

STATE OF NEW YORK

7285

2025-2026 Regular Sessions

IN SENATE

April 8, 2025

Introduced by Sen. S. RYAN -- 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 applicability of the residential redevelopment inhibited property exemption to all localities in the state

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

1 Section 1. The section heading of section 485-r of the real property
2 tax law, as added by chapter 406 of the laws of 2015, is amended to read
3 as follows:

4 Residential redevelopment inhibited property exemption[~~;~~ ~~certain~~
5 ~~cities~~].

6 § 2. Subdivision 1 of section 485-r of the real property tax law, as
7 added by chapter 406 of the laws of 2015 and paragraph (f) as amended by
8 chapter 28 of the laws of 2016, is amended to read as follows:

9 1. As used in this section, the following terms shall have the follow-
10 ing meanings:

11 (a) "Redevelopment inhibited property" shall mean a residential prop-
12 erty that has been neglected or abandoned because of the local economic
13 conditions and/or conditions on the property that inhibit such property
14 from being redeveloped by the private sector as described in subdivision
15 three of this section. Redevelopment inhibited property shall not
16 include land that is undeveloped.

17 (b) "Gap financing costs" shall mean the total cost of the property's
18 redevelopment as approved by the city, town, or village minus the
19 increase in the full valuation of the property upon completion of the
20 redevelopment.

21 (c) "Base assessment" shall mean the assessed value of the property on
22 the day the city, town, or village designates the property as redevelop-
23 ment inhibited.

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

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(d) "Increased assessment" shall mean the assessed value of the property as determined by the assessor upon completion of the redevelopment.

(e) "Incremental increase in annual property taxes" shall mean the taxes based on the increased assessment minus the taxes based on the base assessment.

~~[(f) "City" shall mean a city with a population of not less than fifteen thousand two hundred fifty and not more than fifteen thousand five hundred as determined by the latest federal decennial census.]~~

§ 3. Subdivision 2 of section 485-r of the real property tax law, as added by chapter 406 of the laws of 2015, is amended to read as follows:

2. A city, town, or village may, by local law, provide for the exemption of real property from taxation as provided in this section. Subsequent to the adoption of such local law, the county in which such city, town, or village is located may after a public hearing and by local law, and any school district, all or part of which is located in such city, town, or village, may, by resolution, exempt such property from its taxation in the same manner and to the same extent as the city, town, or village has done.

§ 4. Subdivision 3 of section 485-r of the real property tax law, as added by chapter 406 of the laws of 2015, is amended to read as follows:

3. A local law adopted by a city, town, or village pursuant to subdivision two of this section shall designate any property within ~~[the]~~ such city, town, or village's boundaries as a redevelopment inhibited property if one or more of the following are met:

(a) the city, town, or village has acquired title to the property pursuant to article nineteen-A of the real property actions and proceedings law; or

(b) the property has been continuously vacant for a period of at least three years; or

(c) the county, city, town or village in which the property is located has acquired title to the property via foreclosure for unpaid taxes pursuant to article eleven of this chapter; or

(d) the property has outstanding zoning, housing, or uniform code violations and the cost of remedying the violations exceeds the property's value.

§ 5. Subdivision 4 of section 485-r of the real property tax law, as added by chapter 406 of the laws of 2015, is amended to read as follows:

4. (a) Upon the adoption of such local law, redevelopment inhibited property shall be exempt from taxation and special ad valorem levies to the extent of any increase in value attributable to demolition, alteration, rehabilitation, or remediation pursuant to the following requirements:

(i) the demolition, alterations, rehabilitation, and/or remediation shall be permitted by the ~~[city's]~~ applicable bureau of inspection such that building or plumbing permits issued and said demolition, alterations, rehabilitation, and/or remediation shall have met all necessary approvals per the applicable New York state uniform fire prevention and building code, the ~~[city's]~~ applicable municipal code and the ~~[city's]~~ applicable bureau of inspection upon completion; and

(ii) the property for which the exemption is sought shall be ~~[an owner-occupied one-family residence]~~ a one to four-unit residence and occupied as the primary residence of the owner or a tenant; and

(iii) the owner of such property shall file annually an affidavit of residency with the assessor of the city, town, or village on or before the appropriate taxable status date ~~[of such city]~~, confirming continued

1 ~~[owner-occupancy]~~ occupancy of the property by the owner or a tenant as
2 their primary residence; and

3 (iv) the redevelopment inhibited property is exempt from taxation and
4 special ad valorem levies attributable to the increased assessment minus
5 the taxes and special ad valorem levies imposed on the base assessment.
6 Such exemption shall not apply to special assessments.

7 (b) In the event the property granted an exemption pursuant to this
8 section ceases to be ~~[owner-occupied]~~ occupied as the primary residence
9 of the owner or tenant and/or the affidavit of residency is not filed
10 annually for the approved exemption period, the exemption granted pursu-
11 ant to this section shall cease.

12 (c) In the event the property granted an exemption pursuant to this
13 section ceases to be a ~~[one-family]~~ one to four-unit dwelling, the
14 exemption granted pursuant to this section shall cease.

15 (d) In the event the owner of the property is convicted of a violation
16 or misdemeanor pursuant to New York state uniform fire prevention and
17 building code or the ~~[city's]~~ applicable municipal code, the exemption
18 granted pursuant to this section shall cease.

19 § 6. Subdivision 6 of section 485-r of the real property tax law, as
20 added by chapter 406 of the laws of 2015, is amended to read as follows:

21 6. (a) Such exemption shall be granted only upon application by the
22 owner of such building for the residential redevelopment inhibited prop-
23 erty exemption, on a form prescribed by the city, town, or village. Such
24 application must be filed with the assessor of the city, town, or
25 village on or before the appropriate taxable status date ~~[of such city]~~.
26 The application must be filed with the assessor of the city, town, or
27 village within three years from the date of completing the demolition,
28 alterations, rehabilitation, and/or remediation.

29 (b) The owner filing for such exemption shall not be required to be
30 the owner responsible for completing the demolition, alterations, reha-
31 bilitation, and/or remediation.

32 (c) If the assessor is satisfied that the applicant is entitled to an
33 exemption pursuant to this section, ~~[he or she]~~ such assessor shall
34 approve the application and such real property shall thereafter be
35 exempt from taxation and special ad valorem levies by the city, town, or
36 village commencing with the assessment roll prepared after the taxable
37 status date referred to in this subdivision. The assessed value of any
38 exemption granted pursuant to this section shall be entered by the
39 assessor of the city, town, or village on the assessment roll with the
40 taxable property, with the amount of the exemption shown in a separate
41 column.

42 (d) Once granted, the residential redevelopment inhibited property
43 exemption runs with the land for the exemption period pursuant to this
44 section.

45 § 7. This act shall take effect on the thirtieth day after it shall
46 have become a law.