
Appendix F:
Green Building Eligibility and Credit Components

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Eligible Buildings:

- > Certain hotels and office buildings having at least 20,000 square feet of interior space
- > Residential multi-family buildings having at least 12 units having at least 20,000 square feet of interior space
- > Residential multi-family buildings, at least 2 units, part of single or phased construction, with at least 20,000 square feet of interior space, provided at least 10,000 square feet is under construction or rehabilitation in any single phase
- > Any combination of the above.

Types of Credit Components: There are six different credit components for which the taxpayer might be allowed a credit. Each credit component has its own requirements, formula for calculating the amount of the credit, and cap. A taxpayer might be allowed one or more of these components, with certain restrictions. The components are:

- > *Whole Building Credit Component* (owner or tenant): Where base building and all tenant space are green; for green new construction or green rehabilitation; 7% of Allowable Costs (1.4% x 5 years); if in Economic Development Area, then 8% of Allowable Costs (1.6% x 5 years). Cap (aggregate): \$150/sq. ft. for base building; \$75/sq. ft. for tenant space.
- > *Base Building Credit Component* (owner): Applies to areas not intended for occupancy by either a tenant or owner; for green new construction or green rehabilitation; 5% of Allowable Costs (1% x 5 years); if in Economic Development Area, then 6% of Allowable Costs (1.2% x 5 years). Cap (aggregate): \$150/sq. ft.
- > *Tenant Space Credit Component* (owner or tenant): For green construction or green rehabilitation; 5% of Allowable Costs (1% x 5 years); if in Economic Development Area, then 6% of Allowable Costs (1.2% x 5 years); Cap (aggregate): \$75/sq. ft.; if < 10,000 sq. ft., base building must be green to qualify.
- > *Fuel Cell Credit Component*: Must be serving green space to qualify; must be a "qualifying alternate energy source"; 30% of capitalized cost of each fuel cell (6% x 5 years). Cap: \$1,000/kw x DC-rated capacity.
- > *Photovoltaic Module Credit Component*: Must be serving green space to qualify; must be a "qualifying alternate energy source"; 100% of incremental cost of Building integrated photovoltaic modules (20% x 5 years); 25% of incremental cost of non-Building integrated photovoltaic modules (5% x 5 years). Cap: \$3/w x DC-rated capacity.
- > *Green Refrigerant Credit Component*: Must be serving green space to qualify; 10 % of cost of new air conditioning equipment using an EPA-approved non-ozone depleting refrigerant (2% x 5 years); Department of Environmental Conservation, in consultation with the New York State Energy Research and Development Authority may promulgate regulations concerning the eligibility of other EPA-approved refrigerants to receive this credit.