§ 467-a. Partial tax abatement for residential real property held in the cooperative or condominium form of ownership in a city having a population of one million or more. 1. Definitions. As used in this section:

(a) "Applicant" means the board of managers of a condominium or the board of directors of a cooperative apartment corporation, provided that, in addition, the commissioner of finance shall by rule designate the owner of a dwelling unit (the "unit owner") or shareholder of the corporation having the proprietary lease for an apartment (a "shareholder") as an applicant for the limited purpose of submitting information to verify the primary residence of the unit owner or shareholder.

(b) "Average unit assessed value" means the residential proportion of a property multiplied by the total assessed value of the property divided by the number of dwelling units therein on the applicable taxable status date for the fiscal year for which an application is made for partial abatement of real property taxes pursuant to this section.

(c) "Billable assessed value" means the lesser of the taxable transitional assessed value, as computed pursuant to subdivision three of section eighteen hundred five of this chapter, or taxable assessed value of a property.

(d) "Commissioner of finance" means the commissioner of finance of a city having a population of one million or more, or his or her designee.

(e) "Dwelling unit" means a unit used primarily for residential purposes and not primarily for professional or commercial purposes.

(f) "Property" means real property designated as class two, pursuant to section eighteen hundred two of this chapter, held in the cooperative or condominium form of ownership.

(g) "Residential proportion" of a property held in the cooperative form of ownership means the percentage of shares of the cooperative apartment corporation allocated to dwelling units. "Residential proportion" of a property held in the condominium form of ownership means the percentage of common interest allocated to dwelling units.

(h) "Sponsors" means persons or business entities who make or take part in a public offering or sale of securities consisting primarily of shares or investments in real estate, including condominium units and other cooperative interests in realty. Sponsors shall be deemed to

include successors who succeed to the rights and assume the obligations of sponsors.

(i) "Prevailing wage" means the rate of wages and supplemental benefits paid in the locality to workers in the same trade or occupation and annually determined by the fiscal officer in accordance with the provisions of section two hundred thirty-four of the labor law.

(j) "Qualified property" means (i) a property with an average unit assessed value of less than or equal to sixty thousand dollars; or (ii) a property with an average unit assessed value of more than sixty thousand dollars and less than or equal to one hundred thousand dollars, and less than thirty dwelling units; or (iii) a property with respect to which an applicant has submitted an affidavit certifying that all building service employees employed or to be employed at the property shall receive the applicable prevailing wage for the duration of such property's tax abatement.

(k) "Building service employee" means any person who is regularly employed at a building who performs work in connection with the care or maintenance of such building. "Building service employee" includes, but is not limited to, watchman, guard, doorman, building cleaner, porter, handyman, janitor, gardener, groundskeeper, elevator operator and starter, and window cleaner, but shall not include persons regularly scheduled to work fewer than eight hours per week in the building.

(l) "Fiscal officer" means the comptroller of the city of New York.

2. (a) In a city having a population of one million or more, dwelling units owned by unit owners who, as of the applicable taxable status date, own no more than three dwelling units in any one property held in the condominium form of ownership, shall be eligible to receive a partial abatement of real property taxes, as set forth in paragraphs (c), (d), (d-1), (d-2), (d-3), (d-4), (d-5) and (d-6) of this subdivision; provided, however, that a property held in the condominium form of ownership that is receiving complete or partial real property tax exemption or tax abatement pursuant to any other provision of this chapter or any other state or local law, except as provided in paragraph (f) of this subdivision, shall not be eligible to receive a partial abatement pursuant to this section; and provided, further, that sponsors shall not be eligible to receive a partial abatement pursuant to this

section; and provided, further, that in the fiscal years commencing in calendar years two thousand twelve through two thousand twenty-six no more than a maximum of three dwelling units owned by any unit owner in a single building, one of which must be the primary residence of such unit owner, shall be eligible to receive a partial abatement pursuant to paragraphs (d-1), (d-2), (d-3) and (d-4) of this subdivision.

(b) In a city having a population of one million or more, dwelling units owned by tenant-stockholders who, as of the applicable taxable status date, own no more than three dwelling units in any one property held in the cooperative form of ownership, shall be eligible to receive a partial abatement of real property taxes, as set forth in paragraphs (c), (d), (d-1), (d-2), (d-3), (d-4), (d-5) and (d-6) of this subdivision; provided, however, that a property held in the cooperative form of ownership that is receiving complete or partial real property tax exemption or tax abatement pursuant to any other provision of this chapter or any other state or local law, except as provided in paragraph (f) of this subdivision, shall not be eligible to receive a partial abatement pursuant to this section; and provided, further, that sponsors shall not be eligible to receive a partial abatement pursuant to this section; and provided, further, that in the fiscal years commencing in calendar years two thousand twelve through two thousand twenty-six no more than a maximum of three dwelling units owned by any tenant-stockholder in a single building, one of which must be the primary residence of such tenant-stockholder, shall be eligible to receive a partial abatement pursuant to paragraphs (d-1), (d-2), (d-3) and (d-4) of this subdivision. For purposes of this section, a tenant-stockholder of a cooperative apartment corporation shall be deemed to own the dwelling unit which is represented by his or her shares of stock in such corporation. Any abatement so granted shall be credited by the appropriate taxing authority against the tax due on the property as a whole. The reduction in real property taxes received thereby shall be credited by the cooperative apartment corporation against the amount of such taxes attributable to eligible dwelling units at the time of receipt.

