

STATE OF NEW YORK

1718

2025-2026 Regular Sessions

IN SENATE

January 13, 2025

Introduced by Sens. HINCHEY, ROLISON -- read twice and ordered printed,
and when printed to be committed to the Committee on Local Government

AN ACT to amend the real property tax law, in relation to the assessment
of residential real property transferred from a charitable nonprofit
housing organization to low-income persons

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

1 Section 1. The real property tax law is amended by adding a new
2 section 581-c to read as follows:

3 § 581-c. Assessment of residential real property transferred from a
4 charitable nonprofit housing organization to a low-income person. 1. As
5 used in this section:

6 (a) "Charitable nonprofit housing organization" means a charitable
7 nonprofit organization whose primary purpose is the construction or
8 renovation of residential housing for conveyance to a low-income person.

9 (b) "Eligible nonprofit housing property" or "property" means property
10 transferred by a charitable nonprofit housing organization to a low-in-
11 come person and occupied by such low-income person as their primary
12 residence.

13 (c) "Low-income person" means an individual or family whose household
14 income does not exceed eighty percent of the area median income (AMI),
15 adjusted for family size and as annually defined by the United States
16 department of housing and urban development, who is eligible to partic-
17 ipate in the charitable nonprofit housing organization's program based
18 on criteria established by the charitable nonprofit housing organization
19 and who occupies such property as their primary residence.

20 (d) "Initial taxable value" and "initial assessed value" means the
21 subsidized purchase price of any eligible nonprofit housing property and
22 the full fair market value for such nonprofit housing property on the
23 assessment rolls which shall not exceed the subsidized purchase price.

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

LBD00193-01-5

1 (e) "Subsidized purchase price" means an amount equal to the sum of
2 (i) the first mortgage amount filed with the county clerk, plus (ii) the
3 actual cash down payment paid by the purchaser. The closing statement or
4 sworn affidavit filed with the county clerk or local assessor's office
5 by the seller's attorney shall be conclusive evidence of the value of
6 subparagraphs (i) and (ii) of this paragraph.

7 (f) "Subsequent taxable value" and "subsequent assessed value" means,
8 in years subsequent to the calendar year of the transfer, the initial
9 assessed value of any eligible nonprofit housing property; provided,
10 however, that for as long as any low-income person owns and occupies the
11 property, the only basis for increasing the initial assessed value shall
12 be capital improvements made to the property, if any.

13 (g) "Transfer" means a conveyance of an interest in real property
14 whether by deed or a leasehold grant for not less than forty-nine years.

15 2. For any eligible nonprofit housing property acquired by a low-in-
16 come person on or after January first, two thousand twenty-six, the full
17 market value of such property shall not be greater than the initial
18 taxable value, as defined in subdivision one of this section. In the
19 year immediately succeeding the year in which the acquisition of any
20 eligible nonprofit housing property by a low-income person occurs and
21 each year thereafter, the full market value of the property shall not be
22 greater than the subsequent taxable value and subsequent assessed value,
23 as defined in subdivision one of this section. Any reassessment of any
24 eligible nonprofit housing property shall in no event exceed the greater
25 of (i) the initial taxable value and initial assessed value or (ii) the
26 subsequent taxable value and subsequent assessed value, as defined in
27 subdivision one of this section.

28 § 2. This act shall take effect immediately.