# Thriving mixed use downtown: 40% jobs in office sector; 20% eds & meds; 11.6% leisure & hospitality



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# Adventures in Tax Land: A Post-Mortem on Tax Reform



Paul R. Levy Center City District www.centercityphila.org

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# Demographics are a powerful lure to both retailers & employers





## World-renown cultural institutions



S center city district

Animated retail streets









# Since 2000 added 23,178 new units of housing





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Drexel/Brandywine Innovation District

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# Center City (42.2%) + University City (10.5%) 8% of land-area = 53% of all jobs in Philadelphia





# Bad news: Highest poverty rate of 10 largest cities: 25.7%







# Shapes the politics of the city The needs in our neighborhoods are great

URE 3: POVERTY BY COUNCIL DISTRICT	COUNCIL DISTRICT		
	1st District	22%	10%
	Outside Greater Center City	25%	11%
10	Inside Greater Center City	14%	B%
	2nd District	23%	9%
	Outside Greater Center City	27%	10%
	Inside Greater Center City	13%	7%
8 9	3rd District	39%	21%
En s	4th District	23%	13%
1,5	5th District	36%	18%
and the second sec	Outside Greater Center City	44%	22%
	Inside Greater Center City	17%	9%
GREATER	6th District	18%	8%
GREATER CENTER CITY	7th District	43%	19%
	8th District	29%	12%
	9th District	22%	9%
	10th District	12%	5%

# These issues dominate discussion in City Hat



# Challenges in these Districts: Deteriorated housing, Playgrounds in need of substantial reinvestment





In the search for funding they look out the windows & see luxury condos in Center City With 10 year abatements































We need to reframe the question: Why is Philadelphia not growing more quickly? What can we do about that?







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Start here: Despite the focus on condos downtown



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# As Philadelphia lost ¼ of its jobs from 1970, Surrounding suburbs saw jobs increase by 110%



#### Philadelphia's high poverty <u>rate</u> results in part from losing 5 times as many middle & working class residents as new poor people were added





During the Depression to compensate for falling RE Taxes Philadelphia introduced 1.5% "temporary" wage tax in 1939 when we still made Stetson Hats



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## **Atwater Kent Radios**











# In 1970s alone lost 164,457 jobs & 260,399 residents Philadelphia acquired a habit of doctor induced illness



### PICA to the rescue: a financing lifeline from outside the City; Deus Ex Machina











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Downtown's positive story gained momentum





# Many portions North, West & Northeast Philadelphia these old patterns persist of population loss

URE 19: PHILADELPHIA POPULATION CHANGE, 2000-2016









Earlier highlighted the 25% who work downtown

# People forget genesis of the 2003 Tax Commission 2002: Mayor Street proposed ending tax reduction



#### **Briefcase Brigade: 2002**

Hundreds protest wage tax Apr 8, 2002, 5:17pm

PHILADELPHIA Business Journal



Foes of the city's infamous wage tax marched on City Hall Monday to protest a plan by Mayor John F. Street to repeal cuts in the tax.

Hours after the crowd dispersed, Mayor John F. Street gave one of the first indications of the prospect for at least a partial retreat on his position, using the word "compromise" at one point in an interview.

"I'm more than willing to talk compromise," he told the Business Journal.

















#### Logic of reform: undoing the damage of 1970s-1980s

- Taxing salaries & revenues discourages small business formation, weakens demand for commercial office space, depresses rents & reduces share of real estate taxes local government derives from business properties across city.
- As burden of wage & BIRT (the cost of working & doing business in the city) goes down, demand for real estate will go up, increasing the RE tax base & the share of real estate taxes that can be derived from business properties.

