



**ADDENDUM TO APPLICATION FOR CORRECTION
FORM TC200 INSTRUCTIONS FOR 2017**

General. TC200 may be required when filing on Form TC101, TC105, TC106, TC108 or TC109. If required, attach TC200 to the application. If you do not file TC200 when necessary, the application will not be complete and will not be reviewed. Form TC200 serves a variety of purposes so some parts of TC200 may not apply to your application.

Standing. Only a person or entity who is “aggrieved”, i.e., directly and adversely affected by the assessment of the property, has standing to file an application for correction of assessment. The following persons have standing:

100% owners and net lessees: The legal (i.e., title) owner of the entire property, or a lessee of the entire property who pays all taxes and is authorized to contest the assessment, has standing to file an application.

Contract vendees: The buyer under a contract of sale for the property where the closing has not taken place (i.e., a contract vendee) has standing to file an application.

Other interested parties: Partial lessees, lessees of the land portion of the property (ground lessees), lessees paying less than all taxes, receivers, bankruptcy trustees, mortgagees-in-possession, and owners of a less than 100% interest also may have standing to file an application.

An applicant must have standing at the time the application is filed and must retain standing at the time of the hearing and at the time an offer of assessment relief is accepted.

Form TC200 may be required to establish standing because of the relation of the applicant to the property. In the following circumstances, you must file Form TC200 with an application:

- i. The applicant is not an owner or lessee who pays all property charges, such as taxes on, insurance for, and maintenance of the entire property.
- ii. The applicant is a partial tenant, a ground lessee, a tenant who does not pay all property charges, or an owner of a divided interest.
- iii. The applicant is a receiver, mortgagee-in-possession or bankruptcy trustee. The applicant must attach a copy of the signed court order of appointment or granting possession to

the application with TC200. Highlight the parts of the order identifying the property and naming the applicant. Do not submit expired orders or orders that are otherwise not in effect.

- iv. The applicant is a contract vendee. A contract vendee (buyer) must attach a copy of the contract of sale signed by the buyer and seller to the application with TC200. If the vendor and vendee are not related, file Form TC230 also. If the opening and signature pages (showing there is a signed contract in effect) are attached with TC200 to the application when filed, vendees may submit the rest of the contract at the hearing (with TC159). The contract must be unconditional and establish that the buyer has standing.

NOTE: A contract vendee will lose standing if, by the date of the hearing, the sale has not closed and the contract vendee has not received title to the property. If a contract vendee files an application, but the sale has not closed prior to the scheduled hearing on the application, the applicant or the applicant’s representative may request a postponement of the hearing. Alternatively, the applicant who is a contract vendee, or the applicant’s representative, may waive their right to a hearing on the application, and, after the closing, request that the application be restored to the calendar. See Form TC600A regarding restorations.

In either event, if the closing has not occurred by the time of the rescheduled hearing, the assessment will be confirmed. However, the application remains valid to establish jurisdiction for a judicial proceeding.

TC200 is required if the application is signed by a fiduciary. A fiduciary, such as an executor of a decedent’s estate, administrator, guardian, conservator or trustee, must show authority to sign the application. When a fiduciary signs the application, the fiduciary must file TC200 and attach documentation of his or her authority. For example, executors must attach a photocopy of a certificate of letters testamentary with the court seal visible. Letters testamentary must either be issued within the past five years or a certificate that such letters still are in effect must be provided. In the case of a trustee, unless the trust itself holds title, the trustee must attach a copy of the trust

agreement (or the pertinent portions thereof if the document is voluminous.) If documentation of a fiduciary's authority to sign an application was filed in 2015 or 2016, you do not have to submit the same documentation in 2017 for the same fiduciary for the same property.

If required documents are not attached to TC200 when the application is filed, and, as a result, standing is not established, the application will be dismissed.

