



## HOW TO APPEAL A TENTATIVE ASSESSMENT

### ASSESSMENT

**1. Tentative assessment.** A real property tax assessment is a determination of a property’s tax class, assessed value and eligibility for a full or partial exemption from tax. Your tax bill will be based on your property’s assessment and tax class. The City Council sets the tax rates in June as part of the budget process.

The City’s Department of Finance (Finance) assesses property every year and publishes a tentative assessment roll around January 15<sup>th</sup> listing the tentative assessed values of all City property for the tax year beginning the following July 1<sup>st</sup>. You can see the roll at one of the Finance borough offices listed in paragraph 20 of this form or on the Finance website at [www1.nyc.gov/site/finance/taxes/property.page](http://www1.nyc.gov/site/finance/taxes/property.page).

**2. Notice of Value.** Finance mails a notice of the new assessment for each property to the address registered with Finance for receipt of tax bills. But if the bills go to a bank or mortgage company, the notice is mailed to the property address. Failure to receive a notice of value does not extend the time to apply for a correction of your assessment. If you do not receive a notice, check Finance’s website at [www1.nyc.gov/site/finance/taxes/property.page](http://www1.nyc.gov/site/finance/taxes/property.page) or dial 3-1-1 for your property’s tentative assessment.

**3. Tax class.** State law divides all property in the City into four classes for purposes of taxation. Class one includes one-, two- and three-family homes, most residentially-zoned vacant land, certain condominiums of up to three stories, and some other properties. Class two consists of all residential property not in class one. Most nonresidential property is in class four. Utility company equipment is in class three. Each property has a tentative tax class designation, which appears on the Finance Notice of Property Value and the assessment roll.

**4. Finance estimate of market value.** In assessing real property each year, Finance estimates the market value of each property in the City. This market value estimate appears on the Notice of Property Value and the assessment roll. For property not subject to annual limits on increases as described below, the tentative actual assessment will be based directly on Finance’s estimated

market value multiplied by the class assessment ratio. **The Tax Commission cannot change the market value estimated by Finance.**

**5. Market value.** The law defines market value as the price for which a property would ordinarily sell on the open market, based on its condition, ownership and use as of January 5<sup>th</sup>. Your property has a market value even if you do not plan to sell it. Market value estimates are based on recent sales, rent and operating expenses, construction costs, or a combination of these, for your property and similar properties in the area.

**6. Class assessment ratio.** The assessment ratio for class one property is 6%; the assessment ratio for classes two, three and four is 45%.

**7. Limits on annual assessment increases.** Increases in the assessed value of properties in class one are limited to 6% each year and 20% over any five-year period. Increases in the assessed value of class two properties in subclasses 2A, 2B and 2C (which contain up to ten residential units) are similarly limited to 8% each year and 30% over any five-year period. **The limitations do not apply to taxes due or to increases due to physical improvements or the expiration or removal of an exemption.** No assessment limits apply to other class two or class four properties.

**8. Transitional assessments.** For class four properties and class two properties other than those in subclasses 2A, 2B and 2C, increases and decreases in the actual assessed values are phased in over five years, with the tax each year based on the lower of the actual assessed value or the transitional assessed value. Increases due to physical improvements or removal or expiration of an exemption are not phased in.

### THE APPLICATION PROCESS

**9. Filing Fee.** A \$175 fee is charged for applications for correction where the assessed value on the Notice of Property Value for 2024/25 is \$2 million or more. If multiple condominium units file on a single application, the fee will apply if the aggregate assessed value is \$2 million or more. No fee is due if the applicant or representative waives review of the application before it is scheduled for

review. The fee will be included on the Real Property Tax bill. **DO NOT PAY THE FEE WITH YOUR APPLICATION.** If the fee is unpaid, review of your application may be denied and any offer of correction revoked.

**10. Applying for a correction of the tentative assessment.** You may apply to the Tax Commission for a review of the tentative assessment by filing an application for correction on or before the due date. The Tax Commission is a separate and independent agency from Finance and has no part in setting tentative assessments.

**11. Who may apply?** Persons who have an interest in the property and are adversely affected by the assessment (*i.e.*, have legal standing) may contest an assessment. Usually the applicant listed on the application is the legal owner or a tenant of the entire property who pays all property expenses including taxes and who is authorized to contest the assessment. Anyone else must file Form TC200 to explain the relationship of the applicant to the property and must attach required documentation of legal standing. An attorney or agent for the owner should never be listed as the applicant. See TC200 instructions for additional information about standing to contest an assessment. An applicant must have legal 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. See paragraph 33 below for required disclosure of transactions that may cause an applicant to lose legal standing.

**12. Should you apply?** Determine your own estimate of your property's market value. Multiply your estimate by the assessment ratio for your property's tax class. If the result is less than your property's actual assessed value as shown on your Notice of Property Value, you may wish to file an application for correction with the Tax Commission. Use the worksheet on the next-to-last page of this form to do your calculations. The fact that you disagree with Finance's estimated market value, or that your assessment was increased from last year or that your assessment is more than your neighbor's is not a sufficient reason to file an application for correction.