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#### Lower Business Privilege Tax Reduction Move to single-factor apportionment

	Gross Receipts	Net Income
Current	0.1415%	6.45%
FY 2013	0.13%	5.75%
FY 2014	0.11%	5.00%
FY 2015	0.10%	4.25%
FY 2016	0.08%	3.50%
FY 2017	0.06%	2.50%
FY 2018	0.04%	1.50%
FY 2019	0.02%	1.00%
FY 2020	0.00%	0.00%
		NTER CITY DISTRICT

#### 2012 Commission proposed: Restart tax reduction July 1, 2012 to catch the next wave of expansion

	Resident	Non-Resident
Current	3.9280%	3.4985%
FY 2013	3.80%	3.40%
FY 2014	3.70%	3.35%
FY 2015	3.60%	3.30%
FY 2016	3.50%	3.20%
FY 2017	3.40%	3.10%
FY 2018	3.30%	3.00%
FY 2019	3.20%	2.90%
FY 2020	3.10%	2.80%
	0. 62	CENTER CITY DISTRICT



#### Real estate tax changes School District Total Current 4.959% 9.082% FY 2013 4.2% 5.0% 9.2% FY 2014 4.3% 5.0% 9.3% FY 2015 4.4% 5.0% 9.4% FY 2016 5.0% 4.5% 9.5% FY 2017 4.6% 5.0% 9.6% FY 2018 4.6% 5.0% 9.6% FY 2019 4.7% 5.0% 9.7% FY 2020 4.7% 5.0% 9.7% 😂 CENTER CITY DISTRICT



nstead of across the board reductions in BIRT	
Added to the long list of exemptions	

Religious and non-profit	Religious, charitable, or educational entities	Full
Public	Business of any political subdivision or State created authority	Full
Port-related business	Any firm operating at the Port of Philadelphia and serving port-related functions	Full
itate-regulated utilities	Privately owned power, distribution, telecommunications, and transport carriers	Full or partial
Banks and financial services	Banks, financial trusts	Full or partial
nsurance companies	Insurance companies	Full or partial
Private equity funds	Private equity funds operating in the city	Partial
fextile dyers	Textile dyers	Sales exempt from Gross Receipts
Bookbinders	Bookbinders	Sales exempt from Gross Receipts
New business	New business that meet hiring requirements	Full for two years
Small apartments	Rental income from owner-occupied properties of three [3] or less residential rental units	Full
NMTC loan interest	Firms that receive interest and fees from New Market Tax Credit loans	Interest/feeds from NMTC loans exempted

# Office employment = 21% of citywide jobs But carries 57% of BIRT payments



# Concentrated BIRT payments on office sector The most mobile businesses we have



		Rates	1.3998%	0.6317%	0.7681	
	Taxable		Total RE Tax			
catcd	Parcels	Taxable Value	Liability	City Portion	School Portio	
Residential	449,591	\$54,883,025,494	\$768,252,591	\$346,696,072	\$421,556,51	
Hotel & Apartments	40,256	\$19,248,940,476	\$269,446,669	\$121,595,557	\$147,851,11	
Store w/ Dwelling	14,387	\$3,323,941,907	\$46,528,539	\$20,997,341	\$25,531,19	
Commercial	10,308	\$19,724,017,722	\$276,096,800	\$124,596,620	\$151,500,18	
Industrial	4,231	\$3,698,271,314	\$51,768,402	\$23,361,980	\$28,406,42	
Vacant	32,583	\$1,859,286,148	\$26,026,287	\$11,745,111	\$14,281,17	
Total	550,356	\$102,737,483,061	\$1,438,119,288	\$648,992,680	\$789,126,60	
	U&O -	Landlord	Тах	6,3	38	
	U&O - Tenant Tax			260		
	Total L	18.0		6,59	28	













#### This is why rents are growing slowly: still way below replacement costs









#### Recommendations from 2009 Tax Commission How to fund wage & BIRT reduction

• Cut 5% from City's budget, so municipal government needs less revenue. In a city with huge social needs & county functions, like courts & prisons to support, City Council has consistently opposed; Mayor Kenney opposed

• Reduce City's need for taxes by selling a large public asset to pay down pension liabilities which are eating our municipal budget. *Failure to sell PGW* 

• Raise RE millage rate for all real estate & use new revenues both to achieve reduction in wage tax & BIRT.

