CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON FINANCE

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June 11th, 2021 Start: 10:35 a.m. Recess: 11:40 a.m.

HELD AT: Remote Hearing (Virtual Room 1)

B E F O R E: Daniel Dromm CHAIRPERSON

COUNCIL MEMBERS:

Adrienne Adams

Alicka Ampry-Samuel

Diana Ayala

Selvena Brooks-Powers

Robert Cornegy, Jr.

Laurie Cumbo

Darma Diaz

Vanessa Gibson

Barry Grodenchik

Karen Koslowitz

Farah Louis

Steve Matteo

Francisco Moya

Keith Powers

Helen Rosenthal

Jimmy Van Bramer

Rafael Salamanca

## A P P E A R A N C E S (CONTINUED)

Jeffrey Shear, Deputy Commissioner of Treasury and Payment Services Department of Finance

Mary Christine Jackman, Assistant Commissioner And City Treasurer Department of Finance

Committee. I don't have a list of colleagues yet,

but I will get that and I will announce the

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momentarily. Today's hearing will focus on three pieces of legislation: Intro 1859 sponsored by Minority Leader Matteo which would make permanent the expansion of the alternative veterans exemption that the Council originally passed in 2017 and two preconsidered introduction sponsored by Council members Moya and Chin which would authorize the Council to interest rate relief from fiscal 22 for certain Covid 19 impacted property owners unable to pay their real property taxes on time. 

Minority Leader Matteo, which would eliminate the current June 30th, 2022 sunset provision in relation to the expansion of the alternative veterans exemption that the Council originally passed in 2017. In 1984, the state legislature enacted the alternative veterans exemption which exempts a percentage of assessed value of the primary residence of qualifying veterans for certain members of her family. In 2016, state legislation authorize the city, through local law, to extend the exemption of the school rate part of the property tax which the Council and the Mayor agreed to do as part of the fiscal 2018 budget negotiations. Minority leader

2	Matteo was also a sponsor of the legislation which
3	passed in June 2017. At the time, the Council
4	projected that the impact of the legislation would be
5	to add an average savings of \$595 per year per
6	veteran household on top of the average existing
7	exemption savings of \$545 per year. However, the
8	legislation included a sunset provision of June 30,
9	2022. Minority Leader Matteo's intro number 1859
10	proposes to eliminate the sunset provision thereby
11	making the 2017 changes permanent. I'm going to
12	invite Minority Leader Matteo to speak about his
13	bill. Council member or Minority Leader Matteo?
14	MINORITY LEADER MATTEO: Thank you,
15	Chair Dromm. I appreciate it. Four years ago, the
16	city Council passed the alternative exemption for
17	veterans, a bill I sponsored that expanded the prior
18	veteran exemption to include the school portion of
19	property taxes. The alternative exemption is
20	available for veterans who served in a time of war as
21	well as disabled veterans and Goldstar parents.
22	Currently, about 39,000 veterans and their families
23	take advantage of the veterans alternative exemption
24	with the median additional savings of \$723 off of
25	their tax bills. This financial relief is needed now

2	more than ever as so many New Yorkers have suffered
3	losses during this pandemic and the consequential
4	economic downturn. However, as part of a compromise
5	with the administration when we pass to this
6	legislation, the alternative exemption for veterans
7	is set to sunset next June at the end of fiscal year
8	2022. I think most of my colleagues would agree that
9	not only is the 40 million the city currently
10	foregoes on property taxes from the alternative
11	exemption for veterans affordable, but absolutely
12	imperative. We could allow the next Council to
13	tackle this legislation, but I believe it is our
14	responsibility to ensure the exemption continues to
15	exist as long as our veteran neighbors remain in the
16	city. After all they have given to us and our
17	country, they deserve it. Thank you, Chair Dromm.
18	CHAIRPERSON DROMM: Thank you very
19	much, Minority Leader Matteo. Let me announce that
20	we have been joined by, obviously, Minority Leader
21	Matteo, Council members Koslowitz, Van Bramer, Adams,
22	Powers, Diaz, Brooks-Powers, Ampry-Samuel,
23	Grodenchik, Moya, Rosenthal, and Louis. And if
24	others join us, I'll make that announcement later on
25	Thank you. And next, we have the interest rate

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relief bills. We are now in our 15th month of the Covid 19 pandemic. The governor has announced he will relax the remaining restrictions on businesses as soon as we cross the 70 percent vaccination target which should be any day now. However, it is important to remember how bad it has been. Almost 109,000 New Yorkers have been hospitalized and more than 33,300 have lost their lives due to Covid 19. The Governors pause shut down of nonessential businesses unleashed economic shocks that have had immediate widespread negative impacts on the city's homeowners and both residential and commercial tenants and property owners. Many property owners experience a disruption to their incomes and many businesses struggled to make their rent or state open because of Covid 19. While widespread foreclosures and evictions have thus far been deferred due to the federal and state eviction moratorium, the there is a mounting burden of deferred mortgage payments and rents. To understand the scale of the deferred payments, consider that the state is now in the process of distributing \$2.7 billion in rental housing assistance provided under the American Rescue Plan Act, but it is estimated that the funds will

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cover less than 80 percent of back rent, utilities, and late fees of statewide as of March 21. And that is just residential rent. Many commercial landlords have not been able to collect rent from their commercial tenants either. Shopping centers, hotels, and restaurants have been especially hard-hit. Each year, by Council adopts the interest rates to be applied to the late payment of property taxes to incentivize timely payment which is essential to keeping the city running because we rely on property tax collections to the funds approximately 30 percent of the city's budget. However, last spring, it became clear that many Covid 19 impacted property owners would have difficulty paying their property taxes on time and not charging regular interest rates on their late payments would be punitive. According to the Council -- accordingly, the Council adopted legislation and test set lower late payment interest rates in the first quarter of fiscal 21 for certain properties whose owners had been impacted by Covid Ultimately, only 99 properties in total took advantage of these programs. This year, Council member Moya and Council member Chin have proposed legislation that would provide the Council with

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authority to, again, adopt reduced interest rates, but under expanded circumstances and the entire year to provide targeted relief to the property owners who are still struggling as a result of the pandemic. I am going to invite the sponsors to speak about their bills, hearing first from Council member Moya and then from Council member Chin. Council member Moya?

