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**CITY OF YONKERS**

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## **1, 2, & 3 Family Residential Assessment Appeals**

### **A Concise Guide (2017 Assessment Roll)**

This Appeal Guide is provided to answer the most common questions of those appealing assessments on 1, 2, & 3 Family Residential (properties) parcels. Please note that this guide only relates to the City of Yonkers assessment appeal (protest/grievance/complaint) process. It does not supersede New Your State Real Property Tax Law or City of Yonkers Code.

#### **Assessment Appeal Period:**

The period begins November 1<sup>st</sup> and ends November 15<sup>th</sup> annually. Assessment Appeal Applications are primarily accepted during this period, i.e., on or before November 15, 2016. The only exceptions in the City of Yonkers are those postmarked by the deadline.

#### **Assessment Appeal Application:**

RP-524 can be downloaded from the NYS website:

[http://www.tax.ny.gov/pdf/current\\_forms/orpts/rp524\\_fill\\_in.pdf](http://www.tax.ny.gov/pdf/current_forms/orpts/rp524_fill_in.pdf)

#### **Proof Needed (Supporting Documentation):**

In addition to the completed application, we would recommend that you provide examples (Section, Block, & Lot, Sales Price, & Sales Date) of what your new neighbors paid for their property on or before July 1<sup>st</sup>. It would be ideal, but not required, if you provided an appraisal of your property by a NYS Licensed or NYS Certified Appraiser or a Comparable Market Analysis (CMA) from a Realtor.

**Please Note:** Any additional supporting documentation that an applicant cares to submit must be submitted by December 15<sup>th</sup>, 2016

#### **Cost to File Assessment Appeal with the City of Yonkers Board of Assessment Review:**

None (No Cost)

#### **Below are some Questions & Answers to questions you may have.**

##### **WHAT AM I REALLY CHALLENGING?**

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

HOW CAN I FIND OUT WHAT THE CITY FEELS MY HOME IS WORTH?

In order to find out what we feel your home is worth, i.e., Full Market Value as of July 1<sup>st</sup>, 2016, look at the City of Yonkers 2017 Tentative Assessment Roll, Online Property Viewer (2017), or look on the “Change of Assessment notice” you might have received.

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

**YES.** All applications need to be postmarked before Midnight November 15<sup>th</sup>.

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 be as much as 100% of the first year’s tax savings. In other words, if they reduce your taxes by \$2,500, expect to be charged as much as \$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 provide examples (Section, Block, & Lot, Sales Price, & Sales Date) of what your new neighbors paid for their property on or before July 1<sup>st</sup>, 2016 at a minimum.

Although not required, you can provide:

- A. An 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. A 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 market analysis should 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 on the market this past July 1, 2016. The photos can be taken by the homeowner or the Realtor. A date stamp on photo would be ideal.

**Please Note:** CMAs are a service that Realtors or Brokers may provide. There may or may not charge for this service. There are a lot of variations and combinations of services. Just like anything else, do your research and choose the process you are most comfortable with.

**Remember:** The contract you may have with any business is between the Business and You. The City has no control or responsibility except to take your application, proof of value as well as any other supporting documentation, and for the Board of Assessment Review to make a determination whether or not you provided enough evidence to warrant changing 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 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 should be good enough however any documentation to assist in the determination of establishing a market value would be helpful.

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

No. All applicants will receive their decision by mail on or shortly after April 10<sup>th</sup>, 2017 by mail. Also, anyone can view the 2017 Final Assessment Roll or the City of Yonkers Online Property Viewer (2017) to see what was decided on April 10, 2017.

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 November 1<sup>st</sup> and November 15<sup>th</sup>. Upon receiving your application you will be asked if you want an appointment to present your assessment reduction request in person. You now have a choice. If you do want an appointment you will fill out a form and receive a receipt. You will be contacted in January 2017 to schedule a hearing date. If you do not want to present your assessment reduction request in person, you will file your appeal along with supporting documentation and it will be reviewed as a non-appearance.

WHAT IF I AM NOT SATISFIED WITH THE BOARDS DECISION?

