

## New York State Film & TV Qualified Production Facility Application Instructions

These instructions are intended to assist with the completion of the application for designation of a building/facility as a New York State Qualified Production Facility (QPF) for purposes of the New York State Film Production tax credits. The application form can be completed by clicking [here](#).

### **DEFINITIONS**

According to the statute<sup>1</sup> governing the New York State Film Production tax credit program:

- **Film production facility** “shall mean a building and/or complex of buildings and their improvements and associated back-lot facilities in which films are or are intended to be regularly produced and which contain at least one sound stage.”
- **Qualified film production facility** “shall mean a film production facility in the state, which contains at least one sound stage having a minimum of **7,000 square feet** of contiguous production space.”

For purposes of this application:

- **Contiguous production space** means one large room ( $\geq 7,000$  sq ft) free of dividing walls or interrupting structures with level floor space suitable for the construction of sets.
- **Primary Qualifying Stage** – if the facility contains more than one stage, the Primary Qualifying Stage is the largest stage that meets all thresholds required for approval. This is the stage for which the applicant will send the requisite floor plans, photos and other supporting documents.

**WITHIN THE FIVE BOROUGHS OF NEW YORK CITY ONLY**, Qualified Production Facilities (QPF) are divided into two types: Level 1 and Level 2 facilities.

- **LEVEL 1:** A Level 1 QPF must have at least one sound stage with a minimum of 7,000 sq ft of contiguous production space. The space can include columns, but no walls or dividers.
- **LEVEL 2:** A Level 2 QPF is defined as having all of the below:
  - a. at least one sound stage with a minimum of 7,000 sq ft of contiguous production space
  - b. a permanent grid
  - c. is column free with a clear height of at least 16 feet under the permanent grid
  - d. is sound proofed with a Noise Criteria (“NC”) of 30 or better
  - e. sufficient heating and air conditioning for shooting without the need for supplemental units
  - f. sufficient built-in electric service for shooting without the need for generators

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<sup>1</sup> *New York State Consolidated Laws, Tax Law § 24*

**Level 2 productions**, defined as EITHER having a budget of at least \$15 million OR more than 5% owned by a publicly traded company, must use a Level 2 QPF if fulfilling their facility threshold requirements at a facility in NYC. A Level 2 production may use any QPF outside of NYC.

**Level 1 productions**, defined as having a budget less than \$15 million AND less than 5% owned by a publicly traded company may shoot at any QPF across the state.

**OUTSIDE New York City**, there is no distinction between facilities; all QPFs outside NYC can be used by either Level 1 or Level 2 productions.

## **APPLICATION INSTRUCTIONS**

### **Section 1 Facility Information**

- Enter the name and address of the facility containing the Primary Qualifying Stage.
  - This information will be posted to the NYS [Soundstage Directory](#)
- Select the County the facility is located in; the Region field will fill in automatically.
- Include phone and email contacts for the facility
- Include website of the facility. If none, enter NONE

### **Section 2 Owner Information**

- Enter here complete information for the legal owner/authorized representative of the physical property in which the facility is housed.

### **Section 3 Facility Operations Manager**

- Enter here the contact information for the person responsible for booking the facility.
- **This is the name, phone and email that will be posted to the NYS [Soundstage Directory](#)**

### **Section 4 Preparer of This Application**

- Enter the contact information for the person who fills out this application.
- Upon submission of this application, the Preparer will receive an email to directly upload additional documents required for this application to be considered complete.

### **Section 5 Facility Profile**

- 5(a) Indicate if this facility is located within the five boroughs of New York City.
  - If the answer is **NO**, proceed to Section 6
  - If the answer is **YES**, additional instructions will appear asking the applicant to determine if they are applying as a **Level 1** or a **Level 2** QPF.
- 5 (b) through (g) All applicants should complete sections b – g to the best of their ability. Use estimated dimensions/numbers as needed.

### **Section 6 Primary Qualifying Stage**

All questions in Section 6 are **mandatory** for applicants located in New York City applying for Level 2 status. For all other applicants, this section is optional; please provide as much information as you can.

- 6(c) Noise Criterion (NC) rating must be professionally documented at NC 30 or lower for Level 2 status. See REQUIRED ATTACHMENTS below.

- 6(d) i Answer in tons or btus/hour
- 6(d)ii Minimum Efficiency Reporting Value (MERV) is a system used to evaluate the efficiency of an air filter based on how effective it is at catching particles of varying sizes.

### Section 7 Additional Stages

- If there are additional stages located in the same building as the Primary Qualifying Stage, indicate here.
- Complete the information for up to seven additional stages **in this building** on this form.
  - To submit more than seven additional stages in this building OR
  - if there are additional stages owned and operated by this applicant **located in buildings separate from the Primary Qualifying Stage** contact the Governor’s Office for Motion Picture & Television Development at [nyfilm@esd.ny.gov](mailto:nyfilm@esd.ny.gov) 212-803-2330

### Section 8 Previous Projects/Clients

- If this facility has been used as a soundstage by previous projects, list up to five of those here.
- Include the project title, the type of production (feature film, TV series, commercial etc.), the studio or agency producing the project, and the approximate date filmed.

### Section 9 Signatures

- This application requires two signatures: one from the owner/authorized representative of the facility and one from the person responsible for completing the application.
- Upon completion of this application and uploading the attachments, you will be sent an email to complete signatures via DocuSign.

### REQUIRED ATTACHMENTS

Upon submission of the signed application, an email will be sent to the Preparer (identified in Section 4 above) with directions how to submit the required attachments listed below. The application will not be reviewed until all required attachments have been submitted. Please contact the Governor’s Office for Motion Picture & Television Development for help if you have questions about these attachments.

<u>Section</u>	<u>Attachment Name/Type</u>
5	<b>ALL APPLICANTS</b> Floor plans or architectural drawings with dimensions of the Primary Qualifying Stage
5	<b>ALL APPLICANTS</b> Recent photos of Primary Qualifying Stage
6 (c)	<b>LEVEL 2 NYC APPLICANTS ONLY</b> – a letter on letterhead from a certified sound engineer/acoustical consultant certifying the Primary Qualified Stage has been tested and achieved a rating of NC30 or better

**For questions about QPFs and this application, please contact the  
New York State Governor’s Office for Motion Picture & Television Development  
212-803-2330 or NYFilm@esd.ny.gov**