

Southold filers up; R'head sees drop

By Joseph A. Maiorana

Grievance Day last week saw a 19% decrease in filings in Riverhead and a 43% increase in Southold. In both towns, the majority of claims were on commercial property.

The grievance period, in which residents and businesses can contest their property assessments, was from May 1 until May 18. Each township has a board of assessment review, which then can make decisions from May 18 to June 30. Each township must file its final

tax roll by July 1. From that final roll, all taxes are levied in December.

In 1992 there were 393 grievances filed in Riverhead, many of the commercial grievances are still undetermined as they are involved in tax certiorari cases, according to Riverhead Board of Assessors Chairman Leroy Barnes. This year 317 grievances were filed, 46 residential and 271 commercial. Out of 19 people who filed in person, 18 were residential applications and one, Irwin Garsten of Garsten Motors, was a commercial application. Twenty-six people filed

in person last year. Riverhead had a success ratio of 65% on all residential properties that ended up in Small Claims Court in 1992, according to Riverhead assessors Laverne Tennenberg and Madelyn Sendlewski.

Southold Assessor Scott Russell said grievance filers increased from 257 in 1992 to 368 this year. Out of the 1993 grievance applications, 168 were for residential property and 200 were for commercial property. Many of the commercial applications, he said, are repeat filers, explaining that many

SEE Page 14

SUFFOLK LIFE NEWSPAPERS

PAGE 3 NF

Grievance Day...

from page 3

companies file annually even if they were reduced the prior year. Russell said most of the residential grievances from 1992 have been resolved.

Paul Henry of Tax Reduction Services (TRS), a Greenport company which represents property owners in assessment grievances, filed 26 grievances in Riverhead in 1993. The company filed 71 grievances last year in Riverhead. In Southold, TRS' 179 grievances made up the bulk of the those filed in 1993.

Henry said he filed some 1,200 grievances in Nassau and Suffolk, with the most being on Fire Island. He said primarily his clients are residential property owners.

The Riverhead Town Board recently hired attorney Peter Johnson to help the town combat tax-challenge companies, like TRS. Johnson will represent the town in all grievance appeal cases that end up before a hearing officer in Small Claims Court, according to Barnes.

Henry said he believes the "tax rolls are old and antiquated." He said they can be cleaned up by either reassessing the entire roll or through the grievance process. "Reducing the high assessments results in a tighter, more accurate roll," he said.

Barnes said it is also his position that the tax rolls should be reassessed annually, since property values continually fluctuate. "But it is not politically productive and therefore government has been unwilling to do so," he said.

Henry said Riverhead refused to accept his grievances, claiming he had to have three copies of each, but he said such a demand is not in the law.

But Barnes said the triplicate requirement has always been a procedure required from the board of assessment review, and is followed by every other company or attorney that files grievances. He said the board has the right to make "policy decisions" in order to maintain decorum.

Henry said some of his cases that received reduced assessments in Small Claims Court were bumped back up by the Riverhead assessors' office the following year. "Riverhead is the only town I had that problem with," he said. "There are people in Riverhead who want to file a grievance but do not do so out of fear of backlash."

Barnes said that Islip and Smithtown have also reassessed Henry's properties, as well as others, the year following a settlement. He noted that Riverhead raised the assessment on more than 1,000 properties last year and that only five of the 71 properties submitted by TRS were reassessed at higher rates. "Every tax year is separate and distinct," he said.

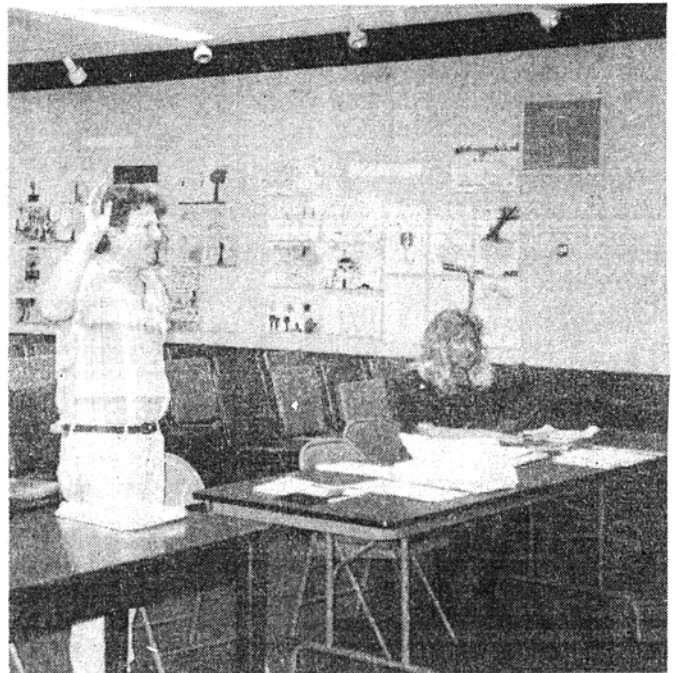
"I cannot understand why anyone would be intimidated by our office," Barnes said. "We're elected officials who are trying to promote open government, an open office and an open process. I invite the general public to come in if they feel there is a problem with their assessment and we will be glad to

deal with the situation." He noted that information on how to file a grievance is available at no cost at the assessors' office. Barnes said he feels it is not right for companies to solicit customers to sue municipalities.

"My job is to make sure people's assessments are fair and equitable. Everything I do is done with good intentions and I defend the integrity of the assessment roll," said Barnes.

Russell said tax consulting firms are a growing industry because of the weak

real estate market. He predicted that when the economy improves, such firms will disappear, noting that they were virtually non-existent in 1987, prior to the start of the recession. Russell said one of the reasons so many companies have sprung up is because it does not require a great deal of expertise to file a grievance and many people operate out of their homes. "Anybody can familiarize themselves with the process and do it fairly successfully, given the current market conditions."



SEEKING REDUCTIONS--Paul Henry of the Greenport-based Tax Reduction Services filed 179 claims in Southold, most of which were on residential property. There were a total of 368 grievances filed last week. Photo by Joseph A. Maiorana. (NF X53F-2)