COUNCIL MEMBER MOYA: Thank you so much, Chair Dromm, and good morning to everyone and my colleagues here. As you know, as New York opens up and people are welcoming back a new normal, we still have many New Yorkers struggling to get back on their feet. From food insecurity to rent and mortgage payments. Part of having an equitable recovery is ensuring that we can provide relief to the New Yorkers that were hardest hit by Covid. One way is ensuring that homeowners, including those in co-ops, have the opportunity to get relief on interest rates. This bill I am introducing is for property owners of the dwelling unit and condominiums or a property held in the cooperative form of ownership for such property assessed value is divided by the number of residential dwelling units that is 250,000 or less per unit with an income of 150,000 or less. It would

2	apply to property owners or a member of their
3	household who are adversely affected by the Covid 19
4	pandemic because they were diagnosed with Covid 19 or
5	sought medical diagnosis or experienced the loss of a
6	primary source of income because of Covid 19 between
7	March 17th, 2020 and June 30th, 2021. This relief
8	would ensure the interest rate would be charged would
9	be zero percent for nonpayment of taxes on the
10	property due on July 1st, 2021, October 1st, 2021,
11	January 1st, 2022, or April 1st, 2022. Covid, as we
12	all know, has left no one behind on the financial
13	front and this would provide relief, especially for
14	the communities disproportionately impacted by this.
15	And I thank you all and I hope that you join me in
16	support of this bill. Thank you, Chair.

CHAIRPERSON DROMM: Thank you, Council member Moya. Council member Chin?

COUNCIL MEMBER CHIN: Thank you. Good morning. Thank you, Chair Dromm, for allowing me to speak briefly about my legislation. You know, last year we wanted to help mom-and-pop small property owners who were struggling in the wake of the Covid 19 pandemic, especially in my district where a lot of these small property owners are legacy owners, a

building that has been owned by generations or
buildings that have been owned by family
associations. In the weeks leading up to the
adoption last year, we had a very real concern about
cash flow shortage. This year, we are in much better
shape after receiving aid from Washington. We need
to make sure that people who own and maintain these
small properties can also get through the pandemic.
Last year, we were able to adopt a 7.5 percent
interest rate for nonpayment for our city's property
tax for small property owners. For these small
properties, we are hoping to have a better reduction
in interest rates this fiscal year and we want to
give them real support for those who have a large
reduction in income as a result of the pandemic.
After seeing the effects of last year's program, our
goal this year is to create an even wider eligibility
range for small property owners and we are also
extending the timeline from one fiscal quarter to the
whole year. And my legislation would deal with
properties that are assessed about the use of over
\$250,000 in fiscal year 22. I am proud of the work
that we were able to do last year and we hope that we

can continue to expand and help more small propertyowners and more New Yorkers. Thank you, Chair Dromm.

CHAIRPERSON DROMM: Okay. Thank you very much, Council member Chin. We have also been joined by a Council member Cornegy. We are also joined by a representative of the Department of Finance, including Jeffrey Shear, Deputy Commissioner of Treasury and Payment services, Mary Christine Jackman, Assistant Commissioner, and the city Treasurer— Excuse me. Assistant commissioner and city Treasurer, Tim Sheerest, Deputy Commissioner of Property. Before we hear their testimony, I will turn it over to our committee counsel for some procedural announcements and then to swear in the witnesses.

Dromm. My name is Noah Brick and I am counsel to the New York City Council Committee on Finance. Before we begin, I want to remind everyone that you will be on mute until you are recognized to speak at which time you will be on muted by the zoom host. If you mute yourself after you have been muted, you will need to be on muted again by the host. Please be aware that there could be a delay in muting and un-

muting, so please be patient. I will be calling on
panelists to testify, so please listen for your name
to be called. We will begin with testimony from the
administration and followed by questions from Counci
members. During the hearing, if Council members
would like to ask questions, please use the Salem
raise hand function in you will be called all in
order. We will be limiting Council member questions
to five minutes, including responses. I will now
administer the affirmation to the administration
witnesses and you will be called on to so affirm at
the end. Do you affirm that your testimony will be
truthful to the best of your knowledge, information
and, and belief? Mr. Shear?
DEPUTY COMMISSIONER SHEAR: I do.
COMMITTEE COUNSEL: Ms. Jackman?

ASSISTANT COMMISSIONER JACKMAN: I do.

COMMITTEE COUNSEL: And I believe we are no longer joined by Mr. Sheerest. So, Deputy Commissioner Shear, you may begin when ready.

DEPUTY COMMISSIONER SHEAR: Thank you.

