

STATE OF NEW YORK

9959

IN SENATE

April 17, 2026

Introduced by Sen. BOTTCHER -- 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 tax abatements for building owners in a city having a population of one million or more who complete facade repairs

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

1 Section 1. This act shall be known and may be cited as the "RESTORE
2 Act" (Reducing Excess Scaffolding and Timely Ongoing Repair Efforts
3 Act).

4 § 2. Legislative intent. The legislature hereby finds and declares
5 that the safety of the public and the integrity of New York City's built
6 environment are critical concerns. Local law number 11 of the city of
7 New York for the year 1998 requires periodic inspections and repairs of
8 building facades to ensure the safety of buildings over six stories. In
9 recognition of the financial burden on building owners, and in an effort
10 to incentivize the timely completion of necessary repairs, this act
11 provides for a property tax abatement program for those who comply with
12 repair requirements within specified timeframes, thereby reducing unne-
13 cessary scaffolding and sidewalk sheds on city sidewalks.

14 § 3. Article 4 of the real property tax law is amended by adding a new
15 title 7 to read as follows:

TITLE 7

PROPERTY TAX ABATEMENT FOR FACADE REPAIR COMPLIANCE IN A CITY HAVING A POPULATION OF ONE MILLION OR MORE

Section 499-hhhhh. Definitions.

499-iiiiii. Eligibility.

499-jjjjj. Graduated tax abatement amounts.

499-kkkkk. Penalties.

499-lllll. Eligibility for abatement and penalties for ongoing
projects.

499-mmmmm. Application process.

499-nnnnn. Penalty disputes.

§ 499-hhhhh. Definitions. As used in this title:

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

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1 1. "Covered repairs" shall mean repairs to the exterior walls of a
2 building that are either (a) required pursuant to section 28-302.5 of
3 the administrative code of the city of New York and its amendments upon
4 notification to the New York city department of buildings of an unsafe
5 condition, or (b) made in order to prevent the occurrence of an unsafe
6 condition and which, in either case, because of the building's height
7 and nature of the repairs, require the installation of a sidewalk shed
8 in accordance with subdivision 3 of section 3307.6.2 of the building
9 code of the city of New York.

10 2. "Covered building" shall mean a building that is making or has made
11 covered repairs.

12 3. "Covered building owner" shall mean the owner of a covered build-
13 ing, whether a private landlord, cooperative housing corporation, or
14 condominium association.

15 4. "Abatement calculation percentage" shall mean the percentage figure
16 used to calculate the amount of the property tax abatement provided for
17 by this title.

18 § 499-iiii. Eligibility. A covered building owner who completes
19 covered repairs and removes all sidewalk sheds installed in connection
20 with the covered repairs within twelve months of their installation
21 shall be eligible for a property tax abatement in the tax year in which
22 covered repairs were completed and the associated sidewalk sheds were
23 removed.

24 § 499-jjjjj. Graduated tax abatement amounts. 1.(a) The abatement
25 shall be calculated by multiplying the abatement calculation percentage
26 and the lesser of:

27 (i) the cost of covered repairs; or

28 (ii) the property taxes associated with the covered building for the
29 tax year in which covered repairs were completed.

30 (b) If the completion of repairs and removal of sidewalk sheds occurs
31 within three months from the installation of sidewalk sheds, the abate-
32 ment calculation percentage shall be fifty percent.

33 2. For each additional month beyond three months up to twelve months,
34 the abatement calculation percentage shall be set in accordance with the
35 following schedule:

36 (a) four months: forty-five percent;

37 (b) five months: forty percent;

38 (c) six months: thirty-five percent;

39 (d) seven months: thirty percent;

40 (e) eight months: twenty-five percent;

41 (f) nine months: twenty percent;

42 (g) ten months: fifteen percent;

43 (h) eleven months: ten percent; and

44 (i) twelve months: five percent.

45 3. No abatement shall be provided if the completion of repairs and
46 removal of sidewalk sheds occurs more than twelve months from the
47 installation of sidewalk sheds.

48 § 499-kkkkk. Penalties. 1. A building owner who fails to complete
49 covered repairs and remove all associated sidewalk sheds within eighteen
50 months of their installation shall be subject to a property tax penalty
51 for each subsequent month until compliance is achieved.

52 2. In any tax year during which sidewalk sheds remained installed for
53 more than eighteen months in connection with covered repairs, the penal-
54 ty shall equal ten percent of property taxes otherwise due on the
55 covered building, plus an additional two percent for each additional
56 month after eighteen months that the sidewalk sheds remained installed,

1 calculated on the date of their removal or the final day of the tax year
2 if they have not been removed by that time. Notwithstanding the forego-
3 ing, the penalty shall not under any circumstances exceed twenty-five
4 percent of property taxes otherwise due on a covered building in any tax
5 year.

6 § 499-lllll. Eligibility for abatement and penalties for ongoing
7 projects. 1. Any covered repairs that are underway at the time this
8 title takes effect shall be eligible for the abatement provided under
9 this title, provided that covered repairs are completed and associated
10 sidewalk sheds are removed within the timeframes specified herein,
11 calculated using the original date on which sidewalk sheds were
12 installed even if that date is prior to the effective date of this
13 title.

14 2. For any covered repairs that have been underway for less than one
15 year as of the effective date of this title, the time elapsed prior to
16 the effective date shall not be counted toward penalty assessment under
17 this title. For such projects, the penalty period shall begin running
18 as of the effective date of this title.

19 3. For any covered repairs that have been underway for more than one
20 year as of the effective date of this title, any time exceeding one year
21 prior to the effective date shall be counted toward penalty assessment,
22 not to exceed the equivalent of eighteen months' worth of repair time,
23 and therefore no project shall be subject to a penalty for covered
24 repairs that are completed and associated sidewalk sheds removed within
25 six months of the effective date of this title.

26 § 499-mmmmm. Application process. 1. To claim a tax abatement, a
27 covered building owner must submit proof of timely compliance with the
28 requirements of this title to the New York city department of finance.

29 2. The New York city department of buildings shall provide to the New
30 York city department of finance any information necessary to administer
31 the provisions of this title.

32 3. The New York city department of finance shall promulgate any rules
33 or regulations necessary to administer the provisions of this title.

34 § 499-nnnnn. Penalty disputes. 1. A building owner may dispute an
35 assigned penalty, and the New York city department of finance shall
36 review such disputes and may waive or reduce a penalty, provided that
37 the owner can provide satisfactory evidence that the pertinent delay in
38 completing covered repairs or removing associated sidewalk sheds was the
39 result of factors outside the control of the building owner and of any
40 entities hired by the building owner to complete covered repairs. The
41 scale and scope of the repairs shall not be considered such factors.

42 2. A building owner who is dissatisfied with the decision of the New
43 York city department of finance regarding a penalty dispute may appeal
44 to the New York city tax commission within thirty days of the decision.

45 § 4. This act shall take effect immediately.