

STATE OF NEW YORK

10983

IN ASSEMBLY

May 29, 2018

Introduced by M. of A. GLICK -- read once and referred to the Committee on Real Property Taxation

AN ACT to amend the real property tax law, in relation to local laws, ordinances or resolutions providing for the abatement of taxes in a city with a population of one million or more persons

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

1 Section 1. Paragraph a of subdivision 1 of section 467-b of the real
2 property tax law, as amended by chapter 576 of the laws of 1974, is
3 amended to read as follows:

4 a. "Dwelling unit" means that part of a dwelling in which a head of
5 the household resides and which is subject to either the emergency hous-
6 ing rent control law or to the rent and rehabilitation law of the city
7 of New York enacted pursuant to the local emergency housing rent control
8 law, or to the emergency tenant protection act of nineteen seventy-four
9 or is a dwelling unit contained in real property described in subdivi-
10 sion eleven of this section;

11 § 2. Paragraph a of subdivision 1 of section 467-b of the real proper-
12 ty tax law, as amended by chapter 689 of the laws of 1972, is amended to
13 read as follows:

14 a. "Dwelling unit" means that part of a dwelling in which a head of
15 the household resides and which is subject to either emergency housing
16 rent control law or to rent and rehabilitation law of the city of New
17 York enacted pursuant to the local law enacted pursuant to the local
18 emergency housing rent control law or is a dwelling unit contained in
19 real property described in subdivision eleven of this section;

20 § 3. Section 467-b of the real property tax law is amended by adding a
21 new subdivision 11 to read as follows:

22 11. In a city with a population of one million or more, any such local
23 law, ordinance or resolution may provide for the abatement of taxes of
24 such city imposed on:

25 (a) real property originally organized pursuant to article two of the
26 private housing finance law containing dwelling units in which the qual-
27 ifying head of household or their qualifying successor in interest: (i)

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

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1 has a signed agreement with the landlord to limit increases in maximum
2 rent to an amount based on what is ordered by the rent guidelines board
3 for the lifetime of the tenancy, which amount may be less than, equal
4 to, or greater than the amount so ordered by the rent guidelines board,
5 and (ii) is otherwise eligible for the tax abatement provided in this
6 section, regardless of whether such real property is still subject to
7 the regulations of said article; or

8 (b) real property containing dwelling units in which the qualifying
9 head of household or their qualifying successor in interest: (i) has a
10 signed agreement with the landlord to limit increases in maximum rent
11 to an amount equal to or less than those ordered by the rent guidelines
12 board for the lifetime of the tenancy, and (ii) is otherwise eligible
13 for the tax abatement provided in this section;

14 (c) provided, however, that the application for any abatement pursuant
15 to this subdivision shall be subject to the approval of the New York
16 city department of housing preservation and development, in such depart-
17 ment's discretion.

18 § 4. Paragraph b of subdivision 1 of section 467-c of the real proper-
19 ty tax law, as amended by chapter 420 of the laws of 1991, is amended to
20 read as follows:

21 b. "Dwelling unit" means that part of a dwelling in which an eligible
22 head of the household resides and which is subject to the provisions of
23 either Article II, IV, V, or XI of the private housing finance law; or
24 that part of a dwelling which was or continues to be subject to a mort-
25 gage insured or initially insured by the federal government pursuant to
26 section two hundred thirteen of the National Housing Act, as amended, in
27 which an eligible head of the household resides or is a unit in a hous-
28 ing development described in subdivision thirteen of this section.

29 § 5. Section 467-c of the real property tax law is amended by adding a
30 new subdivision 13 to read as follows:

31 13. In a city with a population of one million or more, any such local
32 law, ordinance or resolution may provide for the abatement of taxes of
33 such city imposed on:

34 (a) real property originally organized pursuant to article two of the
35 private housing finance law containing dwelling units in which the qual-
36 ifying head of household or their qualifying successor in interest: (i)
37 has a signed agreement with the landlord to limit increases in maximum
38 rent to an amount based on what is ordered by the rent guidelines board
39 for the lifetime of the tenancy, which amount may be less than, equal
40 to, or greater than the amount so ordered by the rent guidelines board,
41 and (ii) is otherwise eligible for the tax abatement provided in this
42 section, regardless of whether such real property is still subject to
43 the regulations of said article; or

44 (b) real property containing dwelling units in which the qualifying
45 head of household or their qualifying successor in interest: (i) has a
46 signed agreement with the landlord to limit increases in maximum rent to
47 an amount equal to or less then those ordered by the rent guidelines
48 board for the lifetime of the tenancy, and (ii) is otherwise eligible
49 for the tax abatement provided in this section;

50 (c) provided, however, that the application for any abatement pursuant
51 to this subdivision shall be subject to the approval of the New York
52 city department of housing preservation and development, in such depart-
53 ment's discretion.

54 § 6. This act shall take effect immediately; provided, however, that:

55 (a) the amendments to paragraph a of subdivision 1 of section 467-b of
56 the real property tax law made by section one of this act shall be

1 subject to the expiration and reversion of such section pursuant to
2 section 17 of chapter 576 of the laws of 1974, as amended, when upon
3 such date the provisions of section two of this act shall take effect;
4 and
5 (b) the amendments to section 467-b of the real property tax law made
6 by section three of this act shall survive the expiration and reversion
7 of such section as provided in section 17 of chapter 576 of the laws of
8 1974, as amended.