

COMPLAINT ON REAL PROPERTY ASSESSMENT GUIDANCE

(UNINCORPORATED TOWN OF GREENBURGH, VILLAGES OF IRVINGTON AND ARDSLEY)

(Residential 1, 2, or 3 family homes)

Although the assessment staff is very knowledgeable to answer your questions, the volume of applicants that are forecasted will limit the time we have to spend with each of you. That is why we are providing this Q&A sheet. Hopefully, it will answer any questions you may have. Please note that this Q&A sheet only relates to the Town of Greenburgh's grievance process.

Date: June 1st – 21st. We will only accept applications during that period.

Application: RP-524. Can be downloaded from NYS website:
http://www.tax.ny.gov/pdf/current_forms/orpts/rp524_fill_in.pdf

Proof needed: In addition to the application, we would recommend either an appraisal by a licensed NYS Certified Appraiser or a Comparable Market Analysis (CMA) from a Realtor.
(see below for criteria)

Cost to file grievance application: \$0.00 (as of 2016)

Below are some helpful answers to questions you may have.

HOW CAN I DETERMINE WHAT THE TOWN FEELS MY HOME IS WORTH?

In 2016 the Unincorporated Town of Greenburgh as well as the Villages of Irvington and Ardsley will be assessed at 100%. That means that you will no longer see a ratio to determine your value. On the 2016 Assessment roll, your assessment should equal your true market value. If you feel that the value on the roll is higher than your market value, you can look into challenging it through the grievance process.

WHAT AM I REALLY CHALLENGING?

You are challenging what the Town believes your home is worth. We have an opinion; you have an opinion. Who's right? The burden of proof is on the owner and the Town's estimate is right until proven wrong. In order to challenge the Town's value and prove it is wrong, you have to formally apply for a review of your assessment. That is what the grievance period is all about.

IF AN APPLICATION IS MAILED TO OUR OFFICE, CAN IT BE POSTMARKED BY THE DEADLINE?

NO. All applications need to be in our possession by the 3rd Tuesday in June; regardless of a postmark. Although we would accept mailed applications, it is suggested that you hand deliver.

SHOULD I HIRE A COMPANY THAT SPECIALIZES IN THIS OR CAN I FILE MYSELF?

That's a judgment call. Do your research. Here are the options:

1. Hiring a company that specializes in challenging assessments.

There are many companies that specialize in this sort of work; some with better reputations than others. What they do is file paperwork and represent you through the process. Their fee can range from 50% to 100% of the first years tax savings. In other words, if they reduce your taxes by \$2,500, expect to be charged \$1,250 to \$2,500 for their services. Some companies may

even charge you for an appraisal in addition to their service fee. DO YOUR RESEARCH. We cannot recommend a company.

or

2. File the grievance on your own.

If you file the papers on your own, you should obtain either of the following:

- a. Appraisal by a Certified NYS Appraiser- These usually cost \$300-\$750. This is the best evidence you can provide. Local banks or Realtors might have some appraiser's names for you.
- b. Comparative Market Analysis (CMA)- These are usually provided by a Real Estate Agent or Broker and generally do not cost anything. Almost all brokers have different ways of presenting a CMA but the Town does ask for certain criteria in order for it to be accepted. This market analysis needs to contain photos (preferably date stamped) of your home taken by the homeowner or the Realtor (areas such as kitchen, basement, backyard, etc.; the more the better) and a **letter** by the broker/agent indicating the dollar amount they would list your home if it were to go on the market as of July 1, 2015. Just like a formal appraisal, comparables used in the submitted CMA must also include value adjustments.

Please note: You do not actually have to list your house with the broker. CMAs are a service that a Realtor may provide. They may or may not charge for this service. There are a lot of variations and combinations to their services. As before, do your research and choose the way you are most comfortable.

Remember: The contract you have with any service or Realtor is between the both of you. The Town has no control or responsibility except to take your application and proof of value for the Board of Assessment Review who will make a determination as to whether or not you provided enough evidence to warrant lowering your assessment.

