



New York State Assessors Association

116 Salina Street, Suite 8, Liverpool, NY 13088

Phone: (315) 706-3424

E-mail: admin@nyassessor.org

Web: www.nyassessor.org

OFFICERS

PRESIDENT

Lloyd Tasch, IAO
City of White Plains

FIRST VICE PRESIDENT

Jeneen Hill
Towns of Collins, Evans,
North Collins

SECOND VICE PRESIDENT

Christine Hayes
Towns of Bolton, Horicon

PAST PRESIDENT

Scott Shedler, IAO
Town of Ramapo

EXECUTIVE DIRECTOR

Warren J. Wheeler, IAO
Towns of Amboy, Constantia,
Minetto, Richland

TREASURER

Laverne D. Tennenberg, IAO
Town of Riverhead

BOARD MEMBERS

Maggie A. Alix
Village of Green Island

Robert Bick, AIA
Town of Clay

Thomas Donato, IAO
Villages of Amityville,
Great Neck, Lake Success

Joanne Majewski, IAO
City of Newburgh

William S. Purtell, IAO
Town of Glenville

David J. Roach, IAO
Towns of Granby, Huron,
Orwell, Williamstown

New York State Assessors Association Response to Governor's Budget

Rev. Bill

Part U –

Modernize and Merge Real Property Tax Forms and Processes

Purpose:

This bill would facilitate the modernization and consolidation of the process for reporting real property transfers and for paying the associated tax and fees.

Position:

SUPPORT

Comments:

It's imperative to streamline processes where applicable. When real property is sold, two different state-prescribed forms must be filed, both on paper. The two forms (TP-584 and RP-5217) ask for much of the same information. NYSAA supports combining these two forms into a consolidated real property transfer form. Assessors will continue to receive the same information they receive now from the RP-5217. It would be beneficial to have an e-filing system as an option for filing and paying associated taxes and fees, especially given today's current climate. Those who want to continue to file paper are at liberty to do so.

Part V –

Improve and Enhance STAR Program Administration

Purpose:

This bill would affect the administration of the STAR (School Tax Relief) program in various respects.

Subpart A

This provision bill would promote the transition from the exemption program to the credit program by closing the Enhanced STAR exemption to new applicants.

Position:

SUPPORT - Effective 2022

Comments:

With each administrative STAR change there has been confusion among the taxpayers and unnecessary chaos in the assessment community. This change is specifically targeting the **senior** population. Eligible applicants have already submitted applications, and assessors have already processed said

... Affiliated with the ...

*Institute of Assessing Officers ~ International Association of Assessing Officers
Northeastern Regional Association of Assessing Officers*

applications. NYSAA is willing to support this provision, **effective 2022**. Should this provision come to fruition, effective immediately, it should be the responsibility of the Department of Tax and Finance to automatically enroll the recipients into the Enhanced Credit Check program. The local assessor should not be charged with the responsibility of notifying the applicant that their application for Enhanced STAR is void and to direct the applicant to apply for the STAR Credit Check.

Subpart B: This provision would provide that property owners who wish to switch from the STAR exemption to the STAR credit must do so by May 1 in order for the switch to be effectuated on the current year's school tax bills in most jurisdictions.

Position: **SUPPORT**

Comments: New York State must be cognizant of the assessment calendar. Setting new deadlines every year is disruptive to workflow. It's important to establish and stick to a deadline date in an effort to maintain consistent expectations.

Subpart C This provision would improve local assessment administration by allowing the Department of Tax and Finance to provide decedent reports to assessors directly.

Position: **SUPPORT**

Comments: Any information that can be shared between the Department of Tax and Finance and the local assessor benefits all involved parties. Disclosing the decedent reports to local assessors would expedite the removal of unwarranted STAR exemptions. Filtering the information through a county director of Real Property Tax Services provides no benefit.

Subpart D This provision would promote a more expeditious resolution of STAR exemption appeals by providing that such appeals shall be determined by the Department of Tax and Finance Commissioner, or his or her designee, rather than by the State Board of Real Property Tax Services.

Position: **SUPPORT**

Comments: It's important that the Department of Tax and Finance review STAR exemption appeals thoroughly and for decisions to be rendered quickly. Not only does NYSAA want to see the process simplified, NYSAA wants processes involving STAR to be expedited.

