



New York State Historic Homeowner Tax Credit Frequently Asked Questions

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The Governor signed a tax credit extension and other changes into law effective March 28, 2013 for the state rehabilitation tax credits. The homeowner and commercial state credits will be available until December 31, 2019.

The 2007-2011 American Community Survey data is now being used to determine census tract eligibility. The boundaries of the census tract referred to in that data are the 2010 census tract boundaries.

Q. How do I know if my building is eligible for the New York State Historic Homeowner Tax Credit?

A. In order for a project to receive the credit, the building needs to be listed in the State Register of Historic Places either individually or as a contributing building in a State and/or National Register listed historic district. See below to find out how to determine State and/or National Register listing and census tract eligibility.

Q. How do I know if my building is listed in the State and/or National Register of Historic Places (NR) or in an NR listed historic district?

A. You can find out by going online to the [New York State Office of Parks, Recreation and Historic Preservation \(OPRHP\) website](#) and selecting **Online Tools** then select the **Geographic Information System for Archeology and National Register (GIS)**. Select **Zoom To Location**, then select **MUNI** your county and municipality from the drop down menus and click the **SUBMIT** button. Use the ZOOM and PAN tools to find your location. If your property is located in a RED striped area it is in an NR listed district or individually listed. You can also find some information on the [National Park Service website](#). If you need additional assistance, please contact the National Register representative for your area. A list of representatives can be found by selecting **CONTACT** at our web site.

Q. If my building is not listed in the State and/or National Register of Historic Places, how do I find out if it can be listed?

A. If you need information about listing your property to the Registers, please contact the National Register Representative assigned to your county. A listing can be found at the CONTACT section of our web site, or call 518-237-8643 and ask for the National Register Representative for your county.

Q. How do I know if my building is in an eligible census tract?

A. Only certain census tracts qualify for the NY State Credits. In order to determine if a building is located in an eligible census tract, visit the OPRHP tax credit website at www.nysparks.com/shpo/tax-credit-programs, select Determining Census Tract Eligibility by Address or Map and follow the directions. You can also call 518-237-8643 and ask for the staff person handling state tax credits.

Eligible census tracts must have median family incomes at or below the state median family income. Data from the most recent five year estimate from the American Community Survey, which is published by the US Census Bureau, is being used to determine eligibility. The 2007-2011 American Community Survey data is the most recent. The boundaries of the census tract referred to in that data are the 2010 census tract boundaries.

Q. I have a rental unit in my house. How can I best utilize the tax credits?

A. You can combine the [Federal Historic Preservation Investment Tax Credit](#) (for income producing properties), the [State Historic Preservation Commercial Tax credit](#) (which you get automatically if you receive the federal credit), and the [State Historic Homeownership Tax Credit](#). This is a somewhat complex process. OPRHP staff can assist you in understanding how it works. Call 518-237-8643 and ask for the State Tax Credit staff member.

Q. When do I take the credit?

A. Property owners can only take the credit in the year in which they receive a Certification of Completion (COC). The COC is issued after the project is completed and Part 3 of the application is submitted. If Part 3 of the application is not submitted by October 1 in the year in which the applicant wants to take the credit, OPRHP can not guarantee it will complete the COC in time for the property owner to obtain the credit.

Q. What work can I do?

A. In general, in order for work to qualify for any of the three state historic preservation tax credits, it needs to preserve the overall historic character of the building. OPRHP reviews the proposed work using the [Secretary of the Interior Standards for Rehabilitation](#) as guidance. The National Park Service publishes a variety of helpful resources including [Preservation Briefs](#).

There is a list of qualified rehabilitation expenditures in the [New York State Historic Preservation Homeowner Tax Credit application](#).

Q. May I make my house more energy efficient using the tax credit?

A. As long as the proposed treatment does not alter the historic character of the house, the tax credit can be used to make the building more energy efficient. For more information, read [OPRHP's Weatherization Toolkit](#) and Preservation Brief #3: [Improving Energy Efficiency in Historic Buildings](#).

