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Rensselaer County Veterans Newsletter

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NYS Alternative Veterans' Property Tax Exemption

Alternative Veterans' Exemption - Overview

The alternative exemption provides a property tax exemption of 15% of assessed value to Veterans who served during wartime and an additional 10% to those who served in a combat zone.

The law also provides an additional exemption to disabled Veterans equal to one-half of their service-connected disability ratings. The application form for the alternative exemption is RP-458-a; it must be filed with your local assessor. The alternative exemption is also applicable only to general municipal taxes and not to school taxes or special district levies. Unlike the eligible funds veterans' exemption, however, the alternative exemption is limited to the primary residence (including, at local option, cooperative apartment) of a Veteran, and is not based on eligible funds.

Eligibility: What does the law mean by a "period of war"?

The exemption is available to Veterans who served on active duty in the United States Armed Forces during the Persian Gulf Conflict (on or after August 2, 1990); Vietnam war (December 22, 1961- May 7, 1975); Korean war (June 27, 1950—January 31, 1955); World War II (December 7, 1941— December 31, 1946); World War I (April 6, 1917—November 11, 1918); the Mexican Border Period (May 9, 1916—April 5, 1917) or the Spanish-American War (April 21, 1898—July 4, 1902). The dates of the Korean and Vietnam Wars and the Persian Gulf Conflict are prescribed in the State law, while the dates of the other wars are derived from federal law. Also eligible for the exemption are certain individuals who served during World War II in the US Merchant Marines and persons who served overseas in a civilian capacity during World War II either in the American Field Service under the United States Armies and the United States Army Groups or as a flight crew and aviation ground support employee of American Airlines' contract with the Air Transport Command.

May a veteran who did not serve during a "period of war" qualify for the exemption?

Yes, a Veteran who is a recipient of an Armed Forces expeditionary medal, a Navy expeditionary medal, a Marine Corps expeditionary medal, or a Global War on Terrorism expeditionary medal may qualify.

If the qualifying Veteran is deceased, can the alternative exemption still be granted?

Yes, provided that the title to the property is in the name of the Veteran's unremarried, surviving spouse, who continues to use the home as the primary residence. A Veteran who also is the unremarried surviving spouse of a qualifying Veteran also may receive any exemption to which the deceased spouse entitled. In the event that both husband and wife are deceased, the exemption can be continued for the Veterans' dependent mother, father, child or children under 21 who have legally received the property and who use it as their primary residence.

Van Transportation...

- * *Don't drive* and need to get to the Stratton VA Medical Center?
- * We offer complimentary van transportation to and from the VAMC for **most morning** medical appointments.

For more information please call (518) 270-2760.



**VETERANS
 CRISIS LINE**

1-800-273-8255
 PRESS 1

****Confidential chat at
 Veterans CrisisLine.net
 or text to 838255****
 TTY service 1-800-799-4889

**Confidential support 24
 hours a day, 7 days a
 week, 365 days a year,
 for veterans and their
 loved ones**

NYS COLD WAR VETERANS' PROPERTY TAX EXEMPTION

Cold War Veterans' Exemption—Overview

How does the Cold War Veterans' exemption work?

The exemption provides a basic property, of either 10 or 15 percent of assessed value (as adopted by the municipality) to Veterans who served during the Cold War period. The law also provides an additional exemption to disabled Veterans, equal to one-half of their service-connected disability ratings. The basic exemption is limited to 10 years, but there is no limit for the disabled portion of this exemption. In both instances, the exemption is limited to the primary residence of the Veteran, and is applicable only to general municipal taxes, not to school taxes or special district levies.

Where the Cold War exemption is in effect, does the assessor automatically give the exemption to a Cold War Veteran?

No. Where the exemption is offered by local option of the municipality, the Veteran must file an application, RP-458-b, with the assessor by "taxable status date". In most towns, this date is March 1, but please check the date with your assessor to be sure. The Veteran must show a discharge or release from the US Armed Forces under Honorable Conditions and that the service was during the Cold War period. If the veteran seeks the additional exemption available under the law, proof must be provided to show a service-connected disability.

