New York State Association of REALTORS®, Inc.

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MEMORANDUM IN OPPOSITION

A.9411 by Assemblymember Paula Kay
Status: Assembly Ways and Means Committee

S.8938 by Senator Peter Oberacker
Status: Passed Senate

Date: June 2026
Contact: Michael Kelly

Re: Opposition to the authorization of a new real estate transfer tax in Sullivan County

The New York State Association of REALTORS®, Inc. **strongly opposes** legislation that would eliminate the requirement for state lawmaker approval of a new real estate transfer tax (up to 2 percent) requested by towns and cities in Sullivan County for the purpose of establishing a community preservation fund for the protection of farmlands, according to the sponsor's memo.

Aspiring homeowners in Sullivan County already face significant challenges when trying to purchase a home. The median sales price for a home in Sullivan County has increased 40 percent since 2021, while available housing inventory remains at record lows. Adding a **new tax to be paid by the buyer** will put homeownership out of reach for many residents and families, particularly first-time home buyers.

At a time when New York State is trying to make homeownership more affordable, this tax will have the opposite effect. Additionally, homebuyers in New York State already pay some of the highest real estate taxes and closing costs in the country, including the existing real estate transfer tax, mortgage recording taxes and property taxes. These taxes make New York State less competitive economically with other states by raising the cost of purchasing both residential and commercial property. State and local governments should be considering legislation that promotes tax equity, homeownership and economic development, rather than further exacerbating the problem by imposing more taxes.

While preserving open spaces and protecting farmlands are laudable goals, NYSAR believes the funding vehicle should not rely solely on such a narrow segment of the population, that being home buyers. We believe a more broad-based source of revenue is appropriate if all residents of a particular town or city will benefit from the fund. NYSAR does not oppose the intent of this legislation to allow for the creation of a community preservation fund, rather we oppose the increase in taxation on the transfer of real property to be used as a dedicated revenue stream.

For these reasons, the New York State Association of REALTORS®, Inc. **strongly opposes S.8938-Oberacker/A.9411-Kay**.

The New York State Association of REALTORS® is a not-for-profit trade organization representing more than 58,000 of New York State's real estate professionals. The term REALTOR® is a registered trademark, which identifies real estate professionals who subscribe to a strict code of ethics as members of the National Association of REALTORS®. These REALTORS® are also members of the New York State Association of REALTORS® as well as their local board or association of REALTORS®.

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