Raises residential rates: traditionally a political non-starter Creates major problem for small apartment building owners

### Missed opportunity 2018 reassessment debate: the roads not taken

#### Revenue Neutral:

As assessed values rise, lower rate to match 2019's liability (base x rate) to 2018

Result: rate could haven been lowered from 1.3998% to 1.233% then tack on increase for schools

#### Tax Reform:

Raise rate for schools; lower wage + BIRT by increased revenues Coming from real estate reassessment

Both would have meant curtailing the appetite for spending or Finding ways to achieve efficiencies

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Pensions may be the only thing more boring than tax reform





Tax Reform: 2015-2018: How to restart tax reduction Replace year-to-year uncertainty & tax increases with a predictable path for tax reduction Without opening gap in City budget

 $\,\cdot\,$  Cut 5% from City's budget, so municipal government needs less revenue.

• Reduce City's need for taxes by selling a large public asset to pay down pension liabilities which are eating our municipal budget.

• Raise RE millage rate for all real estate & use new revenues both to achieve reduction in wage tax & BIRT.

#### That's what led us to try to modify uniformity Wilson Goode Jr. first proposed; we modified the idea



#### A broad coalition of supporters Came together around jobs www.PhiladelphiaGrowthCoalition.com

#### SUPPORTERS:

African American Chamber of Commerce Brandywine Realty Trust Building Owners' & Managers' Assoc., Phila Central Philadelphia Development Corporation Committee of 70 Economy League of Greater Philadelphia General Building Contractors Association

Greater Philadelphia Hispanic Chamber

Int'l Brotherhood of Electrical Workers, Local 98 Metropolitan Regional Council of Carpenters Northeast Chamber of Commerce Parkway Corporation Philadelphia Building and Construction Trades Council PREIT

Service Employees Int'l Union, Local 32BJ

#### Restarting without opening gap in City budget Proposed modification of Uniformity

Commonwealth enables <u>Philadelphia</u> to assess business properties at 15% more

(1.39 residential; 1.61 commercial). 15% differential (not actual rates) set by state law.

Revenues generated from differential are dedicated by state law to reducing wage & business taxes.

Dedicated modification not open-ended modification

Goal: Reduce wage tax below 3% over next decade & cut net income portion of BIRT in half over same period

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#### Amendment did not specify rates

Proposed amendment did not specify tax rates to be charged by the City. The amendment specified only that if the City chose to raise commercial property taxes, the rate on commercial properties could be no more than 15% higher than on residential & the extra revenue generated through that increase is devoted to wage & business tax reduction.

Philadelphia remained free to raise or lower its real estate rates, so long as commercial & residential rates move together, maintaining15% maximum differential. There was no requirement that enabling legislation specify Philadelphia's tax rates.

City free to structure its own tax policy on a "pay-as-you-go" basis. When there is an increment, it must be pledged to wage & business tax reduction; but if, in any year, there is no increment, the City is not forced into a deficit position.

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#### How the plan would have worked

- By January each year, the City's Office of Property Assessment (OPA) produces the assessed value for all real estate in advance of the coming July 1<sup>st</sup> municipal fiscal year.
- As part of budget planning process, the Director of Finance will multiply the total taxable assessed value of all properties "used for business purposes" times (A) the current tax rate of 1.3998 and then repeat the exercise using (B) a tax rate that could be up to 15% higher, 1.6098%.
- Then "B" minus "A" = the real estate tax increment available to pay for wage and business tax reduction.
- This simple math is calculated each year by the Finance Director, based on known, certified assessed values, not relying on any econometric model or on "supply-side" assumptions about tax base growth.

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#### How the plan works

- Assume this calculation results in an increment of \$100 million; then assume a collection rate of 90% to allow for delinquency and appeals and \$90 million is available in incremental revenues (2018 estimate was \$80 million)
- According to proposed amendment, this increment must be used for tax reduction purposes, reducing aggregate revenues collected by the City from wage and business taxes
- Growth Coalition's recommendation is for this allocation to be defined in the Enabling Legislation as approximately 70% directed to wage tax reduction & 30% to BIRT reduction, resulting in a projection of the City's ability to reduce the wage tax below 3% for City residents over the next decade and to cut the net income portion of BIRT in half.

#### A self-help, pay-as-you-go plan

This was a *pay-as-you-go* plan that insured that no gap opened in the City's budget – each dollar in wage and BIRT reduction is paid for from the real estate tax increment.