Good morning, Chair Dromm, and members of the

Committee on Finance. My name is Jeffrey Shear. I

am Deputy Commissioner for treasury and payment

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2 services for the New York City Department of Finance. I am joined by Mary Christine Jackman, the city's 3 Treasurer who also serves as finance Commissioner 5 Soliman's representative on and Sec. to the New York 6 City Banking Commission. I am here today to testify 7 on to prey considered Council bills that address what interest rate the city should charge the property 8 owners when they have late payments on their New York 9 10 City property taxes in tax year 2022. Property taxes are the city's biggest single source of tax revenue, 11 accounting for \$31 billion were nearly half of the 12 cities total tax revenues, but without this revenue, 13 14 the city would not be able to pay gets teachers, it's 15 first responders, and its vendors to provide crucial 16 services to New Yorkers. This includes the provision of critical goods and services needed at the result 17 of the Covid 19 pandemic in the distribution of 18 19 hundreds of thousands of meals each day to make sure 20 that no one goes hungry. The administration strongly supports the recommendation of the New York City 21 22 Banking Commission to provide relief to property 23 owners that continued to struggle due to the impact 24 of the pandemic. The Banking Commission balanced 25 this acknowledgment of some struggling property

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owners with the fact that New York City is on a path to full recovery for all of us. The Covid rate has declined to 1.36 percent. As of June 10th, 8.6 million vaccinations have been given and 64.2 percent of adults have received at least one vaccination. More people are returning to offices and retail stores and Broadway begins to reopen later this month with the return of Springsteen on Broadway. As a result, the Banking Commission recommended a program whereby owners of small and midsize properties that had been impacted by Covid could have the interest rate on late property tax payments reduced for the first quarter of fiscal year 22. For properties with an assessed about you under \$250,000, the interest rate would be reduced from the recommended rate of 4.5 percent to zero percent. For properties with an assessed value of over \$250,000, the interest rate would be reduced from the recommended rate of 18 percent to 7.5 percent. This relief is being recommended, that even though the late payment interest rate that New York City charges property owners is significantly lower than that charged in other large cities and counties. Attached to this testimony is a graph showing the interest rates of

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several large cities. The five percent interest rate that the city currently charges for properties with an assessed value under \$250,000 is lower than the interest rate charged by eight other cities. For properties with an assessed value over \$250,000, there were three cities that charge a higher rate than the current 18 percent interest rate, one city that charges the same rate, and for cities that charge a lower rate. However, this comparison omits the fact that seven of the eight other cities charge penalties in addition to the interest charges. penalties are incurred as part of the delinquent accrual process and are not associated with enforcement actions. New York City does not impose penalties on top of interest. Furthermore, the administration worked with the Council last year to provide another measure of relief pursuant to local law 24. One of the provisions of this bill was to create 1/3 tier of properties to be charged a lower interest rate. For many years, the city has had to late payment interest rates, one for properties with an assessed value under 250,000 and another for properties with an assessed value over \$250,000. Starting on July 1st, there will be 1/3 category for

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mid value properties with an assessed value between 250,000 and \$450,000. The Banking Commission has recommended to the Council that this rate for fiscal year 22 should be 12 percent, reducing by one third the interest that would be charged on these properties for late payments. With all this in mind, we have very strong reservations regarding the two Council bills. The bills expand the time. which interest rate relief would be given from the first quarter of the calendar year to the entire They also would greatly expand the number of property owners eligible for relief. For example, the bill pertaining to properties with an assessed value over \$250,000 would be available to all class two and all class for owners including large landlords and multinational companies that own properties worth tens or hundreds of millions of dollars. Such owners would need to certify that they experienced a 50 percent drop in income during any six month period going back to March 2020 and they would be charged the interest rate for smaller property owners. 3.25 percent for the first quarter of fiscal year 22 and 4.5 percent for the remainder of the year as recommended by the Banking Commission.

2 The city would not have the time nor the resources to review the documentation submitted for accuracy. 3 4 many commercial owners and large landlords were to 5 take advantage of what is effectively an offer to 6 borrow money from the city at interest rates that are 7 competitive with commercial loans, the city could suffer a precipitous decline in its cash reserves. 8 These reserves are needed to meet all the fiscal 9 obligations of the city, including paying its vendors 10 and making payroll. The expansion of the program is 11 compounded by the length of time that property owners 12 would be given under these bills to apply for such 13 relief. Owners would have until June 15th, 2022 to 14 15 apply for such relief. That means the city would not 16 know the scope of the program and its impact on cash 17 reserves until that date. Such a long time frame is 18 not necessary because Covid impacted owners know 19 today whether they need this relief. There also is 20 the potential for much confusion regarding the actual liability of these properties for such an extended 21 22 period. For example, our standard payment plans 23 require owners to keep current with the accrual of 24 new charges on a monthly or quarterly basis. A 25 property with partial or current to early in the

2 year, but if it applied for interest relief by next June, that could dramatically affect its status after 3 4 the fact. Difficult for owners to pay no property 5 taxes in FY 22 to pay two years' worth of taxes in 6 fiscal year 23. Finally, the length of the program 7 combined with the extended application time would make this program very difficult for DOF to 8 administer. Making interest adjustments for 9 10 potentially thousands of properties at different intervals is not a process to which the department 11 could easily adapt. As we noted, the 12 administration's supports lower interest rates in the 13 14 first quarter of fiscal year 22 to aid in the 15 recovery, but feels that would ostensibly enact such 16 a large relief program that could imperil the city's cash reserves send a signal that we are taking a step 17 18 backwards at exactly the time that the city economy 19 is ramping up. In fact, overall, the city is 20 delinquency rate on property taxes is up slightly 21 this year, 2.4 percent compared to the same time last 22 year, 2.1 percent. We look forward to continuing 23 conversations on what the Council intends to propose as recommendations for interest rates. For the 2021, 24 25 2022 tax year, the Banking Commission has recommended

