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Water Board Credit Upheld, Will Proceed

for 664,000 NY Homeowners

December 20, 2017

Following Appeals Court decision, 664,000 homeowners in NYC can receive a \$183 credit from the Water Board

NEW YORK—The Mayor today applauded yesterday's decision from the New York Court of Appeals to uphold the Water Board's issuance of credits to homeowners. Due to this decision, 664,000 homeowners can receive a credit of \$183 on an upcoming water bill.

“The court’s decision clears the way for the Water Board to provide welcome financial relief for more than 664,000 New York homeowners,” said **Mayor de Blasio**. “They can now receive a credit on an upcoming water bill, keeping money in the pockets of hard working New York families. This New Year we can celebrate another critical step towards building a more fair and equitable city.”

In 2016 the City proposed, and the Water Board approved, the \$183 credit as part of the Board’s fiscal year 2017 budget. Later that year a legal challenge was filed and the New York County Supreme Court invalidated the Water Board’s resolution, including the \$183 credit. The Water Board appealed the decision which was subsequently upheld by the Appellate Division’s First Department. Upon further appeal to the New York State Court of Appeals, the Court upheld the Board’s authority to issue the credit at issue and its broad discretion in setting water rates.

The \$183 credit represents a nearly 17 percent savings on the annual water and sewer bills for a typical single-family homeowner. For approximately 150,000 homeowners, many of whom are seniors, who use less than 95 gallons of water per day and pay the minimum charge, the credit represents a nearly 40 percent savings on their annual water and sewer bills.

The \$183 credit will be applied to all one to three-family homes across the city:

Borough Residents

- Bronx: 65,410
- Brooklyn: 204,756
- Manhattan: 6,279
- Queens: 277,495
- Staten Island: 110,462

“We are pleased that this state’s highest court has declared that the Water Board may lawfully take into account those residents who have been excluded from past rate relief programs,” said **Corporation Counsel Zachary W. Carter**.

“By upholding the Water Board’s broad authority to set water rates, the Court of Appeals has helped to ensure the long-term strength of New York City’s vital water systems,” said **DEP Commissioner Vincent Sapienza**. “We also work very hard to keep water rates reasonable, and the \$183 credit will go a long way to helping some of our customers with their bill.”

“I thank Mayor de Blasio for fighting to secure a much-needed water bill credit for Brooklyn homeowners. This relief has been long overdue, and hard-working families in our borough are grateful for this relief,” said **Brooklyn Borough President Eric L. Adams**.

Council Member Costa Constantinides, Chair of the Council’s Environmental Protection Committee, said: “Our practice of using water bills for a rental payment has hit our small homeowners the hardest. Our city’s proposal to eliminate the rental payment for small homeowners through a credit will help over 664,000 homeowners, a significant majority of all ratepayers. This much-needed savings goes to those who need it most and ensures that small homeowners can continue to expect uninterrupted water service. I applaud the Court of Appeals decision to uphold this credit that will keep our water rates affordable.”

“Homeowners in New York should celebrate this decision and the much-needed credit that it will ultimately provide,” said **Council Member Jumaane Williams**. “The soaring cost of living in New York, especially in housing and utilities, makes it all the more clear that we in city government need to take steps to help provide financial relief and make New York City more affordable for its residents. Eliminating the city’s rental payment on water bills is a common sense way to work toward that goal.”

Council Member James Vacca said: “Homeowners have received wonderful news for the holidays in the form of a much needed water bill credit,” said Council Member James Vacca. “I’m glad that the New York State Court of Appeals ruled in favor of the homeowner trying to make ends meet.”

Council Member Carlos Menchaca said, “Winning this water board credit for small one- to three-family houses will cut homeowners’ water bills by up to 40 percent. This is especially helpful for seniors and low- or fixed-income households struggling with expenses. I thank Mayor de Blasio for delivering this water bill relief to 80% of all City water customers.”

Council Member Karen Koslowitz said, “I am so pleased that the Court of Appeals reversed a lower court ruling that barred the implementation of the city’s \$183 water tax bill credit for homeowners. Although not a large sum, \$183 does count toward making home ownership in our city more affordable.”