If there is no increment, there is no obligation to reduce other taxes, so no deficit is ever created.

This was also a plan that guarantees by law, not by "handshake" that if real estate taxes on properties used for business purposes are raised by up to 15%, the increment must go to wage and business tax reduction, not into General Fund spending.

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#### Enabling Legislation Definition of properties used for business purposes

Following types of properties would be subject to the increment: Office buildings, retail, industrial, hotel & large apartment buildings.

For most businesses, the reduction in BIRT more than offsets the impact of the 15% increase passed through in real estate taxes

The Growth Coalition recommended that Enabling Legislation should exempt from the increment approximately 14,000 apartment buildings of 4 units or less and another 8,286 stores with dwellings above because they are not classified as *business properties* by the City of Philadelphia.

The coalition also proposed to exempt 15,000 units of subsidized housing, which are separately classified by the City.

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#### Impact on busineses

Analysis by major accounting firms show a positive impact on tenants & owners as BIRT taxes go down more than RE tax pass-through goes up

Similar analysis for small business owners

We had accountant under contract analyzing tax returns on a confidential basis for any business who requests

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1435 Walnut Street, Ste. 300 Philadelphia, PA 19102 215-717-2777

Modeling the Impact of Tax Reform in Philadelphia August 2015

•80,000 new jobs

•It will produce more <u>tax revenues than the City's most</u> recent Five-Year Plan (it is "revenue positive"), because it pays for wage and business tax reductions with an increase in the commercial real estate tax rate.

• It <u>generates \$362 million more for School District</u>over next 10 years than City's Five-Year plan. It will also, will generate additional tax revenues for School District from the use & occupancy tax, liquor tax, & school income tax.

#### Philadelphia would have added 45,400 more jobs (one Amazon) in the last 8 years on top of existing 55,100 = 100,500 new job opportunities.



Setting our sights on just getting to be average If post Recession we grew at same rate as 26 city average Growth rate would have jump from 1.4% - 2.3% per year



## The legislation ultimately failed in 2018

192018 PARIAGE - 1902 1922128 - 9 20. 2009 The ceneral assembly of pennetulana HOUSE BILL

#### No. 1871 Session of 2015

27 TATLOS, M. KELLER, WEITE, TKORAG, O'BRIES, , MOTES, WEILION, OCOMENAL, CONKE, YOUMARJOOD, AND NOOS, NAMELIN, 2014 COMMITTEE ON FINANCE, MARCH 18, 2016

A JOINT RESOLUTION Proposing an amendment to the Constitution of the Commonwealth of Penasylvania, in taskilon and finance, further providing for exemptions and special providing

4 The General Assessibly of the Commonwealth of Pennsylvania 5 hereby resolves as follows: 6 service 1 The following assessment to the Constitution of

maylvania is proposed in accordance with Article XI: That section 2(b) of Article VIII be amended by adding a regraph to read:

1 · · ·

12 · · ·

the benefit of the City of Fhiladelphis on real estate used f homisers purposes at a tax rate that exceeds the tax rate stolicable to other real estate. In accordance with the Prime Sponsors announced retirement: Representative John Taylor Representative William Keller

Modifying uniformity too big challenge for state-wide Republicans, especially since it involved raising taxes on business; "falling dominoes'

Small apartment owners waged campaign of opposition

Dedicated modification, rather than "open-ended modification" was not supported by the Council President

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Fastest way to reduce unemployment & poverty Create a competitive setting that increases income & grows jobs faster

That should be primary goal that unifies everyone!















#### 81% of households that left Philadelphia 2010-2017 do not have children







Each year, the amount coming from PICA that goes to debt service is declining; There is more flexible cash



5<sup>th</sup> year of next 5-year plan Is PICA free

#### EVALUATES the

reasonableness of the assumptions and estimates in the City's Five Year Plan for the Pennsylvania Intergovernmental Cooperation Authority (PICA), PICA was created in 1991 and is responsible for certain financial and oversight functions of the City's financial affairs.

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We need a politics that doesn't divide people But rather expands the benefits of growth To every neighborhood in Philadelphia



Instead of echoing the extremes of national politics We need locally to find a practical middle ground



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