

Introduced by: Presiding Officer Richard J. Nicoletto, Deputy Presiding Officer Howard J. Kopel, Alternate Deputy Presiding Officer Denise Ford, and Legislators C. William Gaylor III, Vincent T. Muscarella, James Kennedy, Thomas McKeivitt, Laura Schaefer, John R. Ferretti, Jr., Rose Marie Walker, and Steven Rhoads


LOCAL LAW 16 -2019

A LOCAL LAW TO AMEND THE NASSAU COUNTY ADMINISTRATIVE CODE TO REQUIRE THE NOTIFICATION BY MAIL OF ALL OFFERS TO SETTLE TENTATIVE ASSESSED VALUES OF RESIDENTIAL PROPERTIES

Passed by the Nassau County Legislature on August 5, 2019

Votes: ayes: 19, nays: 0, abstained: 0

Became a law on September 5, 2019 with the approval of the Deputy County Executive acting on behalf of the County Executive

APPROVED AS TO FORM

Majority Counsel

BE IT ENACTED by the County Legislature of the County of Nassau as follows:

Section 1. § 6-40.4(e) of the Nassau County Administrative Code is amended to read as follows:

(d) Notwithstanding any rule or law to the contrary, for pro se applicants, unless otherwise authorized by such applicants, an offer to settle an application for correction of an assessment made by the Assessment Review Commission shall be mailed to the residence of the applicant and delivered electronically to those who submitted applications electronically. On or before April first, each year the Assessment Review Commission shall mail to each applicant, who has filed an application for the correction of the assessment, a notice of the Assessment Review Commission's determination of such applicant's assessment. Such notice shall also contain the statement as to the final determination of the Assessment Review Commission, or a statement that the Assessment Review Commission has not yet made a determination as to the final assessed valuation which shall be made as soon as the petitioner's application is reviewed or heard. If the applicant's property is a property defined in subdivision one of section 1802 of

the Real Property Tax Law as "class 1," the Assessment Review Commissions determination shall contain the statement: "If you are dissatisfied with the determination of the Assessment Review Commission and you are the owner of a one, two or three family residential structure or residential real property not more than three stories in height held in condominium form of ownership, provided that no dwelling unit therein previously was on an assessment roll as a dwelling unit in other than condominium form of ownership, and you reside at such residence, you may seek judicial review of your assessment either under Title 1 or Article 7 of the Real Property Tax Law or under small claims assessment review law provided by Title 1-A of Article 7 of the Real Property Tax Law." Such notice shall also state that the last date to file petitions for judicial review and the location where small claims assessment review may be obtained. A final determination when rendered shall contain the same statement. Failure to mail any such notice or failure of the applicant to review the same shall not affect the validity of the assessment.

§2. Severability. If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder hereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

§3. SEQRA Determination. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L., section 0101 et. seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that the adoption of this local law is a "Type II" Action within the meaning of Section 617.5(c)(20) and (27) of 6 N.Y.C.R.R., and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§4. Effective Date. This Local Law shall take effect immediately.

APPROVED

Helena Williams

for County Executive

DATE *Sept. 4, 2014*