

Mayor's Column
January 24, 2017

It is that time of year again – the 2017 property assessment roll release and companion grievance opportunity. The process is entirely dictated by the State of New York and confusing at best. Our Assessor, Gerry Iagallo, must publish a “Tentative Assessment Roll” on February 1, 2017. This represents his determination of Fair Market Value for each of the approximately 1700 parcels of real estate within the Village.

This year's evaluation resulted in 550 properties experiencing some change from their previous assessment. These homeowners will receive a written notice in the first week of February detailing the extent of the change.

They, as well as any other Village property owner who believes their value is not accurate, may file a grievance application (Complaint) in the period between February 1 and February 21st by 7pm. Complaint applications are available for download from the Village website or may be picked up at the front desk at Village Hall between 9 and 4 weekdays.

The Bronxville Board of Assessment Review (BOAR) is required by New York State Law to hear complaints once yearly on the third Tuesday of February. This year State-wide Grievance Day is the 21st. On that day, the BOAR will entertain all oral and written arguments from 5pm to 9pm at Village Hall. Grievances can be filed without any need for a personal appearance, should you be unable to attend.

No decisions are rendered that evening; rather the Board holds further private deliberations. All who filed will then receive a letter of decision in the first week of April. The decision will be reflected in the “Final Assessment Roll” published on April 1, 2017.

Anyone dissatisfied with the decision of the Board has further judicial avenues to pursue if desired. Actions can be commenced at the County level by filing an application with the Legal Division of the Westchester County Clerk's Office. This avenue of redress is a more detailed legal procedure and may require the services of an attorney.

When deciding whether to file an initial grievance the issue can be distilled to - “Has my home value disproportionately dropped in comparison to comparable homes?” and “Do I have creditable, unbiased property data to support this opinion of value?” Independent appraisals at this juncture are extremely helpful.

As a reminder, New York State Law dictates that co-ops and condos not be valued at Fair Market Value, rather on their projected rental income stream. Bronxville has zero say in this valuation method. Since many co-ops have never permitted rentals, the Village has less concrete data to mount a defense. The Village has been aggressive in defending our values vigorously with detailed capitalization rates compiled with the assistance of CBRE.

I ask our co-op boards to seriously question whether your share of taxes to provide Village municipal services and schooling is truly inequitable and file a grievance for this reason alone, not because a non-resident attorney who has no stake in the ultimate equity of the final tax roll is willing to take the case. There is no downside for the attorneys but a real downside for our Village.

The entire field of property assessment is more an art than an exact science. As example, the number of bedrooms and bathrooms are not given a numerical value and then tabulated. Rather, their overall condition, location in the house and value of any upgrades are also factored in.

Other home characteristics, not as obvious, are also considered to arrive at an ultimate fair market value. Is the lot level? How much of the outdoor space is usable? Does the house front on a double yellow line street? Is it on a quiet cul-de-sac? Does it have central air? How close is it to desired amenities? Does it have a pool? (which can cut both ways)

The Village is vigilant in yearly updates so the ultimate tax burden is as equitable as possible. We also defend certiorari and small claims challenges aggressively as we are confident our data is defensible. As a result, our percentage of tax dollars “refunded” is extremely low when compared with all other Westchester communities, clearly bucking the current trend.

We also work hand in hand with our Building Department and yearly evaluate any home improvements that affect market value.

Legally, a home improvement can be only assessed for its additional value to the current home assessment. As example, if a home is valued at \$1million and adds a powder room valued as a \$20,000 improvement, the tax assessor can only legally raise the assessed value to \$1,020,000 even though the property may be currently “undervalued” with a fair market value closer to \$1.5million. In essence, one improvement cannot trigger an entire home revaluation. Sadly, in communities that do not constantly do full revaluations, undervalued homes receive the benefit in perpetuity greatly affecting the equity of the tax roll.

By New York State Law, an assessor’s decision is right until proven wrong – in essence, putting the burden of proof on the homeowner. However, for our Village the goal is fairness of value, not “winning or losing” and we strive to make the process as non-adversarial as possible.

With that caveat, please do not hesitate to call our assessment office, ask any questions you have or schedule a meeting prior to filing any protests. It will prove beneficial to all concerned.