



# Instructions for Form RP-487

Application for Tax Exemption from Solar, Wind, or Certain Other Energy Systems

## When to file

You must file **two copies** of the application in the assessor's office on or before the appropriate taxable status date. In towns preparing their assessment rolls in accordance with the schedule provided in the Real Property Tax Law, the taxable status date is March 1. In towns in Nassau County, the taxable status date is January 2. Westchester County towns have either a May 1 or June 1 taxable status date; contact the assessor. In cities, the taxable status date is determined by the city charter provisions. Consult the city assessor's office for the specified date. The taxable status date in most assessing unit villages is January 1, but consult the village clerk for variations.

## Where to file

**Note:** You must file **two copies** of this application with each assessor.

You must file an application for exemption from county, city, town and school district taxes with the city or town assessor who prepares the assessment roll used in levying county, city, or town and school district taxes.

If the property is also located within a village assessing unit, you must submit a separate application for exemption from village taxes to the village assessor. In Nassau County, you must file an application for exemption from county, town and school district taxes with the Nassau County Board of Assessors. In Tompkins County, you must file an application for exemption from county, city, town, village, and school district taxes with the Tompkins County Division of Assessment. **Do not file the application with the Office of Real Property Tax Services.** When approved or disapproved, the assessor must transmit one copy of the application to the New York State Energy Research and Development Authority (NYSERDA), 17 Columbia Circle, Albany, NY 12203.

## Authorization for exemption

Real Property Tax Law section 487 exempts from taxation, but not special ad valorem levies or special assessments, real property which includes the following when satisfying guidelines established by the NYSERDA:

- solar or wind energy system
- farm waste energy system
- micro-hydroelectric energy system
- fuel cell electric generating system
- micro-combined heat and power generating equipment system
- electric energy storage equipment and electric energy storage system
- fuel-flexible linear generator electric generating system

A **solar or wind energy system** or **farm waste energy system** must be constructed before July 1, 1988, or after January 1, 1991, and before January 1, 2025. Other eligible energy systems must be constructed after January 1, 2018, and before January 1, 2025.

A county, city, town, or village may adopt a local law or a school district (except the city school district of New York City, Buffalo, Rochester, Syracuse, or Yonkers) may by resolution provide that either:

1. no solar or wind exemption or farm waste energy system exemption will apply within its jurisdiction for systems

constructed after January 1, 1991, or the date of such local law or resolution, whichever is later; or

2. no micro-hydroelectric energy system, fuel cell electric generating system, micro-combined heat and power generating equipment system, electric energy storage equipment and electric energy storage system, or fuel-flexible linear generator electric generating system exemption will apply within its jurisdiction for systems constructed after January 1, 2018, or the date of such local law or resolution, whichever is later.

Structures that satisfy the requirements for exemption under Real Property Tax Law section 483-e (anaerobic digestion facilities) cannot receive this exemption.

## Duration and computation of exemption

The exemption is equal to the increase in assessed value of the property attributable to the inclusion of the energy system and is to be granted for a period of 15 years. Where the system or its components are also part of the building structure, the increase in value to be exempted from taxation equals the assessed value attributable to the system or components multiplied by the ratio of the incremental costs of the system or farm waste energy system or components to the total cost of such system or components.

*Incremental cost* is the increased cost of the energy system or component that also serves as part of a building structure, beyond that for similar conventional construction, that enables its use as an energy system or component.

For more information, see the guidelines published by the NYSERDA at [www.nyserda.ny.gov](http://www.nyserda.ny.gov). **Note:** Municipalities that offer the solar or wind energy system exemption may require payments in lieu of taxes not to exceed the amount of the exemption.

## New York State-owned or controlled property

Municipalities may also offer an exemption for real property owned or controlled by New York State or a New York State department, agency or public authority where New York State or the New York State department, agency, or public authority has agreed in writing with the energy system owner or operator to purchase the produced energy or the environmental credits or attributes created by virtue of the system's operation. A county, city, town or village may adopt a local law or a school district (except the city school district of New York City, Buffalo, Rochester, Syracuse, or Yonkers) may by resolution provide that such a system is exempt from taxation. Municipalities that offer this option will permanently exempt such property from taxation, special ad valorem levies and special assessments, and the owner of such property shall not be subject to any requirement to enter in an agreement for payments in lieu of taxes.