

# STATE OF NEW YORK

7230

## IN SENATE

January 4, 2018

Introduced by Sen. HOYLMAN -- read twice and ordered printed, and when printed to be committed to the Committee on Aging

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

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 4 of section 467-b of the real property tax  
2 law, as amended by chapter 442 of the laws of 2016, is amended to read  
3 as follows:

4 4. a. (1) The head of the household must apply every two years to the  
5 appropriate rent control agency or administrative agency for a tax  
6 abatement certificate on a form prescribed by said agency.

7 (2) Upon the adoption of a local law, ordinance, or resolution by the  
8 governing board of a municipality, any head of household that has been  
9 issued a tax abatement certificate pursuant to this section for five  
10 consecutive benefit periods, and whose income and residence have not  
11 changed since their last renewal application, shall be eligible to file  
12 a short form renewal. Such statement shall be on a form prescribed by  
13 the appropriate rent control agency or administrative agency and shall  
14 include the following: (i) a sworn statement certifying that such head  
15 of household continues to be eligible to receive such certificate and  
16 that their income and residence have not changed; and (ii) a certifi-  
17 cation to be signed by the applicant stating that all information  
18 contained in their statement is true and correct to the best of the  
19 applicant's knowledge and belief and stating that they understand that  
20 the willful making of any false statement of material fact therein shall  
21 subject them to the provisions of law relevant to the making and filing  
22 of false instruments and loss of their benefit, and that subsequent  
23 reapplication shall be as a new applicant.

24 (b) A tax abatement certificate setting forth an amount not in excess  
25 of the increase in maximum rent or legal regulated rent for the taxable  
26 period or such other amount as shall be determined under subdivision  
27 three of this section shall be issued by said agency to each head of the  
28 household who is found to be eligible under this section on or before

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

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1 the last date prescribed by law for the payment of the taxes or the  
2 first installment thereof of any municipal corporation which has granted  
3 an abatement of taxes. Copies of such certificate shall be issued to the  
4 owner of the real property containing the dwelling unit of the head of  
5 the household and to the collecting officer charged with the duty of  
6 collecting the taxes of each municipal corporation which has granted the  
7 abatement of taxes authorized by this section. The appropriate rent  
8 control agency or administrative agency shall send a notice of required  
9 renewal to each head of household currently receiving an exemption under  
10 this section via United States Postal Service to their primary residence  
11 no less than thirty days prior to the application renewal date.

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

14 4. The head of the household must apply each year to the appropriate  
15 rent control agency for a tax abatement certificate on a form prescribed  
16 by said agency. A tax abatement certificate setting forth an amount not  
17 in excess of the increase in maximum rent for the taxable period shall  
18 be issued by said agency to each head of the household who is found to  
19 be eligible under this section on or before the last date prescribed by  
20 law for the payment of the taxes or the first installment thereof of any  
21 city, town or village which has granted an abatement of taxes. Copies of  
22 such certificate shall be issued to the owner of the real property  
23 containing the dwelling unit of the head of the household and to the  
24 collecting officer charged with the duty of collecting the taxes of each  
25 city, town or village which has granted the abatement of taxes author-  
26 ized by this section. The appropriate rent control agency or adminis-  
27 trative agency shall send a notice of required renewal to each head of  
28 household currently receiving an exemption under this section via United  
29 States Postal Service to their primary residence no less than thirty  
30 days prior to the application renewal date.

31 § 3. Subdivision 4 of section 467-c of the real property tax law, as  
32 added by chapter 442 of the laws of 2016, is amended to read as follows:

33 4. a. (1) Any such local law or ordinance may provide that the eligi-  
34 ble head of the household shall apply annually to the supervising agency  
35 for a rent increase exemption order/tax abatement certificate on a form  
36 to be prescribed and made available by the supervising agency.

37 (2) Upon the adoption of a local law, ordinance, or resolution by the  
38 governing board of a municipality, any head of household that has been  
39 issued a tax abatement certificate pursuant to this section for five  
40 consecutive benefit periods, and whose income and residence have not  
41 changed since their last renewal application, shall be eligible to file  
42 a short form renewal. Such statement shall be on a form prescribed by  
43 the appropriate rent control agency or administrative agency and shall  
44 include the following: (i) a sworn statement certifying that such head  
45 of household continues to be eligible to receive such certificate and  
46 that their income and residence have not changed; and (ii) a certifi-  
47 cation to be signed by the applicant stating that all information  
48 contained in their statement is true and correct to the best of the  
49 applicant's knowledge and belief and stating that they understand that  
50 the willful making of any false statement of material fact therein shall  
51 subject them to the provisions of law relevant to the making and filing  
52 of false instruments and loss of their benefit, and that subsequent  
53 reapplication shall be as a new applicant.

54 (b) The supervising agency shall approve or disapprove applications  
55 and, if it approves, shall issue a rent increase exemption order/tax  
56 abatement certificate. Copies of such order/certificate shall be issued

1 to the housing company managing the dwelling unit of the eligible head  
2 of the household, to the eligible head of the household and to the  
3 collecting officer charged with the duty of collecting the taxes of the  
4 municipality. The appropriate supervising agency shall send a notice of  
5 required renewal to each head of household currently receiving an  
6 exemption under this section via United States Postal Service to their  
7 primary residence no less than thirty days prior to the application  
8 renewal date.

9 § 4. This act shall take effect on the ninetieth day after it shall  
10 have become a law; provided that the amendments to section 467-b of the  
11 real property tax law made by section one of this act shall be subject  
12 to the expiration and reversion of such section pursuant to section 17  
13 of chapter 576 of the laws of 1974, as amended, when upon such date the  
14 provisions of section two of this act shall take effect.