

ARC RESIDENTIAL STIPULATION

1. The Assessment Review Commission (ARC) has offered to resolve challenges of the assessments for the specified residential property and tax year. Implementation of the ARC Residential Offer is conditioned upon taxpayer's timely acceptance and final approval by ARC. All residential class 1 one offers for the 2021/22 tax year are calculated at a level of assessment of .095%; in the event that a grievance is not settled and a SCAR is filed, the level of assessment will be .097%.
2. Upon submission of a duly accepted stipulation, ARC shall promptly review it and, if approved, issue a final determination no later than March 31st. If ARC disapproves, it will provide applicant with written notice including an explanation of the reason for disapproval. If ARC disapproves or is unable to produce a timely determination, taxpayer may continue to prosecute any pending proceeding, or if the time for commencing a proceeding has not run at the time the offer was accepted, the taxpayer may commence a proceeding as provided by Real Property Tax Law § 523-b(11).
3. Upon such final approval, any Small Claims or other proceeding brought by or on behalf of the taxpayer for the tax year at issue shall be discontinued by taxpayer with prejudice. The taxpayer agrees that no further proceeding shall be commenced in respect to any assessment agreed upon in this stipulation.
4. The final determination will provide that:
 - a. The Department of Assessment shall correct the final assessment roll as provided in the determination if issued prior to March 10, or such other date prescribed by the Department of Assessment, in the year in which the assessment becomes final, and, in all cases revise all other records of the assessments for the property to reflect the changes set forth in the determination.
 - b. The Receiver of Taxes for the town or city in which the property is situated shall issue a corrected tax bill for the current tax year.
 - c. The County Treasurer shall refund overpaid taxes to applicant. If the property is an owner-occupied, exclusively residential one, two or three family home or Class 1 condominium unit, the Treasurer shall pay interest as provided in Real Property Tax Law § 734.
 - d. No costs shall be awarded in this matter.
5. Taxpayer and taxpayer's representative warrant and represent that, to their knowledge, no other person or entity has an interest in the tax years affected by this stipulation. In the event that all of the tax refund to be paid herein should have been paid to such person, taxpayer shall make such payment to such person and shall hold the County of Nassau free and harmless from any liability for any duplicate payment of a tax refund.
6. Taxpayer warrants that he or she owns the property and that to the best of taxpayer's information and belief all information submitted to taxpayer's representative in connection with this proceeding is accurate. Taxpayer further warrants that since the application was filed, and during the year preceding the application, the property has not been sold or placed under contract of sale, nor has there been a new building or addition to the existing building constructed, except as disclosed to ARC in writing.
7. The printed terms of paragraphs 1-6 and the ARC Residential Offer constitute the entire agreement of the parties except that, if multiple proceedings are listed, taxpayer's representative may initial the end of the line listing a proceeding to indicate that the offer with respect to that proceeding is not accepted.