What type of proof will be accepted?

Form DD-214, which you should have received upon separation from the service, contains some of the information the assessor needs to determine your eligibility. Other written documentation also may help to prove eligibility, such as a copy of discharge orders, VA documentation for disability rating, etc. You should also have a copy of the deed to the house or other proof that you and/or your spouse are the owners of the property.

Where can I get a copy of my Veteran's service records or other information to document my eligibility?

Check with your local office of the New York State Division of Veterans' Affairs or your County Veterans Service Agency as to how you should proceed.

What does the law mean by the "Cold War"?

The exemption is available to Veterans who served on active duty (exclusive of training) in the United States Armed Forces between September 2, 1945 and December 26, 1991, and who are not currently receiving either the eligible funds or alternative veterans' exemption.

What are the ownership requirements of the Cold War exemption?

The legal title to the property must be in the name of the Veteran or the spouse of the Veteran or both, or the unremarried surviving spouse of the Veteran. If the property is owned by more than one qualified owner, the exemption to which each is entitled may be combined. Also, if a Veteran is the unremarried surviving spouse of a Veteran, that person may also receive any exemption to which the deceased spouse was entitled.

What are the residential and occupancy requirements of the law?

The property must be used exclusively for residential purposes, and must also be the primary residence of a Cold War Veteran or the unremarried spouse of a Cold War Veteran unless that person is absent from the property due to medical reasons or institutionalized for up to five years. If a portion of the property is used for non-residential purposes, the exemption will apply only to that portion of the property that is used exclusively for residential purposes.

What are the dollar limits on the Cold War Veterans' exemption?

Once it decides to put the Cold War exemption into effect (at either 10 or 15 percent of assessed value), each county, city, town and village has the additional option of using the maximum set of exemptions established by State law or passing a local law to use a reduced maximum set of exemptions. The maximums are listed in the instructions for the Cold War Veterans exemption available online or from your assessors office. You should check with your assessor to determine the maximum exemption limits in your municipality.

Rensselaer County Cold War Veterans Exemption is 10%

ELIGIBILITY DETERMINATIONS FOR BURIAL—IN ADVANCE OF NEED

Many individuals would like to know, in advance, whether they are eligible for burial in a Department of Veterans Affairs (VA) National Cemetery. To assist them, VA is launching an initiative, the “Pre-Need Eligibility Determination Program”, specifically aimed at helping individuals with burial planning and making sure their wishes are known.

VA will upon request make pre-need determinations of eligibility for burial in a VA national cemetery in advance of need. Having this information will help Veterans use the VA benefits they have earned, for their families and for themselves.

Once VA determines that individuals are eligible, those individuals will be entitled to the same benefits they would receive were a determination made at the time of need (time of death). These include any or all of the following, at no cost to the family:

- Burial in any open VA National Cemetery, including opening and closing of the grave
- Grave line
- Perpetual care of the gravesite
- Government-furnished upright headstone, flat marker or niche cover
- Burial flag
- Presidential Memorial Certificate

ELIGIBILITY

The law provides eligibility for burial in a National Cemetery to:

- Members of the Armed Forces
 - Veterans who have met minimum Active Duty service requirements as applicable by law and who were discharged under conditions other than dishonorable
- Members of the Reserve components of the Armed Forces are also eligible, provided they:
- Died while on Active Duty under certain circumstances, or while performing training duty
 - Have 20 years of service creditable for retired pay; or
 - Were called to Active Duty and served the full term of service.

The Veterans’ spouse, minor children and under certain conditions dependent unmarried adult children are eligible for burial even if they predecease the eligible Veteran.

Applying for Benefits

VA encourages Veterans and their spouses to apply for a pre-need burial eligibility determination. Authorized representatives can also apply on behalf of eligible claimants.

To apply, submit:

- VA Form 40-10007, Application for Pre-Need Determination of Eligibility for Burial in a VA National Cemetery; and
- Proof of military service, such as DD-214, if available. If unable to locate proof of military service, apply anyway as VA will attempt to obtain military records necessary to make a determination.