Other circumstances when TC200 is required with TC101 or TC106. Form TC200 must be filed with an application on Form TC101 or TC106 under the following circumstances:

- i. An owner/applicant whose entire property is subject to a net lease must report net lease information on Form TC200 Part 5, instead of on Form TC201.
- ii. A net lessee who does not receive any rental income from the property because it is vacant for the entire year or because the lessee occupies the entire property for the lessee's own use must report net lease information on Form TC200. **New for 2017: A net lessee that receives rental income from unrelated tenants must file form TC201, TC203, TC208 or TC214, whichever is appropriate.**
- iii. If the answer is "Yes" to either question in Part 10 of TC101 or Part 6 of TC106 as to a sale of the property or construction, demolition or major alteration work since January 5, 2015, describe construction, demolition or a major alteration in TC200 Part 4. Describe a sale between related persons in TC200 Part 3. Use Form TC230, instead of Form TC200, to report a sale between unrelated persons.

If the specific information called for in Part 3 or 4 is not available when the application is filed, or Form TC230 is not attached when the application is filed, you may submit TC200 and/or TC230 at your hearing with a TC159. If the application requests a review on the papers without a personal hearing, you must file Form TC200 or TC230 with the application.

When Form TC200 is required with TC105. Form TC200 is required with TC105 when the applicant is not an owner. Complete only Parts 1 and 2.

When Form TC200 is required with TC109 to make a unit value claim. Form TC200 must be submitted for a claim that an individual residential, or owner-occupied commercial, unit is overvalued and the claim is independent of the correctness of the valuation of the condominium as a whole. For example, a unit's assessed value is claimed to exceed its rental value, as indicated by the rent

actually paid to the owner or that the unit would earn if rented, based on rents of comparable units. This claim may be asserted regardless of the value of the entire condominium because of specific factors affecting a unit. Owners of residential units must complete Parts 1, 2, 6 and 7 of TC200. Owners of nonresidential units must complete Parts 1, 2 and 6.

A cooperative apartment corporation that owns a condominium unit should file Form TC203 and not TC200.

When to file. Generally, if you are required to file TC200, you must submit it, and any required attachments, with your application. All applicable parts of TC200 must be complete when it is filed.

The following exceptions apply:

- i. When a sale, construction, demolition or major alteration occurring after January 5, 2015 is reported in TC101 Part 10 or TC106 Part 6, you may submit at the hearing TC200, with Parts 3 and/or 4 completed, attached to Form TC159. If the sale is between unrelated persons, submit Form TC230 with Form TC159 instead. Note: if either question in Part 10 of TC101 or Part 6 of TC106 is not answered, the application will not be reviewed and the assessment will be confirmed.
- ii. If the actual assessment equals or exceeds \$750,000, TC200 may be filed as an attachment to a supplemental application Form TC150 filed between March 2 and March 24, if filed for the purpose of reporting net lease rent in Part 5, and TC201 is not required.
- iii. If Form TC150 is filed between March 2 and March 24 with TC201, you may file TC200 attached to TC150 for the purpose of supplying information required in TC200, Part 3 and/or 4. Otherwise, submit the information with your application or at the hearing, as discussed above.

Which Parts of TC200 to complete. If TC200 is required, all applicants must complete Parts 1 and 2, including all questions marked "◆", which are to be answered "Yes" or "No".

If filing Form TC106, also answer questions marked "◆" in Parts 3, 4 and 6, and complete all Parts that apply.

If filing Form TC109 to make a unit value claim (see above), complete Parts 1, 2, 6 and/or 7, and if applicable Parts 3, 4, or 5.

If you file Form TC101 and answer both items in Part 10 "No", Parts 3 and/or 4 may be left blank.

If you file Form TC106 and answer both items in Part 6 “No”, Parts 3 and/or 4 may be left blank.

If a condominium is newly constructed or underwent a major alteration after January 5, 2015, a condominium board or cooperative corporation filing Form TC109 must complete Parts 1, 2, and 4.

TRANSACTIONS AFFECTING STANDING OR AFFECTING CONTROL OVER OPEN PETITIONS MUST BE DISCLOSED.

As a result of certain transactions affecting the property, an applicant who has standing at the time the application is filed may lose standing before the hearing, or after the hearing but before an offer is accepted. In addition, certain transactions may cause another person to acquire standing and the applicant may wish to substitute that person for the applicant. Finally, certain transactions may affect the applicant’s control over open Article 7 petitions, whether by law or by agreement.

