



Legislation Text

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File #: Res 0962-2007, Version: \*

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Res. No. 962

Resolution calling upon the New York State Legislature to introduce and adopt, and the Governor to sign, legislation which would amend the New York State Real Property Tax Law (RPTL) to expand the veterans' property tax exemption to include an exemption on the school portion of the tax for veterans with incomes below \$47,500 and to increase the maximum income eligibility thresholds of the Senior Citizen Homeowners Exemption (SCHE) program and the Disabled Homeowners Exemption (DHE) program to the same level.

By Council Members Weprin, Monserrate, Jackson, Avella, Gallagher, Oddo, Eugene, Fidler, Gerson, Koppell, Liu, Mark-Viverito, McMahon, Reyna, Sanders Jr. and Sears

Whereas, According to the City of New York Department of Finance's *Annual Report on the NYC Real Property Tax, Fiscal Year 2006* and the *Fiscal 2007 Final Real Property Assessment Roll* issued on May 25, 2006, the average tax bill of a single family home in New York City increased by more than 70% from Fiscal 2003 to 2007; and

Whereas, The revised four-year financial plan, released by the Mayor on January 26, 2007, predicts that New York City property taxes will continue to rise at a rapid rate due to increases in assessed values over the next couple of years; and

Whereas, Incomes in New York City have not kept pace with rising housing values, making it particularly difficult for persons living on fixed incomes to remain in their homes; and

Whereas, To ameliorate some of the property tax burden faced by the City's elderly and disabled population, the Senior Citizen Homeowners Exemption (SCHE) and the Disabled Homeowners Exemption (DHE) programs, which exist pursuant to New York State enabling legislation codified in Sections 459-c and 467 of the New York State Real Property Tax Law (RPTL), provide sliding scale property tax exemptions to income-eligible seniors and homeowners who are disabled; and

Whereas, Similarly, Section 458-a of the RPTL offers property tax exemptions to qualified veterans in

recognition of their service based on service rendered, including service during wartime, service in a combat zone and status as a disabled veteran (the “Veterans’ Exemption”); and

Whereas, To be eligible for the SCHE or DHE programs, the federal adjusted gross income of a homeowner(s) with disabilities or a senior citizen homeowner(s) cannot exceed \$35,399 for Fiscal Year 2009; and

Whereas, The Veterans’ Exemption, on the other hand, is available to qualifying veterans regardless of income, but is applicable only to county, city, town and village taxation, and are not applicable to taxes levied for school purposes; and

Whereas, As a result, veterans receiving these benefits must pay back the school tax portion (the “School Tax Add Back”) which currently represents 67% percent of an average New York City property tax bill; and

Whereas, In view of the incredible personal sacrifices made by our veterans on behalf of this country, it would be appropriate to expand the Veterans’ Exemption by extending it to the school portion of the property tax for those veterans earning less than \$47,500 annually, an amount approximately equal to median income in the City; and

Whereas, According to the most recent US census data published by the United States Census Bureau, the 2005 median household income for New York City was nearly \$44,000, an amount significantly higher than the current maximum income eligibility threshold for the SCHE and DHE programs; and

Whereas, Increasing the income threshold from \$35,399 to \$47,500 would more accurately reflect City’s average income while at the same time provide additional tax relief to homeowners caught in the trap of low fixed incomes and rising assessments; and

Whereas, Enacting a law which would expand the number of senior citizens and persons with disabilities who would be eligible to participate in the SCHE and DHE programs and eliminate the School Tax Add Back provision for veterans with incomes below this same threshold, would help alleviate some of the

financial constraints faced by these citizens and ensure that they are able to remain in their homes and communities; now, therefore, be it

Resolved, that That the Council of the City of New York calls upon the New York State Legislature to introduce and adopt, and the Governor to sign, legislation which would amend the New York State Real Property Tax Law (RPTL) to expand the veterans' property tax exemption to include an exemption on the school portion of the tax for veterans with incomes below \$47,500 and to increase the maximum income eligibility thresholds of the Senior Citizen Homeowners Exemption (SCHE) program and the Disabled Homeowners Exemption (DHE) program to the same level.

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July 12, 2007  
LS #3608