

## **Do you have questions about Grieving Tax Assessments?**

Grieving Real Estate Tax Assessments can have a real affect on property values. As we've said before, we believe that property taxes should be fairly apportioned among property owners. In our experience though, too many property owners pay more than their fair share of property taxes because assessors have over-estimated their market value. Those high property taxes can become a tremendous financial burden, stifling opportunity and deterring economic growth. All property owners understand that unreasonably high property taxes can seriously affect real estate values.

We've compiled some of the most frequently asked questions about the process of grieving tax assessments, as well as the affect that filing a complaint may have on both you, the tax payer, but also the community as a whole.

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### **Can I get help from the professionals at GrieveTax?**

Regardless of whether you are currently listed for sale, or just looking to lower your real estate taxes, we can help you do the research to determine whether you are over-assessed. Key to your grievance is proving that the Assessor's determination of your Fair Market Value is too high, We can access to recent sales data to support this. We are experienced to help with that effort.

### **When I file a grievance, what am I really challenging?**

When you file a grievance, you are simply challenging the Assessor's calculation

of the Fair Market Value of your property. You are not challenging the amount of the property taxes that you will pay. Rather, if you are successful getting a re-assessment of the Fair Market Value, the reduction in Fair Market Value will thereby reduce your Assessed Value. Because your property taxes are based on your Assessment, the reduction in the Assessment will ultimately lower your taxes. You won't know your actual property tax amount until a few months after Grievance Day.

**If I am successful, am I hurting my municipality or my schools?**

Some people get concerned that grieving their taxes might strip their local municipalities of revenue needed to fund schools and other services. But that's not how grievances work. If we're successful, you will reduce your own taxes, but not at the expense of revenue needed by your municipality. Rather, the municipality determines how much revenue it needs and sets a tax rate that is applied to all property owners. Your grievance will simply reduce your share of that burden. While it does mean that your burden will be shifted to other property owners, that's only because you were over-assessed in the first place and paying more than your fair share.

**Can I file a grievance if I previously filed one?**

The rule is that you cannot file a grievance only if you filed a successful one in the previous year. If you did not file a grievance last year, you can file this year. If you filed last year and were not successful, you can file this year. But if you filed last year and were successful in reducing your assessment, we cannot file this year.

**Do I have to grieve my taxes, or will the Assessor reconsider my assessment?**

Most municipalities allow for an informal "review" of your Assessment with the Assessor, where you can present your case without having to file a formal grievance. In some cases where you are clearly over-assessed, the Assessor might agree to reconsider the determination of your market value and enter into a stipulation with you for your Assessment. The requirements for requesting an informal review vary by municipality. At the very least, there is no harm in trying to set up an informal up the Assessor's office and asking for the review. The worst that can happen is that they turn you down, and we will file your grievance.

**Do I need to grieve my village and town tax separately?**

Although you likely pay property tax assigned to multiple municipalities and your school tax, all those taxes are based on the Assessment. Reducing the Assessment will reduce all the types of property taxes you pay. You don't need to

challenge each property tax authority separately, although many villages have its own Assessor and its own grievance schedule. We'll make sure that you get your complaint filed on time.

### **What proof do I need to challenge my assessment?**

You just need evidence that your property is worth less than the Assessor's valuation. This could take the form of an assessment, your recent sales price (if you recently purchased the property), or your listing price (if you are on the market). We can also provide evidence of what other similar properties have sold for.

### **When is Grievance Day?**

Grievance Day is the deadline for submitting Form RP-524 and the day that the BAR meets to hear complaints. In most communities, Grievance Day is the fourth Tuesday in May. However, there are exceptions:

- Cities and towns that share an assessor can adopt different Grievance Days between the fourth Tuesday in May and the second Tuesday in June
- New York City - the Assessment Review Commission meets throughout the year, but complaints must be filed by March 15 for Class One properties and March 1 for all other properties
- Nassau County – the Assessment Review Commission meets throughout the year, but complaints must be filed by March 1
- Suffolk County - town BAR's meet on the third Tuesday in May
- Westchester County - town BARs meet on the third Tuesday in June
- Villages that assess property – typically, the BAR meets on the third Tuesday of February;

**Dates can vary – check with your village assessor or village clerk**

### **What if I miss my municipality's deadline for filing the grievance?**

The deadlines for filing a grievance are hard deadlines. If you don't get your grievance in by Grievance Day, we've missed your chance for the year and will not be able to grieve your taxes until the following year. For most municipalities in the area, the window is between the first week of May, when the roll is

published, and the last week of May, which is grievance day.

**Do I have to attend the Grievance Day hearing?**

You don't have to attend, but it helps. Once we file your grievance petition with the municipality by the deadline, your petition will be included on the list of grievances for Grievance Day. On Grievance Day, the municipality holds hearings on all the petitions. You have a right to be present at the hearing to present your case, but you don't actually have to attend.

**Do I need to hire an attorney to represent me?**

You can certainly file your tax grievance by yourself. You only need to be able to research your property's market value, fill out your Grievance petition, and write a letter in support that explains your position, appear before the Grievance Committee or Board of Assessment Review (BAR) to explain why you deserve a reduction of your Assessment and hope for the best. If the Committee or BAR agrees with you, then you're golden. But if they don't then you need to take legal steps to effect a change of your Assessment.

That said, we actually do recommend you have someone who is familiar with valuing property and be prepared to have an attorney on hand, because (1) if you are not successful, you will likely want to appeal, something that really should be done by an attorney, (2) preparing your grievance papers can take a bit of time that you might not have, and (3) the professionals at GrieveTax, our partnering appraisers and attorneys do not charge you unless we are successful. Fees associated with preparing the paperwork and handling your case is based upon a percentage of your first year's savings, without any upfront fees or filing fees unless you need to appeal the determination. It's a good deal, and worth it to make sure you get the best representation possible who can handle your case.

**Do I need to hire an appraiser to challenge my assessment?**

For a grievance, you do not need to pay for an appraisal. We can establish Fair Market Value by using comparable sales for the past year or so. If you do have an appraisal, which you would have gotten if you refinanced or purchased your property recently, the appraisal will help establish Fair Market Value and we can include it in your petition. We might need an appraisal for an appeal if your grievance is unsuccessful, but we do not need it for the grievance.

**If I lose, will the municipality actually raise my taxes?**

Grieving your taxes is a no-lose situation. Once the Assessor establishes a Fair Market Value, the municipality will not raise it just because you challenged it and

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opened the issue. We have never heard of a situation where the municipality actually raised the Assessment as a result of the grievance, and believe that any municipality trying to do so would risk a lawsuit for retaliation.

## What to do next?

Thanks again for reading through these questions. We hope that these answers will help you better understand that grieving tax assessments is a fair and reasonable right that you as a property owner has. If you still have more questions please feel free to drop us a line by sending us an [email](#).

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