



## TOWN OF DAY

Assessor's Office

Carrie Schermerhorn, Sole Assessor

1650 NORTH SHORE ROAD, HADLEY, NY 12835

COUNTY OF SARATOGA

DAYASSESSOR@TOWNOFDAY.COM

PHONE: (518) 696-4670 FAX: (518) 696-5391 WWW.TOWNOFDAY.COM

## 2024 GRIEVANCE PACKET

- Important Assessment Dates
- Grievance Application (RP-524)
- Instructions for Filing (RP-524-INS)
- How to "Estimate the Market Value of Your Home"

Helpful websites:

[www.townofday.com](http://www.townofday.com)

[www.saratogacountyny.gov](http://www.saratogacountyny.gov)

[www.tax.ny.gov](http://www.tax.ny.gov)

<https://saratoga.sdgnys.com>

**The Assessment Office will start accepting applications on May 1, 2024**

Hearing times are on a first come first served basis.

You must submit your COMPLETED application with documentation to the Assessment Office to be scheduled a hearing time **prior** to the start of the BAR hearing session.

- Post marked **will not** be accepted.
- You do not need to be present to grieve your assessment.
- When submitting your paperwork please let us know if you will be attending.

**Grievance Day is Tuesday, June 4, 2024 – Day Town Hall, 1650 N Shore Rd, Hadley NY 12835 from 4 pm to 8pm.**

## **2024 Assessment Roll Important Assessment Dates**

**[www.townofday.com](http://www.townofday.com)**

**[www.tax.ny.gov](http://www.tax.ny.gov)**

**Latest State Equalization Rate: 44%**

### **Valuation Date: July 1, 2023**

This date is used to set the market value (market value is the most probable price that a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus.) NYS uses a sale date range between July 1, 2022, through June 30, 2023.

### **Taxable Status Date: March 1, 2024:**

Last Date for an exemption application to be filed in the Assessor's Office & Date used to value the property as it physically stands. Essentially a snapshot town and the taxable inventory on that date.

### **Tentative Assessment Roll Filed: No later than May 1, 2024**

- Due date for the Tentative Assessed Values
- Date the Roll is available for review in the Assessor's Office.
- First date to pick up/file a Grievance Application (RP-524) in the Assessor's Office or Download online at [www.tax.ny.gov](http://www.tax.ny.gov)

### **Grievance Day is the 1<sup>st</sup> Tuesday in June. June 4, 2024.**

- Last day to file a Grievance application (RP-524) in the Assessor's Office
- Hearing Date of the Board of Assessment Review at the Town Hall

### **Final Assessment Roll Date: July 1**

- Bar decision changes are reflected from the Tentative Roll to Final Roll
- Date the BAR decisions must be mailed by
- Date when the roll is available for review in the Assessor's Office

**Online Assessments & Assessment Roll: [www.townofday.com](http://www.townofday.com)**

### **2024 Assessment Roll reflects the Assessed Values for:**

- 2024 School Tax Bill
- 2025 City & County Bill



**NEW YORK STATE DEPARTMENT OF TAXATION & FINANCE  
OFFICE OF REAL PROPERTY TAX SERVICES**

**GENERAL INFORMATION AND INSTRUCTIONS FOR FILING  
COMPLAINTS ON REAL PROPERTY ASSESSMENTS**

**Who may complain?** Any person aggrieved by an assessment (e.g., an owner, purchaser or tenant who is required to pay the taxes pursuant to a lease or written agreement) may file a complaint (RP-524).<sup>\*</sup> You may complete the complaint yourself or your representative or attorney may complete it for you.

**What assessment may be reviewed?** The only assessment that may be reviewed is the assessment on the current tentative assessment roll completed by the local assessor. As a general rule, a separate complaint should be filed for each separately assessed parcel.

**Where must the complaint be filed?** The complaint must be filed in the city or town in which the property is located, with either the assessor or the board of assessment review. You may deliver the complaint either to the assessor or to the board of assessment review. You may also mail your complaint for review, but it must be received by the assessor or the board of assessment review no later than the day the board of assessment review meets to hear complaints.

If the property is located in a village which assesses property, there will be two assessments, one by the village and one by the town. If the complainant wishes to have both the town and the village assessments reviewed, the complainant must file separate complaints with the town assessor (or board of assessment review) and the village assessor (or board of review or board of assessment review). To determine whether the village produces its own assessment roll, consult the village clerk.