You will receive a letter or be able to find out the Board of Assessment Review's (BARs) determination on April 10<sup>th</sup>. At that time, if you are not satisfied with their decision, you will have 30 days (April 10<sup>th</sup> – May 10<sup>th</sup>) to file an appeal (called a Small Claim Assessment Review) with the Office of the Westchester County Clerk. This will be explained to you in the decision letter you receive from us in April. The Small Claims Assessment Review process 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 2017

BEFORE THE BOARD OF ASSESSMENT REVIEW FOR

YONKERS

(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 BILL NEXT TO SEC/BLK/LOT (ex. 8.-8045-20)

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 \$

- 7. Property owner's estimate of market value of property

APPEARS ON YOUR CHANGE OF ASSESSMENT NOTICE, THE ASSESSMENT ROLL, OR ONLINE PROPERTY VIEWER (2017) OR ON THE ASSESSMENT ROLL

YOUR ESTIMATE OF VALUE BASED ON YOUR SUPPLIED PROOF --- NOT NECESSARY FOR EXEMPTION APPEALS

PART TWO: INFORMATION NECESSARY TO DETERMINE

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

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

- b. Terms \_\_\_\_\_ Cash \_\_\_\_\_ Contract \_\_\_\_\_ Other (Explain)
- 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).

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2. Property has been recently offered for sale (attach a 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 were 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**

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.

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. The complainant believes this property should be assessed at \_\_\_\_\_ % of full value based on one or more of the following (check one or more):

a. The latest State equalization rate for the city, town or village 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 r

**2017 R.A.R. = 2.38%**

**b.**

Residence \_\_\_\_\_%

**2017 R.A.R. = 2.38%**

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**

4. Complainant believes the assessment should be reduced to

..... \$

**#4 TAKE VALUE FROM #3 (ABOVE) X.0238 & 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. A
- b. C
- c. A

**ONLY FILL OUT #2 IF YOUR APPEAL IS ABOUT A LOST EXEMPTION (STAR, AGED-ALL, VETERAN, ETC. THERE IS NO NEED TO FILL OUT #1 OR #3**

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.

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
- 3. \_\_\_\_\_ Property is assessed on the assessment roll by a person or body without authority
- 4. \_\_\_\_\_ Property is assessed on the assessment roll by a map number on the assessment roll.
- 5. \_\_\_\_\_ Property is assessed on the assessment roll by a percentage of which exceeds the final assessment thereof as determined by the Office of Real Property Tax Services. (Attach a copy of certificate.)

**THIS SECTION DOES NOT APPLY TO THE TYPICAL 1, 2, & 3 FAMILY RESIDENTIAL PROPERTY.**

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**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 is \_\_\_\_\_
- 2. \_\_\_\_\_ The assessed value is \_\_\_\_\_
- \_\_\_\_\_ homestead and \_\_\_\_\_

**THIS SECTION DOES NOT APPLY IN YONKERS**

Allocation of assessed value on assessment roll

Allocation of assessed value on assessment roll	Claimed Allocation
Homestead	\$ _____
Non-Homestead	\$ _____



**FILL THIS STIPULATION (PART SIX) AREA IF YOU ARE WILLING TO AGREE TO THE ASSESSOR'S DETERMINATION WITHOUT FURTHER APPEAL. ONLY ONE OWNER'S SIGNATURE IS NECESSARY. FOR EXAMPLE, THIS WOULD ALLOW THE ASSESSOR TO AGREE TO APPROVE THE RENEWAL OF AN EXEMPTION THAT WAS DENIED.**

**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 is stipulation approves exemption indicated in Part Three, section B.2. or C.1.)

<b>Complainant or representative</b>	<b>Assessor</b>	<b>Date</b>
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**SPACE BELOW FOR USE OF BOARD OF ASSESSMENT REVIEW**

**Disposition**

- |  |  |
|--|--|
| <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**

- All Concur  
 All concur except:

_____	Name	<input type="checkbox"/> Against	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
_____	Name	<input type="checkbox"/> against	<input type="checkbox"/> abstain	<input type="checkbox"/> absent

**Decision by Board of Assessment Review**

	<b>Tentative Assessment</b>	<b>Claimed assessment</b>	
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 \_\_\_\_\_