

-- IMPORTANT NOTICE --

An important change has occurred in the application process for the Board of Public Utilities' programs for **multi-family** new construction units.

Effective January 28, 2008, a new state law (P.L. 2007, c. 101) has gone into effect. **It requires that the Builder must apply for and receive a Tax Clearance Certificate** from the Director of the New Jersey Division of Taxation before they can receive any rebate, grant or other financial assistance. The intent of this law is to ensure that businesses receiving taxpayer or ratepayer dollars through these programs are themselves in full compliance with their state tax obligations and don't have any outstanding delinquencies or deficiencies.

Our goal at the Board of Public Utilities is to make this new requirement as simple and seamless as possible for businesses by incorporating the Tax Clearance Certificate into our standard application process. **We are currently revising both the printed and online versions of our application forms to reflect the need to file an accompanying Application for Tax Clearance when a builder applies to the program.** We will have the Application for Tax Clearance in an electronic format on our website and will include a printed version in all of our program kits.

We required having a valid and in-force Tax Clearance Certification at the time of the funding Request, not at the time of payment. Builders completing the Tax Certification application need only fill out the first page. If a builder has any problem with page two, they can leave it blank and Treasury will contact them directly if they need additional information to process the request.

The following is the process for filing for and submitting the Tax Certificate:

- The applicant uses a Tax Clearance Application at <http://www.state.nj.us/treasury/taxation/pdf/busasstTaxClear.pdf>
- Complete the application and mail it directly to Taxation,
- **Effective March 1, 2009, a fee will be required for all Applications for Tax Clearance – Business Assistance and Incentives.**
 - The application fee is **\$75.00** for standard processing (a response within ten (10) business days).
 - An expedited service (a response within three (3) business days) is available for **\$200.00**.
 - The fee is non-refundable.
 - The fee will cover updates, if needed for the application, for up to one year from the date of payment.
 - A separate fee must be paid for each separate and distinct application.
 - Payment must be made by check or money order.
- Taxation will process the request within 10 business days and send the Tax Certification back to the applicant,
- The applicant sends the Certificate to the Residential New Construction Program Manager at the time of final application paperwork.
- The Program Manager certifies that the application and the rest of the final paperwork is complete and approved for payment,
- After the state and local inspections are complete and the project is sent for payment the Certificate must still be within the 90 day validation period.
- If the Certificate 90 day period expires a second request will be processed by the Division of Taxation within 24 hours.

If you have any questions about the effect of this new requirement on our programs, please contact Ron Reisman of our Office of the Business Energy Ombudsperson at 973-648-3908 or ronald.reisman@bpu.state.nj.us.