2	that property owners with an assessed value under
3	250,000 pay a 3.25 percent rate for the first quarter
4	and 4.5 percent rate for the remainder of the year.
5	The Commission also has recommended a late payment
6	interest rate of 12 percent for property owners
7	within assessed value over \$250,000 and under
8	\$450,000. And 18 percent for property owners with an
9	assessed value over \$450,000. The New York City
10	administrative code requires that DOF charge the full
11	interest rate if the Council does not act timely.
12	These rates are seven percent for property owners
13	with an assessed value under \$250,000, 13 percent for
14	property owners within assessed value between
15	\$250,000 and \$450,000 and 15 percent for property
16	owners with an assessed value over \$450,000. Lastly,
17	the regarding Intro 1859, the department supports the
18	continuation of applying the alternative veterans
19	exemption for wartime and combat veterans to the
20	portion of the property tax levy for school purposes.
21	Beginning July 1st, 2017, the exemption has been
22	allowed for the school portion of the property tax.
23	Introduction 1859 prevents this provision from
24	expiring. Thank you.

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CHAIRPERSON DROMM:

Thank you very

I am going to go to Minority Leader Matteo in 3

a minute, but we been joined also by Council member 4

5 Yeger. Minority Leader Matteo, you have questions, I

6 know.

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MINORITY LEADER MATTEO: I appreciate that, Chair Dromm. Deputy Commissioner, thank you. It's good to see you. I am focusing on the last paragraph of your testimony right now for my Intro 1859. You know, in a perfect world, four years ago we wouldn't have included a sunset clause, but that was part of the negotiations to pass the bill, so it was not something I wanted, but something that we needed to pass the bill at the time, so I am extremely pleased to see that the department supports the continuation of the veterans exemption. just have a few questions for the record as we move forward to pass this bill and to get rid of the sunset. So, in my opening statement, I said that there is about 39,000 veterans and their families that take advantage of the exemption. About \$723 off of their tax bill and about 40 million total. agree with that? Are your numbers the same?

1	COMMITTEE ON FINANCE 23
2	average value of the benefit in fiscal year 21 is
3	\$1112.
4	MINORITY LEADER MATTEO: 1112, you
5	said?
6	DEPUTY COMMISSIONER SHEAR: Yes.
7	MINORITY LEADER MATTEO: Okay.
8	DEPUTY COMMISSIONER SHEAR: And that the
9	total value of the exemption in fiscal year 2021 is
10	\$43.7 million.
11	MINORITY LEADER MATTEO: Okay. And
12	getting rid of the sunset will not change that total?
13	DEPUTY COMMISSIONER SHEAR: Right.
14	MINORITY LEADER MATTEO: Okay. Okay.
15	Do you know the average age of anyone receiving the
16	exemption?
17	DEPUTY COMMISSIONER SHEAR: We do not have
18	that information.
19	MINORITY LEADER MATTEO: Okay. If you
20	can get it to us, I would appreciate it.
21	DEPUTY COMMISSIONER SHEAR: Council
22	member, I don't believe that in applying that that we
23	require age.
24	MINORITY LEADER MATTEO: Okay.

DEPUTY COMMISSIONER SHEAR: But we will double check.

MINORITY LEADER MATTEO: Okay. If you have it, that's fine. So, when we passed it, there was a lot of outreach. I just want to, just for the record, can you tell me what kind of outreach DOF does to let veterans know about the exemption?

DEPUTY COMMISSIONER SHEAR: Yes. so,

DOF's main approach in terms of constituent outreach
is through our external affairs outreach unit. So,
our team partners with elected officials such as
yourself and other networks to conduct seminars and
events to disseminate information regarding exemption
eligibility that is for all exemptions including, and
especially, the additional veterans exemption and we
include in that outreach any change in eligibility
requirements so that we can solicit as many eligible
new applicants as we can.

MINORITY LEADER MATTEO: And are there renewals for the exemption or is that you just have it and you're just going to continue to have it and you don't have to do anything else. Obviously, we're just getting rid of the sunset here, so we're not changing anything in terms of the actual substance of

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2 the bill, but just getting rid of the sunset, so I
3 would assume that that would stay the same?

DEPUTY COMMISSIONER SHEAR: Yes. So, unlike some other exemptions, the there is no statutory renewal requirement to retain the veterans exemption once people show that they are qualified.

MINORITY LEADER MATTEO: And so, it is up to-- I guess my question is everyone who is qualified for the exemption get the exemption do you know?

DEPUTY COMMISSIONER SHEAR: As far as I know, they do.

MINORITY LEADER MATTEO: Okay.

MINORITY LEADER MATTEO: Okay. So, I'm going to just follow up with your office on that, as well, because as we move to pass this bill and get rid of the sunset. Obviously, it will be more veterans will see it again because of our outreach, so I just want to make sure that everyone who is entitled to the exemption will get it. So, I appreciate the department's support on this. I think it's extremely important that we do not leave this to

the next Council or the next administration and that
we act now. So I appreciate it. I appreciate the
support. Chair Dromm, I appreciate your support, as
always, and I send it back to you.

DEPUTY COMMISSIONER SHEAR: And representing the administration, we support your leadership on the issue, Minority Leader Matteo, and we also appreciate working with the entire Council in our outreach efforts. You help us outreach better. You know how to outreach to people when we work together in partnership and that is the best possible outreach.

MINORITY LEADER MATTEO: Absolutely.

Thank you, Deputy Commissioner.

CHAIRPERSON DROMM: Okay. Thank you,
Deputy Commissioner. I have a few questions and then
I think we have some Council members, as well. Last
year, only 61 people participated in the Covid
reduced interest rate for homeowners and 38 people
participated in the one for smaller commercial and
rental buildings. Why did the Banking Commission
recommend that we do these programs again, even
though they had such a low pickup rate?

