§ 489-ddd. Real property tax exemption. 1. A real property tax exemption pursuant to this title shall be granted to an applicant who, within a period of thirty-six months, or following an extension pursuant to section four hundred eighty-nine-hhh of this title within a period of forty-eight months, from the date of issuance of a certificate of eligibility has completed reconstruction or construction work in accordance with the plans approved by the board in the certificate of eligibility. The amount of the tax exemption shall be determined as follows:

(a) In the case of an applicant who has completed industrial construction or reconstruction work, or commercial reconstruction work designated as of right pursuant to section four hundred eighty-nine-ccc of this title or as specially needed pursuant to section four hundred eighty-nine-eee of this title, the tax exemption shall continue for nineteen tax years in an amount decreasing by five per centum each year from an exemption of ninety-five per centum of the exemption base, as defined in paragraph (d) of this subdivision.

(b) In the case of an applicant who has completed other commercial reconstruction work, or new commercial construction work designated as of right pursuant to section four hundred eighty-nine-ccc of this title or as specially needed pursuant to section four hundred eighty-nine-eee of this title, the tax exemption shall continue for ten tax years, in an amount decreasing by five per centum each year from an exemption of fifty per centum of the exemption base.

(c) In the case of an applicant who has completed other new commercial construction work, the exemption shall continue for five tax years in an amount decreasing by ten per centum each year from an exemption of fifty per centum of the exemption base.

(d) The term "exemption base" shall mean the difference between the final assessed value of the property as determined upon completion of the construction or reconstruction work and the lesser of (i) the assessed value of the property at the time an application for a certificate of eligibility pursuant to this title is made, or (ii) the assessed value as may thereafter be reduced pursuant to application to the tax commission.

The tax exemption shall be computed according to the following tables:

CONSTRUCTION OR RECONSTRUCTION OF INDUSTRIAL STRUCTURES OR RECONSTRUCTION OF AS OF RIGHT OR SPECIALLY NEEDED COMMERCIAL STRUCTURES

Year following completion of work	Percentage of exemption
1.	95
2.	90
3.	85
4.	80
5.	75
6.	70
7.	65
8.	60
9.	55
10.	50
11.	45
12.	40
13.	35
14.	30
15.	25
16.	20
17.	15
18.	10
19.	5

RECONSTRUCTION OF OTHER COMMERCIAL STRUCTURES OR CONSTRUCTION OF AS OF RIGHT OR SPECIALLY NEEDED COMMERCIAL STRUCTURES

Year following completion of work	Percentage of exemption
1.	50
2.	45
3.	40
4.	35
5.	30
6.	25
7.	20
8.	15

9.	10
10.	5

CONSTRUCTION OF OTHER NEW COMMERCIAL STRUCTURES

Year following completion of work	Percentage of exemption
1.	50
2.	40
3.	30
4.	20
5.	10

2. The taxes payable during the period from the issuance of a certificate of eligibility to the approval of the tax exemption pursuant to section four hundred eighty-nine-fff of this title shall be paid on the lesser of:

(a) the assessed value of the property at the time an application for a certificate of eligibility pursuant to this title is made, or (b) the assessed value as may thereafter be reduced pursuant to application to the tax commission, provided, however, that if reconstruction or construction is not completed in accordance with the plans approved in the certificate of eligibility including any amendments thereto, taxes shall be due and payable retroactively as otherwise required by law.

3. In all cases where the board shall have issued a certificate of eligibility prior to January first, nineteen hundred eighty-two, the exemption percentage shall apply to any subsequent increase in the assessed valuation of the property during the tenure of the exemption. Where the board has issued a certificate of eligibility on or after January first, nineteen hundred eighty-two, the exemption percentage shall apply to any subsequent increase in the assessed valuation of the property during the first two years after approval of the tax exemption pursuant to section four hundred eighty-nine-fff of this title. Commencing two years after approval of the tax exemption pursuant to section four hundred eighty-nine-fff of this title, the exemption percentage shall apply to any subsequent increase in assessed valuation of the property only to the extent such increase is attributable to the construction or reconstruction work approved in the certificate of

eligibility.

4. The provisions of this title shall not apply to any increase in assessed value resulting from the construction or reconstruction of a residential structure on any property receiving an exemption under the provisions of this title. The provisions of this title shall apply exclusively to those structures and the lands underlying them which were identified explicitly in the certificate of eligibility.

5. The provisions of this title shall not apply if any new or rehabilitated construction displaces or replaces a building or buildings containing more than twenty-five occupied dwelling units in existence on the date an application for certificate of eligibility is submitted for preliminary approval pursuant to section four hundred eighty-nine-eee of this title, which are administered under the local emergency housing rent control act, the rent stabilization law of nineteen hundred sixty-nine or the emergency tenant protection act of nineteen seventy-four, unless a certificate of eviction has been issued for any of the displaced or replaced units pursuant to the powers granted by the city rent and rehabilitation law.

6. The provisions of this title shall not apply to an applicant who has commenced construction or reconstruction work prior to the granting of a certificate of eligibility except where applicant, having filed an application for a certificate of eligibility receives written permission to commence from the board or its designated representative prior to the granting of a certificate of eligibility. Demolition of existing structures, site preparation limited to grading, filling or clearing, or the curing of a safety or sanitary hazard shall not be deemed to be commencement of construction or reconstruction work.

7. Any property enjoying the benefits of a tax exemption approved by the board shall be ineligible for any subsequent or additional tax exemption pursuant to the provisions of this title until the expiration of the original exemption period or earlier termination of the existing exemption by action of the tax commission.