WHAT IF I DO THE RESEARCH AND FILE MYSELF?

You can submit anything you want that will assist the Board of Assessment Review in determining the correct market value of your property (outside of an appraisal or CMA) but it may not hold as much weight as an independent third party appraisal or market analysis by a Realtor.

WHAT IF I SIGN UP WITH MORE THAN ONE COMPANY THAT FILES ON BEHALF OF AN OWNER?

ONLY one application should be filed per property.

IF I DO SUBMIT AN APPRAISAL OR CMA, DO I NEED ANY OTHER SUPPORTING DOCUMENTS?

An appraisal or a CMA (as long as it meets the criteria) should be good enough however any documentation will assist in the determination of establishing a market value can also be helpful. If, however, you bought your property in the past two years, please attach your Hud-1 closing statement as well ([Click here to see sample Hud-1 form](#)).

IF I SCHEDULE TO APPEAR, DO I GET A QUICKER DECISION OR PREFERENTIAL TREATMENT?

No. All applicants will receive their decision by September 15.

WHY AM I ONLY LIMITED TO FILE IN JUNE AND IF GRANTED, WHY DO I HAVE TO WAIT A YEAR FOR A REDUCED TAX BILL?

Under NYS RPTL (Real Property Tax Law), June is the date that the tentative assessment is published. When you challenge your assessment in June, you will be attempting to change an assessment that will affect the following year's taxes based on the Westchester County Charter.

WILL YOU INCREASE MY TAXES IF I FILE?

No, we will not increase your assessment just by filing a petition. However, if improvements were made to your home without a building permit, we will be obligated to correct our inventory.

OK, I FILED WITH YOU ON TIME. WHAT'S NEXT?

You submit your application and documentation between June 1st - and June 21st. Upon receiving your application you will be asked to enter your name in a binder at our counter. You now have a choice. You can choose to appear on the third Tuesday in June to present your assessment reduction request in person or if you have sufficient proof you may just file as a non-appearance. As noted earlier, you will not have a better chance, or get a quicker decision, if you appear in person. Your submitted paperwork is your evidence.

WHAT IF I AM NOT SATISFIED WITH THE BOARD'S DECISION?

You will receive the Board of Assessment Review's (BARs) determination by Sept 15. At that time, if you are not satisfied with their decision, you will have 30 days (Sept 15 to Oct 15) to file an appeal (called a Small Claim Assessment Review) with Westchester County. This will be explained to you in the decision letter you receive from us in September. The Small Claims is a County level process and all questions will need to be addressed with them.

HOW DO I FILL OUT THE GRIEVANCE APPLICATION (RP-524)?

Attached is a sample application.



NEW YORK STATE DEPARTMENT OF TAXATION & FINANCE
OFFICE OF REAL PROPERTY TAX SERVICES

COMPLAINT ON REAL PROPERTY ASSESSMENT FOR 20 **16**

BEFORE THE BOARD OF ASSESSMENT REVIEW FOR

GREENBURGH

(city, town village or county)

PART ONE: GENERAL INFORMATION

(General information and instructions for completing this form are contained in form RP-524-Ins)

1. Name and telephone no. of owner(s)

2. Mailing Address of owner(s)

Day no. () _____

Evening no. () _____

Email (optional) _____

3. Name, address and telephone no. of representative of owner, if representative is filing application.
(if applicable, complete Part Four on page 4.)

4. Property location

Street Address _____

Village (if any) _____

City/Town _____

County _____

School District _____

5. Property identification (see tax bill or assessment roll)

Tax map number or section/block/lot _____

APPEARS ON YOUR TAX BILL UNDER "PARCEL ID" (ex. 7.420-238-13)

Type of property: Residence _____

Farm _____

Vacant land _____

Commercial _____

Industrial _____

Other _____

Description:

SINGLE FAMILY HOME, 2 FAMILY, ETC

6. Assessed value appearing on the assessment roll:

Land \$

NOT NECESSARY

Total \$

APPEARS ON YOUR CHANGE OF ASSESSMENT NOTICE OR ON YOUR DISCLOSURE NOTICE FROM TYLER TECHNOLOGIES.