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DEPUTY COMMISSIONER SHEAR: Thank you,
Chair Dromm. We implemented this program last year
with the Council knowing that many people were
impacted by Covid, but without knowing how many
property owners would need this particular program.
We think it is important to retain this program for
one more year regardless of its size and we must keep
in mind that many policies and programs were
implemented at the federal, state, and local level to
address the wide-ranging impacts of the pandemic and
the numbers of people helped by each policy and
program very significantly.

CHAIRPERSON DROMM: So, why do you think the take-up rate was so low?

DEPUTY COMMISSIONER SHEAR: Well, for owners of lower value properties, the amount of the benefit is low. This can be seen by looking at a typical tax bill of \$5000 a year for a tax class one property or condominium. The amount of deferred taxes for mom one quarter is \$1250. The amount of interest that accrues over one quarter at 3.25 percent interest is a little more than \$10, however, before we look at increasing the amount of the benefit, we must keep in mind that forgiving interest

2 is a necessary and inefficient tool because it addresses one segment of the population of properties 3 4 compared to the American Rescue Plan Act, for 5 example, which supplied direct relief to every person from moderate income families and because of the way 6 7 it leverages the delay in property tax dollars received. In this example, the city had a delay in 8 its receipt of \$1250. For every dollar of benefit, 9 10 the cities cash flow is impacted 125 times more. more the benefit is increased, the bigger the hit on 11 city cash flow. That being said, DOF acknowledges 12 two factors that could have impacted the take up rate 13 14 last year. One is that locals establishing the 15 program were passed last June after DOF already had 16 mailed property tax bills that were due on July 1st. Many owners already had remitted payments in advance 17 18 of the July 1st due date. The other factor is that 19 DOF focused on how to quickly process the 20 applications it received by allowing them to be uploaded directly into our property tax system. 21 22 result, applications were processed in days. 23 need to quickly and properly process applications did not give us sufficient time to publicize the program 24 25 is much as we would have liked.

2	CHAIRPERSON DROMM: So, can you tell me
3	a little bit about what you did do in terms of
4	advertising the availability of the program last
5	year?

DEPUTY COMMISSIONER SHEAR: Yes. So, DOF has developed a prominent webpage on its website last year that included the link for the online application and explained in detail all over the eligibility requirements. We also integrated integration about the program into our property owner outreach efforts that cover such things such as exemptions and property tax payment plans. This is the same outreach unit that I was describing a few minutes earlier to the Minority Leader Matteo which we used to let owners know about exemptions such as the additional veterans exemption. We immediately made sure that our presentations included information on the program.

CHAIRPERSON DROMM: So, do you see any problems with this year's proposal which would require informing late payers with been assessed value, I think, of about 250,000 or less of the reduced interest rate program?

DEPUTY COMMISSIONER SHEAR: So, DOF is amenable to notifying late payers with an assessed value under \$250,000 of the existence of the program. This could be done more effectively and efficiently with a separate mailing to those owners rather than trying to included in the second quarter property tax bill. The property tax bill already includes a lot of information, so any publicity about this program could be easily get lost. Furthermore, it would be difficult to customize the bills of just the owners who are late in making payments. We would send a special letter before the second quarter property tax bills.

CHAIRPERSON DROMM: So, are you saying once you know who is late, is that when you know when the second bill?

DEPUTY COMMISSIONER SHEAR: So, we would wait a certain period after the first bill is paid, so probably about halfway. The bills are spaced three months apart, so roughly 6 weeks or so after the first bill was due, if it wasn't paid, we would send a separate notification to everyone who was late at that point to, A, informed them that they are late and, B, to advise them of the existence of the

program. We think that would be a more effective and efficient way to let these owners know about the program rather than trying to wait a full three months and having it as one more item in our property

6 tax bill.

God it. And I just want to remind folks that 250,000 and assessed value does not mean market value for folks that are listening out there. The last thing the administration was very concerned about the potential impact of late payment of property taxes on the city's rather tight cash flow and you mentioned that a little bit before and was, therefore, hesitant to make the Covid hardship programs to broad. So, given the influx of federal relief and other changed factors, how would you characterize the cash flow situation this year?

DEPUTY COMMISSIONER SHEAR: So, currently, the cities cash reserves are at \$11 billion, so they are high as of today. However, during the course of the fiscal year, they vary quite a lot and we do expect them to be dropping by July 1st, I believe, to \$4 billion and I am going to ask the city's treasurer, Mary Christine Jackman, to talk about how

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2 they are expected to decline further during the 3 fiscal year before they increase again.

MARY CHRISTINE JACKMAN: Thank you. Good morning. Chair Dromm, we are expecting that the cash flow reserves, the cash reserves, are going to decrease quite substantially. Right now, we are at 11 billion, but there is 7 billion going out in the next two weeks that we know I'll for sure and that is not including anything that people have forgotten to notify us about. We expect it to be approximately 4 billion by the time we get to July 1st, but the low point for the year is always the end of November, beginning of December and right now we are anticipating that it will only be about 1 billion or 1 billion in day half at that point which makes it difficult to meet all of our obligations and to stay on top of it.

CHAIRPERSON DROMM: How does that fit in historically? Is that--

MARY CHRISTINE JACKMAN: 2019, the balance was 2.47 billion- or 2.297 billion and then in 2020 it was 2.397.

CHAIRPERSON DROMM: And what did you say it would take it down to? One?

2 MARY CHRISTINE JACKMAN: one. We are 3 estimating about one and a half billion.

CHAIRPERSON DROMM: So a little lower.
Okay.

MARY CHRISTINE JACKMAN: Yes.