Subpart E This provision would make the STAR program more beneficial for residents of mobile homes by converting their STAR exemptions into STAR credits, effective in 2022.

Position: **SUPPORT**

Comments: All mobile home owners would receive (at the very least) the benefit of the valuation "floor," as if the mobile home were worth \$20,000. In addition, taking mobile homes out of the exemption program altogether would greatly reduce the complexity of the STAR data management requirements for both state and local officials, thereby expediting the

. . . Affiliated with the . . .

*Institute of Assessing Officers ~ International Association of Assessing Officers
Northeastern Regional Association of Assessing Officers*

processing of checks to these owners. NYSAA recommends the Legislature set a similar process for owners of co-ops.

Part W Make Technical and Conforming Changes to Real Property Tax Law

Purpose: This bill would facilitate the administration of the real property tax.

Position: **Support**

Comments: NYSAA supports the technical amendments set forth in this provision. The amendments appear to provide clarity with an effort to effectively administer provisions of the real property tax law.

Part X – Promote the Development of Renewable Energy Projects

Purpose: This bill would amend the real property tax law and general municipal law in relation to establishing a standardized approach for real property tax assessment for solar and wind infrastructure.

Position: **Strongly OPPOSED**

Comments: The act of forcing assessors across the state to apply a specific method of valuation with specific discount rates may be challenged as unconstitutional, especially if the rates and theories are derived from within the solar industry. The assessor’s statutory responsibility is to value property using the most appropriate assessment method; this provision hinders their ability to do so.

The budget bill fails to account for other renewable energy systems. The proposed methodology is specific to two types of properties, which presents an issue of equal protection.

Taxing authorities will be disadvantaged. The income to be capitalized will always be argued: contract electric prices versus lower market electric prices. **Localities are in jeopardy of losing up to fifty percent taxable value** if forced to use the income approach; the value could potentially be fifty percent less than the actual installed **cost**. If an income approach must be used, then contract electricity pricing must be used and government incentives must be added to calculate the taxable value. Energy and wind producing projects are specialty properties, and specialty properties cannot be valued solely on the income approach. Budget Bill part “X” should not be codified.

Aid to Localities

Page 761 Make Cyclical Reassessment Aid available only to assessing units that conduct a reassessment in 2021 and have not received reassessment aid in 2019 or 2020.

**Reduce available aid for reassessments to \$712,500 (5% lower than 2020)
 . . . Affiliated with the . . .**

Position: **OPPOSE**

Comments: There is minimal aid available for reassessment projects, and decreasing aid could cause financial hardship at the local level. Since 1999, New York State has paid municipalities over \$83,000,000 in aid for assessment equity projects. The highest aid paid was in 2004. In 2004, 496 municipalities received aid totaling \$8,300,000. Between 1999 and 2010, the average number of municipalities receiving aid was 408, with annual payments averaging \$6,500,000. In 2011, the Legislature abolished the annual reassessment aid and cut the NYSORPTS budget to \$750,000. As a result, the average annual number of municipalities receiving aid fell from 408 to 76, an astounding 80 percent decrease. These figures do not include any payments to Long Island or New York City. There is a direct relationship between state aid and equity projects. Assessment equity projects peaked across the state when financial assistance provided by state aid programs was as an all-time high. As the funding decreased so did the assessment projects. NYSAA strongly discourages the New York State Legislature from cutting funding for assessment equity projects.

Page 716 **Reduce reimbursement for assessor/director training to \$167,200 (5% lower than 2020)**

Position: **OPPOSE**

Comments: The NYS Comptroller reported that assessors need more training. The State Legislature should allocate more funds toward training, or at the very least maintain the current funding for training reimbursement. Continuously improving one's skills is one surefire way to stay ahead in a career that is constantly evolving. Educated assessors help municipalities achieve long term viability and profitability. Municipalities cannot afford to adhere to an underfunded training requirement. Most communities have trimmed budgets and are working with skeletal resources as it is.

... Affiliated with the ...

*Institute of Assessing Officers ~ International Association of Assessing Officers
Northeastern Regional Association of Assessing Officers*