(b-1) Notwithstanding any other provision of law to the contrary, the provisions of this section shall apply to any dwelling unit held in trust solely for the benefit of a person or persons who would otherwise

be eligible for an abatement, pursuant to this section, were such person or persons the owner or owners of such dwelling unit.

(c) Eligible dwelling units in property whose average unit assessed value is less than or equal to fifteen thousand dollars shall receive a partial abatement of the real property taxes attributable to or due on such dwelling units, as follows:

(i) not to exceed four percent in the fiscal year commencing in calendar year nineteen hundred ninety-six;

(ii) sixteen percent in the fiscal year commencing in calendar year nineteen hundred ninety-seven;

(iii) twenty-five percent in the fiscal year commencing in calendar year nineteen hundred ninety-eight;

(iv) twenty-five percent in the fiscal year commencing in calendar year nineteen hundred ninety-nine;

(v) twenty-five percent in the fiscal year commencing in calendar year two thousand;

(vi) twenty-five percent in the fiscal year commencing in calendar year two thousand one;

(vii) twenty-five percent in the fiscal year commencing in calendar year two thousand two;

(viii) twenty-five percent in the fiscal year commencing in calendar year two thousand three;

(ix) twenty-five percent in the fiscal year commencing in calendar year two thousand four;

(x) twenty-five percent in the fiscal year commencing in calendar year two thousand five;

(xi) twenty-five percent in the fiscal year commencing in calendar year two thousand six;

(xii) twenty-five percent in the fiscal year commencing in calendar year two thousand seven;

(xiii) twenty-five percent in the fiscal year commencing in calendar year two thousand eight;

(xiv) twenty-five percent in the fiscal year commencing in calendar year two thousand nine;

(xv) twenty-five percent in the fiscal year commencing in calendar year two thousand ten;

(xvi) twenty-five percent in the fiscal year commencing in calendar

year two thousand eleven.

(d) Eligible dwelling units in property whose average unit assessed value is greater than fifteen thousand dollars shall receive a partial abatement of the real property taxes attributable to or due on such dwelling units, as follows:

(i) not to exceed two and three-quarters percent in the fiscal year commencing in calendar year nineteen hundred ninety-six;

(ii) ten and three-quarters percent in the fiscal year commencing in calendar year nineteen hundred ninety-seven;

(iii) seventeen and one-half percent in the fiscal year commencing in calendar year nineteen hundred ninety-eight;

(iv) seventeen and one-half percent in the fiscal year commencing in calendar year nineteen hundred ninety-nine;

(v) seventeen and one-half percent in the fiscal year commencing in calendar year two thousand;

(vi) seventeen and one-half percent in the fiscal year commencing in calendar year two thousand one;

(vii) seventeen and one-half percent in the fiscal year commencing in calendar year two thousand two;

(viii) seventeen and one-half percent in the fiscal year commencing in calendar year two thousand three;

(ix) seventeen and one-half percent in the fiscal year commencing in calendar year two thousand four;

(x) seventeen and one-half percent in the fiscal year commencing in calendar year two thousand five;

(xi) seventeen and one-half percent in the fiscal year commencing in calendar year two thousand six;

(xii) seventeen and one-half percent in the fiscal year commencing in calendar year two thousand seven;

(xiii) seventeen and one-half percent in the fiscal year commencing in calendar year two thousand eight;

(xiv) seventeen and one-half percent in the fiscal year commencing in calendar year two thousand nine;

(xv) seventeen and one-half percent in the fiscal year commencing in calendar year two thousand ten;

(xvi) seventeen and one-half percent in the fiscal year commencing in calendar year two thousand eleven.

(d-1) In the fiscal years commencing in calendar years two thousand twelve, two thousand thirteen and two thousand fourteen, eligible dwelling units in property whose average unit assessed value is less than or equal to fifty thousand dollars shall receive a partial abatement of the real property taxes attributable to or due on such dwelling units of twenty-five percent, twenty-six and one-half percent and twenty-eight and one-tenth percent respectively. In the fiscal years commencing in calendar years two thousand fifteen through two thousand twenty-six eligible dwelling units in property whose average unit assessed value is less than or equal to fifty thousand dollars shall receive a partial abatement of the real property taxes attributable to or due on such dwelling units of twenty-eight and one-tenth percent.

