TO THIS SECTION PRIOR TO THE EFFECTIVE DATE OF THE  
2 CHAPTER OF THE LAWS OF TWO THOUSAND FIFTEEN THAT ADDED THIS SUBDIVISION  
3 WOULD EXPIRE.

4 (IX) "EXTENDED AFFORDABILITY PERIOD" SHALL MEAN, NOTWITHSTANDING ANY  
5 EARLIER TERMINATION OR REVOCATION OF THE EXTENDED BENEFIT, THE PERIOD  
6 COMMENCING UPON THE COMMENCEMENT DATE AND ENDING: (A) FIFTEEN YEARS  
7 THEREAFTER FOR A TWENTY YEAR BENEFIT PROPERTY; AND (B) TEN YEARS THERE-  
8 AFTER FOR A TWENTY-FIVE YEAR BENEFIT PROPERTY.

9 (X) "EXTENDED AFFORDABILITY PROPERTY" SHALL MEAN A TWENTY YEAR BENEFIT  
10 PROPERTY OR A TWENTY-FIVE YEAR BENEFIT PROPERTY THAT COMPLIES WITH THE  
11 PROVISIONS OF THIS SUBDIVISION.

12 (XI) "EXTENDED AFFORDABILITY REQUIREMENT" SHALL MEAN THAT, WITHIN ANY  
13 EXTENDED AFFORDABILITY PROPERTY: (A) NOT LESS THAN TWENTY PERCENT OF THE  
14 DWELLING UNITS ARE AFFORDABLE HOUSING EIGHTY PERCENT UNITS; AND (B) NOT  
15 LESS THAN AN ADDITIONAL FIVE PERCENT OF THE DWELLING UNITS ARE AFFORDA-  
16 BLE HOUSING ONE HUNDRED THIRTY PERCENT UNITS.

17 (XII) "EXTENDED BENEFIT" SHALL MEAN, FOR ANY EXTENDED AFFORDABILITY  
18 PROPERTY, A FIFTY PERCENT EXEMPTION FROM REAL PROPERTY TAXATION, OTHER  
19 THAN ASSESSMENTS FOR LOCAL IMPROVEMENTS, FOR THE EXTENDED AFFORDABILITY  
20 PERIOD.

21 (XIII) "FISCAL OFFICER" SHALL MEAN THE COMPTROLLER OR OTHER ANALOGOUS  
22 OFFICER IN A CITY HAVING A POPULATION OF ONE MILLION OR MORE.

23 (XIV) "FLOOR AREA" SHALL MEAN THE HORIZONTAL AREAS OF THE SEVERAL  
24 FLOORS, OR ANY PORTION THEREOF, OF A DWELLING OR DWELLINGS, AND ACCESSO-  
25 RY STRUCTURES ON A LOT MEASURED FROM THE EXTERIOR FACES OF EXTERIOR  
26 WALLS, OR FROM THE CENTER LINE OF PARTY WALLS.

27 (XV) "MULTIPLE DWELLING" SHALL HAVE THE MEANING SET FORTH IN THE  
28 MULTIPLE DWELLING LAW.

29 (XVI) "RESIDENTIAL TAX LOT" SHALL MEAN A TAX LOT THAT CONTAINS DWELL-  
30 ING UNITS.

31 (XVII) "RESTRICTIVE DECLARATION" SHALL MEAN A DOCUMENT EXECUTED BY ALL  
32 PARTIES IN INTEREST TO THE EXTENDED AFFORDABILITY PROPERTY WHICH  
33 PROVIDES THAT, DURING THE EXTENDED AFFORDABILITY PERIOD, THE EXTENDED  
34 AFFORDABILITY PROPERTY SHALL COMPLY WITH THE EXTENDED AFFORDABILITY  
35 REQUIREMENT.

36 (XVIII) "RESTRICTIVE DECLARATION DATE" SHALL MEAN THE DATE UPON WHICH  
37 THE RESTRICTIVE DECLARATION IS RECORDED AGAINST THE EXTENDED AFFORDABIL-  
38 ITY PROPERTY.

39 (XIX) "TWENTY YEAR BENEFIT PROPERTY" SHALL MEAN A MULTIPLE DWELLING  
40 THAT COMMENCED CONSTRUCTION PRIOR TO JULY FIRST, TWO THOUSAND EIGHT AND  
41 THAT WAS GRANTED BENEFITS PURSUANT TO THIS SECTION PRIOR TO THE EFFEC-  
42 TIVE DATE OF THE CHAPTER OF THE LAWS OF TWO THOUSAND FIFTEEN THAT ADDED  
43 THIS SUBDIVISION DUE TO ITS COMPLIANCE WITH THE REQUIREMENTS OF ITEM B  
44 OF CLAUSE (A) OF SUBPARAGRAPH (IV) OF PARAGRAPH (A) OF SUBDIVISION TWO  
45 OF THIS SECTION.

46 (XX) "TWENTY-FIVE YEAR BENEFIT PROPERTY" SHALL MEAN A MULTIPLE DWELL-  
47 ING THAT COMMENCED CONSTRUCTION PRIOR TO JULY FIRST, TWO THOUSAND EIGHT  
48 AND THAT WAS GRANTED BENEFITS PURSUANT TO THIS SECTION PRIOR TO THE  
49 EFFECTIVE DATE OF THE CHAPTER OF THE LAWS OF TWO THOUSAND FIFTEEN THAT  
50 ADDED THIS SUBDIVISION DUE TO ITS COMPLIANCE WITH THE REQUIREMENTS OF  
51 ITEM B OF CLAUSE (D) OF SUBPARAGRAPH (III) OF PARAGRAPH (A) OF SUBDIVI-  
52 SION TWO OF THIS SECTION.

53 (B) BENEFIT. IN CITIES HAVING A POPULATION OF ONE MILLION OR MORE,  
54 NOTWITHSTANDING THE PROVISIONS OF ANY OTHER SUBDIVISION OF THIS SECTION  
55 OR OF ANY GENERAL, SPECIAL OR LOCAL LAW TO THE CONTRARY, AN EXTENDED  
56 AFFORDABILITY PROPERTY SHALL BE GRANTED AN EXTENDED BENEFIT, PROVIDED,

1 HOWEVER, THAT SUCH EXTENDED BENEFIT SHALL BE AVAILABLE ONLY IF ALL RESI-  
2 DENTIAL TAX LOTS IN SUCH EXTENDED AFFORDABILITY PROPERTY OPERATE AS  
3 RENTAL HOUSING.

4 (C) TAX PAYMENTS. IN ADDITION TO ANY OTHER AMOUNTS PAYABLE PURSUANT TO  
5 THIS SUBDIVISION, THE OWNER OF AN EXTENDED AFFORDABILITY PROPERTY  
6 RECEIVING AN EXTENDED BENEFIT SHALL PAY, IN EACH TAX YEAR IN WHICH SUCH  
7 EXTENDED BENEFIT IS IN EFFECT, REAL PROPERTY TAXES AND ASSESSMENTS AS  
8 FOLLOWS:

9 (I) REAL PROPERTY TAXES ON THE ASSESSED VALUATION OF SUCH LAND AND ANY  
10 IMPROVEMENTS THEREON IN EFFECT DURING THE TAX YEAR PRECEDING THE  
11 COMMENCEMENT OF THE CONSTRUCTION OF SUCH EXTENDED AFFORDABILITY PROPERTY  
12 WITHOUT REGARD TO ANY EXEMPTION OR ABATEMENT FROM REAL PROPERTY TAXATION  
13 IN EFFECT PRIOR TO SUCH CONSTRUCTION WHICH REAL PROPERTY TAXES SHALL BE  
14 CALCULATED ON THE TAX RATE IN EFFECT AT THE TIME SUCH TAXES ARE DUE; AND

15 (II) ALL ASSESSMENTS FOR LOCAL IMPROVEMENTS.

16 (D) LIMITATION ON BENEFITS FOR NON-RESIDENTIAL SPACE. ANY EXTENDED  
17 BENEFIT SHALL BE REDUCED BY THE PERCENTAGE OF AGGREGATE FLOOR AREA OF  
18 THE EXTENDED AFFORDABILITY PROPERTY OCCUPIED BY COMMERCIAL, COMMUNITY  
19 FACILITY, PARKING, AND ACCESSORY USES AS PROVIDED IN PARAGRAPH (D) OF  
20 SUBDIVISION TWO OF THIS SECTION.

21 (E) CALCULATION OF BENEFIT. BASED ON THE CERTIFICATION OF THE AGENCY  
22 CERTIFYING THE APPLICANT'S ELIGIBILITY FOR THE EXTENDED BENEFIT, THE  
23 ASSESSORS SHALL CERTIFY TO THE COLLECTING OFFICER THE AMOUNT OF TAXES TO  
24 BE EXEMPTED.

25 (F) AFFORDABILITY REQUIREMENT. DURING THE EXTENDED AFFORDABILITY PERI-  
26 OD, AN EXTENDED AFFORDABILITY PROPERTY MUST COMPLY WITH THE EXTENDED  
27 AFFORDABILITY REQUIREMENT AND THE RESTRICTIVE DECLARATION. THE EXTENDED  
28 AFFORDABILITY PROPERTY SHALL ALSO COMPLY WITH ALL PROVISIONS OF THIS  
29 PARAGRAPH DURING THE EXTENDED AFFORDABILITY PERIOD AND WITH SUBPARAGRAPH  
30 (I) OF THIS PARAGRAPH BOTH DURING AND AFTER THE EXTENDED AFFORDABILITY  
31 PERIOD TO THE EXTENT PROVIDED IN SUCH SUBPARAGRAPH.

32 (I) NOTWITHSTANDING THE PROVISIONS OF ANY LOCAL LAW FOR THE STABILIZA-  
33 TION OF RENTS OR THE EMERGENCY TENANT PROTECTION ACT OF NINETEEN SEVEN-  
34 TY-FOUR, ALL AFFORDABLE HOUSING UNITS IN AN EXTENDED AFFORDABILITY PROP-  
35 erty SHALL BE FULLY SUBJECT TO CONTROL UNDER SUCH LOCAL LAW OR SUCH ACT  
36 DURING THE EXTENDED AFFORDABILITY PERIOD, PROVIDED THAT TENANTS HOLDING  
37 A LEASE AND IN OCCUPANCY OF SUCH AFFORDABLE HOUSING UNITS IN AN EXTENDED  
38 AFFORDABILITY PROPERTY AT THE EXPIRATION OF THE EXTENDED AFFORDABILITY  
39 PERIOD SHALL HAVE THE RIGHT TO REMAIN AS RENT STABILIZED TENANTS FOR THE  
40 DURATION OF THEIR OCCUPANCY. UPON ANY VACANCY OF AN AFFORDABLE HOUSING  
41 UNIT AFTER THE EXTENDED AFFORDABILITY PERIOD, SUCH AFFORDABLE HOUSING  
42 UNIT SHALL REMAIN FULLY SUBJECT TO RENT STABILIZATION UNLESS THE OWNER  
43 IS ENTITLED TO REMOVE SUCH AFFORDABLE HOUSING UNIT FROM RENT STABILIZA-  
44 TION UPON SUCH VACANCY BY REASON OF THE MONTHLY RENT EXCEEDING ANY LIMIT  
45 ESTABLISHED THEREUNDER.

46 (II) ALL RENT STABILIZATION REGISTRATIONS REQUIRED TO BE FILED PURSU-  
47 ANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL CONTAIN A DESIGNATION  
48 THAT SPECIFICALLY IDENTIFIES AFFORDABLE HOUSING UNITS COMPLYING WITH THE  
49 EXTENDED AFFORDABILITY REQUIREMENT AS "421-A AFFORDABLE HOUSING UNITS"  
50 AND SHALL CONTAIN AN EXPLANATION OF THE REQUIREMENTS THAT APPLY TO ALL  
51 SUCH AFFORDABLE HOUSING UNITS.

52 (III) FAILURE TO COMPLY WITH THE PROVISIONS OF THIS PARAGRAPH THAT  
53 REQUIRE THE MAINTENANCE, RENT STABILIZATION AND OCCUPANCY OF AFFORDABLE  
54 HOUSING UNITS IN AN EXTENDED AFFORDABILITY PROPERTY SHALL RESULT IN  
55 REVOCATION OF THE EXTENDED BENEFIT FOR THE PERIOD OF SUCH NON-COMPLI-  
56 ANCE.

(IV) NOTHING IN THIS SUBDIVISION SHALL: (A) PROHIBIT THE OCCUPANCY OF AN AFFORDABLE HOUSING UNIT BY INDIVIDUALS OR FAMILIES WHOSE INCOME AT ANY TIME IS LESS THAN THE MAXIMUM PERCENTAGE OF THE AREA MEDIAN INCOME, ADJUSTED FOR FAMILY SIZE, SPECIFIED FOR SUCH AFFORDABLE HOUSING UNIT PURSUANT TO THIS SUBDIVISION; OR (B) PROHIBIT THE OWNER OF AN EXTENDED AFFORDABILITY PROPERTY FROM REQUIRING, UPON INITIAL RENTAL OR UPON ANY RENTAL FOLLOWING A VACANCY, THE OCCUPANCY OF ANY AFFORDABLE HOUSING UNIT BY SUCH LOWER INCOME INDIVIDUALS OR FAMILIES.

(V) UPON EACH VACANCY, AN AFFORDABLE HOUSING UNIT SHALL PROMPTLY BE OFFERED FOR RENTAL BY INDIVIDUALS OR FAMILIES WHOSE INCOME DOES NOT EXCEED THE MAXIMUM PERCENTAGE OF THE AREA MEDIAN INCOME, ADJUSTED FOR FAMILY SIZE, SPECIFIED FOR SUCH AFFORDABLE HOUSING UNIT PURSUANT TO THIS SUBDIVISION AND WHO INTEND TO OCCUPY SUCH AFFORDABLE HOUSING UNIT AS THEIR PRIMARY RESIDENCE. AN AFFORDABLE HOUSING UNIT SHALL NOT BE: (A) RENTED TO A CORPORATION, PARTNERSHIP OR OTHER ENTITY; OR (B) HELD OFF THE MARKET FOR A PERIOD LONGER THAN IS REASONABLY NECESSARY TO PERFORM REPAIRS NEEDED TO MAKE SUCH AFFORDABLE HOUSING UNIT AVAILABLE FOR OCCUPANCY.

(VI) AN AFFORDABLE HOUSING UNIT SHALL NOT BE RENTED ON A TEMPORARY, TRANSIENT OR SHORT-TERM BASIS. EVERY LEASE AND RENEWAL THEREOF FOR AN AFFORDABLE HOUSING UNIT SHALL BE FOR A TERM OF ONE OR TWO YEARS, AT THE OPTION OF THE TENANT.

(VII) AN AFFORDABLE HOUSING UNIT SHALL NOT BE CONVERTED TO COOPERATIVE OR CONDOMINIUM OWNERSHIP.

