

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