

21-4 October 14, 2021

FINANCE MEMORANDUM

Additional Penalty Relief for Victims of Hurricane Ida

The New York City Department of Finance recognizes that taxpayers and return preparers in the presidentially declared disaster areas affected by Hurricane Ida still may be unable to meet certain New York City filing and payment deadlines. As a result, Department of Finance Commissioner Sherif Soliman is exercising his authority under the Administrative Code of the City of New York to allow for the waiver or abatement of penalties for certain DOF-administered taxes due on October 15, 2021.

Qualified taxpayers whose Business Corporation Tax ("BCT"), General Corporation Tax ("GCT"), Unincorporated Business Tax ("UBT") or Banking Corporation Tax ("Bank Tax") returns are due on October 15, 2021, and who cannot meet that deadline due to Hurricane Ida, may file and pay any tax due on or before January 3, 2022. Any filings made on or before January 3, 2022, will be considered timely and no late filing or late payment penalties will be imposed.

Penalty Relief Provided Does Not Apply to Interest: For purposes of the above filings, while late filing and late payment penalties are waived, the Administrative Code requires that interest, where applicable, at the appropriate underpayment rate, must be paid on all tax payments received after the original due date calculated from the original due date to the date of payment.

Qualified Taxpayers: The relief provided for in this Finance Memorandum applies to those taxpayers who have filing or payment deadlines relating to taxes administered by the New York City Department of Finance and who were directly affected by the storm in counties specified by FEMA as eligible for assistance. As of September 22, 2021, the counties in New York State that were so specified include Bronx, Dutchess, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Sullivan, Ulster and Westchester. In addition, the relief will also apply to taxpayers directly affected by the storm located in any additional counties in New York State that are declared disaster areas eligible for assistance and federal tax relief after this notice is issued. The relief will also apply to taxpayers directly affected by the storm in counties in other states meeting the above criteria.

Taxpayers who are deemed to be directly affected by the storm and are therefore eligible for this relief include:

- victims of the storm who reside in or have a principal place of business in the designated counties;
- all workers assisting in the relief activities in the designated counties;
- any taxpayer whose records necessary to meet tax filing, payment, or other deadlines were maintained in the designated counties and are not available due to the storm;
- taxpayers who have difficulty in meeting tax filing and payment deadlines because of disruptions in the designated counties in the transportation and delivery of documents by mail or private delivery services, or due to disruptions in the designated counties in communications services (for example, telephone, facsimile, or electronic mail), resulting from the storm; and
- taxpayers whose tax practitioners reside in or have their principal places of business in the designated counties and were unable to complete work to meet tax filing, payment, and other deadlines on behalf of their clients due to the storm.

Requests for Penalty Abatement:

Taxpayers or practitioners may request to have the penalties waived (abated) in several ways:

- You may use our portal at www.nyc.gov/eservices to file a return or extension and request that any penalties be waived. Enter the special condition code "ID" in the space indicated near the top of the online form.
- You can request a penalty abatement by sending an email to Penalty_Abatements@finance.nyc.gov
- If you are filing a paper return or extension request, please write "HURRICANE IDA" on the top center of the front page.
- You may also request an abatement by writing to:

NYC Department of Finance, P.O. Box 5564, Binghamton, NY 13902-5564