



## Senior Citizens Property Tax Exemption

The senior citizens property tax exemption can reduce property taxes for lower-income homeowners who are at least 65 years old by up to 50 percent.

Cities, towns, villages, counties, and school districts all have the option to offer this exemption. Those municipalities that opt to offer the exemption would also set an income limit. The income limit may be as low as \$3,000 and as high as \$29,000 (except in New York City where it may be as high as \$50,000). They may also offer a sliding scale option if your income exceeds the maximum limit. For example, a locality may allow a 5 percent exemption for income as high as \$37,399.99 (or in New York City, as high as \$58,399.99).

Check with your local assessor, city/town clerk, or school district to determine which local options, if any, are in effect where you live.

### Application forms and instructions

To apply, or reapply for the senior citizens exemption, file the applicable form with your assessor's office. Forms and instructions can be found on the website of the New York State Department of Taxation and Finance's website ([www.tax.ny.gov](http://www.tax.ny.gov)) or at your local assessor's office.

First-time applicants use [Form RP-467, Application for Partial Tax Exemption for Real Property of Senior Citizens](#).

Renewal applicants use [Form RP-467-Rnw, Renewal Application for Partial Tax Exemption for Real Property of Senior Citizens](#).

For instructions, see [RP-467-I, Instructions for Form RP-467](#).

### Application deadline

You must submit your application to your assessor's office by the taxable status date. In most municipalities, this date is March 1, but it varies in some cities or counties. Some municipalities will accept late applications after the local taxable status date but no later than grievance day in certain hardship cases or for exemption renewals. Check with your assessor for details specific to your municipality. Contact information for your assessor can be found at [www.tax.ny.gov](http://www.tax.ny.gov) (Search: Assessor).

Note: When qualifying seniors buy property after taxable status date, the senior can apply up to 30 days after the purchase date. The assessor then has 30 days to decide whether the senior would have qualified for the exemption if the senior owned the property as of the deadline.

When property has multiple owners, and one or more of them qualify for this exemption while others qualify for the [exemption for persons with disabilities](#), the owners may choose the more beneficial exemption.

### Eligibility requirements

#### Ownership

You must own the property for at least 12 consecutive months prior to the date of filing. If you have moved into a new home and previously received the senior citizens exemption for your prior residence, you do not need to meet the 12-month requirement.

In computing the 12-month period, the period of ownership is not interrupted by the following:

- a transfer of title to one spouse from the other
- a transfer of title to a surviving spouse from a deceased spouse either by will or operation of law
- a transfer of title to the former owner(s), provided the reacquisition occurs within nine months after the initial transfer and the property was receiving the senior citizens exemption as of such date
- a transfer of title solely to a person(s) who maintained the property as a primary residence at the time of death of the former owner(s), provided the transfer occurs within nine months after the death of the former owner(s) and the property was receiving the senior citizens exemption as of such date

The period of ownership of a prior residence may be considered where:

- the property was sold by condemnation or other involuntary proceeding (except a tax sale) and another property has been acquired to replace the taken property;
- the prior residence has been sold and a replacement purchase made within one year, if both residences are within the state.

To prove ownership, submit to the assessor a certified copy of the deed, mortgage, or other instrument by which you became owner of the property.

**Life estates or trusts:** A life tenant is entitled to possession and use of the property for the duration of his or her life and is deemed the owner for all purposes, including taxation. The exemption also may be allowed if the property is in a trust and all the trust beneficiaries qualify.

## Income

To be eligible for the senior citizens exemption, the income of the owner, or the combined income of all owners, cannot exceed the maximum income limit set by the locality. If an owner's spouse lives in the home, his or her income must be included as well, even if he or she is not an owner.

If an owner is married, the income of his or her spouse must be included in the total unless the spouse is absent from the residence due to a legal separation or abandonment. The income of a non-resident former spouse, who retains an ownership interest after the divorce, is not included.

The income determination must be based on the latest income tax year prior to the filing of the application. This is usually the preceding calendar year.

## Proof of income

Submit with your application any federal or state income tax returns filed by you and any other owners for the latest income tax year prior to the date of your application. You may also be required to submit statements of payments made by the Social Security Administration, bank statements, rent receipts or other documents to prove your income.