Q. May I replace the windows so that I can make my house more energy efficient if the existing windows are not historic?

A. Yes. However, OPRHP will need to review the proposed replacement windows. Include information about the materials and the design of the proposed replacement windows in the application. The proposed windows should complement the architecture of the historic building. OPRHP might recommend 1over1 replacement double hung sash if you do not know what the original windows looked like. Vinyl or vinyl clad replacement windows on an historic house are generally not acceptable. For more information, read [Preservation Brief #9: The Repair of Historic Wood Windows](#) which has a section at the end about appropriately replacing windows on a historic house.

Q. May I replace the windows so that I can make my house more energy efficient if the existing windows are historic?

A. Maybe, if the existing windows are determined by OPRHP to be beyond repair. Because historic windows

are often an important feature of historic buildings, OPRHP carefully reviews window replacement proposals. Proper maintenance and the installation of interior or exterior storm windows will make historic windows energy efficient, often matching the efficiency of new units, while at the same time preserving the historic character of the building. However, there are cases in which the historic windows are beyond repair and replacement is warranted. If you suspect this is the case, include photographic documentation of the window condition in your application for OPRHP to review. If the OPRHP confirms that window replacement is warranted, proposed replacement windows will be reviewed. Include information about the materials and the design of the proposed replacement windows in the application. The proposed windows should match the historic windows very closely. Vinyl or vinyl clad replacement windows on an historic house are generally not acceptable. For more information, read [Preservation Brief #9: The Repair of Historic Wood Windows](#).

Q. May I install vinyl siding on my house?

A. No. Vinyl siding is not an appropriate treatment for historic houses because it obscures the original historic wood siding which is an important character defining feature in many historic buildings. In some cases, new siding obscures architectural features. More information on this issue can be found in [Preservation Brief # 8: Aluminum and Vinyl Siding on Historic Buildings](#).

Q. May I replace my roof?

A. Yes. Include in the application the current roofing material and what material you propose to install. If the proposed replacement material does not match the historic fabric in kind, it should at least complement the style and materials of the building.

Q. Does the tax credit apply to work on mechanical systems?

A. Yes.

Q. May I repoint my brick walls?

A. Yes. Be sure to include in the proposal what type mortar mixture you plan to use and how you will remove existing deteriorated mortar. New mortar must match historic mortar in all qualities including strength, color, texture, and tooling. For information on this topic, read [Preservation Brief 2: Repointing Mortar Joints in Historic Masonry Buildings](#).

Q. Does OPRHP only review the work I plan to do on the exterior?

A. No. OPRHP reviews all aspects of the project including the interior.

Q. Is there a processing fee for my application?

A. Yes. Beginning March 23, 2011 a fee structure was established for the processing of applications. More information can be found at <http://nysparks.state.ny.us/shpo/tax-credit-programs/>.

Q. What expenses are eligible for flood victims?

A. According to the New York State Department of Taxation and Finance qualified rehabilitation expenditures under the Historic Homeownership Rehabilitation credit are any amounts "property chargeable to a capital account in connection with a certified rehabilitation of a qualified historic home." Their counsel and technical staff determined that any reimbursed amounts expended for such rehabilitation (insurance proceeds, FEMA grants, etc) would count as "properly chargeable" under federal basis rules and therefore are qualified expenditures under the credit. Of course, the taxpayer must meet all of the qualifications for the credit.

Q. May the residential credit program be used for seasonal/second home/vacation properties?

A. Homeowners can take the credit on second homes provided that the total amount of the credit allowed does not exceed \$50,000. If the second home is a vacation rental property it is likely not considered a home, and therefore does not qualify.

Q. May I go through the homeowner program multiple times or is it a one time only offer?

A. It can be used multiple times as long as each time you claim the credit, you have spent at least \$5,000 and at least 5% of the expenditures are on the exterior. The program is scheduled to sunset on Dec. 31, 2019. When work is complete for the first project and Part 3 is approved, the file will be closed. Before new work starts, a new application needs to be submitted and approved.

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