



# INDUSTRIAL AND COMMERCIAL INCENTIVE PROGRAM

## PRELIMINARY APPLICATION AND INSTRUCTIONS

Enclosed is a Preliminary Application for a Certificate of Eligibility for benefits under Title 11, Chapter 2, Part 4 of the Administrative Code of the City of New York.

The completed application must be accompanied by the following:

- ◆ Brief narrative describing site conditions and proposed improvement;
- ◆ Copy of Tax Map defining project site; (NOTE: Tax maps are available at the City Surveyor located in each borough.)
- ◆ \$100 check made payable to the New York City Department of Finance. An additional fee of up to \$900 will be required upon submission of a final application.

**NOTE: FAILURE TO FILE AN APPLICATION FOR INDUSTRIAL AND COMMERCIAL INCENTIVE PROGRAM (ICIP) BENEFITS BEFORE RECEIPT OF THE FIRST BUILDING PERMIT OR, IF NO PERMIT IS REQUIRED, THE START OF CONSTRUCTION WILL DISQUALIFY YOU FROM RECEIVING BENEFITS UNDER THIS PROGRAM.**

Should you have any questions regarding the application or the program, e-mail ICIP at [www.nyc.gov/contactfinance](http://www.nyc.gov/contactfinance). Click on *e-mail DOF*, click on *real estate tax inquiries*, scroll down and click on *Industrial and Commercial Incentive Program (ICIP)*.

Please return the completed application and the required attachments to:

NYC Department of Finance  
ICIP  
66 John Street  
New York, NY 10038

Eligibility for ICIP benefits for industrial, wholesale distribution and some other projects citywide or for commercial renovation projects in lower Manhattan may allow an applicant to also receive reduced energy rates through programs administered by the Department of Business Services. For more information, please call (212) 513-6345.

## PROGRAM OVERVIEW

On November 5, 1984, the Mayor approved Local Law No. 71 which created the Industrial and Commercial Incentive Program (ICIP). The ICIP provides for partial exemption of taxation for eligible industrial or commercial buildings which are constructed, modernized, rehabilitated, expanded or otherwise physically improved. ICIP benefits are granted as of right to all applicants whose projects qualify under the provisions of the legislation.

The ICIP program expires June 30, 2008. Preliminary applications received after this date are late and are not eligible for benefits. Preliminary applications filed on or before June 30, 2008 will only be eligible for benefits where an initial building permit for the project's eligible construction work has been issued on or before July 31, 2008.

The Department of Finance, which administers this program, issues Certificates of Eligibility for projects which meet the program requirements. Applicants must meet minimum required expenditure (MRE) targets. The MRE is a percentage of assessed value of the project in the year of the issuance of the building permit or, if no permit is required, the start of construction.

If an eligible industrial project meets the 10% minimum required expenditure threshold (MRE), it will be granted an exemption. If the industrial project meets the 25% MRE threshold, the project will also be eligible for a tax abatement benefit.

In Manhattan, in the smart building new commercial construction area and for commercial renovation projects south of the center line of 59th Street, a 20% MRE is required. All other commercial projects citywide, except as noted above, require a 10% MRE. **For commercial renovation projects, the area between the center line of 59th Street and the center line of 96th Street is ineligible for benefits.**

Applicants must file a preliminary application with the Department of Finance prior to the issuance of a building permit for this project or, if no permit is required, prior to the start of construction. **Failure to file the preliminary application timely will disqualify an applicant from receiving any benefits under this program.** If the filing requirements are met, an applicant may commence construction once the Buildings Department issues a permit. Failure to receive a building permit prior to the commencement of construction will result in the denial or diminution of benefits. Upon filing a completed and approved preliminary application, an applicant may commence construction provided that the ICIP unit has received written notification fifteen (15) business days prior to the commencement of construction and the applicant has received the appropriate construction permits. Information regarding additional filings may be found on page B, "Program Milestones."

The portion of the property's assessed valuation which is eligible for exemption is known as the exemption base. The exemption base for each year is limited to the increase in assessed valuation solely attributable to the improvements made. Industrial projects and commercial projects located in special areas also receive protection against future increases on the improvement due to inflation or general appreciation in market value.

The benefit schedule for industrial projects is the same citywide. For commercial projects, the City is divided into regular, renovation and special areas, the boundaries of which are set every three years by the Temporary Boundary Commission. The amount of benefits granted to commercial projects will be determined by their type and location within the City.

The table on page B gives the exemption and abatement schedule for those parcels with an effective date after July 1, 1995.