For these reasons, all of the following transactions must be disclosed as described below:

- i. A sale, or executed contract of sale, of all or a portion of the property.
- ii. Any other transfer, or executed contract of transfer, of an interest in the property, including but not limited to: a transfer in foreclosure, a deed in lieu of foreclosure, condemnation, bankruptcy, gift, transfers to or from a trust, or a transfer under a will or by intestacy. For this purpose, an interest in property means a possessory interest, and not a future interest, in the property.
- iii. An executed lease for all or a portion of the property, if the lessee is obligated to pay all or a proportionate part of the NYC Real Property Tax on the property and is authorized to contest the assessment.
- iv. A sale or other transfer, or executed contract of sale or transfer, of a direct or indirect ownership interest in the applicant, but only if the sale or other transfer causes a person, other than the applicant, to be directly and adversely affected by the assessment and authorizes that person to contest the assessment or if the sale or other transfer causes a person, other than the applicant, to have control over open prior years’ Article 7 petitions such that the applicant would not be authorized to sign stipulations of discontinuances of open petitions.

Disclosure of transactions occurring before the application is filed. If the transaction occurs before the application is filed but the applicant does

not lose standing (e.g., a contract of sale is signed or a transfer of an interest in the applicant occurs but the applicant remains the owner of the property at the time of the hearing), the transaction must be disclosed on the application and a Form TC200 or Form TC230 must be filed with the application or with a Form TC159 at or before the hearing.

NOTE: If the original applicant loses standing before the application is filed, the defect can ONLY be cured by an applicant who has standing filing a new application BEFORE THE FILING DEADLINE. The defect cannot be cured after the original filing deadline.

Disclosure of transactions occurring after the application is filed but before the hearing. If the transaction occurs after the application is filed but the applicant does not lose standing before the hearing, the transaction must be disclosed by filing a Form TC159 with a Form TC200 or Form TC230 at or before the hearing.

If a transaction that causes the applicant to lose standing occurs after the application was filed but before the hearing, *the transferee must be substituted for the original applicant to obtain review of the application.* To substitute a transferee for the original applicant, the transferee must file:

- i. Form TC159 with an amended application for the transferee as the new applicant;
- ii. Form TC155; and
- iii. Form TC230 or Form TC200 with supporting documents where applicable.

When a transfer occurs after June 30, to obtain a hearing on the application, the consent of the transferor is required on Form TC155 to allow the transferee to be substituted for the applicant.

Disclosure of transactions occurring after the hearing but before an offer of relief is accepted. If the transaction occurs after the hearing but the applicant does not lose standing, the transaction nevertheless must be disclosed as a condition of accepting the offer under the terms of the Offer and Acceptance Agreement (Form TC70) by filing a Form TC159 with a Form TC200 or Form TC230 at the time of, or before, submitting the Acceptance Agreement (Form TC70).

If a transaction that causes the applicant to lose standing occurs after the hearing but before the applicant or the applicant’s representative has accepted an offer of assessment relief, the transaction must be disclosed and the transferee must be substituted for the applicant as a condition of accepting the offer under the terms of the Offer and Acceptance Agreement (Form TC70). To be substituted for the applicant and to request that the

Tax Commission reissue the offer, the transferee must file:

- i. Form TC159 with an amended application for the transferee as the new applicant;
- ii. Form TC155; and
- iii. Form TC230 or Form TC200 with supporting documents where applicable.

This applies whether the offer is for a current or earlier year. When a transfer occurs after June 30, the consent of the transferor is required on Form TC155 to allow the transferee to be substituted for the applicant for purposes of requesting a re-offer.

NOTE:

- Failure to disclose any transaction when required may result in a denial of review of the application or a withdrawal or revocation of an offer.
- If the applicant had standing when the initial application was filed, the application remains valid to establish jurisdiction for a judicial proceeding despite a subsequent transfer of the applicant's interest. However, if the transferor's time to file a petition expired before the transfer and a petition was not filed, the transferee cannot be substituted and a re-offer cannot be requested.

Definitions.

Related persons. Related persons include individuals related by blood, marriage or adoption, individuals and the business entities they control, business entities under common control, and fiduciaries and the beneficiaries for whom they act. A person includes a corporation or other business entity.

Construction or major alteration. Construction or major alteration work includes any work that (a) increases the enclosed floor area or cubic content of a building, (b) renovates a substantially vacant building (c) converts the use of one or more floors of a building, such as from office to residential use, (d) completes renovation, or tenant installations affecting at least 25% of a building's area, (e) installs or replaces HVAC, elevators, electric wiring or plumbing, (f) replaces at least one of the exterior faces of the building, or (g) costs or is expected to cost an amount that equals or exceeds the tentative total actual assessment under review.