7. Property owner's estimate of market value of property as of valuation date (see instructions)

\$

**YOUR ESTIMATE OF VALUE
BASED ON YOUR SUPPLIED
PROOF**

PART TWO: INFORMATION NECESSARY TO DETERMINE VALUE OF PROPERTY

(If additional information is attached)

ONLY FILL OUT AREAS THAT PERTAIN TO YOU

Information to support the value of property claimed in Part One, item 7 (complete one or more):

1. ___ Purchase price of property: \$ _____

a. Date of purchase:

b. Terms

CHECK AND FILL OUT #1 ONLY IF YOU PURCHASED WITHIN THE PAST TWO YEARS.

c. Relationship between seller and purchaser (parent-child, in-laws, siblings, etc.): _____

d. Personal property, if any, included in purchase price (furniture, livestock, etc.; attach list and sales tax receipt): _____

2. ___ Property has been recently offered for sale (attach copy of listing agreement, if any):

When and for how long: _____

How offered: _____ Asking price: \$ _____

3. ___ Property has been recently appraised (attach copy): When: _____ By Whom: _____

Purpose of appraisal: _____ Appraised value: \$ _____

4. ___ Description of any buildings or improvements located on the property, including year of construction and present condition:

CHECK AND FILL OUT #4 OR 5 ONLY IF YOU MADE RECENT IMPROVEMENTS WITHIN THE PAST TWO YEARS.

5. ___ Buildings have been recently remodeled, constructed or additional improvements made:

Cost \$ _____

Date Started: _____ Date Completed: _____

Complainant should submit construction cost details where available.

6. ___ Property is income producing (e.g., leased or rented), commercial or industrial property and the complainant is prepared to present detailed information about the property including rental income, operating expenses, sales volume and income statements.

7. ___ Additional supporting documentation (check if attached).

CHECK #7 IF YOU ARE ATTACHING AN APPRAISAL OR CMA.

PART THREE: GROUNDS FOR COMPLAINT

A. UNEQUAL ASSESSMENT (Complete items 1-4)

- 1. The assessment is unequal for the following reason: (check a or b)
a. The assessed value is at a higher percentage of value than the assessed value of other real property on the assessment roll.
b. The assessed value of real property improved by a one, two or three family residence is at a higher percentage of full (market) value than the assessed value of other residential property on the assessment roll or at a higher percentage of full (market) value than the assessed value of all real property on the assessment roll.
2. (check one or more):
a. The latest State equalization rate for the city, town or village in which the property is located is %
b. The latest residential assessment ratio established for the city, town or village in which the residential property is located. Enter latest residential assessment ratio only if property is improved by a one, two or three family residence %
c. Statement of the assessor or other local official that property has been assessed at %
d. Other (explain on attached sheet).
3. Value of property from Part one #7 \$
Complainant believes the assessment should be reduced to \$
4. \$

B. EXCESSIVE ASSESSMENT (Check one or more)

The assessment is excessive for the following reason(s):

- 1. X The assessed value exceeds the full value of the property.
a. Assessed value of property # B1a. Same as Part One: #6 (total)
b. Complainant believes that assessment should be reduced to full value of (Part one #7) # B1b. Same as Part One: #7
c. Attach list of parcels upon which complainant relies for objection, if applicable.
2. The taxable assessed value is excessive because of the denial of all or portion of a partial exemption.
a. Specify exemption (e.g., senior citizens, veterans, school tax relief [STAR])
b. Amount of exemption claimed \$
c. Amount granted, if any \$
d. If application for exemption was filed, attach copy of application to this complaint.
Improper calculation of transition assessment. (Applicable only in approved assessing unit which has adopted transition assessments.)
3. Transition assessment \$
b. Transition assessment claimed \$

C. UNLAWFUL ASSESSMENT (Check one or more)

The assessment is unlawful for the following reason(s):

- 1. Property is wholly exempt. (Specify exemption (e.g., nonprofit organization))
Property is entirely outside the boundaries of the city, town, village, school district or special district in which it is
2. designated as being located.
Property has been assessed and entered on the assessment roll by a person or body without the authority to make the
3. entry.
4. Property cannot be identified from description or tax map number on the assessment roll.
Property is special franchise property, the assessment of which exceeds the final assessment thereof as determined by
5. the Office of Real Property Tax Services. (Attach copy of certificate.)

D. MISCLASSIFICATION (Check one)

The property is misclassified for the following reason (relevant only in approved assessing unit which establish homestead and non-homestead tax rates):

- Class designation on the assessment roll:
1. Complainant believes class designation should be
2. The assessed value is improperly allocated between homestead and non-homestead real property.

PART FOUR: DESIGNATION OF REPRESENTATIVE TO MAKE COMPLAINT

I, _____, as complainant (or officer thereof) hereby designate _____ to act as my representative in any and all proceedings before the board of assessment review of the city/town/village/county of _____ for purposes of reviewing the _____ (year) tentative assessment roll of such assessing unit.

**FILL THIS AREA IF YOU HAVE A REPRESENTATIVE.
ONLY ONE OWNER'S SIGNATURE IS NECESSARY**

Date

Signature of owner (or officer thereof)

PART FIVE: CERTIFICATION

I certify that all statements made herein are true and correct to the best of my knowledge and belief, and I understand that _____ and believe, _____ provisions of the Pennsylvania Assessment Law apply to the _____.

**FILL THIS AREA IF YOU ARE FILING ON YOUR OWN BEHALF.
ONLY ONE OWNER'S SIGNATURE IS NECESSARY.**

Date

Signature of owner (or representative)

PART SIX: STIPULATION

The complainant (or complainant's representative) and assessor (or assessor designated by a majority of the board of assessors) whose signatures appear below stipulate that the following assessed value is to be applied to the above described property on the _____ (year) assessment roll: Land \$ _____ Total \$ _____
(Check box if stipulation approves exemption indicated in Part Three, section B.2. or C.1.)

Complainant or representative

Assessor

Date

SPACE BELOW FOR USE OF BOARD OF ASSESSMENT REVIEW

- | | |
|--|--|
| <input type="checkbox"/> Unequal assessment | <input type="checkbox"/> Excessive assessment |
| <input type="checkbox"/> Unlawful assessment | <input type="checkbox"/> Misclassification |
| <input type="checkbox"/> Ratification of stipulated assessment | <input type="checkbox"/> No change in assessment |

Reason: _____

Vote on Complaint

- | | | | |
|---|----------------------------------|----------------------------------|---------------------------------|
| <input type="checkbox"/> All concur | <input type="checkbox"/> against | <input type="checkbox"/> abstain | <input type="checkbox"/> absent |
| <input type="checkbox"/> All concur except: _____ | <input type="checkbox"/> against | <input type="checkbox"/> abstain | <input type="checkbox"/> absent |
| Name | | | |
| _____ | | | |
| Name | | | |
| _____ | | | |

Decision by

	<u>Tentative assessment</u>	<u>Claimed assessment</u>	<u>Board of Assessment Review</u>
Total assessment	\$ _____	\$ _____	\$ _____
Transition assessment (if any)	\$ _____	\$ _____	\$ _____
Exempt amount	\$ _____	\$ _____	\$ _____
Taxable assessment	\$ _____	\$ _____	\$ _____

Class designation and allocation of assessed value (if any):
 Homestead \$ _____ \$ _____ \$ _____
 Non-homestead \$ _____ \$ _____ \$ _____
 Date notification mailed to complainant _____