



# Guidance for Town Taxpayers during the COVID-19 Crisis for the Payment of Town and County Taxes

As a result of Governor Cuomo's Executive Order 202.22 and changes we have worked on with the Westchester Board of Legislators and the County Executive's office amending County Law 283.221, we have a plan to assist individual property owners and businesses with property tax relief in 2020 by reducing or eliminating penalties for late payment. Tax payment date is still April 30th, however, there are two alternative penalty schedules based on the criteria you meet; Hardship and Non Hardship. This chart outlines the program. Details are in the referenced certification files below.

 	Hardship Requirements	Non Hardship Requirements
	Benefit: Taxes due April 30th. No late penalty through July 15th	Benefit: Taxes Due April 30th. Penalty reduced for late payments to .5% through May 30th and 1% through July 15th.
Type of Taxpayer	<i>Example: \$5000 in tax. Due April 30th, Pay \$5000 by July 15th</i>	<i>Example \$5000 in taxes. Due April 30th. Pay \$5,025 May 30th, Pay \$5,050 July 15th</i>
Residential and self employed owner of a business	In STAR program, Not paying taxes using escrow, You must Certify COVID19 impact to income using certification form.	No requirements, everyone approved
Individual Taxpayer with rental properties	6 or less rental units. Certify 50% of rents not paid. Certify loss of rent is result of tenants loss of employment due to COVID19, You are not paying taxes through escrow	No requirements, everyone approved
Businesses	Net income under \$1M in 2019. Certification of income impact from COVID 19. Greater than \$1M cannot apply	No requirements, everyone approved
All other taxpayers	No Hardships are allowed other than those listed above.	No requirements, everyone approved

**Hardship Requirements:** If you are an individual property taxpayer, the owner of a rental property or a business entity and experiencing an economic hardship due to COVID19 you may be eligible for no late payment penalty charges of your taxes through July 15. Certification forms for each of the aforementioned categories of property tax payer are attached to this document. Each describes the conditions for which you may defer your tax payment in more detail. If you believe you are eligible for an elimination of the late payment penalty please complete the applicable form, sign it and e-mail it to our Tax Receiver [kroach@northsaalemny.org](mailto:kroach@northsaalemny.org). You may also deliver the form to the Town Hall Center, Lobdell House 274 Titicus Rd and put it into the box labeled TAX RECEIVER to the left of the front door - or - mail it to North Salem Tax Office, PO Box 313 North Salem NY 10560 There are three forms based on what you are certifying which are attached to this document.

1. [Individual Taxpayer Certification](#)
2. [Business Entity Taxpayer Certification](#)
3. [Rental Property Taxpayer Certification](#)

**Non Hardship Requirement:** If you are not eligible under the requirements of the hardship program described above you can still take advantage of the reduced penalty schedule for Town and County Property tax payments if you pay after April 30, 2020. The reduced penalty schedule is reduced through July 15 after which the regular penalty applies:

- **One half of 1% if taxes are paid in May 2020**
- **1% if the taxes are paid between June 1 and July 15 2020**
- 5% if the taxes are paid between July 16 and July 31, 2020
- 7% if the taxes are paid in August or September of 2020

**NOTE:** This tax penalty schedule **only** applies to the 2020 Town and County taxes due by April 30, 2020. There is no refund allowed for previously paid taxes. If you do not qualify for the hardship payments and the forms are provided to and reviewed by the Town after April 30, **you will be charged the Non Hardship penalties** on the unpaid taxes.

## INDIVIDUAL TAXPAYER CERTIFICATION

I, \_\_\_\_\_, residing at \_\_\_\_\_, in the Town/City of \_\_\_\_\_, tax block number \_\_\_\_\_, tax lot number \_\_\_\_\_, hereby certify that:

- 1) The residence located at the above listed address is my primary residence; AND
- 2) The residence located at the above listed address qualifies for the School Tax Relief ("STAR") Exemption or Credit (either Basic or Enhanced); AND
- 3) I pay property taxes for the above listed address directly to the Town/City and not through an escrow account; AND
- 4) One of the following applies to my situation:
  - a. The taxpayer residing in my household with the highest income has been laid off, furloughed, or lost employment as a result of the coronavirus state of emergency or orders issued by the federal, state, or local government in connection with the coronavirus state of emergency; OR
  - b. The taxpayer residing in my household with the highest income is self-employed or the owner of a business which has suffered a loss of substantial income as a result of the coronavirus state of emergency or orders issued by the federal, state, or local government that have closed or restricted the operations of the business.

