Legislation Details (With Text)

File #:	Res 1312-2012	**Version:**	*	**Name:**	Allow owners of not-for-profit organizations to submit documentation other than the application prepared and mailed to such owner by the Department of Finance to prove such organizations are entitled to a property tax exemption.
Type:	Resolution			**Status:**	Filed
				In control:	Committee on Finance
On agenda:	4/30/2012				
Enactment date:				**Enactment #:**	
Title:	Resolution calling upon the New York State Legislature to introduce, and the Governor to sign, legislation which would amend the Real Property Tax Law to allow owners of not-for-profit organizations to submit documentation other than the application prepared and mailed to such owner by the Department of Finance to prove such organizations are entitled to a property tax exemption.				
Sponsors:					
Indexes:					
Attachments:					

Date	Ver.	Action By	Action	Result
4/30/2012	*	City Council	Introduced by Council	
4/30/2012	*	City Council	Referred to Comm by Council	
12/31/2013	*	City Council	Filed (End of Session)	

Res. No. 1312

Resolution calling upon the New York State Legislature to introduce, and the Governor to sign, legislation which would amend the Real Property Tax Law to allow owners of not-for-profit organizations to submit documentation other than the application prepared and mailed to such owner by the Department of Finance to prove such organizations are entitled to a property tax exemption.

By Council Members Dickens, Brewer, Cabrera, Comrie, Eugene, Fidler, James, Recchia, Rose, Williams and Wills

Whereas, Many types of not-for-profit organizations are eligible for a full or partial property tax exemption; and

Whereas, To be eligible, the property must be used for acceptable exemption purposes, such as educational, medical, or religious reasons; and

Whereas, The applicant must be organized in one of the exemptible categories outlined in sections 420-a, 420-b, 446, and 462 of the New York State Real Property Tax Law ("RPTL"); and

Whereas, The above sections of law provide property tax exemptions to charitable

organizations, educational organizations, religious organizations, hospitals, and organizations organized for the moral or mental health of men, women or children; bar associations, benevolent associations, bible associations, enforcement of law relating to children or animals associations, historical associations, infirmary associations, library associations, medical societies, missionary associations, patriotic associations, public playgrounds; scientific associations, supervised youth sportsmanship or tract associations, cemeteries; and parsonages and manses, respectively; and

Whereas, For properties receiving property tax exemptions pursuant to sections 420-b, 446, and 462 of the RPTL, the Department of Finance ("DOF") may grant an exemption, both initial and renewal, only upon application made by the owner of the property on a form prescribed by DOF; and

Whereas, However, for properties receiving a property tax exemption pursuant to section 420-a of the RPTL, DOF has the discretion to grant exemptions to not-for-profit organizations, provided that DOF has on file a statement certified by a DOF assessor that he or she has examined the property and that all of the requirements of section 420-a have been satisfied; and

Whereas, While DOF has the discretion to grant exemptions without a renewal application for certain not-for-profit organizations, DOF has recently began to require all not-for- profit organizations to submit an application for the property tax exemption; and

Whereas, This new policy was implemented without providing prior notice to the affected organizations, thereby subjecting such organizations to interest on the unpaid real property taxes now due because the property is now subject to taxation; and

Whereas, Further, in addition to requiring an application as a condition precedent to receiving a property tax exemption, DOF does not make the renewal application available on-line or at any of its business centers; and

Whereas, Such applications are only received by the property owner once DOF mails the application

powered by Legistar™

to such owner, which creates a delay in the exemption approval process; and

Whereas, While the New York City Administrative Code provides that DOF cannot reduce the interest rate charged for the non-payment of real property taxes, DOF has discretion not to enforce the collection of such interest; and

Whereas, Amending the RPTL to allow not-for-profit organizations to submit documentation other than the application prepared and sent by DOF to prove such owners are entitled to a property tax exemption will expedite the renewal process and ensure interest for unpaid taxes are not collected by DOF unnecessarily; and

Whereas, Further, in the interest of public policy, until the RPTL is so amended, DOF should impose a moratorium on the collection of interest on not-for-profit organizations that fail to submit a renewal application; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to introduce, and the Governor to sign, legislation which would amend the Real Property Tax Law to allow owners of not-for-profit organizations to submit documentation other than the application prepared and mailed to such owner by the Department of Finance to prove such organizations are entitled to a property tax exemption.

.

TE
3096
3-23-12