(VIII) THE AGENCY MAY ESTABLISH BY RULE SUCH REQUIREMENTS AS THE AGENCY DEEMS NECESSARY OR APPROPRIATE FOR: (A) THE MARKETING OF AFFORDABLE HOUSING UNITS; AND (B) MONITORING COMPLIANCE WITH THE PROVISIONS OF THIS PARAGRAPH. SUCH REQUIREMENTS MAY INCLUDE, BUT NEED NOT BE LIMITED TO, RETAINING A MONITOR APPROVED BY THE AGENCY AND PAID FOR BY THE OWNER.

(G) BUILDING SERVICE EMPLOYEES. (I) FOR THE PURPOSES OF THIS PARAGRAPH, "APPLICANT" SHALL MEAN AN APPLICANT FOR EXTENDED BENEFITS, ANY SUCCESSOR TO SUCH APPLICANT, OR ANY EMPLOYER OF BUILDING SERVICE EMPLOYEES FOR SUCH APPLICANT, INCLUDING, BUT NOT LIMITED TO, A PROPERTY MANAGEMENT COMPANY OR CONTRACTOR.

(II) ALL BUILDING SERVICE EMPLOYEES EMPLOYED BY THE APPLICANT AT THE EXTENDED AFFORDABILITY PROPERTY SHALL RECEIVE THE APPLICABLE PREVAILING WAGE FOR THE ENTIRE EXTENDED AFFORDABILITY PERIOD.

(III) THE FISCAL OFFICER SHALL HAVE THE POWER TO ENFORCE THE PROVISIONS OF THIS PARAGRAPH. IN ENFORCING SUCH PROVISIONS, THE FISCAL OFFICER SHALL HAVE THE POWER:

(A) TO INVESTIGATE OR CAUSE AN INVESTIGATION TO BE MADE TO DETERMINE THE PREVAILING WAGES FOR BUILDING SERVICE EMPLOYEES; IN MAKING SUCH INVESTIGATION, THE FISCAL OFFICER MAY UTILIZE WAGE AND FRINGE BENEFIT DATA FROM VARIOUS SOURCES, INCLUDING, BUT NOT LIMITED TO, DATA AND DETERMINATIONS OF FEDERAL, STATE OR OTHER GOVERNMENTAL AGENCIES;

(B) TO INSTITUTE AND CONDUCT INSPECTIONS AT THE SITE OF THE WORK OR ELSEWHERE;

(C) TO EXAMINE THE BOOKS, DOCUMENTS AND RECORDS PERTAINING TO THE WAGES PAID TO, AND THE HOURS OF WORK PERFORMED BY, BUILDING SERVICE EMPLOYEES;

(D) TO HOLD HEARINGS AND, IN CONNECTION THEREWITH, TO ISSUE SUBPOENAS, ADMINISTER OATHS AND EXAMINE WITNESSES; THE ENFORCEMENT OF A SUBPOENA ISSUED UNDER THIS PARAGRAPH SHALL BE REGULATED BY THE CIVIL PRACTICE LAW AND RULES;

(E) TO MAKE A CLASSIFICATION BY CRAFT, TRADE OR OTHER GENERALLY RECOGNIZED OCCUPATIONAL CATEGORY OF THE BUILDING SERVICE EMPLOYEES AND TO

1 DETERMINE WHETHER SUCH WORK HAS BEEN PERFORMED BY THE BUILDING SERVICE  
2 EMPLOYEES IN SUCH CLASSIFICATION;

3 (F) TO REQUIRE THE APPLICANT TO FILE WITH THE FISCAL OFFICER A RECORD  
4 OF THE WAGES ACTUALLY PAID BY SUCH APPLICANT TO THE BUILDING SERVICE  
5 EMPLOYEES AND OF THEIR HOURS OF WORK;

6 (G) TO DELEGATE ANY OF THE FOREGOING POWERS TO HIS OR HER DEPUTY OR  
7 OTHER AUTHORIZED REPRESENTATIVE; AND

8 (H) TO PROMULGATE RULES AS HE OR SHE SHALL CONSIDER NECESSARY FOR THE  
9 PROPER EXECUTION OF THE DUTIES, RESPONSIBILITIES AND POWERS CONFERRED  
10 UPON HIM OR HER BY THE PROVISIONS OF THIS SUBPARAGRAPH.

11 (IV) IF THE FISCAL OFFICER FINDS THAT THE APPLICANT HAS FAILED TO  
12 COMPLY WITH THE PROVISIONS OF THIS PARAGRAPH, HE OR SHE SHALL PRESENT  
13 EVIDENCE OF SUCH NONCOMPLIANCE TO THE AGENCY.

14 (V) SUBPARAGRAPH (II) OF THIS PARAGRAPH SHALL NOT BE APPLICABLE TO:

15 (A) AN EXTENDED AFFORDABILITY PROPERTY CONTAINING LESS THAN THIRTY  
16 DWELLING UNITS; OR

17 (B) AN EXTENDED AFFORDABILITY PROPERTY IN WHICH ALL OF THE DWELLING  
18 UNITS ARE AFFORDABLE HOUSING UNITS AND NOT LESS THAN FIFTY PERCENT OF  
19 SUCH AFFORDABLE HOUSING UNITS, UPON INITIAL RENTAL AND UPON EACH SUBSE-  
20 QUENT RENTAL FOLLOWING A VACANCY DURING THE EXTENDED AFFORDABILITY PERI-  
21 OD, ARE AFFORDABLE TO AND RESTRICTED TO OCCUPANCY BY INDIVIDUALS OR  
22 FAMILIES WHOSE HOUSEHOLD INCOME DOES NOT EXCEED ONE HUNDRED TWENTY-FIVE  
23 PERCENT OF THE AREA MEDIAN INCOME, ADJUSTED FOR FAMILY SIZE, AT THE TIME  
24 THAT SUCH HOUSEHOLD INITIALLY OCCUPIES SUCH DWELLING UNIT.

25 (H) CONCURRENT EXEMPTIONS OR ABATEMENTS. AN EXTENDED AFFORDABILITY  
26 PROPERTY RECEIVING AN EXTENDED BENEFIT SHALL NOT RECEIVE ANY EXEMPTION  
27 FROM OR ABATEMENT OF REAL PROPERTY TAXATION UNDER ANY OTHER LAW.

28 (I) VOLUNTARY RENUNCIATION OR TERMINATION. NOTWITHSTANDING THE  
29 PROVISIONS OF ANY GENERAL, SPECIAL OR LOCAL LAW TO THE CONTRARY, AN  
30 OWNER SHALL NOT BE ENTITLED TO VOLUNTARILY RENOUNCE OR TERMINATE AN  
31 EXTENDED BENEFIT UNLESS THE AGENCY AUTHORIZES SUCH RENUNCIATION OR  
32 TERMINATION IN CONNECTION WITH THE COMMENCEMENT OF A NEW TAX EXEMPTION  
33 PURSUANT TO EITHER THE PRIVATE HOUSING FINANCE LAW OR SECTION FOUR  
34 HUNDRED TWENTY-C OF THIS TITLE.

35 (J) TERMINATION OR REVOCATION. THE AGENCY MAY TERMINATE OR REVOKE THE  
36 EXTENDED BENEFIT FOR NONCOMPLIANCE WITH THIS SUBDIVISION. IF THE  
37 EXTENDED BENEFIT IS TERMINATED OR REVOKED FOR NONCOMPLIANCE WITH THIS  
38 SUBDIVISION, ALL OF THE AFFORDABLE HOUSING UNITS SHALL REMAIN SUBJECT TO  
39 THE PROVISIONS OF ANY LOCAL LAW FOR THE STABILIZATION OF RENTS OR THE  
40 EMERGENCY TENANT PROTECTION ACT OF NINETEEN SEVENTY-FOUR AND ALL OTHER  
41 REQUIREMENTS OF THIS SUBDIVISION FOR THE ENTIRE EXTENDED AFFORDABILITY  
42 PERIOD AND ANY ADDITIONAL PERIOD EXPRESSLY PROVIDED IN THIS SUBDIVISION,  
43 AS IF THE EXTENDED BENEFIT HAD NOT BEEN TERMINATED OR REVOKED.

44 (K) POWERS CUMULATIVE. THE ENFORCEMENT PROVISIONS OF THIS SUBDIVISION  
45 SHALL NOT BE EXCLUSIVE, AND ARE IN ADDITION TO ANY OTHER RIGHTS, REME-  
46 DIES, OR ENFORCEMENT POWERS SET FORTH IN ANY OTHER LAW OR AVAILABLE AT  
47 LAW OR IN EQUITY.

48 (L) MULTIPLE TAX LOTS. IF AN EXTENDED AFFORDABILITY PROPERTY CONTAINS  
49 MULTIPLE TAX LOTS, AN APPLICATION MAY BE SUBMITTED WITH RESPECT TO ONE  
50 OR MORE OF SUCH TAX LOTS. THE AGENCY SHALL DETERMINE ELIGIBILITY FOR AN  
51 EXTENDED BENEFIT BASED UPON THE TAX LOTS INCLUDED IN SUCH APPLICATION.

52 (M) APPLICATIONS. (I) THE APPLICATION WITH RESPECT TO ANY EXTENDED  
53 AFFORDABILITY PROPERTY SHALL INCLUDE A CERTIFICATION THAT: (A) THE  
54 RESTRICTIVE DECLARATION HAS BEEN RECORDED AGAINST THE EXTENDED AFFORDA-  
55 BILITY PROPERTY; AND (B) THE EXTENDED AFFORDABILITY PROPERTY IS IN  
56 COMPLIANCE WITH SUCH RESTRICTIVE DECLARATION AND THIS SUBDIVISION.

(II) THE APPLICATION WITH RESPECT TO ANY EXTENDED AFFORDABILITY PROPERTY SHALL BE FILED WITH THE AGENCY ON OR BEFORE THE LATER OF: (A) DECEMBER THIRTY-FIRST, TWO THOUSAND SIXTEEN; OR (B) EIGHTEEN MONTHS AFTER THE EXPIRATION DATE.

(III) NOTWITHSTANDING THE PROVISIONS OF ANY GENERAL, SPECIAL OR LOCAL LAW TO THE CONTRARY, THE AGENCY MAY REQUIRE BY RULE THAT APPLICATIONS BE FILED ELECTRONICALLY.

(IV) THE AGENCY MAY RELY ON CERTIFICATION BY AN ARCHITECT OR ENGINEER SUBMITTED BY AN APPLICANT IN CONNECTION WITH THE FILING OF AN APPLICATION. A FALSE CERTIFICATION BY SUCH ARCHITECT OR ENGINEER SHALL BE DEEMED TO BE PROFESSIONAL MISCONDUCT PURSUANT TO SECTION SIXTY-FIVE HUNDRED NINE OF THE EDUCATION LAW. ANY LICENSEE FOUND GUILTY OF SUCH MISCONDUCT UNDER THE PROCEDURES PRESCRIBED IN SECTION SIXTY-FIVE HUNDRED TEN OF THE EDUCATION LAW SHALL BE SUBJECT TO THE PENALTIES PRESCRIBED IN SECTION SIXTY-FIVE HUNDRED ELEVEN OF THE EDUCATION LAW, AND SHALL THEREAFTER BE INELIGIBLE TO SUBMIT A CERTIFICATION PURSUANT TO THIS SUBDIVISION.

(N) FILING FEE. THE AGENCY MAY REQUIRE A FILING FEE OF THREE THOUSAND DOLLARS PER DWELLING UNIT IN CONNECTION WITH ANY APPLICATION.

(O) RULES. THE AGENCY MAY PROMULGATE RULES TO CARRY OUT THE PROVISIONS OF THIS SUBDIVISION.

(P) AUTHORITY OF CITY TO ENACT LOCAL LAW. EXCEPT AS OTHERWISE SPECIFIED IN THIS SUBDIVISION, A CITY TO WHICH THIS SUBDIVISION IS APPLICABLE MAY ENACT A LOCAL LAW TO RESTRICT, LIMIT OR CONDITION THE ELIGIBILITY FOR OR THE SCOPE OR AMOUNT OF EXTENDED BENEFITS IN ANY MANNER, PROVIDED THAT SUCH LOCAL LAW MAY NOT GRANT EXTENDED BENEFITS BEYOND THOSE PROVIDED IN THIS SUBDIVISION AND PROVIDED FURTHER THAT SUCH LOCAL LAW SHALL NOT TAKE EFFECT SOONER THAN ONE YEAR AFTER IT IS ENACTED. THE PROVISIONS OF SECTIONS 11-245 AND 11-245.1 OF THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK OR OF ANY OTHER LOCAL LAW OF THE CITY OF NEW YORK THAT WERE ENACTED ON OR BEFORE THE EFFECTIVE DATE OF THE CHAPTER OF THE LAWS OF TWO THOUSAND FIFTEEN THAT ADDED THIS PARAGRAPH SHALL NOT RESTRICT, LIMIT OR CONDITION THE ELIGIBILITY FOR OR THE SCOPE OR AMOUNT OF EXTENDED BENEFITS PURSUANT TO THIS SUBDIVISION.

S 63-d. Intentionally omitted.

S 63-e. Intentionally omitted.

S 63-f. Subdivision 2 of section 421-a of the real property tax law is amended by adding a new paragraph (j) to read as follows:

(J) VOLUNTARY RENUNCIATION OR TERMINATION. NOTWITHSTANDING THE PROVISIONS OF ANY GENERAL, SPECIAL OR LOCAL LAW TO THE CONTRARY, AN OWNER SHALL NOT BE ENTITLED TO VOLUNTARILY RENOUNCE OR TERMINATE ANY TAX EXEMPTION GRANTED PURSUANT TO THIS SUBDIVISION UNLESS THE LOCAL HOUSING AGENCY AUTHORIZES SUCH RENUNCIATION OR TERMINATION IN CONNECTION WITH THE COMMENCEMENT OF A NEW TAX EXEMPTION PURSUANT TO EITHER THE PRIVATE HOUSING FINANCE LAW OR SECTION FOUR HUNDRED TWENTY-C OF THIS TITLE.

S 63-g. The opening paragraph of subdivision 3 of section 421-a of the real property tax law, as amended by chapter 655 of the laws of 1978, is amended to read as follows:

A. Application forms for exemption under this section shall be filed with the assessors between February first and March fifteenth and, based on the certification of the local housing agency as herein provided, the assessors shall certify to the collecting officer the amount of taxes to be abated. If there be in a city of one million population or more a department of housing preservation and development, the term "housing agency" shall mean only such department of housing preservation and development. No such application shall be accepted by the assessors



1 unless accompanied by a certificate of the local housing agency certify-  
2 ing the applicant's eligibility pursuant to subdivisions two and four of  
3 this section. No such certification of eligibility shall be issued by  
4 the local housing agency until such agency determines the initial  
5 adjusted monthly rent to be paid by tenants residing in rental dwelling  
6 units contained within the multiple dwelling and the comparative  
7 adjusted monthly rent that would have to be paid by such tenants if no  
8 tax exemption were applicable as provided by this section. The initial  
9 adjusted monthly rent will be certified by the local housing agency as  
10 the first rent for the subject dwelling units. A copy of such certif-  
11 ication with respect to such units shall be attached by the applicant to  
12 the first effective lease or occupancy agreement. The initial adjusted  
13 monthly rent shall reflect the full tax exemption benefits as approved  
14 by the agency.

