

STATE OF NEW YORK

4468--A

2009-2010 Regular Sessions

IN SENATE

April 23, 2009

Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT authorizing the city of New York to reconvey its interest in certain real property acquired July 1, 2008 by in rem tax foreclosure in the borough of Staten Island, to Greentree Homeowners Association, notwithstanding expiration of the two year period within which application may be made to the city to release its interest in property thus acquired; Block No. 1560, Lot No. 33, on the tax map for the borough of Staten Island

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

1 Section 1. Findings. On July 1, 2008, the city of New York acquired
2 title to premises designated as lot #33, in tax block 1560, also known
3 as Greentree Lane in the borough of Staten Island, based on non-payment
4 of taxes due to inadvertence by the Greentree Homeowners Association,
5 the former owner of such property. Pursuant to sections 11-424 and
6 11-424.1 of the administrative code of the city of New York, the city
7 may release its interest in property thus acquired if an application for
8 such a release is filed with the city's department of citywide adminis-
9 trative services within two years of the date on which the city's deed
10 is recorded and if such application is approved by the in rem foreclo-
11 sure release board. Pursuant to paragraph 1 of subdivision b of section
12 11-424 of the administrative code of the city of New York an applicant
13 whose interest in said property arises by reason of death of the prior
14 owner shall provide such information necessary to prove applicant's
15 right to make such application. In addition, since the New York city
16 charter requires that the sale of city owned property be at public
17 auction or by sealed bids (except as otherwise provided by law), state
18 legislative authorization is necessary to permit said reconveyance.

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

LBD11332-02-9

S. 4468--A

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1 § 2. Notwithstanding any other provision of general, special or local
2 law, charter or administrative code to the contrary and subject to
3 section three of this act, the city of New York is hereby authorized to
4 release its interest in and reconvey the real property designated as tax
5 block 1560, lot #33, also known as Greentree Lane on the tax map of the
6 city for the borough of Staten Island as said map was on July 1, 2008 to
7 the Greentree Homeowners Association.

8 § 3. Such release and reconveyance may be made only upon the approval
9 of the in rem foreclosure release board established by section 11-424.1
10 of the administrative code of the city of New York, subject to the gran-
11 tee or grantees meeting the following conditions precedent:

12 a. submit an application for release in writing to the city commis-
13 sioner of citywide administrative services accompanied by a certified
14 title search, affidavit of ownership, and all fees and payments as
15 otherwise required by section 11-424 of the administrative code of the
16 city of New York.

17 b. pay all taxes, interest, penalties and charges otherwise required
18 by section 11-424 of the administrative code of the city of New York
19 upon approval of the application by the in rem foreclosure release
20 board.

21 § 4. This chapter of the laws of 2009 shall not be deemed to be the
22 chapter upon the effectiveness of which paragraph (2) of subdivision a
23 of section 11-424 of the administrative code of the city of New York,
24 under local law, depends. Accordingly, the provisions of such paragraph
25 (2) shall not apply to the release and reconveyance authorized to be
26 made herein.

27 § 5. This act shall take effect immediately.

**NEW YORK STATE SENATE
INTRODUCER'S MEMORANDUM IN SUPPORT
submitted in accordance with Senate Rule VI. Sec 1**

BILL NUMBER: S4468A

SPONSOR: LANZA

TITLE OF BILL:

An act authorizing the city of New York to reconvey its interest in certain real property acquired July 1, 2008 by in rem tax foreclosure in the borough of Staten Island, to Greentree Homeowners Association, notwithstanding expiration of the two year period within which application may be made to the city to release its interest in property thus acquired; Block No. 1560, Lot No. 33, on the tax map for the borough of Staten Island

PURPOSE:

To authorize the City of New York to reconvey a parcel of land to the Greentree Homeowners Association, Inc.

SUMMARY OF PROVISIONS:

Section one. Through a Staten Island in rem tax foreclosure, the City of New York acquired title to premises designated as Block No. 1560, Lot No. 33 in Staten Island, New York, in the borough of Staten Island based on non-payment of taxes due to inadvertent failure to pay taxes by the Greentree Homeowners Association, Inc.

JUSTIFICATION:

Upon approval of the application by the in rem foreclosure release board, the Greentree Homeowners Association, Inc., agrees to pay all taxes, interest, penalties and other charges to gain their property back. The property in question is a road (Greentree Lane) that is the only access point into and out of the Associations group of homes. Problems could develop for the owners if the City of New York were to sell the property at auction. This bill would give the property back to the Association after all taxes, interest, penalties and other charges are paid and will put it back on New York City's tax rolls.

LEGISLATIVE HISTORY:

New bill.

FISCAL IMPLICATIONS:

None.

EFFECTIVE DATE:

Immediately.

STATE OF NEW YORK

8007--A

2009-2010 Regular Sessions

IN ASSEMBLY

May 1, 2009

Introduced by M. of A. CUSICK -- read once and referred to the Committee on Cities -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT authorizing the city of New York to reconvey its interest in certain real property acquired July 1, 2008 by in rem tax foreclosure in the borough of Staten Island, to Greentree Homeowners Association, notwithstanding expiration of the two year period within which application may be made to the city to release its interest in property thus acquired; Block No. 1560, Lot No. 33, on the tax map for the borough of Staten Island

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2 title to premises designated as lot #33, in tax block 1560, also known
3 as Greentree Lane in the borough of Staten Island, based on non-payment
4 of taxes due to inadvertence by the Greentree Homeowners Association,
5 the former owner of such property. Pursuant to sections 11-424 and
6 11-424.1 of the administrative code of the city of New York, the city
7 may release its interest in property thus acquired if an application for
8 such a release is filed with the city's department of citywide adminis-
9 trative services within two years of the date on which the city's deed
10 is recorded and if such application is approved by the in rem foreclo-
11 sure release board. Pursuant to paragraph 1 of subdivision b of section
12 11-424 of the administrative code of the city of New York an applicant
13 whose interest in said property arises by reason of death of the prior
14 owner shall provide such information necessary to prove applicant's
15 right to make such application. In addition, since the New York city
16 charter requires that the sale of city owned property be at public
17 auction or by sealed bids (except as otherwise provided by law), state
18 legislative authorization is necessary to permit said reconveyance.

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

LBD11332-03-9

A. 8007--A

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1 § 2. Notwithstanding any other provision of general, special or local
2 law, charter or administrative code to the contrary and subject to
3 section three of this act, the city of New York is hereby authorized to
4 release its interest in and reconvey the real property designated as tax
5 block 1560, lot #33, also known as Greentree Lane on the tax map of the
6 city for the borough of Staten Island as said map was on July 1, 2008 to
7 the Greentree Homeowners Association.

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22 chapter upon the effectiveness of which paragraph (2) of subdivision a
23 of section 11-424 of the administrative code of the city of New York,
24 under local law, depends. Accordingly, the provisions of such paragraph
25 (2) shall not apply to the release and reconveyance authorized to be
26 made herein.

27 § 5. This act shall take effect immediately.

**NEW YORK STATE ASSEMBLY
MEMORANDUM IN SUPPORT OF LEGISLATION
submitted in accordance with Assembly Rule III, Sec 1(f)**

BILL NUMBER: A8007A

SPONSOR: Cusick

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LEGISLATIVE HISTORY:

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FISCAL IMPLICATIONS:

None.

EFFECTIVE DATE:

Immediately.