Based on the foregoing, I am requesting that the Town/City of \_\_\_\_\_ grant a hardship waiver which will waive any penalties for the late payment of county and/or county district taxes through July 15, 2020, for the property identified above. I understand that if I have knowingly made a false statement herein, I may be subject to prosecution under N.Y. Penal Law § 210.45.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## BUSINESS ENTITY TAXPAYER CERTIFICATION

I, \_\_\_\_\_, on behalf of \_\_\_\_\_, which owns the property located at \_\_\_\_\_, in the Town/City of \_\_\_\_\_, tax block number \_\_\_\_\_, tax lot number \_\_\_\_\_, hereby certify that:

- 1) I have the authority to apply for this hardship waiver on behalf of the above named business;

AND

- 2) The above named business had a net income of less than \$1,000,000.00 (one million dollars) in 2019; AND

- 3) The above named business has suffered a loss of substantial income as a result of the coronavirus state of emergency or orders issued by the federal, state, or local government that have closed or restricted the operations of the business.

Based on the foregoing, I am requesting that the Town/City of \_\_\_\_\_ grant a hardship waiver which will waive any penalties for the late payment of county and/or county district taxes through July 15, 2020, for the property identified above. I understand that if I have knowingly made a false statement herein, I may be subject to prosecution under N.Y. Penal Law § 210.45.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## RENTAL PROPERTY TAXPAYER CERTIFICATION

I, \_\_\_\_\_, the owner of the property located at \_\_\_\_\_,  
in the Town/City of \_\_\_\_\_, tax block number \_\_\_\_\_, tax lot number \_\_\_\_\_,  
hereby certify that:

- 1) The property identified above is rented out for residential purposes only; AND
- 2) I own no more than six rental units, including the units located at the property identified above; AND
- 3) Since April 1, 2020, I have not received at least 50% of rents owed to me under lease agreements in effect for my rental properties; AND
- 4) This loss of rent is a result of my non-paying tenants having been laid off, furloughed, or lost employment as a result of the coronavirus state of emergency or orders issued by the federal, state or local government in connection with the same; AND
- 5) I pay property taxes directly to the Town/City and not through an escrow account.

Based on the foregoing, I am requesting that the Town/City of \_\_\_\_\_ grant a hardship waiver which will waive any penalties for the late payment of county and/or county district taxes through July 15, 2020, for the property identified above. I understand that if I have knowingly made a false statement herein, I may be subject to prosecution under N.Y. Penal Law § 210.45.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## Guidance for Determination of Taxpayer Economic Hardship

In order to qualify for a waiver of penalties for late payment of county and county district taxes up to July 15, 2020, based upon taxpayer economic hardship caused by the coronavirus state of emergency, the following criteria shall apply:

- 1., Individual taxpayers whose property subject to tax is their primary residence must qualify for the STAR exemption and must pay their property taxes directly and not through an escrow account, and
  - a. The individual taxpayer or, if more than one, the individual taxpayer with the higher income has been laid off, furloughed or lost employment as a result of the coronavirus state of emergency or orders issued by the federal, state or local government in connection with same; or
  - b. If self-employed or owner of a business, the individual taxpayer has suffered a loss of substantial income as a result of the coronavirus state of emergency or orders issued by the federal, state or local government that have closed or restricted the operations of their business.

Individual taxpayers whose property taxes are paid through an escrow account shall not be eligible for a hardship waiver.

2. For taxpayers that are business organizations (such as corporations, LLCs or LLPs) and had less than \$ 1 million net income in the prior year, the business organization has suffered a loss of substantial income as a result of the coronavirus state of emergency or orders

issued by the federal, state or local government that have closed or restricted the operations of the business

Business organizations with a net income of at least \$1 million in the prior year shall not be eligible for a hardship waiver.

3. Individual taxpayers who own rental properties must:

- a. Own no more than six rental units, in Westchester County or elsewhere, all of which must be residential; and
- b. Certify that, since April 1, 2020, they have not received at least 50% of contractual rents; and
- c. Certify that this loss of rent is a result of their tenants having been laid off, furloughed or lost employment as a result of the coronavirus state of emergency or orders issued by the federal, state or local government in connection with same; and
- d. Must pay their property taxes directly and not through an escrow account.

In order to qualify for a hardship exemption caused by the coronavirus state of emergency, taxpayers must certify in writing under the penalty of perjury that they meet the criteria for the exemption requested.

George S. Latimer  
Westchester County Executive

April 21, 2020