

# STATE OF NEW YORK

8383

2019-2020 Regular Sessions

## IN ASSEMBLY

June 15, 2019

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

AN ACT to amend the real property tax law, in relation to extending certain provisions relating to a 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

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

Section 1. Paragraphs (a) and (b) of subdivision 2 of section 467-a of the real property tax law, as amended by section 61 of part A of chapter 20 of the laws of 2015, are amended to read as follows:

(a) In a city having a population of one million or more, dwelling units owned by unit owners who, as of the applicable taxable status date, own no more than three dwelling units in any one property held in the condominium form of ownership, shall be eligible to receive a partial abatement of real property taxes, as set forth in paragraphs (c), (d), (d-1), (d-2), (d-3), (d-4), (d-5) and (d-6) of this subdivision; provided, however, that a property held in the condominium form of ownership that is receiving complete or partial real property tax exemption or tax abatement pursuant to any other provision of this chapter or any other state or local law, except as provided in paragraph (f) of this subdivision, shall not be eligible to receive a partial abatement pursuant to this section; and provided, further, that sponsors shall not be eligible to receive a partial abatement pursuant to this section; and provided, further, that in the fiscal years commencing in calendar years two thousand twelve[~~, two thousand thirteen, two thousand fourteen, two thousand fifteen, two thousand sixteen, two thousand seventeen or two thousand eighteen~~] through two thousand twenty no more than a maximum of three dwelling units owned by any unit owner in a single building, one of which must be the primary residence of such unit

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

LBD13372-03-9

owner, shall be eligible to receive a partial abatement pursuant to paragraphs (d-1), (d-2), (d-3) and (d-4) of this subdivision.

(b) In a city having a population of one million or more, dwelling units owned by tenant-stockholders who, as of the applicable taxable status date, own no more than three dwelling units in any one property held in the cooperative form of ownership, shall be eligible to receive a partial abatement of real property taxes, as set forth in paragraphs (c), (d), (d-1), (d-2), (d-3), (d-4), (d-5) and (d-6) of this subdivision; provided, however, that a property held in the cooperative form of ownership that is receiving complete or partial real property tax exemption or tax abatement pursuant to any other provision of this chapter or any other state or local law, except as provided in paragraph (f) of this subdivision, shall not be eligible to receive a partial abatement pursuant to this section; and provided, further, that sponsors shall not be eligible to receive a partial abatement pursuant to this section; and provided, further, that in the fiscal years commencing in calendar years two thousand twelve~~, two thousand thirteen, two thousand fourteen, two thousand fifteen, two thousand sixteen, two thousand seventeen or two thousand eighteen~~ through two thousand twenty no more than a maximum of three dwelling units owned by any tenant-stockholder in a single building, one of which must be the primary residence of such tenant-stockholder, shall be eligible to receive a partial abatement pursuant to paragraphs (d-1), (d-2), (d-3) and (d-4) of this subdivision. For purposes of this section, a tenant-stockholder of a cooperative apartment corporation shall be deemed to own the dwelling unit which is represented by his or her shares of stock in such corporation. Any abatement so granted shall be credited by the appropriate taxing authority against the tax due on the property as a whole. The reduction in real property taxes received thereby shall be credited by the cooperative apartment corporation against the amount of such taxes attributable to eligible dwelling units at the time of receipt.

§ 2. Paragraphs (d-1), (d-2), (d-3) and (d-4) of subdivision 2 of section 467-a of the real property tax law, as amended by section 62 of part A of chapter 20 of the laws of 2015, are amended to read as follows:

(d-1) In the fiscal years commencing in calendar years two thousand twelve, two thousand thirteen and two thousand fourteen, eligible dwelling units in property whose average unit assessed value is less than or equal to fifty thousand dollars shall receive a partial abatement of the real property taxes attributable to or due on such dwelling units of twenty-five percent, twenty-six and one-half percent and twenty-eight and one-tenth percent respectively. In the fiscal years commencing in calendar years two thousand fifteen~~, two thousand sixteen, two thousand seventeen and two thousand eighteen~~ through two thousand twenty eligible dwelling units in property whose average unit assessed value is less than or equal to fifty thousand dollars shall receive a partial abatement of the real property taxes attributable to or due on such dwelling units of twenty-eight and one-tenth percent.

(d-2) In the fiscal years commencing in calendar years two thousand twelve, two thousand thirteen and two thousand fourteen, eligible dwelling units in property whose average unit assessed value is more than fifty thousand dollars, but less than or equal to fifty-five thousand dollars, shall receive a partial abatement of the real property taxes attributable to or due on such dwelling units of twenty-two and one-half percent, twenty-three and eight-tenths percent and twenty-five and two-tenths percent respectively. In the fiscal years commencing in calendar

1 years two thousand fifteen[, ~~two thousand sixteen, two thousand seven~~  
2 ~~teen and two thousand eighteen~~] through two thousand twenty eligible  
3 dwelling units in property whose average unit assessed value is more  
4 than fifty thousand dollars, but less than or equal to fifty-five thou-  
5 sand dollars, shall receive a partial abatement of the real property  
6 taxes attributable to or due on such dwelling units of twenty-five and  
7 two-tenths percent.