CHAIRPERSON DROMM: Okay. Thank you.

MARY CHRISTINE JACKMAN: Sure.

CHAIRPERSON DROMM: Is the administration supportive of extending the reduced interest rates? I heard in your testimony that you had deep concerns. Can you elaborate further on that, Deputy Commissioner?

DEPUTY COMMISSIONER SHEAR: Yes. We do not think it wise to extend the program beyond the first quarter of the fiscal year. The city's economy is in recovery and a temporary program is needed as we transition, but we do not need the program to last for the full fiscal year. Also, there could be unintended consequences for owners who delay paying their property taxes for one full year and then would be required to pay two years' worth of taxes in fiscal year 2030. We know that many owners have taken advantage of our monthly billing option because regular billing helps them manage their budgets.

participation.

Some owners may find it difficult to resume paying
property taxes after not paying for a year. Our
experience with temporary programs is having a long
application period does not necessarily increase

CHAIRPERSON DROMM: So, we only had 99 people participate last year. Are you worried also that if you were to extend it, you would see greater participation at a higher cost?

DEPUTY COMMISSIONER SHEAR: I think when the greater length of time and the entire fiscal year, way that is combined with the eligibility which would be open for under one provision all class two class four property owners who declare a loss of income, that potential their concerns us. We definitely want to engage in a dialogue with the Council about potential expansion along the lines of broadening eligibility regarding assessed value cut off. For example, the number of units which were to love the criteria that were used last year, but we are concerned about having a program that is eligible to all and that extends for the entire fiscal year.

CHAIRPERSON DROMM: And that includes co-ops. That is one of your concerns?

2	DEPUTY COMMISSIONER SHEAR: So, for co-
3	ops, we definitely want to engage in the dialogue
4	with the Council on co-ops. We think that co-ops car
5	be folded into the programs. One challenge to
6	consider is that the reduced interest would accrue to
7	the entire co-op building and not to the individual
8	shareholders who are impacted by Covid, but we
9	definitely are open to having a conversation to
10	include co-ops in the program.
11	CHAIRPERSON DROMM: Okay. Thank you.
12	Good. Let me go back to Mary Christine Jackman, if I
13	may, just to ask why do you expect the cash flow to
14	be at about one point sorry. I keep forgetting.
15	1.1 or 1.2, if I'm not mistaken, dollars?
16	MARY CHRISTINE JACKMAN: We are
17	expecting it to be Chair Dromm, we are expecting
18	it to be less because we are expecting slower payment
19	this here based on a number of the programs that are
20	available and we are also expecting that the payments
21	that we need to receive will be on lower assessed
22	values.
23	CHAIRPERSON DROMM: Does cash flow and

include what was collected in personal income taxes?

Τ	COMMITTEE ON FINANCE 36
2	MARY CHRISTINE JACKMAN: The cash flow
3	includes everything that comes into the city, so
4	everything is included in the area and some manner,
5	shape, or form.
6	CHAIRPERSON DROMM: So, it is my
7	understanding that personal income taxes are at a
8	much higher rate than what was originally expected.
9	Does that factor into your decision or your concern
10	about it dropping to one point what is exactly the
11	number? I keep forgetting.
12	MARY CHRISTINE JACKMAN: One and a half
13	billion. Let's use one and a half billion.
14	Remember, that is a projection and, yes, it is
15	factored in. We are just concerned because,
16	remember, over half of the incoming money is property
17	taxes. That is over half of it. So, what happens
18	with property taxes definitely, definitely affects
19	the overall cash flow.
20	CHAIRPERSON DROMM: Okay. Great.
21	DEPUTY COMMISSIONER SHEAR: I would just
22	want to add that Mary Christine and her team do
23	constantly update the projections so that when there

are developments-- so, for example, the as you

mentioned, Chair Dromm, if personal income taxes are

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	COMMITTEE ON FINANCE 57					
2	running higher than expected, that is folded in. We					
3	tend to see developments in both directions, so what					
4	can happen is that revenue may be higher for one tax					
5	and it may be lower for another tax or spending may					
6	be higher than expected. So, it is traditional,					
7	based on the absent flows that December 1st tends to					
8	be the low point of the year and we do have to make					
9	sure that, at that point, we do have sufficient rest					
10	serves to meet the city's payroll.					
11	CHAIRPERSON DROMM: And so, are you,					
12	basically, saying you expect the property taxes to be					
13	lower and the personal income tax to be higher?					
14	MARY CHRISTINE JACKMAN: That is					
15	factored into it, yes. But we are very focused on					
16	and very concerned about the property taxes.					
17	CHAIRPERSON DROMM: Okay. All right.					
18	Thank you. I know that Council member Chin has some					
19	questions. We're going to go to her. Thank you,					
20	again.					
21	MARY CHRISTINE JACKMAN: Thank you.					
22	DEPUTY COMMISSIONER SHEAR: Thank you.					
23	COUNCIL MEMBER CHIN: Thank you, Chair					

Dromm. Thank you, Commissioner. I know last year we

were able to, you know, bring the late payment

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interest rate down to seven and a half percent. mean, knowing the property owners and even the small property owners in my district, I mean, they struggle and everybody -- they want to pay their taxes because they don't want to lose their building. They don't want their building to be on the lien sale and these are buildings that has been and families for generations or, you know, family associations that people have contributed hard earned money to purchase the building and they don't want to sell and speculators are calling them every other day. So, we have to give them some relief and the way the property tax system is not fair to begin with, so last year we were only able to do it for one quarter and, as you mentioned, you know, a lot of people probably didn't even know about the program and they weren't able to take advantage of it and that is why we are proposing to at least extend this for the whole year, so that people can have, you know, sufficient time to be able to help them. So, my question to you is that, when you were talking about the delinquent rate, it's not that many, so we are really talking about helping people who really need the help. I don't think property owners are going to

intentionally not pay their tax and, looking at the interest rate, you know, they don't want to pay more. I mean, so were helping people who are really, you know, in dire need so that we don't put the burden on-- before it was 18 percent. That was a lot to add on to, you know, the tax for late payment. And so, I think my question is like why not extend this for the year and since it is not that big chunk of our property tax, right, the delinquent payment. So, we are still getting the property tax that we need, so what is the hesitation on the administration's part?