**When must the complaint be filed?** You may file the complaint with the assessor on or before the first day the board of assessment review meets to hear complaints or with the board of assessment review on such day. If you file your complaint fewer than four business days before the board of assessment review meets, the board is required to grant the assessor's request for an adjournment to allow the assessor to prepare a response to the complaint. The failure to file your complaint on time closes off your right for administrative and judicial review of this year's assessment.

**When is the meeting of the Board of Assessment Review?** In most towns, the board of assessment review meets on the fourth Tuesday of May, except as follows:

In Suffolk County, town boards of assessment review meet on the third Tuesday of May;

In Westchester County, town boards of assessment review meet on the third Tuesday in June;

In Nassau County, the Assessment Review Commission meets throughout the year, but complaints must be filed by March 1.<sup>\*</sup>

In cities, the date for the meeting of the board of assessment review must be ascertained from specific charter provisions and the assessor's or the city clerk's office should be contacted; and

In most villages which assess real property, the board of review or board of assessment review meets on the third Tuesday of February; however, village assessment calendars may vary, and the village clerk should be consulted.

In cities and towns which employ an assessor who is at the same time employed by another assessing unit, the local governing body may adopt a local law establishing a different date for the meeting of the board of assessment review. That date may be no earlier than the fourth Tuesday in May and no later than the second Tuesday in June. You should check with your city or town clerk to determine if such a local law is in effect in your city or town.

#### **Complaint procedure**

1. Your written complaint should include statements, records, and other relevant information to support your complaint.
2. You should be very 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.
3. You have the right to attend the hearing of the board of assessment review and to present statements in support of your complaint. You may appear personally, with or without your attorney or other representative.

<sup>\*</sup> Nassau County has its own complaint form and procedures; contact the Nassau County Department of Assessment or Assessment Review Commission for forms or more information.

4. You have the right to be represented by your attorney or other representative. To do so, you must authorize such person to appear on your behalf (see Part four of RP-524). This authorization must be in writing and bear a date within the same calendar year during which the complaint is filed.
5. If the board of assessment review is not satisfied with the evidence you provide, the board may require you or your representative to appear personally or to submit additional evidence. If you willfully refuse or neglect to answer any material question put to you, you may be precluded from seeking judicial review of your final assessment.
6. You (or your representative) and the assessor (or member of the board of assessors designated by a majority of the board of assessors) may stipulate to a reduced assessment of the value of your property. To do so, Part Six of the form must be completed and signed. Be sure to receive a copy of the signed stipulation for your records. If you enter into a stipulation, you may not ask the board of assessment review for a further reduction in your assessment, and if the agreed upon assessment appears on the final assessment roll, you will not be allowed to seek a lower assessment through judicial review.
7. The board of assessment review must mail to each complainant a notice of the board's determination except where the board ratifies a stipulated assessment. Such notice must contain a statement of the reasons for the board's determination.

### INSTRUCTIONS FOR COMPLETING THE COMPLAINT (FORM RP-524)

**Complaint form.** Complaints in relation to assessments on city, town and village assessment rolls must be made on Form RP-524'. All relevant parts of the complaint form must be completed. Failure to do so could result in dismissal of the complaint and preclude subsequent judicial review.

**Part One. General information.** Enter the required identifying information, including your estimate of market value of your property as of valuation date.

**Part Two. Value of property.** You are required to submit proof necessary to determine the value of your property. Value is based upon the condition of your property on taxable status date as of the applicable valuation date. In most cities and towns, taxable status date is March 1 and valuation date is the preceding July 1, but check with your assessor for variations. The rationale for separating valuation date from taxable status date is to permit the assessor sufficient time to review sales data which is used to value most parcels. Generally, "value" means market value, i.e., the price your property would sell for in the open market (assuming no unusual circumstances). Market value can be estimated from a recent sale of your property or from an analysis of recent sales of comparable properties.

When your property is of a type which is not frequently bought and sold, the value of the property may be estimated using other techniques. If the property is income producing (e.g., rental property), value may be estimated by using an income capitalization methodology. If your property is "specialty property" (i.e., property designed for unique purposes or uniquely adapted to the use made of it, which cannot be converted to other uses without expenditure of substantial sums of money), value may be estimated by using the cost method.

To establish the value of your property, the following information may be useful:

1. Purchase price of the property, if recent;
2. Offering price of your property, if recently offered for sale;
3. Professional appraisal of your property;
4. Cost of construction, if recently built;
5. Rental information, if property is rented;
6. Income and expense information, if property is commercial or industrial; or
7. Purchase price of comparable property recently sold.

**Part Three. Grounds for complaint.** There is a presumption under the law that the assessment made by the assessor is correct. The burden of proof is with you, the complainant, to overcome this presumption. To obtain a correction of your assessment, you must show that the original assessment is unequal, excessive or unlawful or that your property has been misclassified.

