STATE OF NEW YORK

4181

2021-2022 Regular Sessions

IN SENATE

February 2, 2021

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Cities 1

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:

Section 1. Section 11-301 of the administrative code of the city of New York, as amended by local law number 68 for the year 2007, is amended to read as follows:

§ 11-301 When taxes, assessments, sewer rents, sewer surcharges [~~and~~], water rents **and demolition costs** to be liens on land assessed. All taxes and all assessments and all sewer rents, sewer surcharges [~~and~~], water rents **and demolition costs**, and the interest and charges thereon, which may be laid or may have heretofore been laid, upon any real estate now in the city, shall continue to be, until paid, a lien thereon, and shall be preferred in payment to all other charges. The words "water rents" whenever they are used in this chapter shall include uniform annual charges and extra and miscellaneous charges for the supply of water, charges in accordance with meter rates, minimum charges for the supply of water by meter, annual service charges and charges for meters and their connections and for their setting, repair and maintenance, penalties and fines and all lawful charges for the supply of water imposed pursuant to the New York city municipal water finance authority act, which is set forth in title two-A of article five of the public authorities law. Charges for expense of meters, their connections, setting, repair or maintenance shall not be due or become a charge or lien on the premises where a water meter shall be installed or against which a charge shall be made, until such charge shall have been definitely fixed by the commissioner of environmental protection, and an entry of the amount thereof shall have been made with the date of such entry in the book in which the charges for water supplied by meter against such prem-

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

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ises are to be entered. A charge in accordance with meter rates or minimum charges for the supply of water measured by meter, and a service charge shall not be due or become a lien or charge upon the premises where such meter is installed until an entry shall have been made indicating that such premises are metered, with the date of such entry in the book in which the charges for water by meter measurement against such premises are to be entered. The words "sewer rents" when used in this chapter shall mean any rents or charges imposed pursuant to section 24-514 of the code or pursuant to the New York city municipal water finance authority act, which is set forth in title two-A of article five of the public authorities law. The words "sewer surcharges" when used in this chapter shall mean the charges imposed pursuant to section 24-523 of the code or pursuant to the New York city municipal water finance authority act, which is set forth in title two-A of article five of the public authorities law. Whenever an increase in the amount of uniform annual charges or extra or miscellaneous charges shall have been made or a charge shall have been made for water services for any building completed subsequent to the first day of January in each year, the amount of such increase of the charge or new charge for such new building shall not be due or become a lien or charge against the premises until the amounts thereof shall have been entered with the date of such entries, respectively, in the books in which the uniform annual charges and extra or miscellaneous charges against such premises are to be entered. The words "tax lien" when used in this chapter shall mean the lien arising pursuant to the provisions of this chapter or pursuant to the New York city municipal water finance authority act, which is set forth in title two-A of article five of the public authorities law, as a result of the nonpayment of taxes, assessments, sewer rents, sewer surcharges, water rents, **demolition costs,** any other charges that are made a lien subject to the provisions of this chapter, the costs of any advertisements and notices given pursuant to this chapter, any other charges that are due and payable, a surcharge pursuant to section 11-332 of this chapter if the tax lien is sold, interest and penalties thereon and the right of the city to receive such amounts. The words "tax lien certificate" when used in this chapter shall mean the instrument evidencing a tax lien and executed by the commissioner of finance or his or her designee at such time as such lien is transferred to a purchaser upon sale of such lien by the city. **The words "demolition costs" when used in this chapter shall mean the charges imposed for the demolition of a residential building which is set forth in section 11-357 of this chapter.**

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

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

2. The commissioner of buildings of the city of New York shall cause to be transmitted to the commissioner of finance an account of all demolition costs pursuant to subdivision one of this section as the same become due or accrue.

3. The owner of residential property containing one, two or three-family units who fails to pay the demolition cost, pursuant to subdivision one of this section, as the same become due or accrue shall not be sold by the city as a tax lien for a period of ten years. The owner of residential property containing one, two or three-family units who has a lien on such property for costs associated with the demolition of a building on such property for a period of twenty years shall have ten years to cure any back taxes or present liens on such property. The interest fees related to such back taxes or present liens shall be waived.

§ 3. This act shall take effect immediately.