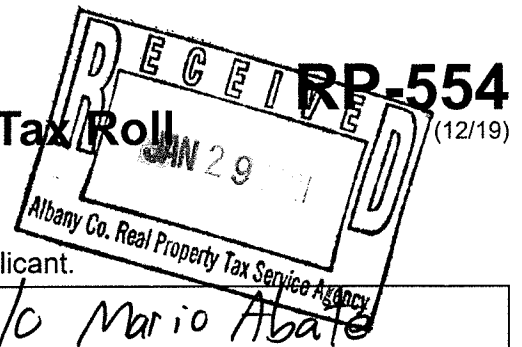




Department of Taxation and Finance
Office of Real Property Tax Services

Application for Corrected Tax Roll



Part 1 – General information: To be completed in duplicate by the applicant.

Names of owners <u>Abate Estates, LLC c/o Mario Abate</u>			
Mailing address of owners (number and street or PO box) <u>P.O. Box 744</u>		Location of property (street address) <u>62 Sand Creek Road</u>	
City, village or post office <u>Troy</u>	State <u>NY</u>	ZIP code <u>12181</u>	City, town or village <u>Colonie</u>
Daytime contact number <u>(518) 365-7161</u>	Evening contact number <u>(518) 365-7161</u>	Tax map number of section/block/lot: Property identification (see tax bill or assessment roll) <u>53.16-1-1</u>	
Account number (as appears on tax bill) <u>53.16-1-1</u>		Amount of taxes currently billed <u>29,190.46</u>	
Reasons for requesting a correction to tax roll: <u>See Attached</u>			

I hereby request a correction of tax levied by Town of Colonie for the year(s) 2020/2021
(County, city, village, etc.)

Signature of applicant <u>[Signature]</u>	Date <u>1/28/2021</u>
--	--------------------------

Part 2 – To be completed by the County Director or Village Assessor. Attach a written report including documentation and recommendation. Specify the type of error and paragraph of subdivision 2, 3, or 7 of Section 550 under which the error falls.

Date application received <u>1/28/2021</u>	Period of warrant for collection of taxes <u>1/1/2021</u>
Last day for collection of taxes without interest <u>2/1/2021</u>	Recommendation Approve application <input checked="" type="checkbox"/> Deny application <input type="checkbox"/>
Signature of official <u>[Signature]</u>	Date <u>2/1/2021</u>

If approved, the County Director must file a copy of this form with the assessor and board of assessment review of the city/town/village of _____ who must consider the attached report and recommendation as equivalent of petitions filed under section 553.

Part 3 – For use by the tax levying body or official designated by resolution _____ : (insert number or date, if applicable)

Application approved (mark an X in the applicable box):

Clerical error ☐ Error in essential fact ☐ Unlawful Entry ☐

Amount of taxes currently billed	Corrected tax
Date notice of approval mailed to applicant	Date order transmitted to collecting officer

Application denied (reason): _____

Signature of chief executive officer, or official designated by resolution	Date
--	------

I hereby request a corrective tax bill for Parcel I.D. 53.16-1-1 (more commonly known as 62 Sand Creek Road, Colonie, NY) reducing the amount of tax owed based upon a reduced assessment reflective of the purchase price from when I bought the property. I never received actual notice of my opportunity to attend an administrative review of my assessed value, as permitted under real property tax law §520. In July 2020, I purchased 62 Sand Creek Road in the Town of Colonie, State of New York. Prior to my purchase the premises were tax exempt. That tax exempt status was removed upon my purchase. In the latter part of 2019, and on a number of occasions in 2020 leading up to my purchase, I and/or my attorney, David R. Green, met with the Town of Colonie Assessor, Ron Monfils, to discuss the tax implications of this purchase. I was well aware that the parcel would become taxable immediately, however, it was my understanding that the assessed value would be automatically and informally adjusted to reflect an assessment more closely associated with the purchase price. Pursuant to RPT §520(2), it specifically states that under circumstances such as this, the assessor "shall forthwith assess such property as its value as of the date of transfer." In fact, this did indeed end up being the case. On November 16, 2020, when I applied for a building permit, Ron Monfils, thereafter, informally adjusted the assessed value to \$550,000, without any further action on my part, to reflect the purchase price of the same amount. However, this application by Ron Monfils, wasn't reflected in the 2021 property tax bill that I recently received.

I am requesting the adjustment based upon the following errors and/or omissions:

1. I never received actual notice of my right for an administrative review. It is my understanding the Colonie Town Assessor's Office forwarded correspondence to the address of record on October 1, 2020. Unfortunately, that correspondence was never received. The address of record for this premises was listed as 1 Ross Court, Loudonville, NY 12211, although, records in the assessor's office reflect that tax bills and other related communications for 1 Ross Court were already being forwarded to a P.O. Box in Troy, owned by myself. 1 Ross Court is my primary residence, however, was under renovation throughout 2020 and had no mailbox. That coupled with the challenges of Covid-19, seemingly resulted in mail not being delivered to that address. Renovations have now been primarily completed and I did receive the 2021 tax bill earlier this month. Had I received the October 1, 2020 correspondence, I would have immediately addressed it, as that was my primary concern all along and the motivation for my numerous visits to meet with Ron Monfils.
2. I relied upon the Assessor, automatically and informally, making the adjustment, in accordance with RPT §520(2). I was unaware that I was required to do anything further, by the mere fact of not receiving the aforementioned notice. Based upon the fact that the assessor did eventually, automatically and informally, make the adjustment on November 16th, 2020 when the building permit was applied for, I maintain, that other than the timing of the building permit application, the reduced assessment applied by the assessor's office should have been applicable immediately.