#### A. Unequal Assessment

1. Generally, if assessments in your city, town or village are not made at full value, State law requires that they be made at a uniform percentage of value. If you believe that your property is assessed at a higher percentage of value than

---

\*In Nassau County, complaints in relation to assessments on the county assessment roll and on city and village assessment rolls prepared by the county should be made on the form prescribed by the County. Complaints in relation to assessment rolls prepared by a city or village must be made on Form RP-524.

the average of all other properties on the same assessment roll, you may claim an unequal assessment. For example, if you prove the 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 the average is assessed at 50%, you may claim a reduction of your assessment to \$100,000.

2. If you own a one, two or three family residence and if you believe that it is assessed at either a higher proportion of full (market) value than other residential property on the assessment roll or at a higher proportion of full (market) value than the assessed valuation of all real property on the assessment roll, you may claim an unequal assessment. For example, if you prove the value of your property is \$200,000, an assessment of \$100,000 would show that it 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.

3. To demonstrate that your property is unequally assessed, you must first establish the full value of the property as indicated above. Note that the State law now requires that the assessment roll display the assessor's estimate of the full value of your property. Then you must establish the average percentage of value at which all other properties are assessed on the same assessment roll. To establish the average percentage of value at which all property is assessed on the assessment roll, the following information may be useful:

- a. The uniform percentage of value appearing on the assessment roll;
- b. The latest State equalization rate or residential assessment ratio for your assessing unit (city, town or village), which is available from your assessor, County Director of Real Property Tax Services, or the Office of Real Property Tax Services;
- c. Market values and assessments of a sample of other properties on the same assessment roll;
- d. Purchase price and assessment of other properties recently sold; and
- e. Statements of the assessor or other local official.

Once you have established the value of your property and the average percentage of value at which all other properties are assessed, you must apply the percentage to the value of your property and then compare the result to your assessment. If the result is lower than your assessment, you may request that your assessment be reduced to that lower amount.

In the case of one, two or three family residential real property, you also have the option of proving that the percentage of full value represented by your assessment is higher than the average percentage at which other residential properties are assessed on the same assessment roll. To establish the average percentage at which residential property is assessed on the assessment roll, the latest residential assessment ratio established for your assessing unit is useful. (The residential assessment ratio is available from your Assessor, County Clerk or County Director of Real Property Tax Services, or the Office of Real Property Tax Services.) Once you have established the average percentage at which other residential properties are assessed, you must apply this percentage to the value of your property. If the result is lower than your assessment, you may request that your assessment be reduced to that lower amount.

#### **B. Excessive Assessment**

1. **Overvaluation.** If you believe the assessed valuation of your property is greater than the full market value of the property, you may claim an excessive assessment. To establish the full market value of your property, you should supply the kind of information set forth above.

2. **Incorrect Partial Exemption.** If your property was denied all or a portion of a partial exemption (e.g., senior citizens, veterans, school tax relief [STAR]), you may also claim an excessive assessment. If you filed an application for the partial exemption with the Assessor, submit a copy of the application with your complaint. If you do not have a copy, you should request the Assessor to submit it to the Board of Assessment Review.

3. **Excessive Transition Assessment.** Cities, towns and villages certified by the Office of Real Property Tax Services as approved assessing units may adopt a system of transition assessments to phase in over five years all increases and decreases in assessed valuations resulting from a revaluation. If your city, town or village has adopted transition assessments and you believe that the transition assessment for your property has been improperly calculated, you may claim an excessive assessment.

#### **C. Unlawful Assessment**

1. **Property wholly exempt.** Certain real property of certain organizations and agencies is wholly exempt from real property taxation (for example, churches, colleges, etc.) If your claim is that the assessment is unlawful because the property should be wholly exempt, you should supply the Board of Assessment Review with information upon which it may make a judgment, including a completed exemption application form if required. (NOTE: If your claim relates to a partial exemption such as a veterans or senior citizen exemption, the assessment is not unlawful, but a failure to grant all or a portion of a partial exemption may constitute an excessive assessment; see item B.2.)

2. Property is entirely outside the boundaries of the city, town, village, school district or special district in which it is designated as being located. If your property is located totally outside the boundaries of the city, town, village, school district or special district indicated on the assessment roll, the assessment on this property is unlawful. You must produce facts showing that no part of the property in question was located within the jurisdiction on taxable status date.
3. Assessment made by person or body without authority. If your property was assessed by someone other than the Assessor or if your assessment was entered or changed after the tentative assessment roll was filed, your assessment is unlawful.
4. Property cannot be identified from description. If your property cannot be located from the description on the assessment roll, your assessment is unlawful.
5. If your property is special franchise property and the assessment exceeds the final assessment thereof as determined by the Office of Real Property Tax Services, your assessment is unlawful.