Council member. So, first, I do want to be clear that we agree with you that relief and this is why we have proposed low interest rates to begin with.

Interest rates that are lower than in other cities and this is why we work with you and the Council to create this third tier that charge is a much lower interest rate for property owners within assessed value between 250 and \$450,000. And I would like to say I agree with your statement that there are owners who are struggling and we want to work with you to best target this program to those owners. We are

idea?

concerned about having eligibility that is too broad
and I must emphasize that, when we process the
applications for this program, we really do so on the
honor spaces. We don't have the time if an owner
declares that they need the help and they do not
qualify to be able to withhold that help and we do,
again, remain concerned that property owners, at the
time that we are recovering from the pandemic, would
be enticed to withhold payments for a full year and
then face the prospect of having to pay two years'
worth of property taxes in the following fiscal year.
So, again, we share your concern and we want to work
with you like we did last year to create a bill that
balances the need to help those who are struggling
along with the concerns about being overly broad.
COUNCIL MEMBER CHIN: What is the
percentage of the property tax that the city collects
of owners that have late payments? Do we have any

DEPUTY COMMISSIONER SHEAR: Yes. So, this year it is— the most recent information we have is that it is 2.4 percent compared to 2.1 percent in the previous year.

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2 COUNCIL MEMBER CHIN: Okay. So, it is 3 still a very small percentage. So, I don't think--

DEPUTY COMMISSIONER SHEAR: Yes.

COUNCIL MEMBER CHIN: property owners are going to intentionally hold back the money and then procure the interest rate, which is still higher than going to a bank. Yeah. That really doesn't make sense to me. I mean, we're just trying to help people who are struggling. And let's simplify the process so that they can get the help that they need. And that's what we're trying to do because they are struggling. A lot of them are not getting rent payments and their property tax every year goes up. I mean, that is the biggest complaint that I hear from constituents, especially from small property The property tax keeps going up and they are not-- they're not collecting rent and so we are just trying to see what we can do to help them at least a bit so that they can recover at the same time that the city is recovering. And the Banking Commission, I guess one other question is the Banking Commission, now they are making a recommendation about this new tier from 250 to 450 at a 12 percent rate? How did they come up with that?

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DEPUTY COMMISSIONER SHEAR: So, let me address your first question, Council member and I want to acknowledge that you have been in active and effective advocate for small business owners and small property owners and we really want to work with you and the Council to create a more targeted program. We share your goals of trying to assist those owners. With regard to the third tier to create lower interest rates for mid value properties, that is something we worked on with the Council. the third tier that was recommended by the Banking Commission is actually required by local law 24 of 2021. So that law created that new third tier and the Banking Commission was required to make a recommendation for the late payment interest rate for that tier.

is still very high. So, I just think that we need to work together and find a way to help these smaller property owners that were talking about who are still struggling and until we have a better property tax system which the bank-- you know, the Property Tax Commission is having hearings across the borough and we wanted to also, you know, see what their

any relief.

- recommendations and make recommendations that they've
  got to really take care of some of these small
  property owners who are lumped together with the
  bigger property owners and they haven't been getting
  - DEPUTY COMMISSIONER SHEAR: Council member, we look forward to working with you on this bill-- on both of these bills, I should say.
- 10 COUNCIL MEMBER CHIN: Thank you. Thank
  11 you, Commissioner. Thank you, Chair Dromm.
  - CHAIRPERSON DROMM: Thank you. I know Council member Brooks-Powers has questions.

so-- Hi. Thank you so much and thank you for all of the remarks that have been made thus far. I just wanted to ask question for clarification. In terms of the protection for the property taxes, if it would be benefiting property owners who may have property in terms of residential property that is valued at more than 250,000. And why I ask that question is because, in particular, and parts of my district, there are homes that range from \$500,000-\$600,000 in property value and just wanted to understand if they

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would be included in the bills that are being discussed today.

DEPUTY COMMISSIONER SHEAR: Thank you, Council member. That is an excellent question. It relates to something that Chair Dromm said earlier and I wanted to speak to, so I am very glad that you brought it up. So, it is very important when we are discussing these bills to emphasize the difference between assessed value which is a concept that is used for property taxes versus market value. So, when it comes to class one properties which I believe represent the properties that you are concerned about with your question and, the Department of Finance's target rate in terms of the ratio of the assessed value to the market value is eight percent. So a property that is assessed at \$250,000 is-- actually has a market value of around \$4 million, so is that clear?

COUNCIL MEMBER BROOKS-POWERS: Yes. So,

I was trying to get off mute. Yes. So, what you are
saying is the amount that is in the legislation is
not for the market value. It is the assessed value.

DEPUTY COMMISSIONER SHEAR: That is correct.