You may also appeal if you believe the property's tentative tax class designation is incorrect or if you dispute Finance's determination of your property's eligibility for a full or partial tax exemption. The Tax Commission cannot review Finance's building class designation or property description. For information about requesting Finance to correct the property description, go to [www1.nyc.gov/site/finance/taxes/property.page](http://www1.nyc.gov/site/finance/taxes/property.page).

**13. Grounds for claiming an incorrect assessment.**

Under the law, you may claim that the assessment is incorrect on any or all of four grounds: excessiveness, inequality, unlawfulness and misclassification. These grounds include claims that: (i) the property is assessed at a greater percentage of the market value than other properties in the same tax class, (ii) an assessment cap has been exceeded, (iii) a full or partial exemption should be granted, (iv) the property is entirely outside the City limits, (v) the City lacks authority to assess the property, or (vi) the assessment roll designates an incorrect tax class for the property.

**14. Review of prior years' assessments.** The Tax Commission can review the assessment for two years, generally the current year and the immediately preceding year provided: i) a complete application was properly filed for the prior year; and ii) the prior year is covered by a valid court proceeding. For information about obtaining court review of an assessment, see Form TC707 - Judicial Review of Assessments, or Form TC708 - Small Claims Assessment Review, for owner-occupied one-, two- or three-family homes.

## PREPARING THE APPLICATION

**15. Application forms and instructions.** Use only Tax Commission application forms for the current year. See the full list of Tax Commission forms on page 12. A separate application is required for each parcel, except for units in a condominium. Separate instructions are printed for Forms TC101, TC106, TC108, TC109, TC200, TC201 and TC203. Failure to use the current year's forms will result in a dismissal of the application.

**16. Where to get forms.** Tax Commission forms may be obtained from the Tax Commission website: [www1.nyc.gov/site/taxcommission/index.page](http://www1.nyc.gov/site/taxcommission/index.page). Printed forms are available at the Tax Commission office at 1 Centre Street, New York, NY, Room 2400 and at Finance Business Centers listed in paragraph 20.

**17. Use two-sided forms.** Applications are printed on two sides. Use a current two-sided form. However, if you use a form printed on one side, you must initial the bottom of the first page in addition to signing the second page. The Tax Commission may decline to review a one-sided application form that lacks the signer's initials on the first page.

**18. When to file.** In 2024, applications must be RECEIVED by 5:00 PM. on March 1<sup>st</sup> or March 15<sup>th</sup> if the property is in tax class one. These deadlines are set by the City Charter and cannot be waived or extended for any reason. Late applications are void. However, see below for filing applications in response to a revised Finance notice issued after February 1<sup>st</sup>.

**19. Notices issued after February 1<sup>st</sup>.** Finance has authority to add or change assessments after publishing the tentative assessment roll in January upon ten days prior written notice. It also can apportion property and issue new assessments after publishing tentative assessments. If you receive a Finance notice of a new or increased assessment dated after February 1<sup>st</sup> you may file an application for correction within 20 calendar days after the date of that notice. You must attach a copy of the notice to your application and answer the question in Part 2 of the application regarding eligibility if the application is filed after the filing deadline. Your application must be received by the Tax Commission by the 20<sup>th</sup> day after the date of the notice. You cannot file an application for correction after the filing deadline based on a revised Finance notice that reduced the assessment.

**20. Where to file; get a receipt.**

**a. Filing in Person.** You are strongly urged to file your application in person at the Tax Commission office in Manhattan at 1 Centre Street. If you are filing your own application, file it on the 24<sup>th</sup> Floor, Room 2400. Other filers see Form TC600A for whether to file in Room 2400 or Room 1137. Applications may also be filed in person at a Finance Business Center. Below are Finance Business Center and Assessment Office locations:

**Bronx** - 3030 Third Avenue (East 156<sup>th</sup> Street): Business Center and Assessment Office 2<sup>nd</sup> Floor

**Manhattan** - 66 John Street (William Street): Business Center 2<sup>nd</sup> Fl.; Assessment Office 13<sup>th</sup> Fl.

**Brooklyn** - 210 Joralemon Street: Business Center

**Queens** - 144-06 94 Avenue (Sutphin Boulevard): Business Center 1<sup>st</sup> Fl.; Assessment Office 2<sup>nd</sup> Fl.

**Staten Island** - 350 St. Marks Place (Hyatt Street): Business Center 1<sup>st</sup> Fl.; Assessment Office 4<sup>th</sup> Fl.

**Utility Property** - 66 John Street, Assessment Office 13<sup>th</sup> Fl.

Finance Business Centers are open weekdays from 8:30 AM to 4:30 PM. Assessment offices are open weekdays from 9:00 AM to 5:00 PM. The offices are closed on City holidays including Martin Luther King's Birthday and Presidents' Day. Dial 3-1-1 for further information.

