

STATE OF NEW YORK

8280

2025-2026 Regular Sessions

IN SENATE

May 29, 2025

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

AN ACT to amend the real property tax law, in relation to a rebate against real property taxes for certain owners of real property in the city of New York

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

1 Section 1. Subdivision 1 of section 467-1 of the real property tax
2 law, as added by chapter 216 of the laws of 2022, is amended to read as
3 follows:

4 1. Generally. a. Notwithstanding any provision of any general, special
5 or local law to the contrary, a city having a population of one million
6 or more is hereby authorized and empowered to adopt and amend local laws
7 in accordance with this section to grant a rebate of the annual tax of
8 an eligible property, in the amount provided in this section, for the
9 fiscal year beginning on the first of July, two thousand twenty-one and
10 ending on the thirtieth of June, two thousand twenty-two to the owner of
11 such eligible property, provided the qualified gross income of all the
12 owners for whom such property serves as their primary residence was two
13 hundred fifty thousand dollars or less in tax year two thousand twenty.
14 Where the eligible property, other than an eligible property that is a
15 dwelling unit in residential property held in the cooperative form of
16 ownership, is in arrears in the payment of real property taxes, assess-
17 ments, and any other charges that are made a lien subject to the
18 provisions of chapter three of title eleven of the administrative code
19 of the city of New York other than water rents, sewer rents and sewer
20 surcharges, such rebate shall be applied to any such unpaid real proper-
21 ty taxes, assessments, and other charges on the account of such eligible
22 property. Where the eligible property is a dwelling unit in residential
23 property held in the cooperative form of ownership and such residential
24 property is in arrears in the payment of real property taxes, assess-

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

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1 ments, and any other charges that are made a lien subject to the
2 provisions of chapter three of title eleven of the administrative code
3 of the city of New York other than water rents, sewer rents and sewer
4 surcharges, such rebate shall be applied to any unpaid real property
5 taxes, assessments, and other charges on the account of such residential
6 property in an amount equal to the proportionate share of the arrears of
7 the dwelling unit. Notwithstanding any provision of this article to the
8 contrary, an owner whose property is receiving benefits pursuant to any
9 other section of this article shall not be prohibited from receiving a
10 rebate authorized pursuant to this section if such owner is otherwise
11 eligible to receive such rebate.

12 b. Notwithstanding any provision of any general, special or local law
13 to the contrary, a city having a population of one million or more is
14 hereby authorized and empowered to adopt and amend local laws in accord-
15 ance with this section to grant a rebate of the annual tax of an eligi-
16 ble property, in the amount provided in this section, for the fiscal
17 year beginning on the first of July, two thousand twenty-four and ending
18 on the thirtieth of June, two thousand twenty-five to the owner of such
19 eligible property, provided the qualified gross income of all the owners
20 for whom such property serves as their primary residence was five
21 hundred thousand dollars or less in tax year two thousand twenty-three.
22 Where the eligible property, other than an eligible property that is a
23 dwelling unit in residential property held in the cooperative form of
24 ownership, is in arrears in the payment of real property taxes, assess-
25 ments, and any other charges that are made a lien subject to the
26 provisions of chapter three of title eleven of the administrative code
27 of the city of New York other than water rents, sewer rents and sewer
28 surcharges, such rebate shall be applied to any such unpaid real proper-
29 ty taxes, assessments, and other charges on the account of such eligible
30 property. Where the eligible property is a dwelling unit in residential
31 property held in the cooperative form of ownership and such residential
32 property is in arrears in the payment of real property taxes, assess-
33 ments, and any other charges that are made a lien subject to the
34 provisions of chapter three of title eleven of the administrative code
35 of the city of New York other than water rents, sewer rents and sewer
36 surcharges, such rebate shall be applied to any unpaid real property
37 taxes, assessments, and other charges on the account of such residential
38 property in an amount equal to the proportionate share of the arrears of
39 the dwelling unit. Notwithstanding any provision of this article to the
40 contrary, an owner whose property is receiving benefits pursuant to any
41 other section of this article shall not be prohibited from receiving a
42 rebate authorized pursuant to this section if such owner is otherwise
43 eligible to receive such rebate.