Τ	COMMITTEE ON FINANCE 45
2	COUNCIL MEMBER BROOKS-POWERS: Okay.
3	DEPUTY COMMISSIONER SHEAR: And so the
4	bill that covers properties with the assessed values
5	that are \$250,000 and under would cover practically
6	all class I homes.
7	COUNCIL MEMBER BROOKS-POWERS: Great.
8	Thank you for that clarification.
9	DEPUTY COMMISSIONER SHEAR: You're
LO	welcome. And thank you for asking that question.
L1	CHAIRPERSON DROMM: Okay. Thank you.
L2	Let me ask a couple more questions. This year for
L3	the first time, the Council has authorized to adopt
L 4	third late payment interest rate for properties with
L5	assessed values between 250 and 450,000. How many
L 6	properties fall into this category and what type of
L7	properties are they?
L8	DEPUTY COMMISSIONER SHEAR: Thank you.
L 9	So, there are 36,000 properties that fall within this
20	range, the Chair Dromm. Of that number, 1000 of
21	those properties are class one properties, 24,000 of
22	them are class II properties, and 11,000 of them are
23	class four properties. They represent nearly 40

percent of the properties that have been assessed

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value over \$250,000.

2	CHAIRPERSON DROMM: Okay. Thank you.					
3	And the DOF Commissioner is entrusted to set the					
4	interest rates charged when business taxes are not					
5	paid on time. It is currently set at 7.5 percent and					
6	has been that way since July 1, 2020. In the past 20					
7	years, the interest rate has not exceeded 10 percent					
8	so how did DOF decide on the current 7.5 percent rat					
9	for business taxes?					
10	DEPUTY COMMISSIONER SHEAR: Interest-rate					
11	for business taxes is determined by the					
12	administrative code. It is equal to the federal					
13	short-term rate plus seven percentage points. The					
14	CHAIRPERSON DROMM: [inaudible					
15	01:01:01]					
16	DEPUTY COMMISSIONER SHEAR: Go ahead.					
17	CHAIRPERSON DROMM: I was going to say					
18	what is the delinquency rate on business taxes and					
19	how does that compare to investor oriented properties					
20	like class two rentals or class four commercial					
21	properties?					
22	DEPUTY COMMISSIONER SHEAR: DOF has not					
23	computed the delinquency rate for business taxes tha					
24	takes into account both voluntary payments received					

with tax returns and late payments, however, we do

2	know that our collection rate on business tax				
3	warrants is well under 50 percent. With business				
4	taxes, entities that cease operations and have no				
5	assets are not expected to pay outstanding tax				
6	liabilities. With property taxes, however, the				
7	physical property and its value as an asset that				
8	continues to exist regardless of the owners status.				
9	The delinquent taxes remain and must be paid even if				
10	payment is delayed until the property is sold.				
11	CHAIRPERSON DROMM: Okay. Let me just				
12	go back to what we were talking about before. The				
13	class two properties, what is the average unit count				
14	DEPUTY COMMISSIONER SHEAR: I'm sorry.				
15	For the class two properties in this middle tier or-				
16	CHAIRPERSON DROMM: Ye				
17	DEPUTY COMMISSIONER SHEAR: I don't have				
18	that with me, but we will get back to you with that				
19	information.				
20	CHAIRPERSON DROMM: Okay. We will				
21	follow up with you on that. And what is the				
22	rationale for having lower interest rates for				
23	business taxes as compared to property taxes?				
24	DEPUTY COMMISSIONER SHEAR: Yes. So, as				

you have heard, property taxes constitute a major

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share of the revenue of municipal budgets not only in
New York City, but around the country. This is
reflected in the fact that not only New York, but
other major cities charge high interest rates on late
property tax payments. The reason for these high
rates is to drive voluntary compliance. It should be
noted that additional penalties are assessed on top
of interest for late business tax payments whereas no
penalties are assessed for late property tax
payments. And I also want to add that even though
the interest rates are high for New York and
elsewhere, that the purpose of the high rates is not
for revenue purposes. It's for, rather, to ensure
the high level of voluntary compliance for property
taxes.

CHAIRPERSON DROMM: Margaret Chin and I might argue differently, but, anyway, thank you for that testimony. I don't have-- So, let me just ask when you end the late payments-- When you add the late penalties for business taxes, what is the net interest charge?

 $\label{eq:def-def-def} \mbox{DEPUTY COMMISSIONER SHEAR: I will get} \\ \mbox{back to you with that.}$ 

25 CHAIRPERSON DROMM: Okay.

hearing if you wish.

2	DEPUTY COMMISSIONER SHEAR: The penalties					
3	are calculated a little differently, so we will come					
4	back to you with detailed information on how the					
5	penalties are created and, if necessary, provide a					
6	scenario so you can see what the effective percentage					
7	would be.					
8	CHAIRPERSON DROMM: Okay. Thank you.					
9	All right. Thank you for coming in for giving					
10	testimony today. We do have a member of the public					
11	who would like to testify, so I am going to go to					
12	that in a moment, but, again, thank you for coming in					
13	and I will follow up with her questions.					
14	DEPUTY COMMISSIONER SHEAR: Thank you,					
15	Chair Dromm, and thank you, Council members.					
16	CHAIRPERSON DROMM: Thank you. Thank					
17	you, Ms. Jackman, also.					
18	MARY CHRISTINE JACKMAN: Thank you so					
19	much for having me. Have a good day.					
20	CHAIRPERSON DROMM: You, too.					
21	COMMITTEE COUNSEL: All right. Chair					
22	Dromm, a member of the public is, in fact, signed					
23	off. So, with council members with their hands up					
24	and no members of the public, you can close the					

CHAIRPERSON DROMM: Okay. I so wish and so, therefore, I'm going to say this meeting is adjourned at 11:40 in the morning. Thank you very much to everyone for coming. Thank you. 

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date	July	14.	2021
Date	oury	<i></i>	2021