

## Schacker: Nassau wrong on new assessment system

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### By Gary Schacker

The new state law concerning commercial property tax grievances in Nassau County has us deeply concerned as it ensures that there will be even more confusion and frustration over this new measure which has not yet been fully vetted.

The law, signed by Gov. Andrew Cuomo on Nov. 21, requires that commercial property owners who file assessment challenges pay their entire tax bill upfront with 10 percent placed into escrow pending the success of their appeal. The escrow money, or a portion of it depending on the size of the reduction, would then be refunded to the property owner.

The one outcome that is guaranteed is that this law will now place even more of the costs and fees of maintaining our broken property tax system on already overburdened taxpayers, both commercial and the community at large, by creating a vicious cycle where increased costs are passed onto tenants and their customers. What legislators fail to realize is that they are not just putting the burden on the local property owner, they are putting it on everyone. The action becomes even more unsettling when it comes both during the holiday season and at a time when the economy is starting to revive.

The measure is the county's version of managing the process of not having to borrow funds to pay for tax refunds. It is so overtly complicated that many in our industry struggle to understand the reasoning behind it and most likely it will be challenged through litigation, costing taxpayers more money. The law is a clear signal that the tax base is eroding. For example, in the Town of Oyster Bay there was a nearly 9 percent property tax increase and in Nassau County a 3.4 percent property tax increase in an effort to manage budgetary demands.

Most municipalities have valid assessment processes in place but Nassau County has been struggling for years to improve its system. Ultimately there needs to be more influx of dollars that are well spent by not restricting the economy.

The grievance process in Nassau County is already challenging. It can take years to resolve a tax certiorari matter. The only real solution is to adopt a fair assessment system. However, the problem is we need too much money and we don't have enough.

There are projects in the works that will enhance the tax base, such as Glen Cove, Avalon Bay and the Nassau Hub. There needs to be more of these types of new streams of tax revenue and an emphasis on our local governments to work efficiently and not placing even more of a burden on legacy taxpayers who are already overburdened.

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