(d-2) In the fiscal years commencing in calendar years two thousand twelve, two thousand thirteen and two thousand fourteen, eligible dwelling units in property whose average unit assessed value is more than fifty thousand dollars, but less than or equal to fifty-five thousand dollars, shall receive a partial abatement of the real property taxes attributable to or due on such dwelling units of twenty-two and one-half percent, twenty-three and eight-tenths percent and twenty-five and two-tenths percent respectively. In the fiscal years commencing in calendar years two thousand fifteen through two thousand twenty-six eligible dwelling units in property whose average unit assessed value is more than fifty thousand dollars, but less than or equal to fifty-five thousand dollars, shall receive a partial abatement of the real property taxes attributable to or due on such dwelling units of twenty-five and two-tenths percent.

(d-3) In the fiscal years commencing in calendar years two thousand twelve, two thousand thirteen and two thousand fourteen, eligible dwelling units in property whose average unit assessed value is more than fifty-five thousand dollars, but less than or equal to sixty thousand dollars, shall receive a partial abatement of the real property taxes attributable to or due on such dwelling units of twenty percent, twenty-one and two-tenths percent, and twenty-two and five-tenths percent respectively. In the fiscal years commencing in calendar years two thousand fifteen through two thousand twenty-six eligible dwelling units in property whose average unit assessed value is more than fifty-five thousand dollars, but less than or equal to sixty thousand

dollars, shall receive a partial abatement of the real property taxes attributable to or due on such dwelling units of twenty-two and five-tenths percent.

(d-4) In the fiscal years commencing in calendar years two thousand twelve through two thousand twenty-six, eligible dwelling units in property whose average unit assessed value is more than sixty thousand dollars shall receive a partial abatement of the real property taxes attributable to or due on such dwelling units of seventeen and one-half percent.

(d-5) In the fiscal years commencing in calendar year two thousand twelve and two thousand thirteen, dwelling units that received an abatement pursuant to this section in the fiscal year commencing in calendar year two thousand eleven, and that are not eligible to receive benefits under paragraph (d-1), (d-2), (d-3), or (d-4) of this subdivision and that are located in a property that has an average unit assessed value that is less than or equal to fifteen thousand dollars shall receive a partial abatement of the real property taxes attributable to or due on such dwelling units of twelve and one half percent, and six and twenty-five hundredths percent respectively. Provided, however, that no such abatement shall be allowed for any fiscal year commencing in calendar year two thousand fourteen or later.

(d-6) In the fiscal years commencing in calendar year two thousand twelve and two thousand thirteen, dwelling units that received an abatement pursuant to this section in the fiscal year commencing in calendar year two thousand eleven, and that are not eligible to receive benefits under paragraph (d-1), (d-2), (d-3), or (d-4) of this subdivision and that are located in a property that has an average unit assessed value that is greater than fifteen thousand dollars shall receive a partial abatement of the real property taxes attributable to or due on such dwelling units of eight and seventy-five hundredths percent, and four and three hundred seventy-five thousandths percent respectively. Provided, however, that no such abatement shall be allowed, for any fiscal year in calendar year two thousand fourteen or later.

(e) Partial abatement pursuant to paragraphs (c), (d), (d-1), (d-2), (d-3), (d-4), (d-5) and (d-6) of this subdivision shall be computed on the net real property taxes attributable to or due on eligible dwelling

units after deduction for any exemption on such dwelling units received pursuant to any section listed in paragraph (f) of this subdivision and after deduction of the portion of any abatement received pursuant to section four hundred eighty-nine of this article that is attributable to a dwelling unit in property held in the cooperative form of ownership and after deduction of any abatement received pursuant to section four hundred eighty-nine of this article by a dwelling unit in property held in the condominium form of ownership.

(f) For purposes of this subdivision, a qualified property shall be deemed not to be receiving complete or partial real property tax exemption or tax abatement if the qualified property is, or certain dwelling units therein are, receiving benefits pursuant to section four hundred, four hundred two, four hundred four, four hundred six, four hundred eight, four hundred ten, four hundred ten-a, four hundred twelve, four hundred twelve-a, four hundred sixteen, four hundred eighteen, four hundred twenty-a, four hundred twenty-b, four hundred twenty-five, four hundred thirty-six, four hundred fifty-eight, four hundred fifty-eight-a, four hundred fifty-nine-c, four hundred sixty-two, four hundred sixty-seven, four hundred sixty-seven-b, four hundred ninety-nine-bbb, or four hundred ninety-nine-bbbb of this article, or if the qualified property is receiving a tax abatement but not a tax exemption pursuant to section four hundred eighty-nine of this article.

(g) If the billable assessed value of a qualified property is reduced after the assessment roll becomes final, any abatement already granted pursuant to this section shall be adjusted accordingly. The difference between the original abatement and the adjusted abatement shall be deducted from any credit otherwise due.

(h) Notwithstanding any other provision of this section, the commissioner of finance shall deny, terminate or revoke any abatement applied for or granted pursuant to this section with respect to a dwelling unit upon a determination that the transfer of such dwelling unit to the owner who owned such dwelling unit as of the applicable taxable status date was made primarily for the purpose of receiving an abatement under this section. Upon making such determination, the commissioner of finance shall deny, terminate or revoke any abatement applied for or granted pursuant to this section with respect to any

dwelling unit owned by the transferor that would have been eligible but for such determination. In making such determination, the commissioner of finance may consider, among other factors, the relationship, if any, between the transferor and the transferee and whether the terms of the transfer are consistent with the terms generally found in transfers of comparable dwelling units.

