



Legislation Text

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Res. No. 1735

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, A.514/S.3872, legislation which would amend the Real Property Tax Law to allow veterans in New York City to enjoy the full value of the Veterans' Property Tax Exemption.

By Council Members Eugene, the Speaker (Council Member Quinn), Recchia, Chin, Comrie, Dickens, Dromm, Fidler, Gentile, Jackson, James, King, Koo, Koppell, Koslowitz, Lander, Mendez, Richards, Rose, Vann, Williams, Wills, Palma, Arroyo, Van Bramer, Cabrera, Greenfield, Levin and Ulrich

Whereas, A real property tax is a charge imposed upon real property by or on behalf of a county, city, town, village or school district for municipal or school district purposes; and

Whereas, In New York City, real property is assessed each year to determine its value and this assessment determines the amount of the Property Tax that will be charged upon the property; and

Whereas, In New York City, real property tax rates are set each year by the City Council, but such rates are limited by the real property tax cap, set by state law, which requires local governments and school districts to raise property taxes to no more than five percent or the rate of inflation from the prior year, whichever is less; and

Whereas, Under New York State law, there are several types of real property tax exemptions, which reduce the assessed value of a real property; and

Whereas, Most real property tax exemptions are full exemptions, meaning the value of the exemption is subtracted from the property's assessed value; and

Whereas, The Veterans' Property Tax Exemption is different from other property tax breaks available in New York, which fully exclude the exempted value from the Property Tax; and

Whereas, As the Veterans' Property Tax Exemption is currently defined, the exempted value is only

partially non-taxable, as the property owner must still pay the School Tax Rate, the share of the Property Tax that pays for public schools, on the exempted value; and

Whereas, As a result, the more money the City spends on its public schools, the closer the School Tax Rate will be to the Property Tax rate; and

Whereas, The School Tax Rate varies from year to year, causing the value of the Veterans' Property Tax Exemption to fluctuate annually as well; and

Whereas, In recent years, New York City has been forced to increase the School Tax Rate due to reductions in state and federal education aid; and

Whereas, These fluctuations have steadily reduced the value of the Veterans' Property Tax Exemption and made those eligible for such exemptions unable to plan ahead for the amount they will owe each year; and

Whereas, On January 9, 2013 and February 26, 2013, New York State Assembly Member Michael Cusick and Senator Andrew Lanza, introduced A.514 and S.3872, respectively, legislation that would amend the State Real Property Tax Law so that the Veterans' Property Tax Exemption would be tied exclusively to the assessed value of the home and property taxes, rather than fluctuate according to how much the City spends on schools; and

Whereas, To eliminate these fluctuations in the exemptions value, this legislation would make the Veterans' Property Tax Exemption like other real property tax exemptions and exempt that value from the School Tax; and

Whereas, Following the proposed amendments to the State Real Property Tax Law, the Veterans' Property Tax Exemption will become fully non-taxable; and

Whereas, This change to state law would also ensure that the value of the exemption would rise consistent with increases in assessed value and/or the appropriate class property tax rate; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, A.514/S.3872, legislation which would amend the Real Property Tax Law to allow

veterans in New York City to enjoy the full value of the Veterans' Property Tax Exemption.

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