ICIP BENEFIT PERIOD AND PERCENTAGES FOR:							
C O M M E R C I A L							
BENEFIT YEAR	INDUSTRIAL EXEMPTION	INDUSTRIAL ABATEMENT	SPECIAL AREA	REGULAR AREA	RENOVATION AREA	"SMART BUILDING"	BENEFIT YEAR
1	100	50	100	100	100	100	1
2	100	50	100	100	100	100	2
3	100	50	100	100	100	100	3
4	100	50	100	100	100	100	4
5	100	40	100	100	100	80	5
6	100	40	100	100	100	60	6
7	100	30	100	100	100	40	7
8	100	30	100	100	100	20	8
9	100	20	100	100	80	-	9
10	100	20	100	100	60	-	10
11	100	10	100	100	40	-	11
12	100	10	100	80	20	-	12
13	100	-	100	60	-	-	13
14	100	-	100	40	-	-	14
15	100	-	100	20	-	-	15
16	100	-	100	-	-	-	16
17	90	-	90	-	-	-	17
18	80	-	80	-	-	-	18
19	70	-	70	-	-	-	19
20	60	-	60	-	-	-	20
21	50	-	50	-	-	-	21
22	40	-	40	-	-	-	22
23	30	-	30	-	-	-	23
24	20	-	20	-	-	-	24
25	10	-	10	-	-	-	25

## PROGRAM MILESTONES

- ◆ **File** preliminary application for Certificate of Eligibility before issuance of building permit, or if no permit is required, the start of construction.
- ◆ **Notify** the ICIP unit in writing 15 business days before commencing construction.
- ◆ **Notify** the Division of Labor Services 15 business days before commencement of work. **Submit** an Employment Report for projects with construction contracts in excess of \$1,000,000 (exclusive of site acquisition).
- ◆ **Receive a** building permit, where required, prior to the commencement of construction.
- ◆ **File** completed final application for Certificate of Eligibility after commencing construction.
- ◆ **File** interim construction reports every June 5th and December 5th during period of construction for projects over \$1,000,000.
- ◆ **Submit** proof of meeting the minimum required expenditure within applicable time periods after issuance of the building permit on projects under construction or upon completion.
- ◆ **Notify** the ICIP unit in writing within 15 days of completion of project and **submit** final construction report within 60 days of completion. A final certificate of eligibility will then be issued.
- ◆ **File** Certificate of Continuing Use annually in each year of benefit period.

## AGENCY ADDRESSES AND TELEPHONE NUMBERS

NYC Department of Finance  
 ICIP  
 66 John Street  
 New York, NY 10038  
 E-mail - nyc.gov/contactfinance  
 Fax - (212) 361-7177

Division of Labor Services  
 Department of Business Services  
 110 William Street, 2nd Floor  
 New York, NY 10038  
 Telephone - (212) 618-8823

Energy Cost Savings Program  
 Department of Business Services  
 110 William Street, 3rd Floor  
 New York, NY 10038  
 Telephone - (212) 513-6345

For financing initiatives contact:  
 NYC Economic Development Corporation  
 Industrial Development Agency  
 110 William Street, 6th Floor  
 New York, NY 10038  
 Telephone - (212) 312-3600

### **Please mail to:**

NYC Department of Finance  
 ICIP  
 66 John Street  
 New York, NY 10038

**NOTE: THIS PRELIMINARY APPLICATION, WHEN DULY FILED, WILL FULFILL THE REQUIREMENT THAT APPLICATION BE MADE BEFORE ISSUANCE OF A BUILDING PERMIT OR, IF NO PERMIT IS REQUIRED, THE START OF CONSTRUCTION. HOWEVER, THE FILING OF A PRELIMINARY APPLICATION DOES NOT CONFER THE RIGHT TO ANY BENEFIT.**



FINANCE  
NEW YORK

# INDUSTRIAL AND COMMERCIAL INCENTIVE PROGRAM

## PRELIMINARY APPLICATION FOR CERTIFICATE OF ELIGIBILITY

FILING FEE: \$100 with PRELIMINARY APPLICATION

ATTACHMENT: NYC TAX MAP AND BRIEF DESCRIPTION OF PROPOSED PROJECT

**This Preliminary Application, when duly filed, will fulfill the requirement that application be made before issuance of a building permit, but does not confer the right to any benefit.**

Type or print all information

### SECTION I APPLICANT INFORMATION

1. Name of applicant

Contact person

Mr.  Mrs.  Ms.