**b. Filing by Mail.** If filing by mail, you must mail your application to the Tax Commission, 1 Centre St., Rm. 2400, New York, NY 10007. Mailed applications are not considered filed until received. **Applications received after the applicable deadline will not be reviewed even if they were mailed before that date.** If you file by mail, include a self-addressed, stamped Tax Commission receipt Form TC10. The Tax Commission will date stamp your Form TC10 and return it to you only if you include sufficient postage on Form TC10.

**c. Get a Receipt.** Form TC10 is the only acceptable proof of timely filing so be sure to get a date-stamped Form TC10 when you file your application and keep it for your records. Proof of mailing, or a return receipt from the post office or an express delivery service, is not acceptable proof of timely filing with the Tax Commission.

**d. Applications require an original signature and, therefore, may not be filed by fax or e-mail.**

**e. Filing Copies.** With the exception of TC108, you must submit one original and one complete copy of all applications, attachments, income and expense statements, supplemental applications and submissions. Mark the "copy" box at the top of the copy. See the last page of this TC600 for a summary of copy requirements.

**APPLICATION FORMS REQUIRED**

**21. Forms for valuation claims only.** **a.** Use the current year's application form appropriate to the type of property and nature of your objection to the tentative assessment. Use Form TC101, TC105, TC108, or TC109, if your objection is based solely on a claim that the total assessed value exceeds the property's full market value, exceeds the statutory limitations on assessment increases, or that it is set at a higher proportion of full value than other property in the same tax class. Valuation claims may also relate to the assessed valuation of the land or the determination of physical increases for value added by construction or alteration work.

**b. Class one properties – Form TC108.** Use Form TC108 if your property is a one-, two- or three-family house or other property designated on the assessment roll as in class one, including class one condominiums. Use Form TC108 for valuation claims only.

**c. Class two and four properties – Form TC101.** Use Form TC101 for properties in classes two or four, other than condominiums. Use Form TC101 for valuation claims only.

**d. Condominiums – Form TC109.** Use Form TC109 for property designated as a class two or class four condominium, including a condominium unit owned by a cooperative apartment corporation or leased to commercial tenants. Form TC109 can cover one unit, multiple units or the entire condominium. Refer to Form TC109 Instructions for information as to who may file an application for a condominium and about other forms that may be required.

**e. Utility properties – Form TC105.** Use Form TC105 for properties designated on the assessment roll by an identification number. Generally, these include class three and class four utility and railroad properties.

**22. Claims other than valuation – Form TC106.** Your application must be filed on Form TC106 if you want the Tax Commission to review claims relating to tax classification, eligibility for full or partial exemption, or unlawful assessment procedure. To make a valuation claim for a property for which a claim relating to classification or exemption ALSO is being made, the valuation claim MUST be included on Part 10 of Form TC106, not on Form TC101, TC108 or TC109, but do not use TC106 where valuation is the ONLY objection. See paragraph 23 and the instructions for Form TC106 for more information and exceptions.

**23. File ONLY one application for each parcel.** Filing of multiple applications for the same property may result in deferral of review of your application.

**EXCEPTION FOR PERSONAL EXEMPTIONS:** The prohibition against filing multiple applications for a single property does not apply to applications for Tax Commission review of Finance’s denial or revocation of a personal exemption such as STAR, Senior Citizen, Disabled, Veteran or Clergy exemption. Use Form TC106A, TC106S or TC106CV for those applications. If you are filing a Form TC106A, TC106S or TC106CV AND you are making a valuation claim for your property, you must SEPARATELY file an application for review of a valuation claim on the appropriate form described above in paragraph 21.

**EXCEPTION FOR UTILITY PROPERTY.** If a valuation claim is being made together with a claim other than valuation made on Form TC106, Form TC105 also must be filed with Form TC106.

**24. Finance conducts inspections on classification claims.** When you apply for reclassification on Form TC106, an assessor in the Finance borough assessment office will contact the representative named in the application to arrange to inspect the entire property. You are expected to arrange for the inspection to be held promptly. If Finance does not arrange an inspection before April 26<sup>th</sup>, you must contact the Tax Commission immediately at (212) 669-4410 or e-mail [tcinfo@oata.nyc.gov](mailto:tcinfo@oata.nyc.gov), or risk denial of review. If you deny access to Finance for an inspection, your request for reclassification will be denied.

**25. Consolidated review of related lots.** File Form TC166 on or before March 24<sup>th</sup> to notify the Tax Commission that two or more tax lots are operated as an economic unit or are otherwise related for purposes of valuation. See TC166 and TC600A for further instructions.

