

LONG ISLAND / POLITICS

Nassau extends deadline for property assessment protests to Aug. 5

An aerial view of a row of houses along Fortune Lane in Jericho, Jan. 17, 2017. Home prices on Long Island are on the rise, according to a new report. Credit: Kevin P. Coughlin/ALLislandAerial.com

By **Scott Eidler**

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Nassau County taxpayers will have until Aug. 5 to file property assessment protests after county officials and attorneys reviewed state laws and agreed to a 30-day extension.

The county previously had announced the deadline as July 6, but this week acknowledged the new date of Aug. 5 on its webpage.

The extension could challenge Nassau's ability to settle or defend a record number of challenges before tax bills are calculated.

County officials already were facing a shortened time frame to settle or defend up to 100,000 protests expected to be filed under a process called "small claims assessment review," or SCAR.

Courts were closed for much of spring during the coronavirus pandemic, and the deadline for filing through SCAR already had been moved from April 30 to July 6.

Nassau County Clerk Maureen O'Connell, a Republican, said the extension came after deliberations over the past few days with officials including her counsel and the county attorney's office.

The decision represented the "synthesis of various orders or directives that came down [from] the court, combined with multiple Executive Orders that came from" Gov. Andrew M. Cuomo, O'Connell said.

"It took a few days to get this analysis done, and we all concluded" the directives and orders resulted "in an extension of the filing period" to Aug. 5.

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"The state's real property tax law provides for a 30 day period to file SCAR petitions," county spokesman Michael Fricchione said. "As a result of court closures and other impacts of the pandemic, the governor issued a series of orders pushing back the 30 day period."

A recent executive order reset "the 30 day clock to July 6, making the deadline August 5," Fricchione said.

The decision to move the filing deadline to Aug. 5 could be significant for county finances, which have been battered during the coronavirus pandemic. The county budget deficit is expected to reach \$384 million this year.

Department of Assessment officials have said the tax roll must be finalized by early August, when tax warrants — which are used to produce tax bills — are calculated initially.

If large numbers of homeowners win assessment reductions through SCAR after school tax bills are finalized in late summer, Nassau could be forced to repay millions of dollars to those who win refunds after tax bills are set. The bills arrive in October.

Under a law known as the "county guaranty," Nassau is responsible for refunding all homeowners who are overassessed. Nassau owes taxpayers for all overcharges, including on school tax bills, the largest portion of the property tax payment.

"We believe that we can resolve many of the cases through negotiation, and we also hope that the taxpayers file as early as possible to get the proper tax bill in October," county Assessor David Moog said.

Moog called it important for claims to be resolved "and not have cases filed at the last minute. We want taxpayers to have the confidence that they can get the right tax bill, and in order to do that, filing early as possible is advantageous for both us and the taxpayer."

Nassau officials say they are bracing for a record number of cases. So far, however, only about 10,000 cases have been filed, and 4,000 of them have been resolved through a new mediation program, Moog said.

Legislative Presiding Officer Richard Nicoletto (R-New Hyde Park) said if the county hadn't extended the deadline, "they would have been sued and lost basically."

Although the extension to Aug. 5 "could be detrimental to the county, it gives residents more time to file their petitions and gives them more time to have a full and fair hearing on their challenges," Nicoletto said.

Legis. C. William Gaylor III (R-Lynbrook) said he expects many more filers this year, given the surge in unemployment caused by the coronavirus pandemic.

"Everyone's going to do whatever they can to minimize their impact, and this is another opportunity ... to challenge their assessment and continue to grieve," Gaylor said.

County Executive Laura Curran, a Democrat, ordered the first countywide reassessment in nearly a decade. In the process she ended the practice of mass denials of assessment challenges instituted by former County Executive Edward Mangano, a Republican.

During the 2019-20 tax year, Nassau's Assessment Review Commission granted reductions for 174,281 of 218,689 total grievances, about 80% of cases. For the 2020-21 tax year, ARC granted reductions on only 61,110 of 236,372 tax challenges, or 26%.



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