

## Part One - General information

**Line 5** - You can find your property identification information on your property tax bill or the [assessment roll](#).

**Line 6** - Find your land assessment and total assessment on the assessment roll or a notice from your assessor's office. You cannot grieve the land assessment – you can only grieve the **total** assessment.

**Line 7** - Determine the market value of your property based on sources of information suggested on RP-524, Part II. Remember that your estimate of the market value of your property should be based on your property's value as of the [Valuation Date](#), which is July 1 of the prior year in most municipalities. You should be careful when determining how much of an assessment reduction to request because you may be precluded from obtaining a greater reduction than the amount you request, even if circumstances should show that a larger reduction is warranted.

## Part Two - Value of property

In order to qualify for a reduced assessment, you will need to prove to the satisfaction of the BAR that your property is currently over-assessed. This section gives you the opportunity to provide information that supports a lower assessment.

For homeowners and owners of most residential properties, the best way to support your case is by providing sales of comparable properties where the sales prices are lower than the assessor's estimated market value of your property. See [how to estimate the market value of your home](#).

## Part Three - Grounds for complaint

In this section, you will make your case for reduced assessment by demonstrating that your property is assessed either:

- at a **higher** level of assessment than the **rest of the community** (Unequal - Option A)
- **higher** than the **actual market** value of your property (Excessive - Option B1)
- too high because **an exemption has been improperly denied** (Excessive - Option B2)
- too high because a **transition assessment was inaccurately calculated** (Excessive - Option B3)
- in a way that is **contrary to the law** (Unlawful - Option C)

Details of each option:

### 1. Unequal Assessment

You can claim unequal assessment if assessments in your city, town or village are not at 100% of market value and your property is assessed at a higher percentage of value than the average of all other properties or all other residential properties on the same assessment roll.

To demonstrate that your property is unequally assessed, first determine an estimate of the market value of your property as described above. Then determine the average level of assessment (also known as the *uniform percentage of value*) at which all other properties are assessed on the same assessment roll. To establish the level of assessment of your municipality, the following figures will be helpful:

- [equalization rate](#)
- [residential assessment ratio](#) for the city, town or village
- [uniform percentage of value](#) listed on the assessment roll

Of those three options, the one that is the lowest will generally be of the greatest value in determining the over-assessment of your property

Additionally, or alternatively, you may wish to generate your own estimate of your community's level of assessment for either all property or just residential property using either

- Market values and assessments of a sample of other properties on the same assessment roll
- Purchase price and assessment of other properties that have recently sold

**Unequal assessment based on the equalization rate** - Once you establish the value of your property and the level of assessment at which other properties are assessed, you can apply the level of assessment to your property and compare the result to your assessment. If the result is lower than your assessment, you can request that your assessment be reduced to that lower amount. For example:

- If you prove the market value of your property is \$200,000, an assessment of \$150,000 would show that your property is assessed at 75% of market value. If you prove that all other property on average is assessed at 50%, you could claim a reduction of your assessment to \$100,000.

**Unequal assessment based on the residential assessment ratio** If you own a one, two or three family residential real property, you also have the option of proving that your property is assessed at higher level of assessment than the level of assessment applied to other residential properties on the same assessment roll.

Once you determine the level of assessment of other residential properties you can apply this level to the value of your property. If the result is lower than your assessment, you can request that your assessment be reduced to that lower amount. For example:

- If you prove the value of your property is \$200,000, an assessment of \$100,000 would show that your property is assessed at 50% of market value. If you prove that all other residential property is assessed on the average at 25%, you may claim a reduction of your assessment to \$50,000.

## 2. Excessive Assessment

1. If you were denied a property tax exemption, or if you believe the exemption was calculated incorrectly. If you filed an exemption application with the assessor, include a copy of the application with your complaint. If you do not have a copy, you should request that the assessor submit it to the BAR.
2. should be wholly exempt from property taxes because of its status as a certain type of organization or agency (e.g., churches, colleges, etc.) and you applied for such an exemption
3. is located totally outside the boundaries of the city, town, village, school district or special district indicated on the assessment roll
4. was assessed by someone other than the assessor or your assessment was entered or changed after the tentative assessment roll was filed
5. cannot be located from the description on the assessment roll
6. is special franchise property (utility property in the public right-of-way) and the assessment exceeds the final assessment as determined by the Department of Taxation and Finance

Cases where excessive assessment is the correct option to use:

- One, two, or three family residential parcels
- Residential condominiums
- Mixed use parcels (i.e., used in part for residential purposes and in part for non-residential purposes), if the primary use is residential
- Mobile homes and trailers, only if they are owner-occupied and separately assessed
- All vacant land parcels, not exceeding ten acres, which are located in an assessing unit which has a zoning law or ordinance in effect, provided that such parcels are located in a zone that does not allow a residential use other than for one, two or three family dwelling residential real property
- Farm dwellings
- All land used in agricultural production that is eligible for an agricultural assessment and the owner has filed an annual application for an agricultural assessment (Section 305 or 306 of the Agriculture and Market Law)
- All farm buildings and structures as defined in Section 483(3) of the Real Property Tax Law

## 3. Unlawful Assessment

Unlawful Assessment is the option to choose if you believe your property is assessed in a way contrary to the law.

### Part four - Designation of representative

If you designated someone to represent you before the BAR, then list your name, your representative's name, sign and date.

### Part five - Certification

You or your representative must sign and date this section.

### **Part six - Stipulation**

Only complete this section if you and the assessor agreed to a reduced assessment. In these cases, the BAR is expected to ratify the stipulation. If you agree to a stipulation and it is approved by the BAR, you will no longer have the right to judicial review.

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Here is an example of Western New York attempt to file a class action over allegedly improper assessments: <https://www.democratandchronicle.com/story/news/2018/01/16/golisano-pledges-class-action-lawsuit-against-local-towns-launches-tax-fighting-website/1036244001/>

Individual homeowners will still have to contests on their own, even if a class action is filed

More information on what to do:

<https://www.taxmypropertyfairly.com/>

<https://www.taxmypropertyfairly.com/issues/what-if-your-assessment-is-incorrect>