**26. Who must file income and expense information?** An income and expense schedule is required for

applications on properties that earned rental income in 2023, except residential properties with six or fewer units and no commercial space. If 2023 information is unavailable, the Tax Commission will accept a statement for the calendar year ending December 31, 2022, but only if: i) the 2024/25 actual assessment is less than \$750,000; ii) the applicant operated the property for all of 2022; and iii) the applicant does not use a fiscal year for federal income tax purposes. A detailed explanation as to why 2023 figures are unavailable should be attached to the income and expense statement. If you use a fiscal year, report figures for the most recent fiscal year ending on or before December 31, 2023.

If the actual assessment is \$5,000,000 or more and the rent exceeds \$100,000, the figures must be reviewed by a certified public accountant and Form TC309 must be filed with Form TC201. NOTE: THE THRESHOLD HAS BEEN RAISED TO \$5,000,000 FROM \$1,000,000.

**Net Lessees.** If the entire property is subject to a lease under which the lessee (tenant) pays all property expenses, such as taxes on, insurance for, and maintenance of, the entire property (i.e., a net lease), an income and expense statement is not required if the net lessee is the applicant and occupies the entire property for its own use. The net lease information should be reported on Form TC200 if not reported on Form TC201, TC208 or TC214. See Form TC200 Instructions for reporting by partial lessees.

If the net lessee rents all or a portion of the property to unrelated persons, an income and expense statement must be filed and net lease information must be reported in Part 5 of TC201 or on TC208 or TC214, whichever is appropriate, instead of Form TC200.

**Leases of the land portion of the property.** Information about a lease of the land portion of the property only (a ground lease) should be reported on TC201, TC208 or TC214 if the applicant derives rental income from the property, otherwise report ground lease information on Form TC200.

**27. Income and expense forms and other attachments.** Applications by cooperatives, condominiums and operators of hotels, department stores, theaters, public parking garages and lots, and gas stations must include an income and expense statement on the appropriate Tax Commission form. Additional forms may be required to be submitted with the application in particular cases. These are the forms most commonly required:

TC200 Addendum to application for correction. TC200 must accompany application forms as directed by

those forms' instructions.

- TC201 Income schedule – rent-producing properties
- TC203 Income schedule – cooperative or condominium.
- TC208 Income schedule – hotel or motel.
- TC214 Income schedule – department stores, theaters and parking sites.
- TC230 Sale statement – sale, transfer or sale contract.
- TC309 Accountant's certification – attach to Form TC201.

**28. Supplemental applications and affidavits.** For properties assessed at \$750,000 or more and for recently acquired properties, if a required schedule of income and expenses was not available in time to be attached to the original application form, it may be attached to Form TC150 and filed from March 2<sup>nd</sup> to March 24<sup>th</sup>, 2024, inclusive.

Use Form TC159 to submit additional written, factual information at the hearing. Use Form TC155 to amend procedural aspects of an application, such as changing representatives.

### ADDITIONAL INFORMATION

**29. Supplemental tenant occupancy information for income-producing property when income schedule is not required.** An income schedule on Form TC201 is not required for income-producing property if the property produced no rental income at all in 2023 or the applicant's operation of the property began after July 2, 2023, unless the prior operator was a related person.

To obtain review of an application for a class four property eligible for review without filing an income schedule on TC201, if the applicant acquired its interest in the property before January 1, 2024 and the property was either rented or offered for rent on January 5, 2024, complete Parts 1 and 4 of Form TC201 (nonresidential occupancy as of January 5, 2024). Attach Form TC201, with Parts 1 and 4 completed, to the application, or use Form TC159 to submit the information at the hearing.

For class one properties and class two properties having six or fewer residential units and no commercial units, complete the appropriate sections of Form TC108 or TC101.

**30. Substantiation required at your hearing.** See the instructions for TC201 regarding 13 circumstances that require substantiation at the hearing and the documents that will satisfy each requirement.

**31. Screening applications for eligibility.** Before a hearing is scheduled, applications are reviewed for jurisdictional and procedural defects. Invalid applications are denied review on the merits. The representative identified on the application will be notified of the defect warranting denial of review or dismissal of the application.

**32. Finance RPIE compliance.** Owners of income-producing properties must file annual Real Property Income and Expense (RPIE) statements with Finance by June 1<sup>st</sup> each year. Properties assessed for \$40,000 or less and some other properties may claim exemption from the filing requirement. The RPIE law bars the Tax Commission from reviewing an assessment if the owner did not comply with the RPIE filing requirement in the preceding year. You will be notified if your application will be denied Tax Commission review for RPIE non-compliance and of the deadline for contacting Finance to resolve disputes over non-compliance. If an applicant is ineligible or an RPIE compliance dispute remains unresolved by July 1, 2024 a hearing will not be scheduled. Resolve all RPIE compliance issues directly with Finance. Do not contact the Tax Commission.

### **33. 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 legal standing to file an application with the Tax Commission 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 tenant 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 acquire legal standing to protest 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.

- v. Apportionment of the property resulting from a conversion of the property to condominium ownership.