44 § 2. Paragraphs a, d and k of subdivision 2 of section 467-1 of the
45 real property tax law, as added by chapter 216 of the laws of 2022, are
46 amended to read as follows:

47 a. "Annual tax" means the amount of real property tax that is imposed
48 on a property for the fiscal year beginning on the first of July, two
49 thousand twenty-one for rebates granted pursuant to paragraph a of
50 subdivision one of this section and the first of July, two thousand
51 twenty-four for rebates granted pursuant to paragraph b of subdivision
52 one of this section, determined after reduction for any amount for which
53 such property is exempt, or which is abated, pursuant to applicable law,
54 provided that, for a property that is a dwelling unit in residential
55 property held in the cooperative form of ownership, "annual tax" means
56 the amount of real property tax that is imposed on such residential

1 property divided by the number of units within such residential proper-
2 ty, including dwelling units and units used primarily for professional
3 or commercial purposes, determined after reduction for any amount for
4 which such property that is a dwelling unit is exempt, or which is
5 abated, pursuant to applicable law.

6 d. "Eligible property" means a property that, beginning on or after
7 June fifteenth, two thousand twenty-two for rebates granted pursuant to
8 paragraph a of subdivision one of this section and June fifteenth, two
9 thousand twenty-five for rebates granted pursuant to paragraph b of
10 subdivision one of this section, serves as the primary residence of the
11 owner of such property, and served as such owner's primary residence
12 during the ninety days prior to such date.

13 k. "Substantially higher" means [~~no~~] more than two hundred seventy-
14 five thousand dollars for rebates granted pursuant to paragraph a of
15 subdivision one of this section and more than five hundred twenty-five
16 thousand dollars for rebates granted pursuant to paragraph b of subdivi-
17 sion one of this section.

18 § 3. Subdivisions 3, 4 and 5 of section 467-1 of the real property tax
19 law, as added by chapter 216 of the laws of 2022, are amended to read as
20 follows:

21 3. Primary residence. Any local law adopted pursuant to this section
22 shall establish a process by which an owner of a property shall demon-
23 strate primary residence, provided that such local law shall not require
24 such demonstration from an owner who receives a real property tax
25 exemption pursuant to section four hundred twenty-five of this title or
26 a school tax relief credit pursuant to subsection (eee) of section six
27 hundred six of the tax law for such property for the fiscal year
28 commencing on the first of July, two thousand twenty-two for rebates
29 granted pursuant to paragraph a of subdivision one of this section and
30 on the first of July, two thousand twenty-five for rebates granted
31 pursuant to paragraph b of subdivision one of this section.

32 4. Amount of rebate. The amount of the rebate to be provided by the
33 commissioner of finance shall be the lesser of one hundred fifty dollars
34 for rebates granted pursuant to paragraph a of subdivision one of this
35 section and one hundred seventy-five dollars for rebates granted pursu-
36 ant to paragraph b of subdivision one of this section or the annual tax
37 imposed on the property.

38 5. Qualification for rebate for recipients of STAR credit or
39 exemption. The owner of an eligible property who receives a real prop-
40 erty tax exemption pursuant to section four hundred twenty-five of this
41 title or a school tax relief credit pursuant to subsection (eee) of
42 section six hundred six of the tax law for the fiscal year commencing on
43 the first of July, two thousand twenty-two for rebates granted pursuant
44 to paragraph a of subdivision one of this section and on the first of
45 July, two thousand twenty-five for rebates granted pursuant to paragraph
46 b of subdivision one of this section and satisfies the requirements
47 described in subdivision one of this section shall not be required to
48 file, and shall not file, an application for the rebate authorized
49 pursuant to this section. To the extent the commissioner of finance
50 determines that such an owner is not entitled to the rebate authorized
51 pursuant to this section, the commissioner shall send to such owner a
52 notice of denial of the rebate.

53 § 4. Paragraphs a and c of subdivision 6 of section 467-1 of the real
54 property tax law, as added by chapter 216 of the laws of 2022, are
55 amended to read as follows:

1 a. Generally. The owner of an eligible property who does not receive a
2 real property tax exemption pursuant to section four hundred twenty-five
3 of this title or a school tax relief credit pursuant to subsection (eee)
4 of section six hundred six of the tax law for the fiscal year commencing
5 on the first of July, two thousand twenty-two for rebates granted pursu-
6 ant to paragraph a of subdivision one of this section or the first of
7 July, two thousand twenty-five for rebates granted pursuant to paragraph
8 b of subdivision one of this section may file an application for the
9 rebate authorized pursuant to this section, provided that, such owner
10 satisfies the requirements described in subdivision one of this section,
11 and provided, further, that for an eligible property that serves as the
12 primary residence of more than one owner, all such owners shall jointly
13 file an application for such rebate. Notwithstanding any provision of
14 any general, special or local law to the contrary, an application for a
15 rebate authorized pursuant to this section shall be filed by electronic
16 means on or before the date or dates established in the local law
17 adopted pursuant to this section. Upon a showing by an applicant that
18 filing an application by electronic means is not practicable for reasons
19 including but not limited to lack of access to, or ability to use, the
20 technology needed to file by electronic means, the commissioner of
21 finance may grant a waiver of the requirement to file such application
22 by electronic means. No rebate shall be granted pursuant to this section
23 unless the owner files such application within the time period or time
24 periods prescribed by the local law adopted pursuant to this section. No
25 more than one application shall be submitted for an eligible property.