(i) Notwithstanding any other provision of this section, beginning in the fiscal year commencing in calendar year two thousand twenty-two no dwelling unit in a property other than a qualified property shall be eligible to receive a tax abatement under this section.

3. Application for abatement. (a) An application for an abatement pursuant to this section for the fiscal year commencing in calendar year nineteen hundred ninety-six shall be made no later than the fifteenth day of September, nineteen hundred ninety-six. An application for an abatement pursuant to this section for the fiscal year commencing in calendar year nineteen hundred ninety-seven shall be made no later than the first day of April, nineteen hundred ninety-seven. An application for an abatement pursuant to this section for the fiscal year commencing in calendar year nineteen hundred ninety-eight shall be made no later than the first day of April, nineteen hundred ninety-eight. An application for an abatement pursuant to this section for the fiscal year commencing in calendar year nineteen hundred ninety-nine shall be made in accordance with this subdivision and subdivision three-a of this section. An application for an abatement pursuant to this section for the fiscal year commencing in calendar year two thousand shall be made no later than the fifteenth day of February, two thousand. An application for an abatement pursuant to this section for the fiscal year commencing in calendar year two thousand one shall be made in accordance with this subdivision and subdivision three-b of this section. An application for an abatement pursuant to this section for the fiscal year commencing in calendar year two thousand two shall be made no later than the fifteenth day of February, two thousand two. An application for an abatement pursuant to this section for the fiscal year commencing in calendar year two thousand three shall be made no later than the fifteenth day of February, two thousand three. An application for an abatement pursuant to this section for the fiscal

year commencing in calendar year two thousand four shall be made in accordance with this subdivision and subdivision three-c of this section. An application for an abatement pursuant to this section for the fiscal year commencing in calendar year two thousand five shall be made no later than the fifteenth day of February, two thousand five. An application for an abatement pursuant to this section for the fiscal year commencing in calendar year two thousand six shall be made no later than the fifteenth day of February, two thousand six. An application for an abatement pursuant to this section for the fiscal year commencing in calendar year two thousand seven shall be made no later than the fifteenth day of February, two thousand seven. An application for abatement pursuant to this section for the fiscal year commencing in calendar year two thousand eight shall be made in accordance with this subdivision and subdivision three-d of this section. An application for an abatement pursuant to this section for the fiscal year commencing in calendar year two thousand nine shall be made no later than the fifteenth day of February, two thousand nine. An application for an abatement pursuant to this section for the fiscal year commencing in calendar year two thousand ten shall be made no later than the fifteenth day of February, two thousand ten. An application for an abatement pursuant to this section for the fiscal year commencing in calendar year two thousand eleven shall be made no later than the fifteenth day of February, two thousand eleven. An application for an abatement pursuant to this section for the fiscal years commencing in calendar years two thousand twelve and two thousand thirteen shall be made in accordance with subdivision three-e of this section. The date or dates by which applications for an abatement pursuant to this section shall be made for the fiscal years beginning in calendar years two thousand fourteen through two thousand twenty-six shall be established by the commissioner of finance by rule, provided that such date or dates shall not be later than the fifteenth day of February for such calendar years.

(b) An application for an abatement pursuant to this section shall be submitted to the commissioner of finance by the board of managers of a condominium or the board of directors of a cooperative apartment corporation, provided that the commissioner of finance may by rule require the unit owner or shareholder of a dwelling unit to submit an application to supplement information contained in the application

submitted by the board of managers of a condominium or the board of directors of a cooperative apartment corporation and may by rule apply and adjust, as appropriate, any provisions of this section that relate to applications submitted by such boards to applications submitted by such owners. The commissioner of finance shall by rule require the unit owner or the shareholder of a dwelling unit to certify the primary residence of such unit owner or shareholder.

(c) No abatement pursuant to this section shall be granted unless the applicant files an application for an abatement within the time periods prescribed in paragraph (a) of this subdivision or subdivision three-a, three-b, three-c, three-d or three-e of this section, provided, however, that the commissioner of finance may, for good cause shown, extend the time for filing an application.

(d) The commissioner of finance shall determine the form of the application and the information which it shall contain. The information contained in the application shall be provided with respect to the qualified property as of the taxable status date for the fiscal year to which the application relates. Such information shall include, but need not be limited to:

(i) physical data, such as a description of the qualified property, stating the number of stories, the number of dwelling and non-dwelling units, unit designations with their locations, approximate area of each unit, number of rooms in each unit, common interest of or number of shares allocated to each unit, and the total number of shares in a cooperative apartment corporation;

(ii) the names and social security or tax identification numbers of owners of all units;

(iii) the names and social security or tax identification numbers of sponsors owning units; and

(iv) the name and address of the person designated by the board of directors or board of managers for receipt of notices issued pursuant to this section.