**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 the hearing.

**NOTE:** If the original applicant loses standing before the application is filed, the defect can **ONLY** be cured by filing a new application naming an applicant who has standing **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 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<sup>th</sup>, the consent of the transferor is required on Form TC155 to allow the transferee to be substituted for the applicant and to obtain a hearing on the application.

**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<sup>th</sup>, 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:**

- SUBMITTING A DOCUMENT ON BEHALF OF AN APPLICANT WHO DOES NOT HAVE STANDING WHEN THE DOCUMENT IS SUBMITTED MAY CONSTITUTE AN UNLAWFUL FILING OF A FALSE INSTRUMENT AND MAY SUBJECT THE REPRESENTATIVE AND/OR THE APPLICANT TO SANCTIONS.
- 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, but the application will not be reviewed by the Tax Commission unless the requirements listed above are met. 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.

**Disclosure of apportionment.** If an application is filed on one or more parcels that are converted to condominium ownership after the filing and prior to the scheduled hearing, the representative must establish that the original applicant continues to have standing at the time of the hearing. Forms TC200 and TC159 must be filed **AT OR BEFORE THE HEARING** to explain how the original

applicant continues to have standing to contest the assessment of the property as converted. If answers to the relevant questions on the TC200 require additional filings, those must be submitted at the hearing as well.

If the original applicant no longer has standing at the time of the hearing, the application cannot be heard unless a new applicant with standing is substituted for the original applicant by filing, AT THE HEARING:

- 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.

**34. Requesting a hearing or review on papers submitted.** If you do not require an in-person hearing and want the Tax Commission to review your application based on the information in your application form and attachments, check the box on the application form requesting review on the papers. Once you select this option, you cannot later request an in-person hearing. Certain properties will only be reviewed based on paper submissions; see TC600A for details. Claims relating to SCHE, DHE, STAR, Enhanced STAR, Clergy, Veteran's, or construction-related exemptions, such as J51, ICIP and 421a, are reviewed on papers submitted only.

**35. Location.** If you request an in-person hearing, indicate on the application form your preference for a hearing location: the Tax Commission's Manhattan office or a borough office. However, depending on the specific dates of hearings in borough offices, the Tax Commission may be unable to accommodate your choice of location. Requests for in-person hearings will be accommodated to the extent Tax Commission resources permit. Hearings on exemption claims and on class two and four condominiums are held only in Manhattan.

**36. Cross out and initial changes.** To make a change on your application before you sign it, do not use correcting fluid or tape. Instead, draw a line through the item, insert the correct response, and initial it. The signer must initial every change on an application. When you need to change an answer after signing an application, see paragraph 43 for instructions for making corrections after you file. Applications with changes that are not initialed or have correction tape or fluid may be denied review.

**37. Complete, sign and file forms.** Use only ink or typewriting. Print clearly. Be sure to answer all questions. The Tax Commission will not review applications that lack required income schedules, other required attachments, or are non-responsive, illegible, or written in pencil.

Where a question asks for a number, write the correct number or "0", if applicable. Check for correctness and completeness before signing; do not leave any item blank.

File the original set of papers with any required copies. See the last page of this Form TC600 for a summary of copy requirements. Be sure to keep a copy of all forms and attachments for your records and to use at your hearing.

**38. Who may sign the application?** The original application must bear an original signature. Applications are not valid unless signed by: (i) the applicant identified on the application; (ii) the applicant's fiduciary; or (iii) an authorized agent. A general partner may sign for a partnership. A member or manager of, or an individual officer of a limited liability company may sign for the company. If the applicant is a corporation, an officer authorized to act for the corporation may sign and must state his or her title, such as president or treasurer. If title to the property is in a trust, the trust should be named as the applicant and the trustee should sign, not the beneficiary. If title to the property is in the name of the trustee, the trustee should be named as the applicant and should sign the application.

Agents who sign the application, including attorneys-in-fact, members of the board of directors, corporate employees, and tax or property managers, must attach BOTH a notarized power of attorney AND Form TC244 Agent's Statement of Authority and Knowledge. Agents may sign only if the agent has personal knowledge of the facts about the property including the description, use, income and expenses. Knowledge based solely on conversations with the owner or manager of the property and/or review of the books and records does not constitute personal knowledge. **If the application is signed by an agent or fiduciary, mark the application "Special Counsel Review" on the top of the first page.**

Unless the property is in tax class one, the person who signs also must acknowledge the signature in person before a notary public. The Tax Commission will not review applications that are not properly signed and notarized, lack an original signature or are missing a required TC244 or documentation of standing to file or authority to sign. These documents cannot be submitted after the application is filed.

**39. Documentation of fiduciary's authority to sign.** When a fiduciary, such as an executor, administrator, trustee, guardian, or conservator, signs the application, the fiduciary may be required to file Form TC200 with the application and must attach documentation of his or her authority. Failure to file Form TC200 when required, with required documentation, with the application will result in dismissal of the application. See instructions for Form



TC200 for information about specific filing and documentation requirements.