Demolition. Demolition is any work involving the dismantling, razing or removal of all of a building or structure, or the dismantling, razing or removal of structural members, floors, interior bearing walls, and/or exterior walls or portions thereof.

Floor area. Where floor area is called for, state the approximate gross floor area to the best of your

knowledge and ability. The measurement should be from exterior wall to exterior wall for each floor.

Forms and information. Copies of Tax Commission forms may be obtained at <http://www.nyc.gov/html/taxcomm>, at the Tax Commission's office in Manhattan at 1 Centre Street, Room 2400 and at Finance Business Centers in each borough. Address questions about how your assessment was determined or general questions about real property tax assessments to the Department of Finance. Contact Finance at <http://www1.nyc.gov/site/finance/taxes/property.page> or by calling 311. If you have questions about the application procedure, contact the Tax Commission by e-mailing tcinfo@oata.nyc.gov or by calling 311.



TAX COMMISSION OF THE CITY OF NEW YORK
1 Centre Street, Room 2400, New York, NY 10007

TC200
2017

ADDENDUM TO APPLICATION FOR CORRECTION

Read TC200 Instructions and TC600 "How to Appeal a Tentative Assessment" before you begin. If you are required to file TC200, complete Parts 1 and 2 and all other parts that apply. Answer ALL questions marked ◆.

1. PROPERTY IDENTIFICATION				
BOROUGH (Bronx, Brooklyn, Manhattan, Queens or Staten Island)	BLOCK	LOT	REP. TC GROUP NUMBER	ASSESSMENT YEAR 2017/18

- a. ◆ If the property is a tax lot or lots in a condominium, does this addendum cover all lots listed on Form TC109? ____ (Y/N). If YES, skip section b.
- b. ◆ Does this schedule cover more than one tax lot? ____ (Y/N). If YES, state total number of lots ____, and list block and lot numbers:
 Block ____ Lots ____ Block ____ Lots ____
 Block ____ Lots ____ Block ____ Lots ____
 Check if applicable: Additional lots are listed on page ____ All lots are contiguous. See TC166 for instructions on consolidated lots.

2. APPLICANT'S RELATION TO PROPERTY; REQUIREMENTS FOR LEGAL STANDING. See Instructions.

- ◆ If the Applicant is the owner/title holder of the entire property, is the entire property subject to a net lease? ____ (Y/N). If YES, provide lease information in Part 5 below.
- ◆ Does Applicant or a related person pay rent pursuant to an arms-length lease of the entire property or the entire land portion of the property? ____ (Y/N). If YES, complete Part 5 below.
- ◆ Does Applicant lease the property from a related person? ____ (Y/N). If YES, specify Applicant's relation to lessor: _____ and lessor's relation to property: _____.

Mark **only one** box below with an X to indicate the Applicant's standing as a person aggrieved by the assessment. **NOTE: If you do not attach the documents required below to this Form TC200, your application will not be reviewed.**

1. The Applicant is an owner/title holder of the entire property (tax lot(s) in issue).
2. The Applicant is a lessee of the entire property who pays all property charges, such as taxes, insurance and maintenance, in addition to rent ("net lessee") and is not barred by the lease or otherwise from contesting the assessment. Provide lease information in Part 5 below.
3. The Applicant is a partial tenant or lessee, or lessee of the entire property who does not pay all property charges. Attach a copy or abstract of lease, highlighting the tax clause and description of leased premises.
4. The Applicant is a contract vendee (buyer). Attach a copy of contract of sale signed by the buyer and seller.
5. The Applicant is a mortgagee (lender) in possession. Attach a copy of the court order that appoints a receiver or trustee, grants possession to the lender's nominee, or directs a sale or transfer of the property.
6. The Applicant or signer is a receiver (court appointee), or trustee in bankruptcy. Attach a copy of the court order or other relevant documents that establish standing as a person aggrieved.
7. The Applicant is a condominium board of managers.
8. The Applicant owns a divided interest. Attach copy of deed and a sketch of the tax lot showing Applicant's part.
9. If none of the above, specify the Applicant's relation to the property: _____ Attach relevant documents or portions thereof that establish legal standing and authority to contest the assessment.