(e) The burden of proof shall be on the applicant to show that the requirements for granting an abatement have been met. The commissioner of finance shall have the authority to require that statements in connection with such application be made under oath by a duly authorized member of the board of directors or managers. Such application shall

contain the following declaration: "I certify that all information contained in this application is true and correct to the best of my knowledge and belief. I understand that the willful making of any false statement of material fact herein will subject me to the provisions of law relevant to the making and filing of false instruments and will render this application null and void." Such application shall also state that the applicant agrees to comply with and be subject to the rules issued from time to time by the commissioner of finance pursuant to this section.

(f) Notwithstanding any other provision of law to the contrary, application by the board of directors of a cooperative apartment corporation for an abatement pursuant to this section for the fiscal year commencing in calendar year two thousand shall be made by the filing of an information return pursuant to subdivision (g) of section 11-2105 of the administrative code of the city of New York, as added by local law number fifty-eight of the city of New York for the year nineteen hundred eighty-nine, including an election by such board of directors that such information return be deemed an application for an abatement pursuant to this section for such fiscal year, provided, however, that where the board of directors files the application on behalf of a cooperative apartment corporation that is not receiving an abatement pursuant to this section for the fiscal year commencing in calendar year nineteen hundred ninety-nine, then the board of directors shall be required to file, in addition to the information return pursuant to subdivision (g) of section 11-2105 of the administrative code of the city of New York, as added by local law number fifty-eight of the city of New York for the year nineteen hundred eighty-nine, any information return covering a reporting period beginning on or after January first, nineteen hundred ninety-six, that has not been filed previously. Information returns that are deemed to be applications for an abatement pursuant to this paragraph shall be subject to the provisions of this section relating to such applications including, but not limited to, the provisions of this subdivision and subdivision four of this section.

(g) Notwithstanding any other provision of law to the contrary, application by the board of directors of a cooperative apartment corporation for an abatement pursuant to this section for either the

fiscal year commencing in calendar year two thousand two or the fiscal year commencing in calendar year two thousand three shall be made by the filing of an information return pursuant to subdivision (g) of section 11-2105 of the administrative code of the city of New York, as added by local law number fifty-eight of the city of New York for the year nineteen hundred eighty-nine, including an election by such board of directors that such information return be deemed an application for an abatement pursuant to this section for such fiscal year, provided, however, that where the board of directors files an application on behalf of a cooperative apartment corporation that is not receiving an abatement pursuant to this section for the fiscal year immediately preceding the fiscal year for which the application is filed, then the board of directors shall be required to file, in addition to the information return pursuant to subdivision (g) of section 11-2105 of the administrative code of the city of New York, as added by local law number fifty-eight of the city of New York for the year nineteen hundred eighty-nine, any information return covering a reporting period beginning on or after January first, nineteen hundred ninety-six, that has not been filed previously. Information returns that are deemed to be applications for an abatement pursuant to this paragraph shall be subject to the provisions of this section relating to such applications including, but not limited to, the provisions of this subdivision and subdivision four of this section.

(h) Notwithstanding any other provision of law to the contrary, application by the board of directors of a cooperative apartment corporation for an abatement pursuant to this section for either the fiscal year commencing in calendar year two thousand five or the fiscal year commencing in the calendar year two thousand six or the fiscal year commencing in the calendar year two thousand seven or the fiscal year commencing in the calendar year two thousand eight or the fiscal year commencing in the calendar year two thousand nine or the fiscal year commencing in the calendar year two thousand ten or the fiscal year commencing in the calendar year two thousand eleven shall be made by the filing of an information return pursuant to subdivision (g) of section 11-2105 of the administrative code of the city of New York, as added by local law number fifty-eight of the city of New York for the year nineteen hundred eighty-nine, including an election by such board of

directors that such information return be deemed an application for an abatement pursuant to this section for such fiscal year, provided, however, that where the board of directors files an application on behalf of a cooperative apartment corporation that is not receiving an abatement pursuant to this section for the fiscal year immediately preceding the fiscal year for which the application is filed, then the board of directors shall be required to file, in addition to the information return pursuant to subdivision (g) of section 11-2105 of the administrative code of the city of New York, as added by local law number fifty-eight of the city of New York for the year nineteen hundred eighty-nine, any information return covering a reporting period beginning on or after January first, nineteen hundred ninety-six, that has not been filed previously. Information returns that are deemed to be applications for an abatement pursuant to this paragraph shall be subject to the provisions of this section relating to such applications including, but not limited to, the provisions of this subdivision and subdivision four of this section.

3-a. (a) An applicant whose property did not receive an abatement pursuant to this section for the fiscal year commencing in calendar year nineteen hundred ninety-eight shall submit an application for an abatement pursuant to this section for the fiscal year commencing in calendar year nineteen hundred ninety-nine no later than sixty days following the effective date of the chapter of the laws of nineteen hundred ninety-nine that added this subdivision.