**40. Representative - contact information.** Applicants may designate themselves or any other person as the authorized representative to be contacted by the Tax Commission about the application and to appear at the hearing. The contact person's name, firm name if any, address and telephone number must be provided on the application form. Only the designated representative may contact the Tax Commission about the application and the Tax Commission will only contact the designated representative about the application. To change the designated representative, you must file Form TC155. If possible, the TC155 should be filed prior to the scheduled hearing.

**41. Representative Registration.** Representatives, other than the applicant, must register with the Tax Commission by filing Form TC610 on or before February 13, 2024 before filing an application for the 2024/25 tax year.

**42. Notice of personal hearing.** The Tax Commission will notify the representative identified on the application of the date, time and location of the hearing at least two weeks before the hearing. Be sure to provide the representative's correct address in the application. If a notice of hearing is not received by September 27<sup>th</sup>, contact us as soon as possible by writing to: NYC Tax Commission, 1 Centre Street, Rm 2400, New York, NY 10007, Attn: Director of Operations, or by sending an e-mail to [tcinfo@oata.nyc.gov](mailto:tcinfo@oata.nyc.gov) with "NOTICE OF HEARING" in the subject line.

**43. Corrections after you file.** Your application should be complete at the time of filing. To correct or supplement answers in your original application or attachments after filing, submit an original and one copy of a signed Form TC159 at the hearing with the corrected information on, or attached to, the TC159. If you are submitting a TC159 before the hearing, please send the original to NYC Tax Commission, 1 Centre Street, Room 2400, New York, NY 10007, Attn.: President. The copy of Form TC159 may be submitted electronically to the Tax Commission President at [president@oata.nyc.gov](mailto:president@oata.nyc.gov) but the Tax Commission must receive the original signed and notarized Form TC159 as well.

**44. False statements and non-disclosure.** False statements on an application and failure to timely make required disclosures are against the law. Failure to timely make required disclosures or to correct misinformation will result in confirmation of the assessment under review, or withdrawal or revocation of an offer of assessment relief. Representatives filing false statements or failing to make timely disclosures may be subject to sanctions

under the Tax Commission Rules (21 RCNY §2-02.)

## DETERMINATIONS

**By signing Tax Commission forms, the signer states that he or she has read the forms before signing them, affirms the truth of the statements made, including any statements on attachments or preprinted on the forms, even if made or inserted without the signer's knowledge, and understands that false filings are subject to all applicable civil and criminal penalties. This applies to agents signing forms under a power of attorney. Any crossed out information must be initialed by the signer.**

## THE HEARING

**45. Prepare for your hearing.** A hearing before the Tax Commission is your opportunity to explain and support your written application for correction.

Bring the notice of hearing and a copy of your application, including all attachments, to the hearing. Also bring copies of documents you think are relevant with a completed TC159. You may accompany your designated representative to the hearing or send your designated representative to appear without you. If a representative was not named on the application, you must provide the representative with written authorization to appear at the hearing without you; a signed copy of the hearing notice may be used. However, that person will not receive any notifications about the application and will not be authorized to accept an offer unless Form TC155 is filed naming that person as the representative.

**46. Proving your claim.** Under the law, the tentative assessment is presumed to be correct. The burden is on the applicant to prove the claims in the application. You need not prove that Finance's methodology or calculations used to make the assessment were wrong and offering such proof will not necessarily establish your claim. Include any statements or documents that support your claims. See the CHECKLIST on page 11 of this form.

**47. Income method of valuation for class two and four condominiums.** Condominiums in classes two and four are assessed according to the income approach to valuation. The whole building is valued as if it were one rental building. Sale prices of condominium units are not used to find the value for assessment purposes of class two and four units. Evidence of rental income and expenses for comparable rental buildings and/or units is necessary to establish value. Also, class two unit owners who rent their unit must provide documentary proof of



rental income. See TC109 Supplemental Instructions on proving the value of a unit in a class two condominium.

**48. Sworn testimony at hearings.** Oral testimony is permitted at a Tax Commission hearing. Only a witness having personal knowledge of relevant facts may testify at the hearing and must testify under oath or affirmation. The person conducting the hearing will administer the oath or affirmation.

**49. Supplemental submissions after a hearing.** Permission to submit additional information after a hearing generally will be granted only for information and documents that were not, and could not reasonably have been, known of before the hearing. Unless directed by the hearing officer, you may not submit additional material or argument after the hearing to supplement your application. All inquiries and additional submissions on a particular application must be addressed to the Tax Commission, 1 Centre Street, Rm 2400, New York, NY 10007 Attn: President. Inquiries, and additional submissions, may be sent by e-mail to [tca&h@oata.nyc.gov](mailto:tca&h@oata.nyc.gov).