**D. Misclassification (Relevant only in approved assessing units which establish homestead and non-homestead tax rates.)\***

Cities, towns and villages certified by the Office of Real Property Tax Services as approved assessing units may elect to establish separate tax rates for homestead and non-homestead real property.

The homestead class includes:

- 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 which is eligible for an agricultural assessment pursuant to section 305 or 306 of the Agriculture and Market Law, if the owner has filed an annual application for an agricultural assessment
- All farm buildings and structures as defined in Real Property Tax Law, section 483(3), located on such land used in agricultural production.

The non-homestead class includes all other real property (e.g., commercial, industrial, special franchise and utility property, and some vacant land.)

These are two possible claims of misclassification.

1. The parcel has been designated in the wrong class on the assessment roll.
2. The allocation of your parcel's total assessed value-between the homestead and non-homestead parts is incorrect.

For example, your 100 acre parcel is assessed for \$500,000. The Assessor allocates \$200,000 of that amount to your residence and surrounding 10 acres, the other \$300,000 being allocated to the remaining 90 acres. You believe that the \$500,000 total assessment is correct but contend that the residence and 10 acres are worth one-half of the total, or \$250,000. (The question of allocation will be significant because of the different tax rates for the homestead and non-homestead classes.) In this case, you may claim that your property is misclassified and request that the assessed value be allocated equally between your residence and surrounding 10 acres and the remaining 90 acres.

If you contest only the allocation without seeking review of the total assessed value, only the "Misclassification" claim need be raised. However, if you believe that your assessment is unequal or excessive and the allocation between the homestead and non-homestead parts is incorrect, then you should check both misclassification and unequal or excessive assessment. Using the same example as above, if you claim that the total assessed value should be reduced from \$500,000 to \$350,000, you must show an allocation of the \$350,000 between the homestead and non-homestead shares.

**E. Penalty for false statements**

A person making willful false statements on a complaint form may be charged with a crime punishable by law.

\* Nassau County is subject to a different classification system.

Where can I find comparable sales?

- **Local assessor's offices** - They should be able to provide the sales history of a particular house, neighborhood, or style of architecture. Some assessors also provide lists of recent sales that you can browse and compare to the assessment roll.
- **Municipalities** - Some choose to provide local sales in their offices or online.
- **Online databases** - Search for them using keywords such as "comparable home sales" or "comparable sales". In addition, you may wish to try searching "real estate database - New York State" for additional property information.
- **Local newspapers** - These are good sources of real estate information. They often have quarterly sales reports in the real estate or business sections.
- **Real estate agents** - They may be willing to share their expertise and sales history information.

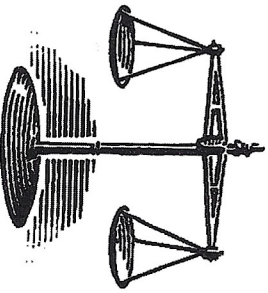
How does my home's market value affect my property taxes?

Generally, property taxes are based on the estimated market value of your home. Your local assessor determines the estimated market values of all the properties in the community. Your assessor may use the sales comparison approach or any other method to arrive at your property's estimated market value, which is available on the assessment roll and your property tax bill.

The assessor only estimates each property's market value during a reassessment or when a property has a physical change. Some communities have not had a reassessment in several years or even decades. As a result, the estimated market value shown on the assessment roll or your property tax bill may not actually reflect your home's current market value.

If you conclude that the assessor's estimated market value of your home is too high, then you should contact the assessor's office to learn the procedures for an informal assessment review.

During the informal review process, you and the assessor can each discuss your property's characteristics and how the market value estimate was determined. If you remain unsatisfied with the assessment, you have the right to a formal administrative and judicial review of the assessment. The assessor can provide you with information on these processes.



STATE OF NEW YORK



NYS Department of Taxation & Finance  
Office of Real Property Tax Services  
WA Harriman State Campus  
Albany, New York 12227  
Phone: 518-591-5232  
[www.ltrx.ny.gov](http://www.ltrx.ny.gov)

---

## How to Estimate the Market Value of Your Home

New York State Department of  
**Taxation and Finance**  
Office of Real Property Tax Services



Publication 1115

November 2012

**Why should I estimate my home's market value?**  
 Establishing your home's market value gives you greater control over your property taxes, insurance premiums, and the sale or refinancing of your home. Many people hire professional appraisers to estimate their home's market value. However, there's no reason why you can't do it yourself by following a few simple steps outlined below.