(b) The abatement for the fiscal year commencing in calendar year nineteen hundred ninety-nine of a cooperative apartment corporation that received an abatement pursuant to this section for the fiscal year commencing in calendar year nineteen hundred ninety-eight and that submitted an information update form on or before April fifteenth, nineteen hundred ninety-nine pursuant to a request by the commissioner of finance, shall be based on the information contained in such information update form.

(c) The abatement for the fiscal year commencing in calendar year nineteen hundred ninety-nine of a cooperative apartment corporation that received an abatement pursuant to this section for the fiscal year commencing in calendar year nineteen hundred ninety-eight and that did

not submit an information update form on or before April fifteenth, nineteen hundred ninety-nine pursuant to a request by the commissioner of finance, shall be based on the information contained in the application submitted in nineteen hundred ninety-eight, provided that nothing in this paragraph shall authorize or require the commissioner of finance to grant an abatement with respect to a property or a dwelling unit that is not eligible as of the applicable taxable status date for the fiscal year commencing in calendar year nineteen hundred ninety-nine.

(d) The board of managers of a condominium that received an abatement pursuant to this section for the fiscal year commencing in calendar year nineteen hundred ninety-eight shall submit an application for an abatement pursuant to this section for the fiscal year commencing in calendar year nineteen hundred ninety-nine no later than sixty days following the effective date of the chapter of the laws of nineteen hundred ninety-nine that added this subdivision. If such board of managers does not submit such application within sixty days following the effective date of the chapter of the laws of nineteen hundred ninety-nine that added this subdivision, then the abatement for the fiscal year commencing in calendar year nineteen hundred ninety-nine for such condominium shall be based on the information contained in the application submitted in nineteen hundred ninety-eight, provided that nothing in this paragraph shall authorize or require the commissioner of finance to grant an abatement with respect to a property or a dwelling unit that is not eligible as of the applicable taxable status date for the fiscal year commencing in calendar year nineteen hundred ninety-nine.

3-b. (a) An applicant whose property did not receive an abatement pursuant to this section for the fiscal year commencing in calendar year two thousand shall submit an application for an abatement pursuant to this section for the fiscal year commencing in calendar year two thousand one no later than sixty days following the effective date of the chapter of the laws of two thousand one that added this subdivision.

(b) The abatement for the fiscal year commencing in calendar year two thousand one of a cooperative apartment corporation that received an abatement pursuant to this section for the fiscal year commencing in

calendar year two thousand and that submitted an information return on or before February fifteenth, two thousand one, that included an election by the board of directors of such cooperative apartment corporation that such information return be deemed an application for an abatement pursuant to this section for such fiscal year, shall be based on the information contained in such information return.

(c) The abatement for the fiscal year commencing in calendar year two thousand one of a cooperative apartment corporation that received an abatement pursuant to this section for the fiscal year commencing in calendar year two thousand and that submitted an information return on or before February fifteenth, two thousand one, that did not include an election by the board of directors of such cooperative apartment corporation that such information return be deemed an application for an abatement pursuant to this section for such fiscal year, shall be based on the information contained in the application submitted in two thousand or on the information contained in such information return, or both, provided that nothing in this paragraph shall authorize or require the commissioner of finance to grant an abatement with respect to a property or a dwelling unit that is not eligible as of the applicable taxable status date for the fiscal year commencing in calendar year two thousand one.

(d) The board of managers of a condominium that received an abatement pursuant to this section for the fiscal year commencing in calendar year two thousand shall submit an application for an abatement pursuant to this section for the fiscal year commencing in calendar year two thousand one no later than sixty days following the effective date of the chapter of the laws of two thousand one that added this subdivision. If such board of managers does not submit such application within sixty days following the effective date of the chapter of the laws of two thousand one that added this subdivision, then the abatement for the fiscal year commencing in calendar year two thousand one for such condominium shall be based on the information contained in the application submitted in two thousand, provided that nothing in this paragraph shall authorize or require the commissioner of finance to grant an abatement with respect to a property or a dwelling unit that is not eligible as of the applicable taxable status date for the fiscal year commencing in calendar year two thousand one.

3-c. (a) An applicant whose property did not receive an abatement pursuant to this section for the fiscal year commencing in calendar year two thousand three shall submit an application for an abatement pursuant to this section for the fiscal year commencing in calendar year two thousand four no later than sixty days following the effective date of the chapter of the laws of two thousand four that added this subdivision.

(b) The abatement for the fiscal year commencing in calendar year two thousand four of a cooperative apartment corporation that received an abatement pursuant to this section for the fiscal year commencing in calendar year two thousand three and that submitted an information return on or before February fifteenth, two thousand four, that included an election by the board of directors of such cooperative apartment corporation that such information return be deemed an application for an abatement pursuant to this section for such fiscal year, shall be based on the information contained in such information return.