Income includes:

- all Social Security payments, salary and wages (including bonuses)
- interest (including nontaxable interest on state or local bonds)
- total dividends, net earnings from farming, rentals, business or profession (including amounts claimed as depreciation for income tax purposes)
- income from estates or trusts
- gains from sales or exchanges
- the total amount received from retirement or pension plans
- annuity payments (excluding amounts representing a return of capital)
- alimony
- unemployment insurance payments
- disability payments
- workers compensation
- earnings on individual retirement accounts (IRAs)
- any other types of income not specifically excluded by law

Income does not include:

- Supplemental Security Income
- welfare payments
- gifts and inheritances
- payments received as participants in the Federal Foster Grandparents Program
- a return of capital
- reparation payments received by Holocaust survivors
- distributions from IRAs

Municipalities have the option to permit seniors to subtract all medical and prescription drug expenses that are not reimbursed or paid by insurance, as well as veterans disability payments, from their incomes.

If an owner is an inpatient in a residential health care facility, the owner's other income is not considered income in determining exemption eligibility if it does not exceed the amount paid by such owner, spouse or co-owner for care at the facility. Proof from the facility of the amount paid for an owner's care must be submitted with the application.

## **Proceeds of a reverse mortgage**

Reverse mortgage proceeds should not be considered income for purposes of this exemption. However, when such proceeds are invested, any interest or dividends from such investments should be considered as income. Also, monies used to repay a reverse mortgage cannot be deducted from income.

## **Age**

Each of the owners of the property must be 65 years of age or over. However, if the owners are a married couple or siblings, then only one of the owners needs to be 65 or older. In the case of a married couple, if the age-eligible spouse dies, the surviving spouse must be at least 62 to retain the exemption.

Age generally is determined as of the appropriate taxable status date. This is March 1 in most municipalities. Some municipalities allow the exemption where an otherwise eligible owner becomes 65 years of age after the taxable status date but on or before December 31.

Check with your assessor to determine the date on which age is determined in your locality.

The first time you apply for the exemption, you must submit satisfactory proof of your age.

## **Residency**

The property must be the legal residence of, and must be occupied by, all of the owners of the property unless:

- a non-resident owner, who is the spouse or former spouse of the resident owner, is absent from the residence due to divorce, legal separation, or abandonment, or
- an owner is absent from the property while receiving health-related services as an inpatient of a residential health care facility. During this period, no one other than the spouse or co-owner of the absent co-owner may occupy the property. A residential health care facility is a nursing home or other facility that provides lodging, board and physical care including, but not limited to, the recording of health information, dietary supervision and supervised hygienic services.

The property must be used exclusively for residential purposes. If any portion of the property is used other than for residential purposes, that portion will not qualify for the exemption.

## **School-age children**

Senior citizens are generally not eligible for the senior citizens exemption for school tax purposes if they have children living in their home and attending public school. If the child attends a private or parochial school, the senior can still receive the exemption.

School districts can opt to offer the exemption to seniors with children in their home attending public school. However, the school district must require satisfactory proof that the child was not brought into the residence primarily for the purpose of attending a particular school within the district.

## **Types of property**

In addition to traditional owner-occupied homes, the senior citizens exemption is also available for the following:

- Cooperative apartments. Localities have the option to grant the exemption to seniors who own shares in residential cooperatives. If granted, you would receive adjustments to your monthly maintenance fees to reflect the benefit of that exemption.
- Manufactured homes. Manufactured homes on leased land can qualify for the senior citizens exemption. If the home is located in a manufactured home park, you are entitled to a reduction in rent for the amount of the taxes paid.

## **If you receive the senior citizens exemption, you may also be eligible to receive a STAR exemption or credit.**

If you received a Basic STAR exemption on your property on or before the 2015-16 school year, and you are now eligible for the senior citizens exemption, you may also be eligible for the Enhanced STAR exemption. If you are not receiving the Enhanced STAR exemption, contact your assessor for details.

If you did not receive a STAR exemption on the property on or before 2015-16 school year, you may be eligible for the Enhanced STAR credit, which is provided in the form of a check from New York State. For more information, see [Register for the STAR credit](#) or call 518-457-2036.