15 S 63-h. Subdivision 3 of section 421-a of the real property tax law is  
16 amended by adding a new paragraph b to read as follows:

17 B. NOTWITHSTANDING THE PROVISIONS OF ANY GENERAL, SPECIAL OR LOCAL LAW  
18 TO THE CONTRARY, THE LOCAL HOUSING AGENCY MAY REQUIRE BY RULE THAT  
19 APPLICATIONS BE FILED ELECTRONICALLY.

20 S 63-i. Paragraph (a) of subdivision 6 of section 421-a of the real  
21 property tax law is amended by adding three new subparagraphs (iii),  
22 (iv) and (v) to read as follows:

23 (III) "COMMENCEMENT DATE" SHALL MEAN, WITH RESPECT TO ANY BUILDING IN  
24 A COVERED PROJECT AND NOTWITHSTANDING ANY LOCAL LAW TO THE CONTRARY, THE  
25 DATE UPON WHICH EXCAVATION AND CONSTRUCTION OF INITIAL FOOTINGS AND  
26 FOUNDATIONS LAWFULLY BEGINS IN GOOD FAITH OR, FOR AN ELIGIBLE CONVER-  
27 SION, THE DATE UPON WHICH THE ACTUAL CONSTRUCTION OF THE CONVERSION,  
28 ALTERATION OR IMPROVEMENT OF THE PRE-EXISTING BUILDING OR STRUCTURE  
29 LAWFULLY BEGINS IN GOOD FAITH.

30 (IV) "COMPLETION DATE" SHALL MEAN THE DATE UPON WHICH THE LOCAL  
31 DEPARTMENT OF BUILDINGS ISSUES THE FIRST TEMPORARY OR PERMANENT CERTIF-  
32 ICATE OF OCCUPANCY COVERING ALL RESIDENTIAL AREAS OF A BUILDING IN A  
33 COVERED PROJECT.

34 (V) "COVERED PROJECT AGREEMENT" SHALL MEAN AN AGREEMENT EXECUTED AND  
35 RECORDED ON OR BEFORE DECEMBER THIRTY-FIRST, TWO THOUSAND FIFTEEN, AND  
36 NOT THEREAFTER AMENDED TO INCLUDE ADDITIONAL REAL PROPERTY, BY AND  
37 BETWEEN THE OWNERS OF THE REAL PROPERTY CONTAINING ALL OF THE AFFORDABLE  
38 UNITS AND THE MARKET UNITS WHICH WILL CONSTITUTE A SINGLE COVERED  
39 PROJECT AS DEFINED PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH.

40 S 63-j. Paragraph (b) of subdivision 6 of section 421-a of the real  
41 property tax law, as added by chapter 110 of the laws of 2005, is  
42 amended to read as follows:

43 (b) No benefits under the provisions of this section shall be  
44 conferred on any BUILDING IN A covered project located in the Greenpoint  
45 - Williamsburg waterfront exclusion area unless [such] THE REAL PROPERTY  
46 CONTAINING SUCH BUILDING IS IDENTIFIED IN A COVERED PROJECT AGREEMENT,  
47 AND THE COVERED project THAT INCLUDES SUCH BUILDING shall provide  
48 affordable housing for persons and families of low and moderate income  
49 that meets one of the following conditions:

50 (i) not less than twenty percent of the units in the covered project  
51 are affordable to and occupied or available for occupancy by individuals  
52 or families whose incomes at the time of initial occupancy do not exceed  
53 eighty percent of the area median incomes adjusted for family size, AND  
54 AT LEAST ONE BUILDING IN SUCH COVERED PROJECT THAT CONTAINS NOT LESS  
55 THAN TWENTY PERCENT OF ITS DWELLING UNITS MEETING THIS AFFORDABLE HOUS-  
56 ING REQUIREMENT HAS A COMMENCEMENT DATE ON OR BEFORE DECEMBER

THIRTY-FIRST, TWO THOUSAND FIFTEEN AND ALL OF THE BUILDINGS IN SUCH COVERED PROJECT THAT RECEIVE BENEFITS PURSUANT TO PARAGRAPH (F) OF THIS SUBDIVISION HAVE A COMPLETION DATE ON OR BEFORE JUNE FIFTEENTH, TWO THOUSAND TWENTY-FIVE; or

(ii) not less than ten percent of the units in the covered project are affordable to and occupied or available for occupancy by individuals or families whose incomes at the time of initial occupancy do not exceed eighty percent of the area median incomes adjusted for family size and not less than an additional fifteen percent of the units in the covered project are affordable to and occupied or available for occupancy by individuals or families whose incomes at the time of initial occupancy do not exceed one hundred twenty-five percent of the area median incomes adjusted for family size, AND AT LEAST ONE BUILDING IN SUCH COVERED PROJECT THAT CONTAINS NOT LESS THAN TWENTY-FIVE PERCENT OF ITS DWELLING UNITS MEETING THIS AFFORDABLE HOUSING REQUIREMENT HAS A COMMENCEMENT DATE ON OR BEFORE DECEMBER THIRTY-FIRST, TWO THOUSAND FIFTEEN AND ALL OF THE BUILDINGS IN SUCH COVERED PROJECT THAT RECEIVE BENEFITS PURSUANT TO PARAGRAPH (F) OF THIS SUBDIVISION HAVE A COMPLETION DATE ON OR BEFORE JUNE FIFTEENTH, TWO THOUSAND TWENTY-FIVE.

S 63-k. Paragraph (f) of subdivision 6 of section 421-a of the real property tax law, as added by chapter 110 of the laws of 2005, is amended to read as follows:

(f) With respect to any covered project located entirely within the Greenpoint - Williamsburg waterfront exclusion area, the period of tax benefits awarded to any building in such covered project shall be the same as the period of tax benefits awarded under clause [(A)] (D) of subparagraph (iii) of paragraph (a) of subdivision two of this section. With respect to any covered project which includes one or more buildings located outside the Greenpoint - Williamsburg waterfront exclusion area, the period of tax benefits awarded to any building in such covered project that is located within the Greenpoint - Williamsburg waterfront exclusion area shall be the same as the period of tax benefits awarded under clause (A) of subparagraph (ii) of paragraph (a) of subdivision two of this section.

S 63-l. Paragraph (d) of subdivision 7 of section 421-a of the real property tax law, as added by chapter 618 of the laws of 2007, and subparagraphs (i) and (ii) as amended by chapter 619 of the laws of 2007, are amended to read as follows:

(d) Unless preempted by federal requirements:

(i) all affordable units must have a comparable number of bedrooms as market rate units and a unit mix proportional to the market rate units, or at least fifty percent of the affordable units must have two or more bedrooms and no more than fifty percent of the remaining units can be smaller than one bedroom or in addition to the requirements of paragraph (c) of this subdivision, the floor area of affordable units is no less than twenty percent of the total floor area of all dwelling units; [and]

(ii) AFFORDABLE UNITS SHALL SHARE THE SAME COMMON ENTRANCES AND COMMON AREAS AS MARKET RATE UNITS, AND SHALL NOT BE ISOLATED TO A SPECIFIC FLOOR OR AREA OF A BUILDING. COMMON ENTRANCES SHALL MEAN ANY AREA REGULARLY USED BY ANY RESIDENT FOR INGRESS AND EGRESS FROM A MULTIPLE DWELLING; AND

(III) residents of the community board where the multiple dwelling which receives the benefits provided in this section is located shall, upon initial occupancy, have priority for the purchase or rental of fifty percent of the affordable units.

1 S 63-m. Subdivision 8 of section 421-a of the real property tax law,  
2 as added by chapter 618 of the laws of 2007, subparagraph (i) of para-  
3 graph (a) and paragraph (c) as amended by chapter 15 of the laws of  
4 2008, paragraphs (d) and (e) as amended by chapter 619 of the laws of  
5 2007, is amended to read as follows:

6 8. (a) As used in this subdivision, the following terms shall have the  
7 following meanings:

8 (i) "APPLICANT" MEANS AN APPLICANT FOR BENEFITS PURSUANT TO THIS  
9 SECTION, ANY SUCCESSOR TO SUCH APPLICANT, OR ANY EMPLOYER OF BUILDING  
10 SERVICE EMPLOYEES FOR SUCH APPLICANT, INCLUDING, BUT NOT LIMITED TO, A  
11 PROPERTY MANAGEMENT COMPANY OR CONTRACTOR.

12 (II) "Building service employee" means any person who is regularly  
13 employed at a building who performs work in connection with the care or  
14 maintenance of such building. "Building service employee" includes, but  
15 is not limited to [superintendent], watchman, guard, doorman, building  
16 cleaner, porter, handyman, janitor, gardener, groundskeeper, elevator  
17 operator and starter, and window cleaner, but shall not include persons  
18 regularly scheduled to work fewer than eight hours per week in the  
19 building.

20 [(ii) "Prevailing wage" means the wage determined by the fiscal offi-  
21 cer to be prevailing for the various classes of building service employ-  
22 ees in the locality pursuant to section two hundred thirty of the labor  
23 law.]

24 (III) "FISCAL OFFICER" MEANS THE COMPTROLLER OR OTHER ANALOGOUS OFFI-  
25 CER IN A CITY HAVING A POPULATION OF ONE MILLION OR MORE.

26 (b) [No benefits under this section shall be conferred for any  
27 construction commenced on or after December twenty-eighth, two thousand  
28 seven for any tax lots now existing or hereafter created except where  
29 the applicant agrees that all building service employees employed at the  
30 building, whether employed directly by the applicant or its successors,  
31 or through a property management company or a contractor, shall receive  
32 the applicable prevailing wage for the duration of the building's tax  
33 exemption.] ALL BUILDING SERVICE EMPLOYEES EMPLOYED BY THE APPLICANT IN  
34 A BUILDING WHOSE CONSTRUCTION COMMENCED ON OR AFTER DECEMBER  
35 TWENTY-EIGHTH, TWO THOUSAND SEVEN SHALL RECEIVE THE APPLICABLE PREVAIL-  
36 ING WAGE FOR THE DURATION OF BENEFITS PURSUANT TO THIS SECTION.

37 (c) [The limitations contained in paragraph] THE FISCAL OFFICER SHALL  
38 HAVE THE POWER TO ENFORCE THE PROVISIONS OF THIS SUBDIVISION. IN ENFORC-  
39 ING SUCH PROVISIONS, THE FISCAL OFFICER SHALL HAVE THE POWER:

40 (I) TO INVESTIGATE OR CAUSE AN INVESTIGATION TO BE MADE TO DETERMINE  
41 THE PREVAILING WAGES FOR BUILDING SERVICE EMPLOYEES; IN MAKING SUCH  
42 INVESTIGATION, THE FISCAL OFFICER MAY UTILIZE WAGE AND FRINGE BENEFIT  
43 DATA FROM VARIOUS SOURCES, INCLUDING, BUT NOT LIMITED TO, DATA AND  
44 DETERMINATIONS OF FEDERAL, STATE OR OTHER GOVERNMENTAL AGENCIES;

45 (II) TO INSTITUTE AND CONDUCT INSPECTIONS AT THE SITE OF THE WORK OR  
46 ELSEWHERE;

47 (III) TO EXAMINE THE BOOKS, DOCUMENTS AND RECORDS PERTAINING TO THE  
48 WAGES PAID TO, AND THE HOURS OF WORK PERFORMED BY, BUILDING SERVICE  
49 EMPLOYEES;

50 (IV) TO HOLD HEARINGS AND, IN CONNECTION THEREWITH, TO ISSUE SUBPOE-  
51 NAS, ADMINISTER OATHS AND EXAMINE WITNESSES; THE ENFORCEMENT OF A  
52 SUBPOENA ISSUED UNDER THIS SUBDIVISION SHALL BE REGULATED BY THE CIVIL  
53 PRACTICE LAW AND RULES;

54 (V) TO MAKE A CLASSIFICATION BY CRAFT, TRADE OR OTHER GENERALLY RECOG-  
55 NIZED OCCUPATIONAL CATEGORY OF THE BUILDING SERVICE EMPLOYEES AND TO

1 DETERMINE WHETHER SUCH WORK HAS BEEN PERFORMED BY THE BUILDING SERVICE  
2 EMPLOYEES IN SUCH CLASSIFICATION;

3 (VI) TO REQUIRE THE APPLICANT TO FILE WITH THE FISCAL OFFICER A RECORD  
4 OF THE WAGES ACTUALLY PAID BY SUCH APPLICANT TO THE BUILDING SERVICE  
5 EMPLOYEES AND OF THEIR HOURS OF WORK;

6 (VII) TO DELEGATE ANY OF THE FOREGOING POWERS TO HIS OR HER DEPUTY OR  
7 OTHER AUTHORIZED REPRESENTATIVE; AND

8 (VIII) TO PROMULGATE RULES AS HE OR SHE SHALL CONSIDER NECESSARY FOR  
9 THE PROPER EXECUTION OF THE DUTIES, RESPONSIBILITIES AND POWERS  
10 CONFERRED UPON HIM OR HER BY THE PROVISIONS OF THIS PARAGRAPH.

11 (D) IF THE FISCAL OFFICER FINDS THAT THE APPLICANT HAS FAILED TO  
12 COMPLY WITH THE PROVISIONS OF THIS SUBDIVISION, HE OR SHE SHALL PRESENT  
13 EVIDENCE OF SUCH NONCOMPLIANCE TO THE LOCAL HOUSING AGENCY.

14 (E) PARAGRAPH (b) of this subdivision shall not be applicable to:

15 (i) projects containing less than fifty dwelling units; or

16 (ii) buildings where the local housing agency certifies that at  
17 initial occupancy at least fifty percent of the dwelling units are  
18 affordable to individuals or families with a gross household income at  
19 or below one hundred twenty-five percent of the area median income and  
20 that any such units which are located in rental buildings will be  
21 subject to restrictions to insure that they will remain affordable for  
22 the entire period during which they receive benefits under this section.

23 [(d)] (F) The local housing agency shall prescribe appropriate sanc-  
24 tions for failure to comply with the provisions of this subdivision.

25 [(e)] (G) Solely for purposes of paragraph (b) of this subdivision,  
26 construction shall be deemed to have commenced when excavation or alter-  
27 ation has begun in good faith on the basis of approved construction  
28 plans.

29 [(f)] (H) The [limitations on] eligibility CRITERIA for benefits  
30 contained in this subdivision shall be in addition to those contained in  
31 any other law or regulation.