Councilman Chaim Deutsch said, “Yesterday’s decision from the Court of Appeals is a victory for all New York homeowners, who will receive a monetary credit on their upcoming water bill. The cost of living in New York City is increasingly high, particularly for homeowners. When it’s a struggle each month to pay bills and put food on the table, every dollar counts. This water bill credit will go a long way for the 664,000 recipients, and I commend Mayor de Blasio and the administration for following this through to success.”

Council Member Debi Rose said: “Today’s announcement of a water bill rebate will be welcome news to thousands of my constituents, many of whom pay more than \$1,000 per year in water costs. Increases in recent years only have made it more difficult for those trying to make ends meet, and this meaningful rebate will make a difference in the lives and pocketbooks of hard-working New Yorkers.”

Council Member Mark Treyger said, “I am pleased to see the court uphold the Water Board’s sensible decision to help our city’s working families save money. Keeping the cost of utilities down is an important step toward maintaining affordability for thousands of New Yorkers.”

“The overturning of the lower court decision allowing homeowners of 1-3 family homes a \$183 credit on their water bill is welcome news for the holidays. Congratulations to Mayor De Blasio and his Corporation Counsel for fighting and winning this battle for New York’s middle class homeowners,” said **Council Member Vincent Gentile**.

“This is good news and much needed relief to homeowners who for years saw their water bills skyrocket. I commend Mayor de Blasio and Corporation Counsel Carter for keeping their promise to homeowners and not giving up on this long fight for fairness all the way up to the highest court in the state,” said **Council Member elect Justin Brannan**.

“New Yorkers deserve any financial relief they can get. I commend the Court of Appeals for recognizing the importance of the Water Board’s decision. Thanks to the Water Board and the Mayor for this welcomed reduction in utility costs for homeowners,” said **Assembly Member Joseph R. Lentol**.

“Any money government gives back to taxpayers is welcome. Today’s news gives hundreds of thousands of homeowners another reason to be merry this holiday season,” said **Assembly Member Nicole Malliotakis**.

Assemblyman David Weprin said, “Rising water rates have been a concern for homeowners across our city for far too long. The New York Court of Appeals decision to uphold the city’s Water Board credit is a welcome announcement for thousands of New York City families, who will benefit from the relief provided in an upcoming water bill. I applaud Mayor Bill de Blasio for initially bringing this proposal to light and helping make our city more affordable for New York homeowners.”

Assemblyman Jeffrey Dinowitz said: “I am pleased that over half a million homeowners in NYC will begin receiving this credit from the Water Board. Homeowners in New York need all the financial relief that they can get after being sold out in the abominable tax scam passed in Washington D.C. I am thankful that the Mayor kept up the fight on behalf of New Yorkers and that the New York Court of Appeals agreed that this credit was lawful,” said Assemblyman Dinowitz

State Senator Martin Golden said: “I commend the New York Court of Appeals for the decision to

uphold the Water Board's issuance of a \$183 credit to eligible homeowners. This water bill credit for city homeowners is much needed and much deserved."

State Senator Gustavo Rivera said: "I am thrilled to join homeowners in celebrating their victory in receiving a well-deserved credit on their water bill," said State Senator Gustavo Rivera. "Thanks to the innovative thinking by Mayor de Blasio and the NYC Department of Environmental Protection, 65,410 Bronx homeowners will get some financial relief on their climbing water bills."

"Community Board 10 Queens' housing stock is primarily comprised of 1 and 2 family owner-occupied homes," said **Elizabeth Braton, Chairperson of Queens Community Board 10**. "Our district has one of the highest concentrations of single and 2 family homes in the city. We commend the court's decision that will allow these homeowners to benefit from this much needed \$183.00 credit to their water and sewer accounts."

"This is a welcome respite for homeowners. Every little bit helps especially during the holidays. This will provide homeowners in my district some much need relief this New Year," said **William A. Hall, Chairman of Community Board 12 in the Bronx**.

Elizabeth Braton, Chairperson of Queens Community Board 10 said: "Community Board 10 Queens' housing stock is primarily comprised of 1 and 2 family owner-occupied homes. Our district has one of the highest concentrations of single and 2 family homes in the city. We commend the court's decision that will allow these homeowners to benefit from this much needed \$183.00 credit to their water and sewer accounts."

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