Telephone number

( )

Address (number and street)

Telefax number

( )

City, State and Zip Code

Applicant Employer  
Identification  
Number →

-

or

Applicant Social  
Security  
Number →

-   -

2. Representative's name (If a representative is designated below, correspondence will be sent only to the representative.)

Mr.  Mrs.  Ms.

Firm/business name

Telephone number

( )

Representative's address (number and street)

Telefax number

( )

City, State and Zip Code

### SECTION II SITE INFORMATION

1. Borough:

Block:

Lot:

2. Site address (number and street)

3. Council District

Assembly District

Senate District

Congressional District

### SECTION III PROJECT INFORMATION

1. Were there any buildings on the site within the 60 month period immediately preceding the date of this application?

yes

no (Continue with question 6.)

2. Total floor area is: \_\_\_\_\_ square feet

3. Use of the property and square footage breakdown:

a. manufacturing/industrial: \_\_\_\_\_ square feet

b. commercial: \_\_\_\_\_ square feet

c. residential: \_\_\_\_\_ square feet

d. other: \_\_\_\_\_ square feet

specify use → \_\_\_\_\_

4. Floor area used for manufacturing during such 60 month period: \_\_\_\_\_ square feet

5. If full or partial demolition has occurred or is planned, what is date of commencement? \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

6. Type of project: (check all that apply)

new building

alteration

addition to existing space

7. Proposed use: \_\_\_\_\_

8. Floor area: \_\_\_\_\_ square feet

9. Estimated cost of construction: \$ \_\_\_\_\_

10. Will proposed work require a building permit?  yes  no

If "no," continue with question 13.

**SECTION III continued**

- 11. Have plans been filed with the Department of Buildings?.....  yes  no
- 12. Has a building permit been issued?.....  yes  no  
If "yes," give date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_
- 13. Has construction commenced?.....  yes  no  
If "yes," give estimated percentage completed \_\_\_\_\_ %
- 14. Date of commencement or projected commencement:  
\_\_\_\_ / \_\_\_\_ / \_\_\_\_
- 15. Projected date of completion: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

- 16. Will the project require any zoning change, other variance or consent from a government agency? .....  yes  no  
If "yes," describe: \_\_\_\_\_  
\_\_\_\_\_
- 17. Has an application been made for any other New York City Exemption or Abatement Program, for example J-51, lease abatement, ECSP, prior ICIP, etc.? .....  yes  no  
If "yes," specify: \_\_\_\_\_
- 18. This application is for: (check one)  
 Industrial Exemption  Commercial Exemption  
 Industrial Abatement and Exemption

**SECTION IV AGREEMENTS AND REPRESENTATIONS**

- The undersigned agrees and represents that:
- 1. S/he has the authority to make this application on behalf of the applicant.
  - 2. S/he has personal knowledge or information sufficient to make a materially correct response to the questions asked in this application, and that s/he believes all matters stated herein to be true.
  - 3. A check for \$100, payable to the NYC Department of Finance, will be tendered with this application, which amount shall be credited to the application fee due upon filing the final application.
  - 4. The applicant shall file a final application in the form and manner required by regulations or will, upon request, withdraw this application in writing.
  - 5. The applicant and its representatives will comply with all provisions of law and rules relating to the program.
  - 6. The applicant will notify the Department of Finance in writing 15 business days before commencing any demolition or construction work at the project site.

- 7. The applicant will comply with the Rules and Regulations of the Office of the Mayor for implementation of Executive Order No. 50 (1982) or amendments relating to equal employment opportunity and trainee programs to the same extent as if the applicant was a contractor with the City of New York and will not commence construction work until at least 15 business days have elapsed without comment after filing Employment Reports for itself and each such contractor, if applicable. Employment Report forms are available from the Department of Finance. Employment Reports shall be filed with the:  
  
Division of Labor Services  
110 William Street, 2nd Floor  
New York, NY 10038  
(212) 618-8823
- 8. The applicant will comply with the rules and regulations of any program the City may provide to ensure meaningful participation of minority and women-owned business enterprises in construction work for which an applicant receives benefits.

**- AFFIDAVIT -**

**STATE OF NEW YORK**

**COUNTY OF**

**SS:**

\_\_\_\_\_, **being duly sworn, says under penalty of perjury that s/he is the applicant or the \_\_\_\_\_ of the applicant, that the statements contained in this application, including any attachments to this application, are true to his/her knowledge.**

Signature of APPLICANT OR REPRESENTATIVE \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

Affix official stamp or seal here. →

Notary Public or Commissioner of Deeds

**PLEASE MAIL TO:**

**NYC Department of Finance  
ICIP  
66 John Street,  
New York, NY 10038**