32 S 64. Paragraph (b) of subdivision 3 of section 421-m of the real  
33 property tax law, as added by section 43 of part B of chapter 97 of the  
34 laws of 2011, is amended to read as follows:

35 (b) Such construction or substantial rehabilitation was commenced on  
36 or after the effective date of the local law, ordinance or resolution  
37 described in subdivision one of this section, but no later than June  
38 fifteenth, two thousand [fifteen] NINETEEN.

39 S 64-a. The real property tax law is amended by adding a new section  
40 467-i to read as follows:

41 S 467-I. REAL PROPERTY TAX ABATEMENT. AN ELIGIBLE BUILDING SHALL  
42 RECEIVE AN ABATEMENT OF REAL PROPERTY TAXES AS PROVIDED IN THIS SECTION  
43 AND THE RULES PROMULGATED HEREUNDER.

44 1. THE AMOUNT OF SUCH TAX ABATEMENT SHALL BE DETERMINED PURSUANT TO  
45 REGULATIONS PROMULGATED BY THE COMMISSIONER OF THE STATE DEPARTMENT OF  
46 TAXATION AND FINANCE. THE VALUE OF SUCH TAX ABATEMENT SHALL BE DETER-  
47 MINED BASED UPON A FORMULA TO BE ESTABLISHED BY THE COMMISSIONER OF THE  
48 STATE DEPARTMENT OF TAXATION AND FINANCE THAT SHALL REFLECT THE VALUE OF  
49 THE MAJOR CAPITAL IMPROVEMENT, THE ECONOMIC LOSS IMPOSED UPON A BUILDING  
50 OWNER AS A RESULT OF CHANGES TO THE AMORTIZATION PERIOD AUTHORIZED FOR  
51 MAJOR CAPITAL IMPROVEMENTS PURSUANT TO THIS TITLE AND SUCH OTHER FACTORS  
52 AS THE COMMISSIONER MAY ESTABLISH, INCLUDING APPROPRIATE DISCOUNT RATES  
53 AND TIME PERIODS.

54 2. SUCH TAX ABATEMENT SHALL COMMENCE ON JULY FIRST FOLLOWING THE  
55 APPROVAL OF AN APPLICATION FOR TAX ABATEMENT BY THE DEPARTMENT OF  
56 FINANCE ON A FORM PRESCRIBED THEREBY PROVIDING THE AMOUNT OF THE MAJOR

CAPITAL IMPROVEMENT APPROVED BY THE DIVISION AND THE AMOUNT OF UNITS IN THE ELIGIBLE BUILDING.

3. SUCH ABATEMENT MAY NOT BE CARRIED OVER TO ANY SUBSEQUENT TAX YEAR AND SHALL NOT REDUCE OR BE OFFSET BY ANY OTHER TAX BENEFIT PROVIDED, APPROVED OR CALCULATED BY THE CITY OR THE STATE.

4. "ELIGIBLE BUILDING" SHALL MEAN FOR THE PURPOSES OF THIS SECTION A CLASS TWO BUILDING LOCATED IN A CITY OF A MILLION OR MORE WHICH IS SUBJECT TO EITHER THE EMERGENCY HOUSING RENT CONTROL LAW OR TO THE RENT AND REHABILITATION LAW OF THE CITY OF NEW YORK ENACTED PURSUANT TO THE EMERGENCY HOUSING RENT CONTROL LAW OR TO THE EMERGENCY TENANT PROTECTION ACT OF NINETEEN SEVENTY-FOUR.

5. WITH RESPECT TO ADMINISTRATION OF THE TAX ABATEMENT PROGRAM AUTHORIZED IN THIS SECTION, NO LOCAL AGENCY SHALL CONSIDER OR ADOPT ANY ELIGIBILITY CRITERIA THAT ARE DIFFERENT THAN THOSE PROMULGATED BY THE STATE DEPARTMENT OF TAXATION AND FINANCE.

S 65. Real property tax abatement. An eligible building shall receive an abatement of real property taxes as provided in this section and the rules promulgated hereunder.

1. The amount of such tax abatement shall be determined by calculating fifty percent of the economic loss attributed to the building owner as a result of changes to the amortization period as established by this act for such buildings, which shall be measured as follows: the total approved cost of the major capital improvement, multiplied by a fraction, the numerator of which is the increase, measured in months, of the amortization schedule of such improvement established by the rent act of 2015, and the denominator of which is the total new amortization period, measured in months, for the major capital improvement established by the rent act of 2015 as applied to such eligible building.

2. Such tax abatement shall commence on July first following the approval of an application for tax abatement by the department of finance on a form prescribed thereby providing the amount of the major capital improvement approved by the New York state division of housing and community renewal and the amount of units in the eligible building.

3. Such abatement may not be carried over to any subsequent tax year and shall not reduce or be offset by any other tax benefit provided, approved or calculated by the city or the state.

4. "Eligible building" shall mean for the purposes of this section a class two building located in a city with a population of one million or more which is subject either to the emergency housing rent control law or to the rent and rehabilitation law of the city of New York enacted pursuant to the emergency housing rent control law or to the emergency tenant protection act of nineteen seventy-four.

5. With respect to administration of the tax abatement program authorized herein, no local agency shall consider or adopt any eligibility criteria that are different than those promulgated by the state department of taxation and finance.

S 66. This act shall take effect immediately; and shall be deemed to have been in full force and effect on and after June 15, 2015; provided, however, that:

(a) the amendments to chapter 4 of title 26 of the administrative code of the city of New York made by sections ten, twelve, sixteen, sixteen-a, twenty-three, twenty-four and twenty-nine of this act shall expire on the same date as such chapter expires and shall not affect the expiration of such chapter as provided under section 26-520 of such law;

(b) the amendments to the emergency tenant protection act of nineteen seventy-four made by sections eight, eleven, thirteen, sixteen-b, twen-

1 ty-seven, twenty-eight and thirty of this act shall expire on the same  
2 date as such act expires and shall not affect the expiration of such act  
3 as provided in section 17 of chapter 576 of the laws of 1974;

4 (c) the amendments to the emergency housing rent control law made by  
5 sections seven, fourteen and thirty-two of this act shall expire on the  
6 same date as such law expires and shall not affect the expiration of  
7 such law as provided in subdivision 2 of section 1 of chapter 274 of the  
8 laws of 1946;

9 (d) the amendments to chapter 3 of title 26 of the administrative code  
10 of the city of New York made by sections nine, fifteen, twenty-five,  
11 twenty-six and thirty-one of this act shall remain in full force and  
12 effect only as long as the public emergency requiring the regulation and  
13 control of residential rents and evictions continues, as provided in  
14 subdivision 3 of section 1 of the local emergency housing rent control  
15 act;

16 (e) the amendments made by sections fourteen through twenty-one of  
17 this act shall not be grounds for dismissal of any owner application for  
18 deregulation where a notice or application for such deregulation, that  
19 is filed or served between May 1, 2015 through July 1, 2015, used the  
20 income and rent deregulation thresholds in effect prior to the effective  
21 date of such sections. Any tenant failure to respond to such notice or  
22 application because of the use of such income or deregulation thresholds  
23 shall constitute grounds to afford such tenant an additional opportunity  
24 to respond;

25 (f) the amendments to paragraph 2 of subdivision c of section 26-516  
26 of the administrative code of the city of New York made by section twen-  
27 ty-three of this act shall not affect the expiration of such paragraph  
28 and shall expire therewith when upon such date section twenty-four of  
29 this act shall take effect;

30 (g) the amendments to subparagraph (a) of paragraph 2 of subdivision b  
31 of section 26-413 of the administrative code of the city of New York  
32 made by section twenty-five of this act shall not affect the expiration  
33 and reversion of such subparagraph and shall expire therewith when upon  
34 such date the provisions of section twenty-six of this act shall take  
35 effect;

36 (h) the amendments to clause (ii) of paragraph 3 of subdivision a of  
37 section 12 of the emergency tenant protection act of nineteen seventy-  
38 four made by section twenty-seven of this act shall be subject to the  
39 expiration and reversion of such clause when upon such date section  
40 twenty-eight of this act shall take effect;

41 (i) the amendments to paragraph (vi) of subdivision 1 of section 284  
42 of the multiple dwelling law made by section twenty-two-a of this act  
43 shall not affect the expiration and reversion of such paragraph and  
44 shall expire therewith;

45 (j) the provisions of sections thirty-three, thirty-four, thirty-five,  
46 thirty-six, thirty-seven, thirty-eight, thirty-nine, forty, forty-one,  
47 forty-two, forty-three, forty-four, forty-five, forty-six, forty-seven,  
48 forty-eight, forty-nine and fifty of this act shall take effect imme-  
49 diately and shall be deemed to have been in full force and effect on and  
50 after June 23, 2015;

51 (k) the amendments to subparagraph (A) of paragraph 7 of subdivision  
52 (ee) of section 1115 of the tax law made by section thirty-three of this  
53 act shall not affect the repeal of such subdivision and shall be deemed  
54 repealed therewith;

55 (l) Provided however if and when the memorandum of understanding is  
56 fully executed as provided in section 63-c of this act, the signatories

1 to the memorandum shall notify the legislative bill drafting commission  
2 upon the execution of the memorandum of the understanding in order that  
3 the commission may maintain an accurate and timely effective data base  
4 of the official text of the laws of the state of New York in furtherance  
5 of effectuating the provisions of section 44 of the legislative law and  
6 section 70-b of the public officers law. Further, the legislative bill  
7 drafting commission shall notify the leadership of both the Senate and  
8 the Assembly as well as the commissioner of the division of housing and  
9 community renewal, immediately upon receipt of a memorandum of under-  
10 standing pursuant to this subdivision.

11 (m) the provisions of sections sixty-three-k of this act shall take  
12 effect immediately and shall be deemed to have been in full force and  
13 effect on and after August 17, 2007; and

14 (n) notwithstanding any other provision of law, rule or regulation,  
15 any rental or homeownership project whose commencement date has occurred  
16 or that has submitted an application for benefits under section 421-a of  
17 the real property tax law, prior to the effective date of the rent act  
18 of 2015 shall be governed by the provision of law in effect at the time  
19 of such application.

## 20 PART B

21 Section 1. This act enacts into law major components of legislation in  
22 relation to education. Each component is wholly contained within a  
23 Subpart identified as Subparts A through E. The effective date for each  
24 particular provision contained within such Subpart is set forth in the  
25 last section of such Subpart. Any provision in any section contained  
26 within a Subpart, including the effective date of the Subpart, which  
27 makes a reference to a section "of this act", when used in connection  
28 with that particular component, shall be deemed to mean and refer to the  
29 corresponding section of the Subpart in which it is found. Section three  
30 of this act sets forth the general effective date of this act.

## 31 SUBPART A

32 Section 1. Paragraph (a-1) of subdivision 3 of section 2854 of the  
33 education law, as added by chapter 4 of the laws of 1998, is amended to  
34 read as follows:

35 (a-1) The board of trustees of a charter school shall employ and  
36 contract with necessary teachers, administrators and other school  
37 personnel. Such teachers shall be certified in accordance with the  
38 requirements applicable to other public schools; provided, however, that  
39 a charter school may employ as teachers (i) uncertified teachers with at  
40 least three years of elementary, middle or secondary classroom teaching  
41 experience; (ii) tenured or tenure track college faculty; (iii) individ-  
42 uals with two years of satisfactory experience through the Teach for  
43 America program; and (iv) individuals who possess exceptional business,  
44 professional, artistic, athletic, or military experience, provided,  
45 however, that such teachers described in clauses (i), (ii), (iii), and  
46 (iv) of this paragraph shall not in total comprise more than THE SUM OF:  
47 (A) thirty per centum of the teaching staff of a charter school, or five  
48 teachers, whichever is less; PLUS (B) FIVE TEACHERS OF MATHEMATICS,  
49 SCIENCE, COMPUTER SCIENCE, TECHNOLOGY, OR CAREER AND TECHNICAL EDUCA-  
50 TION; PLUS (C) FIVE ADDITIONAL TEACHERS. A teacher certified or other-  
51 wise approved by the commissioner shall not be included in the numerical  
52 limits established by the preceding sentence.

1 S 2. Subdivisions 9 and 9-a of section 2852 of the education law,  
2 subdivision 9 as amended and subdivision 9-a as added by chapter 101 of  
3 the laws of 2010, paragraph (a) of subdivision 9-a as amended by chapter  
4 221 of the laws of 2010, paragraph (f) of subdivision 9-a as amended by  
5 chapter 102 of the laws of 2010, are amended to read as follows:

6 9. The total number of charters issued pursuant to this article STATE-  
7 WIDE shall not exceed four hundred sixty. (a) [One hundred of such  
8 charters shall be issued on the recommendation of the charter entity  
9 described in paragraph (b) of subdivision three of section twenty-eight  
10 hundred fifty-one of this article; (b) one hundred of such charters  
11 shall be issued on the recommendation of the other charter entities set  
12 forth in subdivision three of section twenty-eight hundred fifty-one of  
13 this article; (c) up to fifty of the additional charters authorized to  
14 be issued by the chapter of the laws of two thousand seven which amended  
15 this subdivision effective July first, two thousand seven shall be  
16 reserved for a city school district of a city having a population of one  
17 million or more; (d) one hundred thirty charters shall be issued by the  
18 board of regents pursuant to a competitive process in accordance with  
19 subdivision nine-a of this section, provided that no more than fifty-  
20 seven of such charters shall be granted to a charter for a school to be  
21 located in a city having a population of one million or more; (e) one  
22 hundred thirty charters shall be issued by the board of regents on the  
23 recommendation of the board of trustees of the state university of New  
24 York pursuant to a competitive process in accordance with subdivision  
25 nine-a of this section, provided that no more than fifty-seven of such  
26 charters shall be granted to a charter for a school to be located in a  
27 city having a population of one million or more] ALL CHARTERS ISSUED ON  
28 OR AFTER JULY FIRST, TWO THOUSAND FIFTEEN AND COUNTED TOWARD THE NUMER-  
29 ICAL LIMITS ESTABLISHED BY THIS SUBDIVISION SHALL BE ISSUED BY THE BOARD  
30 OF REGENTS UPON APPLICATION DIRECTLY TO THE BOARD OF REGENTS OR ON THE  
31 RECOMMENDATION OF THE BOARD OF TRUSTEES OF THE STATE UNIVERSITY OF NEW  
32 YORK PURSUANT TO A COMPETITIVE PROCESS IN ACCORDANCE WITH SUBDIVISION  
33 NINE-A OF THIS SECTION. FIFTY OF SUCH CHARTERS ISSUED ON OR AFTER JULY  
34 FIRST, TWO THOUSAND FIFTEEN, AND NO MORE, SHALL BE GRANTED TO A CHARTER  
35 FOR A SCHOOL TO BE LOCATED IN A CITY HAVING A POPULATION OF ONE MILLION  
36 OR MORE. The failure of any body to issue the regulations authorized  
37 pursuant to this article shall not affect the authority of a charter  
38 entity to propose a charter to the board of regents or the board of  
39 regents' authority to grant such charter. A conversion of an existing  
40 public school to a charter school, or the renewal or extension of a  
41 charter APPROVED BY ANY CHARTER ENTITY, shall not be counted toward the  
42 numerical limits established by this subdivision.

