



## Legislation Text

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**File #:** Res 0869-2019, **Version:** \*

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### Res. No. 869

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, a law establishing a property tax credit for Class 2 cooperative and condominium buildings that pass parking garage condition assessments pursuant to parts 1202 to 1204 of title 19 of the New York Codes, Rules and Regulations.

By Council Member Vallone

Whereas, A parking garage condition assessment is an on-site inspection and evaluation of a parking garage for evidence of deterioration of any structural element, evidence of the existence of any unsafe condition and evidence indicating that the parking garage is an unsafe structure; and

Whereas, For purposes of the condition assessment requirement, a parking garage includes any building in which any structural level is used, in whole or in part, for parking or storage of motor vehicles; and

Whereas, Parts 1202 to 1204 of title 19 of the New York Codes, Rules and Regulations require owners of parking garages to have periodic condition assessments of those parking garages performed by qualified professional engineers or under the supervision of a professional engineer; and

Whereas, A professional engineer who has concluded a parking garage condition assessment must file a written report detailing the results of the assessment; and

Whereas, Following a regulation change by the New York Department of State in 2018, buildings now must undertake parking garage condition assessments every three years even if they diligently maintain their parking garage, thereby increasing the likelihood that the condition assessment will result in a report showing no unsafe conditions; and

Whereas, Class 2 condominium and cooperative buildings, which are residential properties with more than three units, generally pass parking garage condition assessment costs on to the homeowners through

increased maintenance fees or special assessments; and

Whereas, It is the sense of the Council that homeowners in Class 2 condominiums and cooperatives whose parking garages are deemed safe after a professional engineer's condition assessment should not have to bear the burden of the costly condition assessment process every three years; and

Whereas, a tax credit would reduce the burden on homeowners in Class 2 condominiums and cooperatives caused by the condition assessment requirement; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, a law establishing a property tax credit for Class 2 cooperative and condominium buildings that pass parking garage condition assessments pursuant to parts 1202 to 1204 of title 19 of the New York Codes, Rules and Regulations.

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