

# STATE OF NEW YORK

9021

## IN SENATE

October 2, 2020

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

AN ACT to amend the administrative code of the city of New York, in relation to demolition costs of residential property

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

1 Section 1. Section 11-301 of the administrative code of the city of  
2 New York, as amended by local law number 68 for the year 2007, is  
3 amended to read as follows:  
4 § 11-301 When taxes, assessments, sewer rents, sewer surcharges [~~and~~],  
5 water rents and demolition costs to be liens on land assessed. All taxes  
6 and all assessments and all sewer rents, sewer surcharges [~~and~~], water  
7 rents and demolition costs, and the interest and charges thereon, which  
8 may be laid or may have heretofore been laid, upon any real estate now  
9 in the city, shall continue to be, until paid, a lien thereon, and shall  
10 be preferred in payment to all other charges. The words "water rents"  
11 whenever they are used in this chapter shall include uniform annual  
12 charges and extra and miscellaneous charges for the supply of water,  
13 charges in accordance with meter rates, minimum charges for the supply  
14 of water by meter, annual service charges and charges for meters and  
15 their connections and for their setting, repair and maintenance, penal-  
16 ties and fines and all lawful charges for the supply of water imposed  
17 pursuant to the New York city municipal water finance authority act,  
18 which is set forth in title two-A of article five of the public authori-  
19 ties law. Charges for expense of meters, their connections, setting,  
20 repair or maintenance shall not be due or become a charge or lien on the  
21 premises where a water meter shall be installed or against which a  
22 charge shall be made, until such charge shall have been definitely fixed  
23 by the commissioner of environmental protection, and an entry of the  
24 amount thereof shall have been made with the date of such entry in the  
25 book in which the charges for water supplied by meter against such prem-  
26 ises are to be entered. A charge in accordance with meter rates or mini-  
27 mum charges for the supply of water measured by meter, and a service  
28 charge shall not be due or become a lien or charge upon the premises

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

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1 where such meter is installed until an entry shall have been made indi-  
2 cating that such premises are metered, with the date of such entry in  
3 the book in which the charges for water by meter measurement against  
4 such premises are to be entered. The words "sewer rents" when used in  
5 this chapter shall mean any rents or charges imposed pursuant to section  
6 24-514 of the code or pursuant to the New York city municipal water  
7 finance authority act, which is set forth in title two-A of article five  
8 of the public authorities law. The words "sewer surcharges" when used in  
9 this chapter shall mean the charges imposed pursuant to section 24-523  
10 of the code or pursuant to the New York city municipal water finance  
11 authority act, which is set forth in title two-A of article five of the  
12 public authorities law. Whenever an increase in the amount of uniform  
13 annual charges or extra or miscellaneous charges shall have been made or  
14 a charge shall have been made for water services for any building  
15 completed subsequent to the first day of January in each year, the  
16 amount of such increase of the charge or new charge for such new build-  
17 ing shall not be due or become a lien or charge against the premises  
18 until the amounts thereof shall have been entered with the date of such  
19 entries, respectively, in the books in which the uniform annual charges  
20 and extra or miscellaneous charges against such premises are to be  
21 entered. The words "tax lien" when used in this chapter shall mean the  
22 lien arising pursuant to the provisions of this chapter or pursuant to  
23 the New York city municipal water finance authority act, which is set  
24 forth in title two-A of article five of the public authorities law, as a  
25 result of the nonpayment of taxes, assessments, sewer rents, sewer  
26 surcharges, water rents, demolition costs, any other charges that are  
27 made a lien subject to the provisions of this chapter, the costs of any  
28 advertisements and notices given pursuant to this chapter, any other  
29 charges that are due and payable, a surcharge pursuant to section 11-332  
30 of this chapter if the tax lien is sold, interest and penalties thereon  
31 and the right of the city to receive such amounts. The words "tax lien  
32 certificate" when used in this chapter shall mean the instrument  
33 evidencing a tax lien and executed by the commissioner of finance or his  
34 or her designee at such time as such lien is transferred to a purchaser  
35 upon sale of such lien by the city. The words "demolition costs" when  
36 used in this chapter shall mean the charges imposed for the demolition  
37 of a residential building which is set forth in section 11-357 of this  
38 chapter.

39 § 2. The administrative code of the city of New York is amended by  
40 adding a new section 11-357 to read as follows:

41 § 11-357 Demolition costs on residential buildings. 1. An owner of  
42 residential property which has been deemed an unsafe building or struc-  
43 ture as a result of arson and such owner has been ordered by the commis-  
44 sioner to demolish such building pursuant to title twenty-eight of this  
45 chapter, shall be billed for the actual cost of the demolition and shall  
46 be no more than twenty-five percent of the total insurance settlement  
47 reached between the owner and their insurance carrier. This section  
48 shall not apply if such arson was committed by the legal owner of the  
49 residential property or an occupant of the residential property.

50 2. The commissioner of buildings of the city of New York shall cause  
51 to be transmitted to the commissioner of finance an account of all demo-  
52 lition costs pursuant to subdivision one of this section as the same  
53 become due or accrue.

54 3. The owner of residential property containing one, two or three-fa-  
55 mily units who fails to pay the demolition cost, pursuant to subdivision  
56 one of this section, as the same become due or accrue shall not be sold

1 by the city as a tax lien for a period of ten years. The owner of resi-  
2 dential property containing one, two or three-family units who has a  
3 lien on such property for costs associated with the demolition of a  
4 building on such property for a period of twenty years shall have ten  
5 years to cure any back taxes or present liens on such property. The  
6 interest fees related to such back taxes or present liens shall be  
7 waived.

8 § 3. This act shall take effect immediately.