(c) The abatement for the fiscal year commencing in calendar year two thousand four of a cooperative apartment corporation that received an abatement pursuant to this section for the fiscal year commencing in calendar year two thousand three and that submitted an information return on or before February fifteenth, two thousand four, that did not include an election by the board of directors of such cooperative apartment corporation that such information return be deemed an application for an abatement pursuant to this section for such fiscal year, shall be based on the information contained in the application submitted in two thousand three or on the information contained in such information return, or both, provided that nothing in this paragraph shall authorize or require the commissioner of finance to grant an abatement with respect to a property or a dwelling unit that is not eligible as of the applicable taxable status date for the fiscal year commencing in calendar year two thousand four.

(d) The board of managers of a condominium that received an abatement pursuant to this section for the fiscal year commencing in calendar year two thousand three shall submit an application for an abatement pursuant to this section for the fiscal year commencing in calendar year two thousand four no later than sixty days following the effective date of

the chapter of the laws of two thousand four that added this subdivision. If such board of managers does not submit such application within sixty days following the effective date of the chapter of the laws of two thousand four that added this subdivision, then the abatement for the fiscal year commencing in calendar year two thousand four for such condominium shall be based on the information contained in the application submitted in two thousand three, provided that nothing in this paragraph shall authorize or require the commissioner of finance to grant an abatement with respect to a property or a dwelling unit that is not eligible as of the applicable taxable status date for the fiscal year commencing in calendar year two thousand four.

3-d. (a) an applicant whose property did not receive an abatement pursuant to this section for the fiscal year commencing in calendar year two thousand seven shall submit an application for an abatement pursuant to this section for the fiscal year commencing in calendar year two thousand eight no later than sixty days following the effective date of the chapter of the laws of two thousand eight that added this subdivision.

(b) the abatement for the fiscal year commencing in calendar year two thousand eight of a cooperative apartment corporation that received an abatement pursuant to this section for the fiscal year commencing in calendar year two thousand seven and that submitted an information return on or before February fifteenth, two thousand eight, that included an election by the board of directors of such cooperative apartment corporation that such information return be deemed an application for an abatement pursuant to this section for such fiscal year, shall be based on the information contained in such information return.

(c) the abatement for the fiscal year commencing in calendar year two thousand eight of a cooperative apartment corporation that received an abatement pursuant to this section for the fiscal year commencing in calendar year two thousand seven and that submitted an information return on or before February fifteenth, two thousand eight, that did not include an election by the board of directors of such cooperative apartment corporation that such information return be deemed an application for an abatement pursuant to this section for such fiscal

year, shall be based on the information contained in the application submitted in two thousand seven or on the information contained in such information return, or both, provided that nothing in this paragraph shall authorize or require the commissioner of finance to grant an abatement with respect to a property or a dwelling unit that is not eligible as of the applicable taxable status date for the fiscal year commencing in calendar year two thousand eight.

(d) the board of managers of a condominium that received an abatement pursuant to this section for the fiscal year commencing in calendar year two thousand seven shall submit an application for an abatement pursuant to this section for the fiscal year commencing in calendar year two thousand eight no later than sixty days following the effective date of the chapter of the laws of two thousand eight that added this subdivision. If such board of managers does not submit such application within sixty days following the effective date of the chapter of the laws of two thousand eight that added this subdivision, then the abatement for the fiscal year commencing in calendar year two thousand eight for such condominium shall be based on the information contained in the application submitted in two thousand seven, provided that nothing in this paragraph shall authorize or require the commissioner of finance to grant an abatement with respect to a property or a dwelling unit that is not eligible as of the applicable taxable status date for the fiscal year commencing in calendar year two thousand eight.

3-e. (a) An applicant whose property did not receive an abatement pursuant to this section for the fiscal year commencing in calendar year two thousand eleven shall submit an application for an abatement pursuant to this section for the fiscal years commencing in calendar years two thousand twelve and two thousand thirteen in accordance with paragraph (e) of this subdivision.

(b) The abatement for the fiscal year commencing in calendar year two thousand twelve of a cooperative apartment corporation that received an abatement pursuant to this section for the fiscal year commencing in calendar year two thousand eleven and that submitted an information return on or before February fifteenth, two thousand twelve, that included an election by the board of directors of such cooperative apartment corporation that such information return be deemed an

application for an abatement pursuant to this section for such fiscal year, shall be based on the information contained in such information return.

(c) The abatement for the fiscal year commencing in calendar year two thousand twelve of a cooperative apartment corporation that received an abatement pursuant to this section for the fiscal year commencing in calendar year two thousand eleven and that submitted an information return on or before February fifteenth, two thousand twelve, that did not include an election by the board of directors of such cooperative apartment corporation that such information return be deemed an application for an abatement pursuant to this section for such fiscal year, shall be based on the information contained in the application submitted in two thousand eleven or on the information contained in such information return, or both, provided that nothing in this paragraph shall authorize or require the commissioner of finance to grant an abatement with respect to a property or a dwelling unit that is not eligible as of the applicable taxable status date for the fiscal year commencing in calendar year two thousand twelve.