43 (B) A CHARTER THAT HAS BEEN SURRENDERED, REVOKED OR TERMINATED ON OR  
44 BEFORE JULY FIRST, TWO THOUSAND FIFTEEN, INCLUDING A CHARTER THAT HAS  
45 NOT BEEN RENEWED BY ACTION OF ITS CHARTER ENTITY, MAY BE REISSUED PURSU-  
46 ANT TO PARAGRAPH (A) OF THIS SUBDIVISION BY THE BOARD OF REGENTS EITHER  
47 UPON APPLICATION DIRECTLY TO THE BOARD OF REGENTS OR ON THE RECOMMENDA-  
48 TION OF THE BOARD OF TRUSTEES OF THE STATE UNIVERSITY OF NEW YORK PURSU-  
49 ANT TO A COMPETITIVE PROCESS IN ACCORDANCE WITH SUBDIVISION NINE-A OF  
50 THIS SECTION. PROVIDED THAT SUCH REISSUANCE SHALL NOT BE COUNTED TOWARD  
51 THE STATEWIDE NUMERICAL LIMIT ESTABLISHED BY THIS SUBDIVISION, AND  
52 PROVIDED FURTHER THAT NO MORE THAN TWENTY-TWO CHARTERS MAY BE REISSUED  
53 PURSUANT TO THIS PARAGRAPH.

54 (C) FOR PURPOSES OF DETERMINING THE TOTAL NUMBER OF CHARTERS ISSUED  
55 WITHIN THE NUMERICAL LIMITS ESTABLISHED BY THIS SUBDIVISION, THE  
56 APPROVAL DATE OF THE CHARTER ENTITY SHALL BE THE DETERMINING FACTOR.



1 (D) NOTWITHSTANDING ANY PROVISION OF THIS ARTICLE TO THE CONTRARY, ANY  
2 CHARTER AUTHORIZED TO BE ISSUED BY CHAPTER FIFTY-SEVEN OF THE LAWS OF  
3 TWO THOUSAND SEVEN EFFECTIVE JULY FIRST, TWO THOUSAND SEVEN, AND THAT  
4 REMAINS UNISSUED AS OF JULY FIRST, TWO THOUSAND FIFTEEN, MAY BE ISSUED  
5 PURSUANT TO THE PROVISIONS OF LAW APPLICABLE TO A CHARTER AUTHORIZED TO  
6 BE ISSUED BY SUCH CHAPTER IN EFFECT AS OF JUNE FIFTEENTH, TWO THOUSAND  
7 FIFTEEN; PROVIDED HOWEVER THAT NOTHING IN THIS PARAGRAPH SHALL BE  
8 CONSTRUED TO INCREASE THE NUMERICAL LIMIT APPLICABLE TO A CITY HAVING A  
9 POPULATION OF ONE MILLION OR MORE AS PROVIDED IN PARAGRAPH (A) OF THIS  
10 SUBDIVISION, AS AMENDED BY A CHAPTER OF THE LAWS OF TWO THOUSAND FIFTEEN  
11 WHICH ADDED THIS PARAGRAPH.

12 9-a. (a) The board of regents is hereby authorized and directed to  
13 issue [two] FOUR hundred sixty charters STATEWIDE UPON EITHER APPLICA-  
14 TIONS SUBMITTED DIRECTLY TO THE BOARD OF REGENTS OR UPON THE RECOMMENDA-  
15 TION OF THE BOARD OF TRUSTEES OF THE STATE UNIVERSITY OF NEW YORK pursu-  
16 ant to a competitive request for proposals process.

17 [(i) Commencing on August first, two thousand ten through September  
18 first, two thousand thirteen, the board of regents and the board of  
19 trustees of the state university of New York shall each issue a request  
20 for proposals in accordance with this subdivision and this subparagraph:

21 (1) Each request for proposals to be issued by the board of regents  
22 and the board of trustees of the state university of New York on August  
23 first, two thousand ten shall be for a maximum of thirty-two charters to  
24 be issued for charter schools which would commence instructional opera-  
25 tion by the September of the next calendar year.

26 (2) Each request for proposals to be issued by the board of regents  
27 and the board of trustees of the state university of New York on January  
28 first, two thousand eleven shall be for a maximum of thirty-three char-  
29 ters to be issued for charter schools which would commence instructional  
30 operation by the September of the next calendar year.

31 (3) Each request for proposals to be issued by the board of regents  
32 and the board of trustees of the state university of New York on January  
33 first, two thousand twelve shall be for a maximum of thirty-two charters  
34 to be issued for charter schools which would commence instructional  
35 operation by the September of the next calendar year.

36 (4) Each request for proposals to be issued by the board of regents  
37 and the board of trustees of the state university of New York on Septem-  
38 ber first, two thousand thirteen shall be for a maximum of thirty-three  
39 charters to be issued for charter schools which would commence instruc-  
40 tional operation by the September of the next calendar year.

41 (ii) If after September first, two thousand thirteen, either the board  
42 of regents or the board of trustees of the state university of New York  
43 have any charters which have not yet been issued, they may be issued  
44 pursuant to requests for proposals issued in each succeeding year, with-  
45 out limitation as to when such requests for proposals may be issued, or  
46 a limitation on the number of charters which may be issued.

47 (iii) Notwithstanding the provisions of clauses one, two, three and  
48 four of subparagraph (i) of this paragraph and subparagraph (ii) of this  
49 paragraph, if fewer charters are issued than were requested in such  
50 request for proposals, the difference may be added to the number of  
51 charters requested in the request for proposals issued in each succeed-  
52 ing year.

53 (iv)] The board of regents shall make a determination to issue a char-  
54 ter pursuant to a request for proposals no later than December thirty-  
55 first of each year.

1 (b) The board of regents and the board of trustees of the state  
2 university of New York shall each develop such request for proposals in  
3 a manner that facilitates a thoughtful review of charter school applica-  
4 tions, considers the demand for charter schools by the community, and  
5 seeks to locate charter schools in a region or regions where there may  
6 be a lack of alternatives and access to charter schools would provide  
7 new alternatives within the local public education system that would  
8 offer the greatest educational benefit to students. Applications shall  
9 be evaluated in accordance with the criteria and objectives contained  
10 within a request for proposals. The board of regents and the board of  
11 trustees of the state university of New York shall not consider any  
12 applications which do not rigorously demonstrate that they have met the  
13 following criteria:

14 (i) that the proposed charter school would meet or exceed enrollment  
15 and retention targets, as prescribed by the board of regents or the  
16 board of trustees of the state university of New York, as applicable, of  
17 students with disabilities, English language learners, and students who  
18 are eligible applicants for the free and reduced price lunch program.  
19 When developing such targets, the board of regents and the board of  
20 trustees of the state university of New York, shall ensure (1) that such  
21 enrollment targets are comparable to the enrollment figures of such  
22 categories of students attending the public schools within the school  
23 district, or in a city school district in a city having a population of  
24 one million or more inhabitants, the community school district, in which  
25 the proposed charter school would be located; and (2) that such  
26 retention targets are comparable to the rate of retention of such cate-  
27 gories of students attending the public schools within the school  
28 district, or in a city school district in a city having a population of  
29 one million or more inhabitants, the community school district, in which  
30 the proposed charter school would be located; and

31 (ii) that the applicant has conducted public outreach, in conformity  
32 with a thorough and meaningful public review process prescribed by the  
33 board of regents and the board of trustees of the state university of  
34 New York, to solicit community input regarding the proposed charter  
35 school and to address comments received from the impacted community  
36 concerning the educational and programmatic needs of students.

37 (c) The board of regents and the board of trustees of the state  
38 university of New York shall grant priority based on a scoring rubric to  
39 those applications that best demonstrate how they will achieve the  
40 following objectives, and any additional objectives the board of regents  
41 and the board of trustees of the state university of New York, may  
42 prescribe:

43 (i) increasing student achievement and decreasing student achievement  
44 gaps in reading/language arts and mathematics;

45 (ii) increasing high school graduation rates and focusing on serving  
46 specific high school student populations including, but not limited to,  
47 students at risk of not obtaining a high school diploma, re-enrolled  
48 high school drop-outs, and students with academic skills below grade  
49 level;

50 (iii) focusing on the academic achievement of middle school students  
51 and preparing them for a successful transition to high school;

52 (iv) utilizing high-quality assessments designed to measure a  
53 student's knowledge, understanding of, and ability to apply, critical  
54 concepts through the use of a variety of item types and formats;

55 (v) increasing the acquisition, adoption, and use of local instruc-  
56 tional improvement systems that provide teachers, principals, and admin-

istrators with the information and resources they need to inform and improve their instructional practices, decision-making, and overall effectiveness;

(vi) partnering with low performing public schools in the area to share best educational practices and innovations;

(vii) demonstrating the management and leadership techniques necessary to overcome initial start-up problems to establish a thriving, financially viable charter school;

(viii) demonstrating the support of the school district in which the proposed charter school will be located and the intent to establish an ongoing relationship with such school district.

(d) No later than November first, two thousand ten, and of each succeeding year, after a thorough review of applications received, the board of trustees of the state university of New York shall recommend for approval to the board of regents the qualified applications that it has determined rigorously demonstrate the criteria and best satisfy the objectives contained within a request for proposals, along with supporting documentation outlining such determination.

(e) Upon receipt of a proposed charter to be issued pursuant to this subdivision submitted by a charter entity, the board of regents or the board of trustees of the state university of New York, shall review, recommend and issue, as applicable, such charters in accordance with the standards established in this subdivision.

(f) The board of regents shall be the only entity authorized to issue a charter pursuant to this article. The board of regents shall consider applications submitted directly to the board of regents and applications recommended by the board of trustees of the state university of New York. Provided, however, that all such recommended applications shall be deemed approved and issued pursuant to the provisions of subdivisions five, five-a and five-b of this section.

(g) Each application submitted in response to a request for proposals pursuant to this subdivision shall also meet the application requirements set out in this article and any other applicable laws, rules and regulations.

(h) During the development of a request for proposals pursuant to this subdivision the board of regents and the board of trustees of the state university of New York shall each afford the public an opportunity to submit comments and shall review and consider the comments raised by all interested parties.

S 3. Paragraph (b) of subdivision 2 of section 2854 of the education law, as amended by chapter 101 of the laws of 2010, is amended to read as follows:

(b) Any child who is qualified under the laws of this state for admission to a public school is qualified for admission to a charter school. Applications for admission to a charter school shall be submitted on a uniform application form created by the department and shall be made available by a charter school in languages predominately spoken in the community in which such charter school is located. The school shall enroll each eligible student who submits a timely application by the first day of April each year, unless the number of applications exceeds the capacity of the grade level or building. In such cases, students shall be accepted from among applicants by a random selection process, provided, however, that an enrollment preference shall be provided to pupils returning to the charter school in the second or any subsequent year of operation and pupils residing in the school district in which the charter school is located, and siblings of pupils already enrolled

1 in the charter school. PREFERENCE MAY ALSO BE PROVIDED TO CHILDREN OF  
2 EMPLOYEES OF THE CHARTER SCHOOL OR CHARTER MANAGEMENT ORGANIZATION,  
3 PROVIDED THAT SUCH CHILDREN OF EMPLOYEES MAY CONSTITUTE NO MORE THAN  
4 FIFTEEN PERCENT OF THE CHARTER SCHOOL'S TOTAL ENROLLMENT. The commis-  
5 sioner shall establish regulations to require that the random selection  
6 process conducted pursuant to this paragraph be performed in a transpar-  
7 ent and equitable manner and to require that the time and place of the  
8 random selection process be publicized in a manner consistent with the  
9 requirements of section one hundred four of the public officers law and  
10 be open to the public. For the purposes of this paragraph and paragraph  
11 (a) of this subdivision, the school district in which the charter school  
12 is located shall mean, for the city school district of the city of New  
13 York, the community district in which the charter school is located.  
14 S 4. This act shall take effect immediately.

15 SUBPART B

16 Section 1. The sum of two hundred fifty million dollars  
17 (\$250,000,000) is hereby appropriated to the state education department  
18 out of any moneys in the state treasury in the general fund to the cred-  
19 it of the local assistance account, not otherwise appropriated, and made  
20 immediately available, for reimbursement to non-public schools for prior  
21 year expenses for performing state-mandated functions, including but not  
22 limited to the comprehensive attendance policy program. Provided,  
23 further, that up to twenty million dollars (\$20,000,000) of the amount  
24 appropriated herein shall be available to pay additional liabilities of  
25 the comprehensive attendance policy program for the 2013-14 and 2014-15  
26 school years. Notwithstanding any inconsistent provision of law, funds  
27 appropriated herein shall be used for such reimbursement in accordance  
28 with a methodology recommended by the commissioner of education to  
29 address prior year expenses of non-public schools for such state-mandat-  
30 ed functions. Such moneys shall be payable on the audit and warrant of  
31 the comptroller on vouchers certified or approved by the director of the  
32 budget as submitted by the commissioner of education in the manner  
33 prescribed by law. Notwithstanding section 40 of the state finance law  
34 or any provision of law to the contrary, this appropriation shall lapse  
35 on March 31, 2017.  
36 S 2. This act shall take effect immediately.

37 SUBPART C

38 Section 1. Section 305 of the education law is amended by adding a new  
39 subdivision 51-a to read as follows:  
40 51-A. ON OR BEFORE JUNE FIRST, TWO THOUSAND FIFTEEN, AND EACH YEAR  
41 THEREAFTER, THE COMMISSIONER SHALL RELEASE THE TEST QUESTIONS, TEST  
42 ANSWERS, AND CORRESPONDING CORRECT ANSWERS FROM EACH OF THE MOST RECENT-  
43 LY ADMINISTERED ENGLISH LANGUAGE ARTS AND MATHEMATICS EXAMINATIONS IN  
44 GRADES THREE THROUGH EIGHT OF THAT YEAR. THE COMMISSIONER MAY LIMIT THE  
45 NUMBER OF QUESTIONS AND ANSWERS RELEASED ONLY TO THE EXTENT NECESSARY TO  
46 AVOID HINDERING OR IMPAIRING THE VALIDITY AND/OR RELIABILITY OF FUTURE  
47 EXAMINATIONS AND MUST PROVIDE ENOUGH OF AN OVERVIEW OF EACH EXAMINATION  
48 SO THAT TEACHERS, ADMINISTRATORS, PRINCIPALS, PARENTS AND STUDENTS CAN  
49 BE PROVIDED WITH SUFFICIENT FEEDBACK ON THE TYPES OF QUESTIONS ADMINIS-  
50 TERED AND, BY JULY FIRST, TWO THOUSAND FIFTEEN, AND EACH YEAR THEREAFT-  
51 ER, THE COMMISSIONER SHALL RELEASE THE GENERAL STUDENT SUCCESS RATE IN  
52 ANSWERING SUCH QUESTIONS CORRECTLY.

