



Dear Owner/Renter of Property in Yates County,

**Unfair tax on Cottage Owners:** You may have already heard about the burdensome and unfair “Occupancy Tax” which Yates County is levying on those who rent their cottages or homes in order to be able to pay their humungous and egregious property tax bills. Unlike Ontario County, where renters of three or fewer cottages are exempt, Yates County is targeting a tax on every last penny that cottage owners make from any rental of less than 29 days (this effectively gets the apartment owners off the hook) and also exempts campgrounds for some unknown reason.

**Criminal Penalties:** Not only does Yates County want 4% of our GROSS rental amounts (if they’d made it net after our expenses, they’d owe us!), no matter how much we make or how much we lose, but they have issued pages and pages of a law that will criminalize anyone who fails to collect, who fills out forms wrong, doesn’t post the sign, who is late filing, or makes almost any process mistake. Yes, it’s true: \$1000 and/or a year in jail for every offense!

**Unresponsive Government:** This legislation truly shows how “out of touch” the Yates County Legislature is with the dire straits of so many Yates County taxpayers. More and more retirees are being forced “off the lake” they’ve lived on for a long time; our young folk have to sell family cottages inherited from parents and grandparents, because Yates County can’t control its spending! Half of this new tax is targeted for the general fund and half for tourism. The legislature’s designated committee is estimating revenues in 2008 of \$125,000 from this tax. To NYS they gave a figure of \$250,000. Why the difference? In 2008 they appear to be going after and hence discriminating against lake property owners. If you don’t own on a lake, YOU ARE NOT SAFE! Next year they may be coming after YOU!

**Does This Law Make Economic Sense?** Not at all! Here’s a rough calculation: The \$250,000 figure divided by 0.04, implies \$6,250,000 in rents. Taking off at least \$1 million for hotels, motels and inns would leave \$5,250,000. An (estimated) \$10,000 in rental income per house, equates to 525 cottages paying this tax. (Note: For most cottages renting doesn’t even pay the property tax bill.) BUT, fearing criminal penalties, most inexperienced non-commercial “mom & pop” renters will have to hire an accountant to protect against criminal penalties. At about \$800 in accounting fees, x 525 owners is \$420,000, not counting cost to change leases, keep complex records, nailing up signs, and most of all – the LOST REVENUE when prospective tenants decide to rent in another county which doesn’t charge occupancy tax on cottage rentals! So, if just the accounting expense is \$420,000 divided by anticipated Yates Country revenue of \$250,000, the Occupancy tax on cottages will likely cost the cottage owner \$1.68 in accounting expense for every dollar they send to the county. These estimates may be off a bit, but directionally are quite accurate.

**How to Find Out More:** The Occupancy tax is an “OUCH” tax. To learn more, visit the website of the responsible citizens’ action and advocacy group: [www.YatesOUCHtax.com](http://www.YatesOUCHtax.com). There you will find our position statement, the law, communications with Yates County, and a Forum to register your thoughts and anguish. Most important, there is also a PETITION which you can print out. But to make it even easier, the **petition is also printed on the back of this letter.** Just flip it over, see how we are simply asking for a hiatus on implementing against cottagers this year, for decriminalization, and for the ultimate exemption of cottages and private homes from the Yates County Occupancy Tax.

**Call to Action:** PLEASE SIGN the petition and mail it back. This may well be the only mailing you will receive, so please don’t delay returning it to YatesOUCHtax, P. O. Box 196, Canandaigua, N. Y. 14424. Do circulate the petition! Make extra copies! Let your neighbors know! NOW! Be sure to post your thoughts on our website. On Tuesday, March 4th, the Yates County Legislature’s Finance Committee meets in Penn Yan at 6 PM. Why not attend to express your opinion, hand-deliver or send your representatives a letter? Think about writing a letter to the editor too.

**To pursue these matters and our community’s rights, financial support is needed. Over \$25,000 has been contributed and/or pledged to date to fight this occupancy tax on cottage and home renters. If you can contribute financially, please make your donation payable to Harris Beach PLLP, 99 Garnsey Rd., Pittsford NY, 14534, Attn: Attorney Dale Worrall. Write on the subject line: Yates County Tax Litigation Fund. Thank you all!**