

Affidavit Regarding Prevailing Wage Requirements for Building Service Employees Under Real Property Tax Law § 485-x

How to Submit the Affidavit:

Email: laborlaw@comptroller.nyc.gov

Mail: Office of the Comptroller
Attn: Bureau of Labor Law
1 Centre Street, Room 651
New York, NY 10007

Instructions:

The prevailing wage affidavit must be filed for properties that have 30 or more dwelling units, unless all of the dwelling units are affordable housing, and at least half of those units are reserved for renters whose household income is at or below 90% of the local median income, adjusted for family size.

How and When to File the Affidavit:

Upon approval by the Department of Housing Preservation and Development of the Application for Certification of Eligibility for Tax Exemption Pursuant to Real Property Tax Law §485-x, the prevailing wage affidavit must be submitted on an annual basis to the Office of the Comptroller, Bureau of Labor Law.

If there are no building service employees as described in the definition below, check the box on the affidavit to confirm this.

Definitions:

“Prevailing wage” means the rate of wages and supplemental benefits paid in the locality to building service workers in the same trade or occupation and annually determined by the New York City Comptroller’s office in accordance with the provisions of section two hundred thirty-four of the labor law.

“Building service employee” means any person who is regularly employed at, and performs work in connection with the care or maintenance of, an eligible site. “Building service employee” includes, but is not limited to, watchman, guard, doorman, building cleaner, porter, handyman, janitor, gardener, groundskeeper, elevator operator and starter, and window cleaner, but shall not include persons regularly scheduled to work fewer than eight hours per week in the building.

How to Get Help:

If have questions or need assistance, please contact us at laborlaw@comptroller.nyc.gov or 212-669-4443.

**AFFIDAVIT OF CERTIFICATION REGARDING PREVAILING WAGE REQUIREMENTS
FOR TAX YEAR _____**

Re:

_____ (Legal Name of Development)

STATE OF NEW YORK)

) ss.:

COUNTY OF)

_____, being duly sworn, under penalty of perjury, deposes and says:

1. I am _____ (name and title), and am duly authorized to make this affidavit on behalf of the _____ (Applicant/Owner) of _____ (Legal Name of Development) for property located at the following address:

_____.

2. I make this affidavit in order to comply with the provisions of section 485-x of the Real Property Tax Law.

3. As required pursuant to Section 485-x of the Real Property Tax Law, I certify that all building service employees employed or to be employed at the above-referenced property shall receive the applicable prevailing wage for the duration of the tax abatement benefit.

Check this box if the above-referenced property does not employ building service employees.

Signature of Officer or Authorized Agent

Sworn to me this ___ day of _____,

20____

Title of Officer or Authorized Agent

Notary Public

Date