

STATE OF NEW YORK

6074

2023-2024 Regular Sessions

IN ASSEMBLY

April 3, 2023

Introduced by M. of A. HYNDMAN -- read once and referred to the Committee on Cities

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, penalties
16 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 authorities
19 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-

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

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

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

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

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

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

11 § 3. This act shall take effect immediately.