



Legislation Text

File #: Int 1974-2020, **Version:** A

Int. No. 1974-A

By The Public Advocate (Mr. Williams) and Council Members Kallos, Lander, Adams, Ayala, Grodenchik and Miller

A Local Law to authorize adoption by resolution of an interest rate for nonpayment of taxes on real property with an assessed value of two-hundred and fifty thousand dollars or less in fiscal year 2021 for property owners adversely affected by COVID-19

Be it enacted by the Council as follows:

Section 1. Notwithstanding paragraph (i) of subdivision (e) of section 11-224.1 of the administrative code of the city of New York, the council may, by resolution pursuant to such subdivision, adopt an interest rate to be charged for nonpayment of taxes on real property due on July 1, 2020 as follows:

a. For real property for which, as of July 1, 2020, a property owner has an executed agreement with the department of finance for the payment in installments of any real property taxes, assessments or other charges that are made a lien subject to the provisions of chapter 3 of title 11 of the administrative code of the city of New York, pursuant to section 11-322.1 of such code, the interest rate to be charged for nonpayment of taxes on the real property that is the subject of such executed agreement, due on July 1, 2020 for fiscal year 2021, and paid between July 15 and September 30, 2020, shall be zero percent, provided that no later than September 30, 2020, such property owner submits documentation to the commissioner of finance demonstrating that such property owner has been adversely affected by the COVID-19 pandemic, and provided further that nothing herein shall be construed to amend paragraph 6 of subdivision b of section 11-319 of such code.

b. For real property with an assessed value of \$250,000 or less, for which the income, as defined in subdivision a of section 11-322.1 of the administrative code of the city of New York, of the owner of such

property, and all the additional property owners of such real property, during calendar year 2019 was less than \$150,000, the interest rate to be charged for nonpayment of taxes on such real property due on July 1, 2020, and paid between July 15 and September 30, 2020, shall be zero percent, provided that such property has been the primary residence of at least one such property owner for an uninterrupted period of not less than one year preceding July 1, 2020, which determination shall be made without regard to any hospitalization or temporary stay in a nursing home or rehabilitation facility, and provided further that no later than September 30, 2020, such property owner submits documentation to the commissioner of finance demonstrating that such property owner has been adversely affected by the COVID-19 pandemic, and provided further that nothing herein shall be construed to amend paragraph 6 of subdivision b of section 11-319 of such code.

§ 2. For the purposes of this local law, the following terms shall have the following meanings:

a. “Adversely affected by the COVID-19 pandemic” means: (a) the property owner or a member of the household of such property owner was diagnosed with COVID-19, received confirmation from a health professional of having contracted COVID-19 or experienced symptoms of COVID-19 and sought a medical diagnosis; or (b) the loss of the primary source of income because of COVID-19 between March 7, 2020 and June 30, 2020, which continued for at least 1 month, by the property owner or any additional property owners of such real property.

b. “Property” means real property classified as class 1 pursuant to section 1802 of the real property tax law or a dwelling unit in a condominium.

§ 3. Any nonpayment of taxes on real property due on July 1, 2020 and paid between July 15 and September 30, 2020, pursuant to subdivisions a and b of section one of this local law, shall not be subject to the provisions regarding subsequent tax liens in subdivision a-1 of section 11-319 of the administrative code of the city of New York.

§ 4. No later than November 1, 2020, the department of finance shall report to the speaker of the council the number of properties for which the zero percent interest rate was imposed pursuant to the provisions of this

local law and the aggregate value of the real property tax liability of those properties.

§ 5. This local law takes effect immediately and is retroactive to and deemed to have been in effect as of June 25, 2020, except that the council of the city of New York may take such measures as are necessary for the implementation of this local law, including the adoption of the resolution that is the subject of this local law, on or before such date.

NAB/RKC

LS #14455