



**Yates
OUCH Tax**

...the occupancy tax that doesn't make CENT\$
Supported by responsible citizens of Yates County

News Release #1

Group Forms to Oppose Unfair Yates Occupancy Tax

In early December, 2007, property owners throughout Yates County received an unexpected notice from the Treasurer of Yates County that a 4% Occupancy Tax had been already enacted, and was effective January 1, 2008. A summary of the new law was enclosed in the mailing, threatening a year in jail and/or \$1000 fine for failure to comply. In the ensuing weeks, a citizens' action group has formed, and continues to form, in opposition to what is perceived as an unfair, discriminatory and deleterious tax, particularly on individual cottage owners.

The citizens' group is called the YatesOUCHtax Advocacy Alliance, incorporating the exclamation of members when they first heard the news: "OUCH!" Their Petition, for which signatures are actively being collected, calls for:

- 1) Immediate suspension of any application of the Yates Occupancy Tax Law (YOTL) to renters of cottages, houses and private homes for 2008.
- 2) Amend YOTL to exclude and exempt all property owners of three or fewer rental units (paralleling the Ontario County Occupancy Tax Law.)
- 3) Decriminalize any and all violations of YOTL back to its enactment.
- 4) Eliminate all fines and penalties on property owners of 3 or fewer rental units.

The YatesOUCHtax Advocacy Alliance is reaching out for membership and Petition participation throughout Yates County, N. Y., including to affected owners of lakeshore properties on Canandaigua, Keuka and Seneca Lakes. Many of these folks are angry, upset, and feeling betrayed.

Objections to the Occupancy Tax include the following:

- that this tax was levied without the due process of informing property owners in advance, and giving them the chance to object, to input, and to be heard in a public forum,
- that lakefront properties are being discriminately targeted by the legislation and not other properties which compete with the lake renters,

- that the paperwork of filing 4x per year is burdensome to individual property owners not principally in the rental business and the risk of criminal penalties will necessitate an additional expense to the property owner of \$500-1500 per year for an accountant to handle,
- that terms of the legislation are punitive and onerous, including seizure of property,
- that already there is evidence of prospective renters choosing to NOT stay in Yates County because of the extra expense, and instead choosing Ontario, for example, where they will not have to pay an occupancy tax on their lakeshore rentals, thus the spending of those lost vacationers (in restaurants, shops, other activities, etc.) will also be lost to Yates County,
- that this ill-considered legislation will negatively impact Yates County's tourism image,
- that this "OUCH-tax" will ultimately force individual cottage owners to sell their properties, especially retirees and middle class folks who now rent in the summer (when they'd like to be enjoying their own property) in order to pay the egregious lakefront property taxes. It is not the McMansions which are usually being rented out, but the homes and cottages of those seeking peaceful use of their properties,
- that the greed of such an Occupancy Tax against residents and owners whose properties are often in a "loss position" will ultimately lead to accelerating the conversion of residential properties to corporate and developer takeover.

"For this last reason, even if not for the greater sense of fair play and equity, all property owners and residents of Yates County ought to get involved and sign the Petition," said the Steering Committee which launched this effort. *"People generally don't make money by renting; they mostly keep their heads above water. This tax is an onerous burden."* In addition to its website, circulating a petition, and making its voice heard on behalf of all, the Steering Committee is also looking into legal options, and is grateful for the funds already received to enable this effort.

This grassroots advocacy sprung up among Canandaigua cottage owners (who are at a great disadvantage to nearby Ontario rentals not charging an occupancy tax.) The Steering Committee is also seeking participating members from the Keuka and Seneca regions.

Contacts for More Information:

Website: www.YatesOUCHtax.com is the group's website and includes the Occupancy Law, a position statement, the Petition which can be downloaded/signed/mailed back, Correspondence with the Legislature and others, News and a Forum on which to express opinions.

Email: Protest@YatesOUCHtax.com is the direct email contact to the group

Fax: 585-425-4703

Mailing Address: YatesOUCHtax Advocacy Alliance; PO Box 196, Canandaigua NY 14424