**What is market value?**  
 Market value is how much a home would sell for under normal conditions. This excludes sales where the buyer or seller is under pressure to act, perhaps due to career relocation, death of a family member, or divorce. Market value is basically an educated guess, but it can be fairly accurate if you apply the right method and consider all the important details.

A number of factors may affect your home's market value, including:

- External characteristics - "curb appeal," home condition, lot size, popularity of an architectural style of property, water/sewage systems, sidewalk, paved road, etc.
- Internal characteristics - size and number of rooms, construction quality, appliance condition, demonstrated "pride of ownership," heating type, energy efficiency, etc.
- Supply and demand - the number of homes for sale versus the number of buyers, how quickly the homes in your area sell.
- Location - desirability for a particular school district, neighborhood, etc.

**How do I estimate my home's market value?**  
 We recommend you use the sales comparison approach to estimate your home's market value. This is the primary method used by professional appraisers and real estate agents to determine the market value of homes.

Begin by researching recent sales of similar properties in the local area. The sale prices of these properties will provide a good place to start with in estimating your home's value. Try to find sales of at least three properties that are comparable to your home. If possible, make sure these properties were sold under normal conditions. You only want properties sold at market value.

How do I determine whether a property is comparable?  
 Look for these characteristics in determining whether the sold property is comparable:

- lot size
- square footage
- home style
- age
- location

What if the characteristics aren't identical? Unfortunately, you probably won't find an exact comparable sale. To account for this, you need to adjust the sale prices of the comparable properties. This will require some analysis on your part to determine whether these differences increased or decreased the sale price, and, if so, by how much. The adjusted sale price is your estimation of what the property would have sold for if all the characteristics were the same.

**Hypothetical Analysis**  
 We suggest you create a grid like the one shown here to help you compare all of the properties.

| Hypothetical Comparable Sales Analysis<br>(Values are strictly estimates and should not be used in your analysis) |           |   |                                  |             |
|---|-----------|---|----------------------------------|-------------|
| Attribute   | Your home | Sale #1                                   | Sale #2                          | Sale #3     |
| Sale Price  |           | \$210,000                                 | \$250,000                        | \$270,000   |
| Sale Date   |           | Recent                                    | Recent                           | Recent      |
| Property Condition  | Good      | Good                                      | Good                             | Good        |
| Year Built  | 2005      | 2006                                      | 2006                             | 2006        |
| Square Feet   | 1,500     | 1,500                                     | 1,500                            | 1,500       |
| No. of Bedrooms   | 3         | 3   | 3                                | 3           |
| No. of Baths  | 1         | 1   | 1                                | 2 (412,000) |
| No. of Garage Spaces  | 2         | 2   | 2                                | 2           |
| Location  | Avenue A  | Avenue B<br>inferior location (-\$30,000) | Avenue C<br>similar neighborhood | Avenue A    |
| Lot Size  | ½ acre    | ½ acre                                    | ½ acre                           | ½ acre      |
| Basement  | Full      | Full                                      | Full                             | Full        |
| Adjusted sale price   |           | \$240,000                                 | \$250,000                        | \$258,000   |

**Research**  
 Let's say your home is a 1,500 square foot ranch with 3 bedrooms, 1 bathroom, full basement, and two-car garage on ½ acre of land. It was built six years ago in a nice neighborhood. After doing some research, you find three comparable properties recently sold at market value. However, not all of the characteristics match up. Sale #1 is in a less desirable (or inferior) location and Sale #3 has an additional bath. Sale #2, though, is almost identical to your home.

**Adjust sale price**  
 Since Sale #1 and Sale #3 aren't identical to your home, you must compensate for these differences by adjusting the sale price of each property. To do this, you have to guess what the property would have sold for if the property had the same characteristics as your own. Since you already have the sale price as a baseline, you only have to estimate the value of the differing characteristics.

For instance, you can safely assume that Sale #1 would have sold at a higher price if it was located in your neighborhood, which is the nicer one between the two. You then estimate that the increase in value would be around \$30,000. The adjusted sale price for Sale #1 is thus the sale price plus \$30,000.

Next, you move on to Sale #3 and determine that not having the extra bath would decrease the sale price by about \$12,000. Because Sale #2 is almost identical to your property, no adjustments are necessary.

**Estimate of your home's market value**  
 Now you have three sale prices that can be used as a rough estimate of your home's market value.