**50. Contacts with hearing officers before or after hearings about your application are prohibited.** Do not contact the hearing officer who conducted the hearing on your application about any aspect of your application or the hearing. Do not telephone or write the hearing officer before or after your hearing with additional argument or information or for any other reason. Attempts at prohibited contact will be rejected.

**51. Failure to appear for your hearing.** If you request an in-person hearing but do not appear at the scheduled time, the Tax Commission will confirm the assessment. Hearing dates cannot be changed by telephone. After the Tax Commission notifies you in writing of the date and time of the hearing, you are expected to appear unless you write to the Tax Commission before the scheduled date and clearly show, with documentary evidence, the circumstance that prevents your appearance. If you cannot attend your hearing, you can choose to have your application reviewed on papers you submit. Emergencies on the same day as the scheduled hearing will be considered ONLY if you call us that day at (212) 602-6257 or email to [tcinfo@oata.nyc.gov](mailto:tcinfo@oata.nyc.gov) AND promptly write to request that the hearing be rescheduled and enclose documentary evidence showing clearly the reason for your failure to appear.

**If there has been a change of representative prior to the scheduled hearing, the Tax Commission is not responsible for notifying the new representative of the hearing date; it is the responsibility of the applicant or their new representative to get the date of the hearing from the previous representative and**

**to appear.**

**52. Determination.** If your application is timely and properly filed and complete, the Tax Commission will review the merits of your application. The Tax Commission will notify all applicants of the determination in writing. If you do not receive a notice of determination before the later of October 1<sup>st</sup> or within 90 days after your personal hearing, write to the Tax Commission at 1 Centre Street, Room 2400, New York, NY 10007 and include a copy of your application form (without any attachments) and your date-stamped TC10 receipt.

**53. Time for acceptance of offer.** If an offer to correct the assessment is made, the Tax Commission will provide you with a written Notice of Offer and Acceptance Agreement (Form TC70). Your assessment will be corrected only if you accept our offer by the deadline specified in the notice. You will have about 45 days to respond. Follow TC70 instructions carefully.

**54. Finance is responsible for implementing Tax Commission reductions.** Finance is responsible for mailing notices of revised assessment after the applicant accepts an offer to correct an assessment. The Tax Commission does not issue notices of remission, refunds or tax credits. Contact the Finance Remissions Unit, 66 John Street, New York, NY 10038 for notices of revised assessment.

**55. Judicial review.** If you filed a timely, valid application, but did not receive an offer of reduction or did not accept our offer, you may start a proceeding in New York State court before October 25, 2024 (i.e. no later than October 24<sup>th</sup>) to review the assessment. This deadline applies even if you did not receive a hearing or notice of determination from us. For more information see Form TC707: Judicial Review of Assessments, or, for owner-occupied one, two or three family homes, Form TC708: Small Claims Assessment Review.

## ASSISTANCE FOR TAXPAYERS

**56. February information briefings.** The Tax Commission and Finance conduct joint virtual information sessions in February shortly after the Tentative Assessment Roll is released in January to help property owners understand the assessment and application process. For more information about the presentations visit [www.nyc.gov/nopv](http://www.nyc.gov/nopv) or call 311.

**57. Tentative schedule of evening information sessions.** The following dates and times are subject to change. Check the Finance or Tax Commission websites for updated information:

February 12<sup>th</sup> 5-8pm  
Brooklyn Borough Hall  
209 Joralemon Street

February 7<sup>th</sup> 5-8pm  
Queens Borough Hall  
120-55 Queens Blvd

February 01<sup>st</sup> 5-8pm  
Staten Island JCC  
1466 Manor Road, Staten Island, NY 10314

February 20<sup>th</sup> 5-8pm  
David Dinkins Municipal Building  
1 Centre Street, Mezzanine North

February 08<sup>th</sup> 5-8pm  
Bronx Borough President's Office  
851 Grand Concourse, Rotunda

**Additional information.** For questions about the application procedure call 3-1-1, or e-mail [tcinfo@oata.nyc.gov](mailto:tcinfo@oata.nyc.gov). For questions about how the assessment on your property was set, call 3-1-1 or contact Finance at [www1.nyc.gov/site/finance/taxes/property.page](http://www1.nyc.gov/site/finance/taxes/property.page)

**WORKSHEET:** Use this worksheet to determine if you should file an application for correction of your assessed value.

1. Tax class	Class one	Class two or four
2. What your property is worth (market value)	_____	_____
3. Multiply by Finance Dept. class assessment ratio	.06	.45
4. Correct assessment = line 2 X line 3	_____	_____
5. Tentative actual assessment (from Notice of Property Value)	_____	_____
6. Line 5 minus line 4 = Amount of over-assessment	_____	_____

If line 6 is zero or less, do not file an application for correction.

**CHECKLIST – Proof of Market Value.** The following information may help establish your property’s market value. Attach appropriate supporting documents to the application or bring them to the hearing.

**Purchase price.** \$ \_\_\_\_\_ Date \_\_\_\_\_ Terms \_\_\_\_\_  
 Documents: Closing statement, Real Property Transfer Tax Return, Form TC230 Sale Statement.