TOWN OF COLONIE - TOWN & COUNTY 2021

FISCAL YEAR: 1/1/2021 to 12/31/2021	WARRANT DATE: 12/31/2020	STATE AID: CNTY \$96,037,904 TWN \$3,849,814
MAKE CHECKS PAYABLE TO: C. Michele Zilgme, Receiver of Taxes	BANK	BILL 25163
		TAX MAP NUMBER 012689 53.16-1-1

TO PAY IN PERSON:

Memorial Town Hall
534 New Loudon Rd.
Latham, NY 12110
Mon. - Fri. 8:30 am - 4:30 pm

PROPERTY OWNER:

Abate Estates, LLC
1 Ross Ct
Loudonville, NY 12211

PROPERTY INFORMATION:

ACCOUNT#:
DIMENSION: 7.70 Acres
ROLL SECTION: 1 CLASS: 612 - SCHOOL
LOCATION: 62 Sand Creek Rd
MUNICIPALITY: Town of Colonie
SCHOOL: 012601 South Colonie
FULL MARKET VALUE: As of 1/1/20 2,943,100
UNIFORM % OF VALUE: 61
LAND ASSESSMENT: 404,300
TOTAL ASSESSMENT: *901,600* ~~1,795,300~~

EXEMPTION	VALUE	FULL VALUE	TAX PURPOSE
-----------	-------	------------	-------------

APPLY FOR THIRD PARTY NOTIFICATION BY: 03/15/21

LEVY DESCRIPTION	TOTAL TAX LEVY	% CHANGE FROM PRIOR YEAR LEVY	TAXABLE VALUE OR UNITS	RATE	TAX AMOUNT
ALBANY COUNTY TAX	34,950,765	3.2	1,795,300.00 <i>901,600</i>	5.704676	10,241.60 <i>5,143.34</i>
COLONIE TOWN TAX	24,976,879	2.7	1,795,300.00 <i>901,600</i>	4.059771	7,288.51 <i>3,660.29</i>
WEST ALBANY FD	655,790	1.4	1,795,300.00 <i>901,600</i>	1.75595	3,152.46 <i>1,583.16</i>
EXEMP PAYBACK '20	0	0.0	8,025.34 <i>4,041.37</i>	1	8,025.34 <i>4,041.37</i>
SEWER A LAND PAYMENT	0	0.0	10.00	22.671468	226.71
SEWER D DEBT PAYMENT	0	0.0	23.00	0.1	2.30
SEWER OPER & MAINT	0	0.0	3.00	61.84459	185.53
SEWER A DEBT PAYMENT	0	0.0	3.00	22.671468	68.01

FULL PAYMENT OPTION

Paid From	Paid To	Tax Amount	Penalty	Total Due
12/31/2020	02/01/2021	29,190.46		29,190.46
02/02/2021	03/01/2021	29,190.46	291.90	29,482.36
03/02/2021	03/31/2021	29,190.46	583.81	29,774.27

Total due 14,910.71

TOWN OF COLONIE - TOWN & COUNTY 2021

MUNICIPALITY: Town of Colonie
SCHOOL: 012601 SOUTH COLONIE
LOCATION: 62 SAND CREEK RD

RECEIVER'S STUB

BILL NUMBER: 25163
Tax Map: 012689 53.16-1-1
BANK:

Abate Estates, LLC
1 Ross Ct
Loudonville, NY 12211

TOTAL BASE TAX:
\$29,190.46
AMOUNT ENCLOSED:

\$

☐ CHECK THIS BOX TO REQUEST A RECEIPT

RECEIVER STUB MUST BE RETURNED WITH PAYMENT

Printed On: 01/29/2021 At: 02:14:38 PM

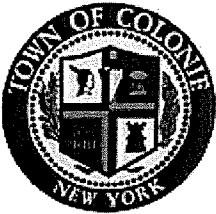
McGuire, Michael

From: Monfils, Ronald <monfilsr@colonie.org>
Sent: Friday, January 29, 2021 11:58 AM
To: McGuire, Michael
Subject: FW: 62 Sand Creek Rd wholly exempt to taxable

Michael,

The property located at 62 Sand Creek Rd, tax map #53.16-1-1, transferred July 14, 2020 per deed book 2020 page 2005. This property has changed use from a wholly exempt school to a potential 25 apartment building. At the time of the last town wide revaluation this wholly exempt property was appraised based on the cost approach. This is typical of wholly exempt properties as they do not pay real property taxes. In the case of a sale to a taxable entity, RPTL allows such a property to be reassessed. The price paid was \$550,000. If the owner peruses a corrected tax bill, I suggest the 2020 assessment roll to be corrected from an assessment of \$1,795,000 to an agreed amount of \$901,600. In addition, all exemption pay back charges are to be based on this reduced assessment. It's possible the 2021 assessment will be reduced further while the property is being converted to apartments and then the 2022 assessment will be increased upon completion of the work. It is my intention to keep assessments equitable according to their condition and use. This action will provide for that endeavor.

Thank you for your attention to this matter,



Ron Monfils
Sole Assessor
Department of Assessment
Town of Colonie
Memorial Town Hall
534 New Loudon Road
Latham, New York 12110
(518) 783-2701 Fax (518) 783-2784

McGuire, Michael

From: Monfils, Ronald <monfilsr@colonie.org>
Sent: Friday, January 29, 2021 2:33 PM
To: McGuire, Michael
Subject: 62 Sand Creek Rd exemption pay back amount

Michael,

At the \$901,600 revised assessed value the exemption payback will be \$4,041.37 for the January 2021 general tax bill.

Sincerely,



Ron Monfils
Sole Assessor
Department of Assessment
Town of Colonie
Memorial Town Hall
534 New Loudon Road
Latham, New York 12110
(518) 783-2701 Fax (518) 783-2784