8 (d-3) In the fiscal years commencing in calendar years two thousand  
9 twelve, two thousand thirteen and two thousand fourteen, eligible dwell-  
10 ing units in property whose average unit assessed value is more than  
11 fifty-five thousand dollars, but less than or equal to sixty thousand  
12 dollars, shall receive a partial abatement of the real property taxes  
13 attributable to or due on such dwelling units of twenty percent, twen-  
14 ty-one and two-tenths percent, and twenty-two and five-tenths percent  
15 respectively. In the fiscal years commencing in calendar years two thou-  
16 sand fifteen[, ~~two thousand sixteen, two thousand seventeen and two~~  
17 ~~thousand eighteen~~] through two thousand twenty eligible dwelling units  
18 in property whose average unit assessed value is more than fifty-five  
19 thousand dollars, but less than or equal to sixty thousand dollars,  
20 shall receive a partial abatement of the real property taxes attribut-  
21 able to or due on such dwelling units of twenty-two and five-tenths  
22 percent.

23 (d-4) In the fiscal years commencing in calendar years two thousand  
24 twelve[, ~~two thousand thirteen, two thousand fourteen, two thousand~~  
25 ~~fifteen, two thousand sixteen, two thousand seventeen and two thousand~~  
26 ~~eighteen~~] through two thousand twenty, eligible dwelling units in prop-  
27 erty whose average unit assessed value is more than sixty thousand  
28 dollars shall receive a partial abatement of the real property taxes  
29 attributable to or due on such dwelling units of seventeen and one-half  
30 percent.

31 § 3. Paragraph (a) of subdivision 3 of section 467-a of the real prop-  
32 erty tax law, as amended by section 63 of part A of chapter 20 of the  
33 laws of 2015, is amended to read as follows:

34 (a) An application for an abatement pursuant to this section for the  
35 fiscal year commencing in calendar year nineteen hundred ninety-six  
36 shall be made no later than the fifteenth day of September, nineteen  
37 hundred ninety-six. An application for an abatement pursuant to this  
38 section for the fiscal year commencing in calendar year nineteen hundred  
39 ninety-seven shall be made no later than the first day of April, nine-  
40 teen hundred ninety-seven. An application for an abatement pursuant to  
41 this section for the fiscal year commencing in calendar year nineteen  
42 hundred ninety-eight shall be made no later than the first day of April,  
43 nineteen hundred ninety-eight. An application for an abatement pursuant  
44 to this section for the fiscal year commencing in calendar year nineteen  
45 hundred ninety-nine shall be made in accordance with this subdivision  
46 and subdivision three-a of this section. An application for an abatement  
47 pursuant to this section for the fiscal year commencing in calendar year  
48 two thousand shall be made no later than the fifteenth day of February,  
49 two thousand. An application for an abatement pursuant to this section  
50 for the fiscal year commencing in calendar year two thousand one shall  
51 be made in accordance with this subdivision and subdivision three-b of  
52 this section. An application for an abatement pursuant to this section  
53 for the fiscal year commencing in calendar year two thousand two shall  
54 be made no later than the fifteenth day of February, two thousand two.  
55 An application for an abatement pursuant to this section for the fiscal  
56 year commencing in calendar year two thousand three shall be made no

1 later than the fifteenth day of February, two thousand three. An appli-  
2 cation for an abatement pursuant to this section for the fiscal year  
3 commencing in calendar year two thousand four shall be made in accord-  
4 ance with this subdivision and subdivision three-c of this section. An  
5 application for an abatement pursuant to this section for the fiscal  
6 year commencing in calendar year two thousand five shall be made no  
7 later than the fifteenth day of February, two thousand five. An applica-  
8 tion for an abatement pursuant to this section for the fiscal year  
9 commencing in calendar year two thousand six shall be made no later than  
10 the fifteenth day of February, two thousand six. An application for an  
11 abatement pursuant to this section for the fiscal year commencing in  
12 calendar year two thousand seven shall be made no later than the  
13 fifteenth day of February, two thousand seven. An application for abate-  
14 ment pursuant to this section for the fiscal year commencing in calendar  
15 year two thousand eight shall be made in accordance with this subdivi-  
16 sion and subdivision three-d of this section. An application for an  
17 abatement pursuant to this section for the fiscal year commencing in  
18 calendar year two thousand nine shall be made no later than the  
19 fifteenth day of February, two thousand nine. An application for an  
20 abatement pursuant to this section for the fiscal year commencing in  
21 calendar year two thousand ten shall be made no later than the fifteenth  
22 day of February, two thousand ten. An application for an abatement  
23 pursuant to this section for the fiscal year commencing in calendar year  
24 two thousand eleven shall be made no later than the fifteenth day of  
25 February, two thousand eleven. An application for an abatement pursuant  
26 to this section for the fiscal years commencing in calendar years two  
27 thousand twelve and two thousand thirteen shall be made in accordance  
28 with subdivision three-e of this section. The date or dates by which  
29 applications for an abatement pursuant to this section shall be made for  
30 the fiscal years beginning in calendar years two thousand fourteen[~~, two~~  
31 ~~thousand fifteen, two thousand sixteen, two thousand seventeen and two~~  
32 ~~thousand eighteen~~] through two thousand twenty shall be established by  
33 the commissioner of finance by rule, provided that such date or dates  
34 shall not be later than the fifteenth day of February for such calendar  
35 years.

36 § 4. This act shall take effect immediately.