**Appraised value** \$ \_\_\_\_\_ Date \_\_\_\_\_ Purpose \_\_\_\_\_  
 Documents: Appraisal report.

**Construction cost** \$ \_\_\_\_\_ Date \_\_\_\_\_ Work \_\_\_\_\_  
 Documents: Construction contract, invoices for work completed, application for building permit, certificate of occupancy.

**Damage estimate** \$ \_\_\_\_\_ Date \_\_\_\_\_ Damage \_\_\_\_\_  
 Documents: Contract to repair storm or fire damage, insurance adjuster’s report, and Fire Department report.

**Monthly rents** \$ \_\_\_\_\_ Lease terms \_\_\_\_\_  
 Documents: Rent roll, DHCR registration listing apartment rents, leases for unregulated apartments and commercial tenants.

**Recent open-market sales of similar properties in the same area:**

	Date	Price	Address	Block	Lot
Sale 1	_____	\$ _____	_____	_____	_____
Sale 2	_____	\$ _____	_____	_____	_____
Sale 3	_____	\$ _____	_____	_____	_____

**Photographs.** Staple to your application a recent photograph of your property. Write the date of the photograph and the property’s borough, block and lot on the back. Proof of the date of the photograph is preferred. If your property was under construction or extensively damaged, photographs taken on or close to January 5, 2024 are useful. If possible, supply photographs of similar properties purchased within the past two years taken as soon after the date of sale as possible. Write the borough, block, and lot number and date of the photograph on the back.

## REQUIREMENTS FOR SUBMITTING PHOTOCOPIES WITH ORIGINALS

Document	Form	Photocopies required
Application for correction for all properties with all attachments, including TC200 and TC244	TC101,TC105, TC106, TC109	One complete copy* (NOTE: NO COPIES REQUIRED FOR TC108)
Income and expense statement submitted with supplemental application (Form TC150), including all attachments and TC309 where required, for all properties	TC150 w/ TC201,TC203, TC208,TC214	One complete copy* (NOTE: NO SEPARATE BULK COPIES REQUIRED)
Affidavit in support, and attachments, if any	TC159	
Stipulation of discontinuance		One copy
Proposed offer and order - Submitted with Tax Commission acceptance agreement for combined offer		Two copies
Petitions for review: The original is filed in court when the index number is purchased. The Tax Commission accepts service of one copy for the City. We will provide up to two date-stamped copies as proof of service.		
Amended petitions, RJIs, Notes of Issue, substitutions of attorney, motion papers: Serve Law Department only.		

## APPLICATION FORMS AND INSTRUCTIONS FOR 2024/25

### ***Application for correction -- valuation claims only***

TC101 Class two or class four property, except condominiums  
 TC105 Utility and other property assessed under an identification number  
 TC108 Class one property of all types, including condominiums  
 TC109 Condominium property in class two or class four

### ***Application for review of claims other than, or with valuation***

TC106 Classification, exemption or other claims for all property  
 TC106A Appeal of Denial of Senior or Disabled Exemption  
 TC106ASupp Additional Owner's Information  
 TC106CV Appeal of Denial of Veteran or Clergy Exemption  
 TC106S Appeal of a Denial of a STAR Exemption  
 TC106SSupp Additional Owner's Information

### ***Addendum to Applications***

TC200 Required addendum to Applications as specified in TC106, TC101, TC105, TC108 and TC109

### ***Income and expense schedules***

TC201 Rental property  
 TC203 Cooperatives and condominiums  
 TC208 Hotels  
 TC214 Department stores, parking garages and lots, and theaters operated by the applicant.

### ***Other forms***

TC10 Receipt  
 TC70 Acceptance Agreement  
 TC135 Notice of Appearance

TC140 Certificate of Litigation Status  
 TC150 Supplemental Application  
 TC155 Request to Amend Application for Correction  
 TC159 Affidavit in Support of Application for Correction  
 TC166 Report of Tax Lots for Consolidated Review  
 TC230 Sale Statement  
 TC244 Agent's Statement of Authority and Knowledge  
 TC301 Commercial Lease Schedule  
 TC309 Accountant's Certification  
 TC584 Request for Access to Records  
 TC610 Registration for Representatives

### ***Instructions and information pamphlets***

TC101INS Instructions  
 TC106INS Instructions  
 TC108INS Instructions  
 TC109INS Instructions  
 TC109SupplINS Supplemental Instructions for Condominium Unit Owners  
 TC200INS Instructions  
 TC201INS Instructions  
 TC203INS Instructions  
 TC600 How to Appeal a Tentative Assessment  
 TC600A Supplemental Instructions for Practitioners  
 TC600PE Personal Exemption Appeals  
 TC631 Instructions for submitting Stipulations of Discontinuance  
 TC707 Judicial Review of Assessments  
 TC708 Small Claims Assessment Review