26 c. Review of submission. The burden shall be on the applicant to
27 establish that the property is the primary residence of such applicant,
28 that the qualified gross income of all the owners for whom such property
29 serves as their primary residence is two hundred fifty thousand dollars
30 or less for rebates granted pursuant to paragraph a of subdivision one
31 of this section or five hundred thousand dollars or less for rebates
32 granted pursuant to paragraph b of subdivision one of this section and
33 that any other requirements relating to the granting of the rebate are
34 satisfied.

35 § 5. Subdivision 7 of section 467-1 of the real property tax law, as
36 added by chapter 216 of the laws of 2022, is amended to read as follows:

37 7. Denial and revocation of rebate. a. Generally. The commissioner of
38 finance shall deny an application for a rebate or revoke any rebate
39 authorized pursuant to this section if it appears that: (i) the property
40 does not serve as the primary residence of the owner who has applied for
41 such rebate or who received the real property tax exemption pursuant to
42 section four hundred twenty-five of this title or a school tax relief
43 credit pursuant to subsection (eee) of section six hundred six of the
44 tax law for such property for the fiscal year commencing on the first of
45 July, two thousand twenty-two for rebates granted pursuant to paragraph
46 a of subdivision one of this section or the first of July, two thousand
47 twenty-five for rebates granted pursuant to paragraph b of subdivision
48 one of this section, (ii) prior to the granting of the rebate authorized
49 pursuant to this section, title to the property has been transferred to
50 a new owner other than to an immediate family member for whom the prop-
51 erty serves as the primary residence until, at a minimum, the date on
52 which such rebate is granted, or (iii) the property is otherwise no
53 longer eligible for the rebate.

54 b. Rights of owners. Upon determining that a rebate authorized pursu-
55 ant to this section shall be revoked, the commissioner of finance shall
56 send a notice so stating to the affected owner at the time and in the

1 manner to be provided in the local law adopted pursuant to this section.
2 Granting a rebate authorized pursuant to this section, denying a rebate
3 pursuant to subdivision five of this section, denying an application for
4 a rebate pursuant to paragraph b of subdivision six of this section, or
5 revoking a rebate granted pursuant to this section shall constitute a
6 final determination of the commissioner of finance, unless, within nine-
7 ty days, the owner seeks administrative review by the commissioner of
8 finance of such determination, provided that the burden shall be on the
9 owner to establish eligibility for the rebate. The failure to grant a
10 rebate authorized pursuant to this section to an owner who is not
11 required to submit an application pursuant to subdivision five of this
12 section and who does not receive a notice of denial pursuant to such
13 subdivision shall constitute a final determination by the commissioner
14 of finance unless such owner seeks administrative review by such commis-
15 sioner of such determination no later than the first of July, two thou-
16 sand twenty-three for rebates granted pursuant to paragraph a of subdi-
17 vision one of this section or the first of July, two thousand twenty-six
18 for rebates granted pursuant to paragraph b of subdivision one of this
19 section.

20 § 6. Subdivision 9 of section 467-1 of the real property tax law, as
21 added by chapter 216 of the laws of 2022, is amended to read as follows:

22 9. Record of ownership of an eligible property. Any local law adopted
23 pursuant to this section shall require that ownership of an eligible
24 property be recorded with the city register, the Richmond county clerk,
25 or the automated city register information system by the thirtieth of
26 June, two thousand twenty-two for rebates granted pursuant to paragraph
27 a of subdivision one of this section or the thirtieth of June, two thou-
28 sand twenty-five for rebates granted pursuant to paragraph b of subdivi-
29 sion one of this section.

30 § 7. Subparagraph (3) of paragraph a of subdivision 13 of section
31 467-1 of the real property tax law, as added by chapter 216 of the laws
32 of 2022, is amended to read as follows:

33 (3) the applicant claimed that the qualified gross income of all the
34 owners for whom such property serves as their primary residence was two
35 hundred fifty thousand dollars or less for rebates granted pursuant to
36 paragraph a of subdivision one of this section or five hundred thousand
37 dollars or less for rebates granted pursuant to paragraph b of subdivi-
38 sion one of this section, when the qualified gross income of such owners
39 was a substantially higher amount.

40 § 8. This act shall take effect immediately and shall be deemed to
41 have been in full force and effect on and after June 1, 2025.