§ 2046-i. Actions against agency. 1. In every action against the agency for damages, for injuries to real or personal property or for the destruction thereof, or for personal injuries or death, the complaint shall contain an allegation that at least thirty days have elapsed since the demand, claim or claims upon which such action is founded were presented to a member of the agency or other officer designated for such purpose and that the agency has neglected or refused to make an adjustment or payment thereof.

2. Except in an action for wrongful death, an action against the agency founded on tort shall not be commenced more than one year and ninety days after the cause of action therefor shall have accrued, nor unless a notice of claim shall have been served on the agency within the time limited by and in compliance with all the requirements of section fifty-e of the general municipal law. An action against the agency for wrongful death shall be commenced in accordance with the notice of claim and time limitation provisions of title eleven of article nine of this chapter.

3. The agency may require any person, presenting for settlement an account or claim for any cause whatever against the agency, to be sworn before a director, counsel or an attorney, officer or employee of the agency designated for such purpose, concerning such account or claim and when so sworn to answer orally as to any facts relative to such account or claim. The agency shall have power to settle or adjust all claims in favor of or against the agency.

4. The rate of interest to be paid by the agency upon any judgment for which it is liable, other than a judgment on its bonds or notes, shall not exceed nine per centum per annum.