1 S 2. The sum of eight million four hundred thousand dollars  
2 (\$8,400,000), or so much thereof as may be necessary, is hereby appro-  
3 priated to the department of education out of any moneys in the state  
4 treasury in the general fund to the credit of the state purposes  
5 account, not otherwise appropriated, and made immediately available, for  
6 the purpose of carrying out the provisions of subdivision 51-a of  
7 section 305 of the education law, as added by section one of this act,  
8 and in order to create and print more forms of state standardized  
9 assessments in order to eliminate stand-alone multiple choice field  
10 tests and release a significant amount of test questions. Such moneys  
11 shall be payable on the audit and warrant of the comptroller on vouchers  
12 certified or approved by the division of the budget as submitted by the  
13 commissioner of education in the manner prescribed by law.

14 S 3. Subparagraph 1 of paragraph a of subdivision 4 of section 3012-d  
15 of the education law, as added by section 2 of subpart E of part EE of  
16 chapter 56 of the laws of 2015, is amended to read as follows:

17 (1) For the first subcomponent, (A) for a teacher whose course ends in  
18 a state-created or administered test for which there is a state-provided  
19 growth model, such teacher shall have a state-provided growth score  
20 based on such model, WHICH SHALL TAKE INTO CONSIDERATION CERTAIN STUDENT  
21 CHARACTERISTICS, AS DETERMINED BY THE COMMISSIONER, INCLUDING BUT NOT  
22 LIMITED TO STUDENTS WITH DISABILITIES, POVERTY, ENGLISH LANGUAGE LEARNER  
23 STATUS AND PRIOR ACADEMIC HISTORY AND WHICH SHALL IDENTIFY EDUCATORS  
24 WHOSE STUDENTS' GROWTH IS WELL ABOVE OR WELL BELOW AVERAGE COMPARED TO  
25 SIMILAR STUDENTS FOR A TEACHER'S OR PRINCIPAL'S STUDENTS AFTER THE  
26 CERTAIN STUDENT CHARACTERISTICS ABOVE ARE TAKEN INTO ACCOUNT; and (B)  
27 for a teacher whose course does not end in a state-created or adminis-  
28 tered test such teacher shall have a student learning objective (SLO)  
29 consistent with a goal-setting process determined or developed by the  
30 commissioner, that results in a student growth score; provided that, for  
31 any teacher whose course ends in a state-created or administered assess-  
32 ment for which there is no state-provided growth model, such assessment  
33 must be used as the underlying assessment for such SLO;

34 S 4. Section 305 of the education law is amended by adding two new  
35 subdivisions 53 and 54 to read as follows:

36 53. THE COMMISSIONER IS AUTHORIZED AND DIRECTED TO ESTABLISH A  
37 CONTENT REVIEW COMMITTEE FOR THE PURPOSES OF REVIEWING ALL STANDARDIZED  
38 TEST ITEMS AND/OR SELECTED PASSAGES USED ON ENGLISH LANGUAGE ARTS AND  
39 MATHEMATICS STATE ASSESSMENTS FOR GRADES THREE THROUGH EIGHT TO ENSURE:  
40 (A) THEY ARE GRADE LEVEL APPROPRIATE, IN GENERAL; (B) THEY ARE PRESENTED  
41 AT A READABILITY LEVEL THAT IS GRADE-LEVEL APPROPRIATE; (C) THEY ARE  
42 WITHIN GRADE-LEVEL EXPECTATIONS; AND (D) THEY APPROPRIATELY MEASURE THE  
43 LEARNING STANDARDS APPROVED BY THE BOARD OF REGENTS APPLICABLE TO SUCH  
44 SUBJECT AND/OR GRADE LEVEL. THE REVIEW OF SUCH ITEMS AND PASSAGES SHALL  
45 BE CONDUCTED PRIOR TO THEIR USE IN SUCH ASSESSMENTS PROVIDED HOWEVER,  
46 FOR THE TWO THOUSAND FIFTEEN--TWO THOUSAND SIXTEEN SCHOOL YEAR ONLY, IF  
47 SUCH REQUIREMENT WOULD PREVENT THE ABILITY OF SUCH ASSESSMENTS TO BE  
48 ADMINISTERED, THEN ITEMS OR PASSAGES THAT HAVE NOT BEEN REVIEWED MAY BE  
49 USED. PROVIDED FURTHER, THE CONTENT REVIEW COMMITTEE SHALL REVIEW ANY  
50 NEW STANDARDIZED TEST ITEMS AND/OR SELECTED PASSAGES PRIOR TO THEIR USE  
51 IN SUCH ASSESSMENTS. SUCH COMMITTEE SHALL ALSO ENSURE THAT ANY NEW TEST  
52 ITEMS AND/OR SELECTED PASSAGES ARE FAIR AND APPROPRIATELY MEASURE THE  
53 LEARNING STANDARDS APPROVED BY THE BOARD OF REGENTS APPLICABLE TO SUCH  
54 SUBJECT AND/OR GRADE LEVEL. SUCH COMMITTEE SHALL ALSO ENSURE THAT  
55 ADEQUATE AND APPROPRIATE TIME IS GIVEN TO STUDENTS FOR THE ADMINIS-  
56 TRATION OF SUCH ASSESSMENTS, PROVIDED HOWEVER THAT SUBDIVISION

1 FORTY-NINE OF THIS SECTION MUST BE COMPLIED WITH. THE CONTENT REVIEW  
2 COMMITTEE SHALL INCLUDE CLASSROOM TEACHERS AND EXPERIENCED EDUCATORS IN  
3 THE CONTENT AREA AND/OR GRADE LEVEL OF THE ITEMS/PASSAGES BEING  
4 REVIEWED, INCLUDING TEACHERS OF STUDENTS WITH DISABILITIES AND ENGLISH  
5 LANGUAGE LEARNERS.

6 54. NOTWITHSTANDING ANY LAW, RULE OR REGULATION TO THE CONTRARY, NO  
7 TEACHER, PRINCIPAL, OR SUPERINTENDENT SHALL BE REQUIRED TO SIGN A CONFIDENTIALITY  
8 AGREEMENT WITH THEIR RESPECTIVE SCHOOL DISTRICT, BOARD OF  
9 COOPERATIVE EDUCATIONAL SERVICES, OR THE DEPARTMENT THAT PREVENTS SUCH  
10 TEACHER, PRINCIPAL, OR SUPERINTENDENT FROM DISCUSSING THE CONTENTS OF  
11 ANY ITEMS ON THE ENGLISH LANGUAGE ARTS AND MATHEMATICS ASSESSMENTS IN  
12 GRADES THREE THROUGH EIGHT AFTER SUCH ITEMS HAVE BEEN RELEASED BY THE  
13 DEPARTMENT PURSUANT TO SUBDIVISION FIFTY-ONE-A OF THIS SECTION OR AFTER  
14 SUCH ITEMS HAVE BEEN PUBLICLY DISCLOSED BY THE DEPARTMENT OR OTHER  
15 APPROPRIATE ENTITY. THE COMMISSIONER SHALL AMEND AND/OR MODIFY ANY  
16 CURRENT CONFIDENTIALITY AGREEMENT INCONSISTENT WITH THIS SUBDIVISION AND  
17 SHALL PROMULGATE REGULATIONS CONSISTENT WITH THIS SUBDIVISION.

18 S 5. Notwithstanding any other provision of law, rule or regulation to  
19 the contrary, any previously entered into contract by the education  
20 department related to standardized test items and/or passages for use on  
21 state assessments in grades three through eight shall be amended to  
22 incorporate the provisions of section four of this act and any required  
23 approval of such contract amendments by a state agency shall be expedited  
24 to ensure compliance with section four of this act.

25 S 6. The commissioner of education shall conduct a comprehensive  
26 review of the education standards administered by the state education  
27 department and seek input from education stakeholders when conducting  
28 such review. This review shall be completed on or before June 30, 2016,  
29 provided however, such review may be extended upon a determination of  
30 the commissioner if he or she feels more time is needed.

31 S 7. This act shall take effect immediately; provided, however, that  
32 nothing in this act shall prevent or impair the commissioner of education  
33 from complying with the provisions of section one of this act prior  
34 to its effective date and provided further that the commissioner of  
35 education shall have thirty days from such effective date to comply with  
36 the provisions of section one of this act; and provided further that  
37 section four of this act shall take effect December 1, 2015.

#### 38 SUBPART D

39 Section 1. Section 34 of chapter 91 of the laws of 2002 amending the  
40 education law and other laws relating to reorganization of the New York  
41 city school construction authority, board of education and community  
42 boards, as amended by chapter 345 of the laws of 2009, is amended to  
43 read as follows:

44 S 34. This act shall take effect July 1, 2002; provided, that sections  
45 one through twenty, twenty-four, and twenty-six through thirty of this  
46 act shall expire and be deemed repealed [June 30, 2015] JUNE 30, 2016;  
47 provided, further, that notwithstanding any provision of article 5 of  
48 the general construction law, on [June 30, 2015] JUNE 30, 2016 the  
49 provisions of subdivisions 3, 5, and 8, paragraph b of subdivision 13,  
50 subdivision 14, paragraphs b, d, and e of subdivision 15, and subdivisions  
51 17 and 21 of section 2554 of the education law as repealed by  
52 section three of this act, subdivision 1 of section 2590-b of the education  
53 law as repealed by section six of this act, paragraph (a) of subdivision  
54 2 of section 2590-b of the education law as repealed by section

1 seven of this act, section 2590-c of the education law as repealed by  
2 section eight of this act, paragraph c of subdivision 2 of section  
3 2590-d of the education law as repealed by section twenty-six of this  
4 act, subdivision 1 of section 2590-e of the education law as repealed by  
5 section twenty-seven of this act, subdivision 28 of section 2590-h of  
6 the education law as repealed by section twenty-eight of this act,  
7 subdivision 30 of section 2590-h of the education law as repealed by  
8 section twenty-nine of this act, subdivision 30-a of section 2590-h of  
9 the education law as repealed by section thirty of this act shall be  
10 revived and be read as such provisions existed in law on the date imme-  
11 diately preceding the effective date of this act; provided, however,  
12 that sections seven and eight of this act shall take effect on November  
13 30, 2003; provided further that the amendments to subdivision 25 of  
14 section 2554 of the education law made by section two of this act shall  
15 be subject to the expiration and reversion of such subdivision pursuant  
16 to section 12 of chapter 147 of the laws of 2001, as amended, when upon  
17 such date the provisions of section four of this act shall take effect.

18 S 2. Subdivision 12 of section 17 of chapter 345 of the laws of 2009  
19 amending the education law and other laws relating to the New York city  
20 board of education, chancellor, community councils, and community super-  
21 intendents, is amended to read as follows:

22 12. any provision in sections one, two, three, four, five, six, seven,  
23 eight, nine, ten and eleven of this act not otherwise set to expire  
24 pursuant to section 34 of chapter 91 of the laws of 2002, as amended, or  
25 section 17 of chapter 123 of the laws of 2003, as amended, shall expire  
26 and be deemed repealed [June 30, 2015] JUNE 30, 2016.

27 S 3. This act shall take effect immediately.

28

#### SUBPART E

29 Section 1. Subdivision 2 of section 11 of the domestic relations law,  
30 as amended by chapter 264 of the laws of 1996, is amended to read as  
31 follows:

32 2. [A] THE CURRENT OR A FORMER GOVERNOR, A mayor of a village, a coun-  
33 ty executive of a county, or a mayor, recorder, city magistrate, police  
34 justice or police magistrate of a city, a former mayor or the city clerk  
35 of a city of the first class of over one million inhabitants or any of  
36 his or her deputies or not more than four regular clerks, designated by  
37 him or her for such purpose as provided in section eleven-a of this  
38 [chapter] ARTICLE, except that in cities which contain more than one  
39 hundred thousand and less than one million inhabitants, a marriage shall  
40 be solemnized by the mayor, or police justice, and by no other officer  
41 of such city, except as provided in subdivisions one and three of this  
42 section.

43 S 2. This act shall take effect immediately.

44 S 2. Severability clause. If any clause, sentence, paragraph, subdivi-  
45 sion, section or part of this act shall be adjudged by any court of  
46 competent jurisdiction to be invalid, such judgment shall not affect,  
47 impair, or invalidate the remainder thereof, but shall be confined in  
48 its operation to the clause, sentence, paragraph, subdivision, section  
49 or part thereof directly involved in the controversy in which such judg-  
50 ment shall have been rendered. It is hereby declared to be the intent of  
51 the legislature that this act would have been enacted even if such  
52 invalid provisions had not been included herein.

1 S 3. This act shall take effect immediately provided, however, that  
2 the applicable effective date of Subparts A through E of this act shall  
3 be as specifically set forth in the last section of such Subparts.

4 PART C

5 Section 1. This act enacts into law major components of legislation in  
6 relation to taxes. Each component is wholly contained within a Subpart  
7 identified as Subparts A through H. The effective date for each partic-  
8 ular provision contained within such Subpart is set forth in the last  
9 section of such Subpart. Any provision in any section contained within a  
10 Subpart, including the effective date of the Subpart, which makes a  
11 reference to a section "of this act", when used in connection with that  
12 particular component, shall be deemed to mean and refer to the corre-  
13 sponding section of the Subpart in which it is found. Section three of  
14 this act sets forth the general effective date of this act.

15 SUBPART A

16 Intentionally omitted.

17 SUBPART B

18 Section 1. Section 606 of the tax law is amended by adding a new  
19 subsection (n-1) to read as follows:

20 (N-1) PROPERTY TAX RELIEF CREDIT. (1) AN INDIVIDUAL TAXPAYER WHO MEETS  
21 THE ELIGIBILITY STANDARDS IN PARAGRAPH TWO OF THIS SUBSECTION SHALL BE  
22 ALLOWED A CREDIT AGAINST THE TAXES IMPOSED BY THIS ARTICLE IN THE AMOUNT  
23 SPECIFIED IN PARAGRAPH THREE OF THIS SUBSECTION FOR TAX YEARS TWO THOU-  
24 SAND SIXTEEN, TWO THOUSAND SEVENTEEN, TWO THOUSAND EIGHTEEN, AND TWO  
25 THOUSAND NINETEEN.

