

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 1998**

No. 24

Introduced by Council Members Spigner, Cruz, Malave-Dilan, Warden and Provenzano
(by request of the Mayor); also Council Members Duane, Eisland and Povman.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to exemption from taxation of alterations and improvements to certain condominiums which are part of a planned community.

Be it enacted by the Council as follows:

Section 1. Section 11-243 of the administrative code is amended by adding a new subdivision d-1 to read as follows:

d-1. (1) A group of multiple dwellings which was developed as a planned community and which is owned as two separate condominiums containing a total of ten thousand or more dwelling units shall be eligible for tax exemption and abatement as provided in this subdivision.

(2) any increase in assessed valuation resulting from alterations or improvements financed with substantial governmental assistance to one or more multiple dwellings in a planned community described in paragraph one of this subdivision shall be exempt from taxation for local purposes. Such exemption shall be equal to the increase in the valuation which is subject to exemption under this paragraph for thirty years. After such period of time, the amount of such exempted assessed value shall be reduced by twenty percent in each succeeding year until the assessed value of the alterations or improvements is fully taxable. Such exemption may commence at the beginning of any tax quarter subsequent to the start of such alterations or improvements. In no event shall such alterations or improvements directly or indirectly result in an equalization increase in the assessed valuation of any multiple dwelling forming part of the planned community where such alterations or improvements are performed.

(3) the taxes on a planned community described in paragraph one of this subdivision, including the land, may be abated by an amount not to exceed the greater of (i) one hundred fifty per centum of the certified reasonable cost of the alterations or improvements, as determined under the rules of the department of housing preservation and development, and (ii) the construction cost of the alterations or improvements iden-

tified in such rules. Such abatement shall not be effective for more than twenty years and the annual abatement of taxes in any consecutive twelve-month period shall not be greater than ten per centum of the total abatement granted and shall not exceed the amount of taxes payable in such consecutive twelve-month period. Such abatement shall begin no sooner than the first quarterly tax bill immediately following the completion of such alterations or improvements. The limitations set forth in the second paragraph of paragraph three of subdivision d of this section for multiple dwellings, buildings and structures owned as condominiums shall be inapplicable to benefits granted pursuant to this subdivision. Abatement benefits granted pursuant to this subdivision shall be apportioned among all of the condominium tax lots within the condominium in which the alterations or improvements are made, although such alterations or improvements may have been made to one or fewer than all of the multiple dwellings therein.

(4) in the event that multiple alterations or improvements are undertaken in a planned community described in paragraph one of this subdivision and separate applications for benefits therefor are made, all requirements concerning physical condition of and compliance with law by the multiple dwellings in such planned community shall apply only upon completion of all such alterations or improvements, provided that all such alterations or improvements are completed within six years.

(5) except as provided in this subdivision, all of the requirements imposed by this section on projects described in subdivision b of this section shall be applicable to alterations or improvements granted benefits pursuant to this subdivision.

(6) this subdivision shall be applicable only to alterations or improvements completed prior to December thirty-first, two thousand five.

(7) Alterations and improvements receiving tax benefits under this subdivision shall not be used as the basis of an application for a major capital improvement rent increase under state laws governing rent control and rent stabilization, provided, however, that such alterations and improvements may be eligible for a major capital improvement increase in an amount not to exceed the amount of the decrease in rents that occurs as a result of the installation of individual electrical metering for the residential units. Such major capital improvement increase shall be implemented on a per unit basis.

§ 2. This local law shall take effect immediately.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on June 4, 1998, and returned unsigned by the Mayor on July 6, 1998.

CARLOS CUEVAS, City Clerk, Clerk of the Council

CERTIFICATION PURSUANT TO MUNICIPAL HOME RULE LAW § 27

Pursuant to the provisions of Municipal Home Rule Law § 27, I hereby certify that the enclosed local law (Local Law 24 of 1998, Council Int. No. 312) contains the correct text and:

Received the following vote at the meeting of the New York City Council on June 4, 1998: 49 FOR, 0 AGAINST.

Was returned unsigned by the Mayor on July 6, 1998.

Was returned to the City Clerk on July 6, 1998.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel