

COMPLAINT ON REAL PROPERTY ASSESSMENT GUIDANCE (HASTINGS)

(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 Village of Hastings-on-Hudson's grievance process.

Date : February 1st – 16th. 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.

WHAT AM I REALLY CHALLENGING?

You are challenging what the Village 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 Village's estimate is right until proven wrong. In order to challenge the amount and prove it is wrong, you have to formally apply for a review of the assessment. That is what the grievance period is all about.

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

The R.A.R (Residential Assessment Ratio) is given to us by NY State. It is the % of market value that the Village of Hastings uses to assess your property. This year (2016), NYS gave us an R.A.R. of 2.46%. In order to find out your assessment, look at a copy of your tax bill under the column "valuation" or look on the "Change of Assessment notice" you might have received. Then just plug in the numbers.

Assessment ÷ 2016 R.A.R (Residential Assessment Ratio) = Assessor's Market Value

_____ ÷ 2.46% (.0246) = _____

Example using the R.A.R.

15,000 ÷ 2.46% (.0246) = \$ 609,756

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

NO. All applications (original and three copies) need to be in our possession by the 3rd Tuesday in February; 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 proof you can obtain. 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 may 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 of your home (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 January 2016. The photos can be taken by the homeowner or the Realtor. Date stamp on photo would be helpful.

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

Remember: The contract you may have with any service or Realtor is between the both of you. The Village has no control or responsibility except to take your application and proof of value and for the Board of Assessment Review to make a determination 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 OWNER?

ONLY one application should be filed per property.

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

An appraisal or a CMA (as long as it meets the criteria) should be good enough however any documentation to assist in the determination of establishing a market value can also be helpful.

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

No. All applicants will receive their decision by the first week in April.

WHY AM I ONLY LIMITED TO FILE IN FEBRUARY?

Under NYS R/P tax law, February 1st is the date that the tentative assessment is published. When you challenge your assessment in no later than the 3rd Tuesday in February, you will be attempting to change an assessment that will affect your next Village tax bill. You will still have to apply at the Town Assessor's office in June.

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 February 1st and February 16th. You can choose to appear on the third Tuesday in February to present your assessment reduction request in person or if you have sufficient proof you may just file as a non-appearance.

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

You will receive the Board of Assessment Review's (BARs) determination by the first week in April. At that time, if you are not satisfied with their decision, you will have 30 days 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 April. 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

HASTINGS-ON-HUDSON

(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 TAX BILL UNDER THE "VALUATION" COLUMN.

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 available, please attach)

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)

Only need to answer
1a, 2b, 3 and 4.

1. The assessment is unequal for the following reason: (check a or b)
 - a. X** The assessed value is at a higher percentage of value than the assessed value of other real property on the assessment roll.
 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.
 - b.** The complainant believes this property should be assessed at **2016 R.A.R.** based on one or more of the following (check one or more):
 - a.** The latest State equalization rate for the city, town or village in which the property is located is ____ %.
 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 **2016 R.A.R.**
 - b. X**
 - 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 **#3. SEE PAGE ONE #7**
- Complainant believes the assessment should be reduced to **#4. TAKE VALUE FROM #3(ABOVE) X .0246 AND THAT WILL = WHAT YOU WANT YOUR ASSESSMENT TO BE REDUCED TO.**

B. EXCESSIVE ASSESSMENT (Check one or more)

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

1. _____ The assessed value exceeds the full value of the property.
 - a.** Assessed value of property \$ _____
 - b.** Complainant believes that assessment should be reduced to full value of (Part one #7) \$ _____
 - c.** Attach list of parcels upon which complainant relies for objection, if applicable.
2. _____ The taxable as **DO NOT NEED TO FILL OUT IN HASTINGS UNLESS YOU ARE GRIEVING ABOUT A LOST EXEMPTION (STAR, AGED, VETERAN, ETC.)** exemption.
 - a.** Specify exemption \$ _____
 - b.** Amount of exemption \$ _____
 - c.** Amount granted, if any \$ _____
 - d.** If application for exemption was filed, attach copy of application to this complaint.
3. _____ Improper calculation of transition assessment. (Applicable only in approved assessing unit which has adopted transition assessments.)
 - a.** 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))
2. _____ Property is entirely outside the boundaries of the city, town, village, school district or special district in which it is designated as being located.
3. _____ Property has been assessed by **DO NOT NEED TO FILL OUT IN HASTINGS** the authority to make the entry.
4. _____ Property cannot be identified from description or tax map number on the assessment roll.
5. _____ Property is special franchise property, the assessment of which exceeds the final assessment thereof as determined by 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):

1. _____ Class designation on the assessment roll is **DO NOT NEED TO FILL OUT IN HASTINGS**
2. _____ Complainant believes **DO NOT NEED TO FILL OUT IN HASTINGS**
3. _____ 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.

**ONLY 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 the provisions of the Pennsylvania Assessment Law apply to the _____.

**ONLY 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

- Disposition
- Unequal assessment
 - Unlawful assessment
 - Ratification of stipulated assessment
 - Excessive assessment
 - Misclassification
 - No change in assessment

Reason: _____

Vote on Complaint

- All concur
- All concur except: _____ Name
- against
- abstain
- absent

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

Decision by _____

Class designation and allocation of assessed value (if any):

Homestead	\$ _____	\$ _____	\$ _____
Non-homestead	\$ _____	\$ _____	\$ _____

Date notification mailed to complainant _____