26 (2) (A) TO BE ELIGIBLE FOR THE CREDIT, THE TAXPAYER (OR TAXPAYERS  
27 FILING JOINT RETURNS) ON THE PERSONAL INCOME TAX RETURN FILED FOR THE  
28 TAXABLE YEAR TWO YEARS PRIOR, MUST HAVE (I) BEEN A RESIDENT, (II) OWNED  
29 AND PRIMARILY RESIDED IN REAL PROPERTY RECEIVING THE STAR EXEMPTION  
30 AUTHORIZED BY SECTION FOUR HUNDRED TWENTY-FIVE OF THE REAL PROPERTY TAX  
31 LAW, AND (III) HAD QUALIFIED GROSS INCOME NO GREATER THAN TWO HUNDRED  
32 SEVENTY-FIVE THOUSAND DOLLARS. PROVIDED, HOWEVER, THAT NO CREDIT SHALL  
33 BE ALLOWED IF ANY OF THE FOLLOWING APPLY:

34 (I) SUCH PROPERTY IS LOCATED IN AN INDEPENDENT SCHOOL DISTRICT THAT IS  
35 SUBJECT TO THE PROVISIONS OF SECTION TWO THOUSAND TWENTY-THREE-A OF THE  
36 EDUCATION LAW AND THAT HAS ADOPTED A BUDGET IN EXCESS OF THE TAX LEVY  
37 LIMIT PRESCRIBED BY THAT SECTION. TO RENDER ITS TAXPAYERS ELIGIBLE FOR  
38 THE CREDIT AUTHORIZED BY THIS SUBSECTION, THE SCHOOL DISTRICT MUST  
39 CERTIFY ITS COMPLIANCE WITH SUCH TAX LEVY LIMIT IN THE MANNER PRESCRIBED  
40 BY SUBDIVISION TWO OF SECTION TWO THOUSAND TWENTY-THREE-B OF THE EDUCA-  
41 TION LAW.

42 (II) SUCH PROPERTY IS LOCATED IN A CITY WITH A DEPENDENT SCHOOL  
43 DISTRICT THAT IS SUBJECT TO THE PROVISIONS OF SECTION THREE-C OF THE  
44 GENERAL MUNICIPAL LAW AND THAT HAS ADOPTED A BUDGET IN EXCESS OF THE TAX  
45 LEVY LIMIT PRESCRIBED BY THAT SECTION. TO RENDER ITS TAXPAYERS ELIGIBLE  
46 FOR THE CREDIT AUTHORIZED BY THIS SUBSECTION, THE CITY MUST CERTIFY ITS  
47 COMPLIANCE WITH SUCH TAX LEVY LIMIT IN THE MANNER PRESCRIBED BY SUBDIVI-  
48 SION TWO OF SECTION THREE-D OF THE GENERAL MUNICIPAL LAW.

49 (III) SUCH PROPERTY IS LOCATED IN THE CITY OF NEW YORK.



(3) AMOUNT OF CREDIT. (A) FOR THE TWO THOUSAND SIXTEEN TAXABLE YEAR (I) FOR A TAXPAYER RESIDING IN REAL PROPERTY LOCATED WITHIN THE METROPOLITAN COMMUTER TRANSPORTATION DISTRICT (MCTD) AND OUTSIDE THE CITY OF NEW YORK, THE AMOUNT OF THE CREDIT SHALL BE \$130; (II) FOR A TAXPAYER RESIDING IN REAL PROPERTY LOCATED OUTSIDE THE MCTD, THE AMOUNT OF THE CREDIT SHALL BE \$185.

(B) FOR THE TWO THOUSAND SEVENTEEN, TWO THOUSAND EIGHTEEN AND TWO THOUSAND NINETEEN TAXABLE YEARS (I) FOR A TAXPAYER WHO OWNED AND PRIMARILY RESIDED IN REAL PROPERTY RECEIVING THE BASIC STAR EXEMPTION, THE AMOUNT OF THE CREDIT SHALL EQUAL THE STAR TAX SAVINGS ASSOCIATED WITH SUCH BASIC STAR EXEMPTION, MULTIPLIED BY THE FOLLOWING PERCENTAGE:

| QUALIFIED GROSS INCOME                | PERCENTAGE |
|---------------------------------------|------------|
| NOT OVER \$75,000                     | 28%        |
| OVER \$75,000 BUT NOT OVER \$150,000  | 20.5%      |
| OVER \$150,000 BUT NOT OVER \$200,000 | 13%        |
| OVER \$200,000 BUT NOT OVER \$275,000 | 5.5%       |
| OVER \$275,000                        | NO CREDIT  |

| QUALIFIED GROSS INCOME                | PERCENTAGE |
|---------------------------------------|------------|
| NOT OVER \$75,000                     | 60%        |
| OVER \$75,000 BUT NOT OVER \$150,000  | 42.5%      |
| OVER \$150,000 BUT NOT OVER \$200,000 | 25%        |
| OVER \$200,000 BUT NOT OVER \$275,000 | 7.5%       |
| OVER \$275,000                        | NO CREDIT  |

| QUALIFIED GROSS INCOME                | PERCENTAGE |
|---------------------------------------|------------|
| NOT OVER \$75,000                     | 85%        |
| OVER \$75,000 BUT NOT OVER \$150,000  | 60%        |
| OVER \$150,000 BUT NOT OVER \$200,000 | 35%        |
| OVER \$200,000 BUT NOT OVER \$275,000 | 10%        |
| OVER \$275,000                        | NO CREDIT  |

(C) FOR A TAXPAYER WHO OWNED AND PRIMARILY RESIDED IN REAL PROPERTY RECEIVING THE ENHANCED STAR EXEMPTION, THE AMOUNT OF THE CREDIT SHALL EQUAL THE STAR TAX SAVINGS ASSOCIATED WITH SUCH ENHANCED STAR EXEMPTION, MULTIPLIED BY THE FOLLOWING PERCENTAGE:

| TAXABLE YEAR           | PERCENTAGE |
|------------------------|------------|
| TWO THOUSAND SEVENTEEN | 12%        |
| TWO THOUSAND EIGHTEEN  | 26%        |
| TWO THOUSAND NINETEEN  | 34%        |

(D) IN NO CASE MAY THE AMOUNT OF THE CREDIT ALLOWED UNDER THIS SUBSECTION EXCEED THE SCHOOL DISTRICT TAXES DUE WITH RESPECT TO THE RESIDENCE FOR THAT SCHOOL YEAR.

(4) FOR PURPOSES OF THIS SUBSECTION:

(A) "QUALIFIED GROSS INCOME" MEANS THE ADJUSTED GROSS INCOME OF THE QUALIFIED TAXPAYER FOR THE TAXABLE YEAR AS REPORTED FOR FEDERAL INCOME TAX PURPOSES, OR WHICH WOULD BE REPORTED AS ADJUSTED GROSS INCOME IF A FEDERAL INCOME TAX RETURN WERE REQUIRED TO BE FILED. IN COMPUTING QUALIFIED GROSS INCOME, THE NET AMOUNT OF LOSS REPORTED ON FEDERAL SCHEDULE C, D, E, OR F SHALL NOT EXCEED THREE THOUSAND DOLLARS PER SCHEDULE. IN ADDITION, THE NET AMOUNT OF ANY OTHER SEPARATE CATEGORY OF LOSS SHALL NOT EXCEED THREE THOUSAND DOLLARS. THE AGGREGATE AMOUNT OF ALL LOSSES INCLUDED IN COMPUTING QUALIFIED GROSS INCOME SHALL NOT EXCEED FIFTEEN THOUSAND DOLLARS.

(B) "STAR TAX SAVINGS" MEANS THE TAX SAVINGS ATTRIBUTABLE TO THE BASIC OR ENHANCED STAR EXEMPTION, WHICHEVER IS APPLICABLE, WITHIN A PORTION OF

1 A SCHOOL DISTRICT, AS DETERMINED BY THE COMMISSIONER PURSUANT TO SUBDI-  
2 VISION TWO OF SECTION THIRTEEN HUNDRED SIX-A OF THE REAL PROPERTY TAX  
3 LAW.

4 (C) "METROPOLITAN COMMUTER TRANSPORTATION DISTRICT" OR "MCTD" MEANS  
5 THE METROPOLITAN COMMUTER TRANSPORTATION DISTRICT AS DEFINED IN SECTION  
6 TWELVE HUNDRED SIXTY-TWO OF THE PUBLIC AUTHORITIES LAW.

7 (5) IF THE AMOUNT OF THE CREDIT ALLOWED UNDER THIS SUBSECTION SHALL  
8 EXCEED THE TAXPAYER'S TAX FOR THE TAXABLE YEAR, THE EXCESS SHALL BE  
9 TREATED AS AN OVERPAYMENT OF TAX TO BE CREDITED OR REFUNDED IN ACCORD-  
10 ANCE WITH THE PROVISIONS OF SECTION SIX HUNDRED EIGHTY-SIX OF THIS ARTI-  
11 CLE, PROVIDED, HOWEVER, THAT NO INTEREST SHALL BE PAID THEREON. FOR EACH  
12 YEAR THIS CREDIT IS ALLOWED, ON OR BEFORE OCTOBER FIFTEENTH OF SUCH  
13 YEAR, OR AS SOON THEREAFTER AS IS PRACTICABLE, THE COMMISSIONER SHALL  
14 DETERMINE THE TAXPAYER'S ELIGIBILITY FOR THIS CREDIT UTILIZING THE  
15 INFORMATION AVAILABLE TO THE COMMISSIONER ON THE TAXPAYER'S PERSONAL  
16 INCOME TAX RETURN FILED FOR THE TAXABLE YEAR TWO YEARS PRIOR TO THE  
17 TAXABLE YEAR IN WHICH THE CREDIT IS ALLOWED. FOR THOSE TAXPAYERS WHOM  
18 THE COMMISSIONER HAS DETERMINED ELIGIBLE FOR THIS CREDIT, THE COMMIS-  
19 SIONER SHALL ADVANCE A PAYMENT IN THE AMOUNT SPECIFIED IN PARAGRAPH  
20 THREE OF THIS SUBSECTION, WHICH PAYMENT SHALL BE ISSUED, TO THE GREATEST  
21 EXTENT PRACTICABLE, BY OCTOBER THIRTY-FIRST OF EACH YEAR THE CREDIT IS  
22 ALLOWED. A TAXPAYER WHO HAS FAILED TO RECEIVE AN ADVANCE PAYMENT THAT  
23 HE OR SHE BELIEVES WAS DUE TO HIM OR HER, OR WHO HAS RECEIVED AN ADVANCE  
24 PAYMENT THAT HE OR SHE BELIEVES IS LESS THAN THE AMOUNT THAT WAS DUE TO  
25 HIM OR HER, MAY REQUEST PAYMENT OF THE CLAIMED DEFICIENCY IN A MANNER  
26 PRESCRIBED BY THE COMMISSIONER.

27 (6) A TAXPAYER SHALL NOT BE ELIGIBLE FOR THE CREDIT ALLOWED UNDER THIS  
28 SUBSECTION IF THE SCHOOL DISTRICT TAXES LEVIED UPON THE RESIDENCE DURING  
29 THE TAXABLE YEAR REMAIN UNPAID SIXTY DAYS AFTER THE LAST DATE ON WHICH  
30 THEY COULD HAVE BEEN PAID WITHOUT INTEREST, OR IN THE CASE OF A SCHOOL  
31 DISTRICT WHERE SUCH TAXES ARE PAYABLE IN INSTALLMENTS, IF SUCH TAXES  
32 REMAIN UNPAID SIXTY DAYS AFTER THE LAST DATE ON WHICH THE FINAL INSTALL-  
33 MENT COULD HAVE BEEN PAID WITHOUT INTEREST. IF THE TAXES REMAIN UNPAID  
34 ON SUCH SIXTIETH DAY, THE AMOUNT OF CREDIT CLAIMED BY THE TAXPAYER UNDER  
35 THIS SUBSECTION OR THE AMOUNT OF ADVANCE PAYMENT OF CREDIT RECEIVED BY  
36 THE TAXPAYER PURSUANT TO PARAGRAPH FIVE OF THIS SUBSECTION SHALL BE  
37 ADDED BACK AS TAX ON THE INCOME TAX RETURN FOR THE TAXABLE YEAR IN WHICH  
38 SUCH SIXTIETH DAY OCCURS.

39 (7) ONLY ONE CREDIT PER RESIDENCE SHALL BE ALLOWED PER TAXABLE YEAR  
40 UNDER THIS SUBSECTION. WHEN TWO OR MORE MEMBERS OF A RESIDENCE ARE ABLE  
41 TO MEET THE QUALIFICATIONS FOR A QUALIFIED TAXPAYER, THE CREDIT SHALL BE  
42 EQUALLY DIVIDED BETWEEN OR AMONG SUCH INDIVIDUALS. IN THE CASE OF SPOUS-  
43 ES WHO FILE A JOINT FEDERAL RETURN BUT WHO ARE REQUIRED TO DETERMINE  
44 THEIR NEW YORK TAXES SEPARATELY, THE CREDIT ALLOWED PURSUANT TO THIS  
45 SUBSECTION MAY BE APPLIED AGAINST THE TAX OF EITHER OR DIVIDED BETWEEN  
46 THEM AS THEY MAY ELECT.

47 S 2. Section 3 of part K of chapter 59 of the laws of 2014, amending  
48 the tax law relating to providing an enhanced real property tax circuit  
49 breaker, is amended to read as follows:

50 S 3. This act shall take effect immediately and shall apply to taxable  
51 years beginning on or after January 1, 2014 and shall expire and be  
52 deemed repealed January 1, [2016] 2020.

53 S 3. This act shall take effect immediately.

1 Section 1. Paragraph c of subdivision 2 of section 2023-a of the  
2 education law, as added by section 2 of part A of chapter 97 of the laws  
3 of 2011, is amended to read as follows:

4 c. "Capital local expenditures" means the taxes associated with budg-  
5 eted expenditures resulting from the financing, refinancing, acquisi-  
6 tion, design, construction, reconstruction, rehabilitation, improvement,  
7 furnishing and equipping of, or otherwise providing for school district  
8 capital facilities or school district capital equipment, including debt  
9 service and lease expenditures, and transportation capital debt service,  
10 subject to the approval of the qualified voters where required by law.  
11 THE COMMISSIONER OF TAXATION AND FINANCE SHALL, AS APPROPRIATE, PROMUL-  
12 GATE RULES AND REGULATIONS WHICH MAY PROVIDE FOR ADJUSTMENT OF CAPITAL  
13 LOCAL EXPENDITURES TO REFLECT A SCHOOL DISTRICT'S SHARE OF ADDITIONAL  
14 BUDGETED CAPITAL EXPENDITURES MADE BY A BOARD OF COOPERATIVE EDUCATIONAL  
15 SERVICES.