(d) The board of managers of a condominium that received an abatement pursuant to this section for the fiscal year commencing in calendar year two thousand eleven shall submit an application for an abatement pursuant to this section for the fiscal year commencing in calendar year two thousand twelve no later than sixty days following the effective date of the chapter of the laws of two thousand thirteen that added this subdivision. If such board of managers does not submit such application within sixty days following the effective date of the chapter of the laws of two thousand thirteen that added this subdivision, then the abatement for the fiscal year commencing in calendar year two thousand twelve for such condominium shall be based on the information contained in the application submitted in two thousand eleven, provided that nothing in this paragraph shall authorize or require the commissioner of finance to grant an abatement with respect to a property or a dwelling unit that is not eligible as of the applicable taxable status date for the fiscal year commencing in calendar year two thousand twelve.

(e) Notwithstanding paragraphs (a), (b), (c) and (d) of this subdivision or any other inconsistent provision of law, the commissioner of finance may require each applicant for an abatement for the fiscal

years commencing in calendar years two thousand twelve and two thousand thirteen to submit an application by a date and in a form determined by such commissioner and such commissioner may deny abatements pursuant to this section for failure to submit such application by such date provided that such date shall be no earlier than thirty days following the date on which the commissioner releases the application form.

4. Except in accordance with proper judicial order or as otherwise provided by law, neither the commissioner of finance, nor any officer or employee of a department of finance of a city having a population of one million or more, nor any person who, pursuant to this subdivision, is authorized to inspect the application or statements in connection therewith required by this section, shall disclose or make known the contents of any such application or statements. Except as provided in this subdivision, the officers charged with the custody of any such application or statements shall not be required to produce them in any action or proceeding in any court or before any administrative tribunal, but any such application or statements may be produced on behalf of the department of finance. An affidavit certifying that all building service employees employed or to be employed at the qualified property shall receive the applicable prevailing wage may be produced in any action or proceeding in any court or before any administrative tribunal. Such affidavit shall be considered a public record. Nothing in this subdivision shall be construed to prohibit delivery to an owner of a dwelling unit of a qualified property situated in a city having a population of one million or more of a copy of any application or statements pertaining to such dwelling unit, upon request and with personally identifying information redacted. Nothing in this subdivision shall be construed to prohibit the delivery of a certified copy of any such application or statements to the United States of America or any department thereof, the state of New York or any department thereof, or a city having a population of one million or more or any department thereof, provided any such application or statements are required for official business; nor to prohibit the inspection for official business of any such application or statements by the tax commission of a city having a population of one million or more, or by the corporation counsel or other legal representative of a city having a population of

one million or more, or by any person engaged or retained by the department of finance on an independent contract basis; nor to prohibit the publication of statistics so classified as to prevent the identification of any particular application or statements. The foregoing provisions of this subdivision prohibiting disclosure of the contents of applications or statements shall not apply to physical data relating to the qualified property described therein.

5. The commissioner of finance shall be authorized to defer the credit, pursuant to this section, for the fiscal year commencing in the calendar year nineteen hundred ninety-six to the fiscal year commencing in the calendar year nineteen hundred ninety-seven. The credits, pursuant to this section, for the fiscal years commencing in the calendar years nineteen hundred ninety-seven and nineteen hundred ninety-eight shall not be deferred.

6. The commissioner of finance may impose, after notice and an opportunity to be heard, civil penalties on each member of a cooperative board of directors of no more than ten thousand dollars for the willful failure to credit fully any tax abatement granted pursuant to this section to eligible dwelling units.

7. The commissioner of finance shall be authorized to promulgate rules necessary to effectuate the purposes of this section. Notwithstanding any other provision of law to the contrary, such rules may include, but need not be limited to, denial, termination or revocation of any abatement pursuant to this section if building service workers are not paid the prevailing wage or if any dwelling unit in a qualified property held in the condominium form of ownership or a qualified property held in the cooperative form of ownership has real property taxes, water and sewer charges, payments in lieu of taxes or other municipal charges due and owing, unless such real property taxes, water and sewer charges, payments in lieu of taxes or other municipal charges are currently being paid in timely installments pursuant to a written agreement with the department of finance or other appropriate agency.

8. Except to the extent that the owner of a dwelling unit of a

qualified property situated in a city having a population of one million or more may request a redacted copy of any application or statements pertaining to such dwelling unit, as provided in subdivision four of this section, the information contained in applications or statements in connection therewith filed with the commissioner of finance pursuant to subdivision three, three-a, three-b, three-c, three-d or three-e of this section shall not be subject to disclosure under article six of the public officers law.

9. The commissioner of finance shall be authorized to prepare and submit amended tax bills to taxpayers to reflect any adjustments necessary to apply the partial abatement received pursuant to this section. If a condominium or cooperative has paid an amount that is different than the amount due on any amended tax bill, the commissioner of finance may waive any interest otherwise due on such amount.

10. The fiscal officer, as defined in section two hundred thirty of the labor law, shall have the power to conduct an investigation and hearing and file a final determination as to the payment of wages owed by an owner, successor, or any employer of building service employees, as provided under subdivisions one, four, five, six, eight and nine of section two hundred thirty-five of the labor law.