3. SALE OR TRANSFER AFTER JANUARY 5, 2015. If the answer to questions a and b is YES, complete all items in this Part.

- a. ♦ Has the property, or an interest in it, been bought, sold, transferred or placed under contract of sale after January 5, 2015? ____ (Y/N)
 b. ♦ If **YES to a**, is the transfer between related persons? ____ (Y/N) If **YES to b**, complete this Part 3. If **NO to b**, attach a completed Form TC230.

SELLER OR GRANTOR	CONTRACT DATE
BUYER OR GRANTEE	CLOSING DATE
APPLICANT'S RELATION TO PARTIES, IF ANY	PRICE

Describe purpose of transaction. _____

4. CONSTRUCTION, DEMOLITION OR MAJOR ALTERATION AFTER JANUARY 5, 2015

- ♦ After January 5, 2015, has any construction, demolition or major alteration work been under way or have plans for demolition or a new building been filed with the Buildings Dept.? ____ (Y/N). If **YES**, complete this Part. Report actual costs as of January 5, 2017, except site acquisition for construction and personal property.

DESCRIBE WORK				
START DATE	COMPLETION DATE	FLOOR AREA OF NEW SPACE	FLOOR AREA OF RENOVATED SPACE	PERCENT WORK COMPLETE ON 1/5/17
CONTRACT COSTS	FINANCING COSTS	PROFESSIONAL FEES	OTHER COSTS	TOTAL COSTS

5. NET LEASE OR GROUND LEASE AS OF JANUARY 5, 2017. Omit if Form TC201, TC203, TC208 or TC214 is filed.

- ♦ If the Applicant is the net lessee, does Applicant rent any portion of the property to unrelated persons? ____ (Y/N). If **YES**, Applicant must file TC201, TC203, TC208 or TC214. If **NO**, complete this Part.

LESSOR	IF NOT OWNER OF RECORD, DESCRIBE RELATION TO PROPERTY
LESSEE	IF NOT APPLICANT, DESCRIBE RELATION TO APPLICANT

Term of lease: From ____/____/____ to ____/____/____ Annual rent \$ _____ Accounting basis: Cash Accrual

Start date of annual rent stated: ____/____/____ End date of annual rent stated: ____/____/____ End date of lease option: ____/____/____

- ♦ Does lessor receive any sums in addition to annual rent stated? ____ (Y/N). If **YES**, state additional sums here \$ _____
 ♦ Does lessor pay any of the operating expenses or real estate taxes? ____ (Y/N). If **YES**, specify _____
 ♦ Is the lease a lease of the land portion of the property only? ____ (Y/N)
 ♦ Is part of annual rent based on a percentage of sales? ____ (Y/N) If **YES**, state percentage rent: ____ % of sales over \$ _____

6. USE BY APPLICANT. Not applicable to cooperatives or if answered on Form TC101 or TC106.

- ♦ On January 5, 2017, was any of the property used by the Applicant or related persons? ____ (Y/N). If **YES**, complete this Part 6.

Used by Applicant: Entire property. Condo unit(s) Part. Specify location in building _____

Nonresidential floor area used by Applicant: _____ sq.ft. of which first floor _____ sq.ft, basement _____ sq.ft.

Describe Applicant's use _____

7. CONDO UNIT DESCRIPTION. Describe residential condo unit as of January 5, 2017. Complete this Part if the value of the unit on its own is disputed. Attach or submit at the hearing evidence of the unit's value determined using the income method of valuation explained in TC600 and TC109INS Supplemental.

PERCENT OF COMMON INTEREST	FLOOR AREA PER OFFERING PLAN (SQ.FT)	YEAR AND NATURE OF LAST PHYSICAL CHANGE OR MAJOR ALTERATION	
NUMBER OF KITCHENS	NUMBER OF BATHS	NUMBER OF BEDROOMS	NUMBER OF OTHER ROOMS
NUMBER OF VEHICLE PARKING SPACES ASSIGNED TO YOUR UNIT Indoor: _____ Outdoor: _____		PATIO/TERRACE/BALCONY/ OTHER SPECIAL FEATURES	