16 S 2. Subparagraph (i) of paragraph (b) of subdivision 3 of section 3-c  
17 of the general municipal law, as added by section 1 of part A of chapter  
18 97 of the laws of 2011, is amended to read as follows:

19 (i) The commissioner of taxation and finance shall calculate a quanti-  
20 ty change factor for each local government for the coming fiscal year  
21 based upon the physical or quantity change, as defined by section twelve  
22 hundred twenty of the real property tax law, reported to the commission-  
23 er of taxation and finance by the assessor or assessors pursuant to  
24 section five hundred seventy-five of the real property tax law. The  
25 quantity change factor shall show the percentage by which the full value  
26 of the taxable real property in the local government has changed due to  
27 physical or quantity change between the second final assessment roll or  
28 rolls preceding the final assessment roll or rolls upon which taxes are  
29 to be levied, and the final assessment roll or rolls immediately preced-  
30 ing the final assessment roll or rolls upon which taxes are to be  
31 levied. THE COMMISSIONER OF TAXATION AND FINANCE SHALL, AS APPROPRIATE,  
32 PROMULGATE RULES AND REGULATIONS REGARDING THE CALCULATION OF THE QUAN-  
33 TITY CHANGE FACTOR WHICH MAY ADJUST THE CALCULATION BASED ON THE DEVEL-  
34 OPMENT ON TAX EXEMPT LAND.

35 S 3. Paragraph b of subdivision 2-a of section 2023-a of the education  
36 law, as added by section 2 of part A of chapter 97 of the laws of 2011,  
37 is amended to read as follows:

38 b. The commissioner of taxation and finance shall calculate a quantity  
39 change factor for the coming school year for each school district based  
40 upon the physical or quantity change, as defined by section twelve  
41 hundred twenty of the real property tax law, reported to the commission-  
42 er of taxation and finance by the assessor or assessors pursuant to  
43 section five hundred seventy-five of the real property tax law. The  
44 quantity change factor shall show the percentage by which the full value  
45 of the taxable real property in the school district has changed due to  
46 physical or quantity change between the second final assessment roll or  
47 rolls preceding the final assessment roll or rolls upon which taxes are  
48 to be levied, and the final assessment roll or rolls immediately preced-  
49 ing the final assessment roll or rolls upon which taxes are to be  
50 levied. THE COMMISSIONER OF TAXATION AND FINANCE SHALL, AS APPROPRIATE,  
51 PROMULGATE RULES AND REGULATIONS REGARDING THE CALCULATION OF THE QUAN-  
52 TITY CHANGE FACTOR WHICH MAY ADJUST THE CALCULATION BASED ON THE DEVEL-  
53 OPMENT ON TAX EXEMPT LAND.

54 S 4. Severability clause. If an amendment made by section two or  
55 section three of this act or their application to any person, legal  
56 entity, or circumstance is held invalid by a court of competent juris-

diction, the remainder of this act or the application of such amendment to other persons, legal entities or circumstances shall not be affected.

S 5. This act shall take effect immediately; provided, however, that sections one and three of this act shall first apply to school district budgets and the budget adoption process for the 2016-17 school year; provided, further, that section two of this act shall first apply to the levy of taxes by local governments for the fiscal year that begins in 2016; provided, further, that the amendments to paragraph c of subdivision 2 and paragraph b of subdivision 2-a of section 2023-a of the education law made by sections one and three of this act shall not affect the repeal of such section and shall be deemed repealed therewith; provided, further, that the amendments to subparagraph (i) of paragraph (b) of subdivision 3 of section 3-c of the general municipal law made by section two of this act shall not affect the repeal of such section and shall be deemed repealed therewith.

#### SUBPART D

Section 1. Clause 2 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by chapter 136 of the laws of 2013, is amended to read as follows:

(2) the county of Nassau is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is three-quarters percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning January first, nineteen hundred eighty-six and ending November thirtieth, two thousand [fifteen] SEVENTEEN, subject to the limitation set forth in section twelve hundred sixty-two-e of this article, and also at a rate which is one-half percent additional to the three percent rate authorized above in this paragraph, and which is also additional to the three-quarters percent rate also authorized above in this clause for such county, for the period beginning September first, nineteen hundred ninety-one and ending November thirtieth, two thousand [fifteen] SEVENTEEN;

S 2. Section 1262-e of the tax law, as amended by chapter 136 of the laws of 2013, is amended to read as follows:

S 1262-e. Establishment of local government assistance programs in Nassau county. 1. Towns and cities. Notwithstanding any other provision of law to the contrary, for the calendar year beginning on January first, nineteen hundred ninety-eight and continuing through the calendar year beginning on January first, two thousand [fifteen] SEVENTEEN, the county of Nassau shall enact and establish a local government assistance program for the towns and cities within such county to assist such towns and cities to minimize real property taxes; defray the cost and expense of the treatment, collection, management, disposal, and transportation of municipal solid waste, and to comply with the provisions of chapter two hundred ninety-nine of the laws of nineteen hundred eighty-three; and defray the cost of maintaining conservation and environmental control programs. Such special assistance program for the towns and cities within such county and the funding for such program shall equal one-third of the revenues received by such county from the imposition of the three-quarters percent sales and use tax during calendar years two thousand one, two thousand two, two thousand three, two thousand four, two thousand five, two thousand six, two thousand seven, two thousand eight, two thousand nine, two thousand ten, two thousand eleven, two thousand twelve, two thousand thirteen, two thousand fourteen [and], two

1 thousand fifteen, TWO THOUSAND SIXTEEN, AND TWO THOUSAND SEVENTEEN addi-  
2 tional to the regular three percent rate authorized for such county in  
3 section twelve hundred ten of this article. The monies for such special  
4 local assistance shall be paid and distributed to the towns and cities  
5 on a per capita basis using the population figures in the latest decen-  
6 nial federal census. Provided further, that notwithstanding any other  
7 law to the contrary, the establishment of such special assistance  
8 program shall preclude any city or town within such county from preempt-  
9 ing or claiming under any other section of this chapter the revenues  
10 derived from the additional tax authorized by section twelve hundred ten  
11 of this article. Provided further, that any such town or towns may, by  
12 resolution of the town board, apportion all or a part of monies received  
13 in such special assistance program to an improvement district or special  
14 district account within such town or towns in order to accomplish the  
15 purposes of this special assistance program.

16 2. Villages. Notwithstanding any other provision of law to the contra-  
17 ry, for the calendar year beginning on January first, nineteen hundred  
18 ninety-eight and continuing through the calendar year beginning on Janu-  
19 ary first, two thousand [fifteen] SEVENTEEN, the county of Nassau, by  
20 local law, is hereby empowered to enact and establish a local government  
21 assistance program for the villages within such county to assist such  
22 villages to minimize real property taxes; defray the cost and expense of  
23 the treatment, collection, management, disposal, and transportation of  
24 municipal solid waste; and defray the cost of maintaining conservation  
25 and environmental control programs. The funding of such local assistance  
26 program for the villages within such county may be provided by Nassau  
27 county during any calendar year in which such village local assistance  
28 program is in effect and shall not exceed one-sixth of the revenues  
29 received from the imposition of the three-quarters percent sales and use  
30 tax that are remaining after the towns and cities have received their  
31 funding pursuant to the provisions of subdivision one of this section.  
32 The funding for such village local assistance program shall be paid and  
33 distributed to the villages on a per capita basis using the population  
34 figures in the latest decennial federal census. Provided further, that  
35 the establishment of such village local assistance program shall  
36 preclude any village within such county from preempting or claiming  
37 under any other section of this chapter the revenues derived from the  
38 additional tax authorized by section twelve hundred ten of this article.

39 S 3. This act shall take effect immediately.

40

#### SUBPART E

41 Section 1. Section 1202 of the tax law is amended by adding a new  
42 subdivision (g) to read as follows:

43 (G) THE COUNTY OF SUFFOLK, IN IMPOSING TAXES OF THE TYPE AUTHORIZED  
44 UNDER SUBDIVISION (E) OF SECTION TWELVE HUNDRED ONE OF THIS SUBPART, MAY  
45 IMPOSE TAXES ON THE USE OF PASSENGER MOTOR VEHICLES OF A TYPE COMMONLY  
46 USED FOR NON-COMMERCIAL PURPOSES OWNED BY RESIDENTS OF THE COUNTY AT A  
47 RATE PER ANNUM FOR EACH SUCH VEHICLE OF NOT IN EXCESS OF FIFTEEN DOLLARS  
48 IF SUCH VEHICLE WEIGHS THIRTY-FIVE HUNDRED POUNDS OR LESS AND NOT IN  
49 EXCESS OF THIRTY DOLLARS PER ANNUM IF SUCH VEHICLE WEIGHS MORE THAN  
50 THIRTY-FIVE HUNDRED POUNDS; AND TAXES ON THE USE OF TRUCKS, BUSES AND  
51 OTHER SUCH COMMERCIAL MOTOR VEHICLES USED PRINCIPALLY IN CONNECTION WITH  
52 A BUSINESS CARRIED ON WITHIN THE COUNTY, EXCEPT WHEN OWNED AND USED IN  
53 CONNECTION WITH THE OPERATION OF A FARM BY THE OWNER OR TENANT THEREOF,

1 AT A RATE PER ANNUM FOR EACH SUCH VEHICLE OF NOT IN EXCESS OF THIRTY  
2 DOLLARS.

3 S 2. Subparagraph (ii) of paragraph (d) of subdivision 6 of section  
4 401 of the vehicle and traffic law, as amended by chapter 34 of the laws  
5 of 2004, is amended to read as follows:

6 (ii) In addition to the other fees provided for in this section, the  
7 commissioner shall, upon the application for the registration of a motor  
8 vehicle or the renewal thereof, collect the tax of the type authorized  
9 under subdivision (e) of section twelve hundred one of the tax law, if a  
10 county, pursuant to subdivision (c), (e) [or], (f) OR (G) of section  
11 twelve hundred two of such law, enacts a local law, ordinance or resol-  
12 ution providing for the collection of such tax by the commissioner and  
13 enters into the required agreement relating thereto.

14 S 3. This act shall take effect immediately.

15 SUBPART F

16 Section 1. Notwithstanding any other provision of law, and in addition  
17 to the powers currently authorized to be exercised by the state of New  
18 York municipal bond bank agency, the state of New York municipal bond  
19 bank agency may provide, for purposes of municipal relief to the city of  
20 Yonkers to support public schools in the city, a sum not to exceed  
21 \$25,000,000 for the city fiscal year ending June 30, 2016, to the city  
22 of Yonkers. Notwithstanding any other provision of law, and subject to  
23 the approval of the New York state director of the budget, the state of  
24 New York mortgage agency shall transfer to the state of New York munici-  
25 pal bond bank agency for distribution as municipal relief to the city of  
26 Yonkers, a total sum not to exceed \$25,000,000, such transfer to be made  
27 from (i) the special account of the mortgage insurance fund created  
28 pursuant to section 2429-b of the public authorities law, in an amount  
29 not to exceed the actual excess balance in the special account of the  
30 mortgage insurance fund, as determined and certified by the state of New  
31 York mortgage agency for the fiscal year 2015-2016 in accordance with  
32 section 2429-b of the public authorities law, if any, and/or (ii)  
33 provided that the reserves in the project pool insurance account of the  
34 mortgage insurance fund created pursuant to section 2429-b of the public  
35 authorities law are sufficient to attain and maintain the credit rating  
36 (as determined by the agency) required to accomplish the purposes of  
37 such account, the project pool insurance account of the mortgage insur-  
38 ance fund created pursuant to section 2429-b of the public authorities  
39 law, such transfer to be made as soon as practicable after July 1, 2015  
40 but no later than June 30, 2016 provided, however, that no such transfer  
41 is to be made unless and until the city of Yonkers submits a comprehen-  
42 sive financial plan that provides for continuity of current educational  
43 services and provided further that such plan is subject to the approval  
44 of the director of the budget. Notwithstanding any provision of law to  
45 the contrary, payments made to the city of Yonkers pursuant to this act  
46 shall not be considered when determining the "city amount" required  
47 pursuant to subparagraph (ii) of paragraph (a) of subdivision 5-b of  
48 section 2576 of the education law.

49 SUBPART G

50 Section 1. The sum of six million dollars (\$6,000,000) is hereby  
51 appropriated out of any moneys in the state treasury in the general fund  
52 to the credit of the local assistance account, not otherwise appropri-

ated, and made available for services and expenses of the city of Rochester which may include support for the Rochester/Monroe anti poverty initiative. Such moneys shall be payable on the audit and warrant of the comptroller on vouchers certified or approved by the director of the budget.

S 2. This act shall take effect immediately.

#### SUBPART H

Section 1. Contingent upon available funding, and not to exceed \$19,000,000, moneys from the urban development corporation shall be available for a municipal corporation or school district, as determined by the urban development corporation, where (i) a fossil fuel electric generating facility located within such municipal corporation or school district has permanently ceased operations, and (ii) the closing of such facility has caused a reduction in the tax collections and receipts from payments in lieu of taxes of at least 20%, or any judicial determination concerning a fossil fuel electric generating facility, has caused a reduction in the tax collections and receipts from payments in lieu of taxes of at least 20%; provided, however, that the urban development corporation shall not provide assistance to a municipal corporation or school district for more than five years, and shall not award in the first year more than eighty percent of the loss of revenues from property tax and payments in lieu of taxes due to the closure of such facility. The total amount awarded from this program shall not exceed \$19,000,000.

S 2. Notwithstanding any provision of law to the contrary, as deemed feasible and advisable by its trustees, the New York state energy research and development authority is authorized and directed to (i) make a contribution to the Urban Development Corporation, or as otherwise directed in writing by the director of the budget, in an amount not to exceed \$19,000,000 for the state fiscal year commencing April 1, 2016.

S 3. Notwithstanding any provision of law to the contrary, as deemed feasible and advisable by its trustees, the power authority of the state of New York is authorized and directed to make a contribution to the state treasury to the credit of the general fund, or as otherwise directed in writing by the director of the budget, in an amount of up to \$6,000,000 for the state fiscal year commencing April 1, 2015. Such contribution shall be in addition to other contributions otherwise enacted in law.

S 4. This act shall take effect immediately and shall expire and be deemed repealed by July 1, 2025.

S 2. Severability clause. If any clause, sentence, paragraph, subdivision, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

S 3. This act shall take effect immediately provided, however, that the applicable effective date of Subparts A through H of this act shall be as specifically set forth in the last section of such Subparts.

1 S 2. Severability clause. If any clause, sentence, paragraph, subdivi-  
2 sion, section or part of this act shall be adjudged by any court of  
3 competent jurisdiction to be invalid, such judgment shall not affect,  
4 impair, or invalidate the remainder thereof, but shall be confined in  
5 its operation to the clause, sentence, paragraph, subdivision, section  
6 or part thereof directly involved in the controversy in which such judg-  
7 ment shall have been rendered. It is hereby declared to be the intent of  
8 the legislature that this act would have been enacted even if such  
9 invalid provisions had not been included herein.

10 S 3. This act shall take effect immediately provided, however, that  
11 the applicable effective date of Parts A through C of this act shall be  
12 as specifically set forth in the last section of such Parts.