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Trump Village Section 3, Inc. v. City of New York

Supreme Court, Appellate Division, Second Department, New York - September 18, 2013 - N.Y.S.2d - 2013 N.Y. Slip Op. 05894

On appeal, the court was asked to determine whether a taxable transfer occurs under Tax Law § 1201(b) and Administrative Code of the City of New York § 11-2102(a) when a residential housing cooperative corporation amends its certificate of incorporation as a part of its voluntary dissolution, reconstitution, and termination of participation in the Mitchell-Lama housing program (see Private Housing Finance Law § 10 et seq.).

The court concluded that, that because there is no transfer or conveyance of any real property or an interest in real property under those circumstances, no taxable event occurs.

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