Information should be submitted to the VA National Cemetery Scheduling Office by any of the following methods:

- Fax: 1-855-840-8299 (this is a toll-free number)
- Email: Eligibility.PreNeed@va.gov
- Postal mail: NCSO, P.O. Box 510543, St. Louis, MO 63151

Individuals do not need to request a pre-need burial determination to be eligible at the time of need. There is no obligation for those found eligible to be buried in a VA National Cemetery.

What to Expect After Applying

VA will review pre-need burial applications and provide written notice of a determination of eligibility (a decision letter). VA will save the information electronically for future reference and to expedite processing burial claims at the time of need.

At the Time of Need

At the eligible individual’s time of need (death), the family or personal representative responsible for making the final arrangements, should contact VA’s National Cemetery Scheduling Officer to request burial benefits. VA will confirm the pre-need eligibility determination and schedule the burial.

Because laws and personal circumstances change, VA will validate the pre-need decision using the laws in effect at the time VA receives the burial request. They will also check for any bars to receipt of the burial benefit.

Please note that applicants may indicate a preference for a VA National Cemetery on the application form, but a pre-need determination of eligibility does not guarantee burial in a specific VA National Cemetery or a specific gravesite. VA assigns gravesites in cemeteries with available space once death has occurred and the burial is scheduled.

Save copies of all documents submitted and the decision letter received

A Message from the Veterans Service Agency Director

“These are the times that try men's souls: The summer soldier and the sunshine patriot will, in this crisis, shrink from the service of their country; but he that stands it now, deserves the love and thanks of man and woman. Tyranny, like Hell, is not easily conquered; yet we have this consolation with us, that the harder the conflict, the more glorious the triumph. What we obtain too cheap, we esteem too lightly: it is dearness only that gives every thing its value. Heaven knows how to put a proper price upon its goods; and it would be strange indeed if so celestial an article as freedom should not be highly rated.”

Thomas Paine published *The American Crisis* pamphlet series to inspire the Americans in their battles against the British army. He elaborated upon civic virtue. General George Washington had *The American Crisis* read aloud to the Army to inspire his soldiers. We would do well to remember these words. There are those who would tear down and destroy the United States of America. It is time to build up and not to tear down – a time to heal and not to destroy America.

Our Nation’s Veterans have a vested interest in this Nation. Veterans have shed their blood, sweat, time and toil for this Nation; to build it up and not to tear it down.

Do your part. Build up America. Honor our Veterans. Honor America. There is still much to be done.

Get involved with a local Veterans Service Organization. Work with them to assist you and other Veterans. Work with them. Work for others less fortunate.

Do your best. Find your niche!

Sincerely,

Peter

Peter K. Goebel

Upcoming Events...



Call our office to inquiry about listing your event

March 13th...Honor-A-Deceased Veteran Ceremony—County Legislative Chambers at 8:15 am:
John J. Flynn, Jr.—USMC—Korea and Vietnam

April 10th...Honor-A-Deceased Veteran Ceremony-County Legislative Chambers at 8:15 am:
John J. McCann—USN—WWII

April 29th...Capital District Patriot Flight, call 518-439-9265 for more information

RETURN THE F.A.V.O.R. VETERAN DISCOUNT PROGRAM

ARE YOU ELIGIBLE?

Eligibility for the Rensselaer County Veterans’ Discount Program is for Veterans or the widows/widowers of Veterans.

Eligibility for a Veterans ID Card is dependent on being an honorably discharged Veteran of the United States Military.

The Veteran or widow/widower **MUST** apply for the card in person.

Receipt of the Veterans FAVOR card is dependent on the Veteran or widow/widower’s filing of an original Discharge (DD-214 / Report of Separation) at the Rensselaer County Clerk’s Office.

WHERE DO I APPLY?

Rensselaer County Clerk’s Office
105 Third Street
Troy, NY 12180
(518) 270-4080