

CITY OF OAKLAND
DEPARTMENT OF FINANCE
REVENUE MANAGEMENT BUREAU
DIRECTOR OF FINANCE RULING NO. 35

LOW INCOME HOUSING EXEMPTION FILING DUE DATE

Reference: Oakland Municipal Code, Chapter 5.04.630

PURPOSE

This Ruling sets forth the due date of the annual statement of renewal of business tax by the owner of an affordable housing project that has received federal and/or state low incoming housing tax credits in connection with the affordable housing ownership .

BACKGROUND

Pursuant to Section 5.04.090 of the Oakland Municipal Code, “every person who is conducting usual and customary business activities on January 1st of the current tax year shall pay the annual business tax in full, without proration, and shall, before the business tax become delinquent [on March 2nd] file with the Business Tax section a written statement forth the then applicable factors or factors that constitute the measure of the tax.”

The annual statement of renewal due date of January 1st and delinquent date of March 2nd are also applicable to “every institution, corporation, organization or association that qualifies for nonprofit tax-exempt status under either state or federal law” and receives an exemption for being owners of affordable housing projects,” as codified under OMC Section 5.04.630.

RULING OF THE DIRECTOR OF FINANCE

To establish uniformity because tax exempt organizations have different due dates and extended due dates for filing the state and federal income tax returns, it is the ruling of the Director of Finance to set the due date of November 1st requiring every institution, corporation, organization or association that qualifies for nonprofit tax-exempt status under either state or federal law and receives an exemption of the payment of business tax for being owners of affordable housing projects under OMC Section 5.04.630 to file the annual statement of renewal of business along with support documentation, including signed copy of the federal income tax return, and pay the required processing fee in order to remain eligible for the exemption of the payment of business tax.

Exemption of business tax shall not be granted to institution, corporation, organization or association who fails to file the annual statement of renewal of business tax and supporting documentation or information by November 1st.

Margaret L. O'Brien
Margaret O'Brien
Interim Finance Director

November 18, 2020

Date Issued