



**REPORT OF THE  
COMMITTEE ON FINANCE**

**FINANCE DIVISION  
PRESTON NIBLACK, DIRECTOR**

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**RESOLUTION COMPUTING AND CERTIFYING BASE  
PERCENTAGE, CURRENT PERCENTAGE AND CURRENT  
BASE PROPORTION OF EACH CLASS OF REAL PROPERTY  
FOR FISCAL 2013 TO THE STATE BOARD OF REAL  
PROPERTY SERVICES PURSUANT TO SECTION 1803-a OF  
THE REAL PROPERTY TAX LAW**

**Introduction.** Section 1803-a of the Real Property Tax Law requires the City Council to certify to the State Board of Real Property Services (the "SBRPS") certain calculations used in the process of updating the class shares from the previous year. These calculations are made every year by the Council to reflect the following changes in each class of real property:

- a. Changes in the market value of taxable real property (as determined by SBRPS sample studies),
- b. Physical changes as a result of new construction or demolitions,
- c. Changes in taxable status, and
- d. Transfers of real property among the four classes of real property as a result of changes in use or for other reasons.

Under SBRPS regulations, the Council must update the class shares by making two separate certifications. The action to be taken in the above-referenced resolution constitutes the first step of establishing the class shares of the four classes of taxable real property in the City to which the tax levy for the Fiscal 2013 budget will be applied. The purpose of this step is to give effect to the latest class equalization rates required by Article 18 of the Real Property Tax Law. Using these rates, new estimates of market values for each class are calculated.

The second step, certifying the "adjusted base proportions", is the subject of a separate resolution that takes account of all the changes that are included in the final assessment roll, after Tax Commission review of taxpayer protests. Attached hereto, as Exhibit A, are definitions of terms that are used in the analysis below.

**Analysis.** The class equalization rates described above produce prospective current base proportions that show increases in Classes 1 and 4 above the Fiscal 2012 adjusted base proportion, or "class shares" (as shown in column R of SBRPS Form RP-6700 attached to the above-captioned resolution), and decreases in the class shares of Classes 2 and 3. Pursuant to Section 1803-a(1)(c) of the Real Property Tax Law if the increase in any class exceeds 5 percent, the Council is directed to shift the excess (and only the excess) to any other class or classes so long as the shift does not cause the current base proportion of any other class to increase by more than 5 percent. Class 1 is the only class whose class share exceeds this cap. Therefore, in the above-captioned resolution, the excess above 5 percent from Class 1 is shifted to Classes 2 and 3.

As shown in the chart below, the shift of the increase from Class 1 to Classes 2 and 3 will result in the current base proportions of all four classes to show the following changes from their adjusted base proportions in Fiscal 2012.

Class	Percent Change Before Shifting Excess to Classes 2 & 3	Percent Change After Shifting Excess to Classes 2 & 3
1	+7.16	+5.00
2	-2.60	-1.94
3	-16.77	-15.59
4	+2.66	+2.66

However, these "current base proportions" must still be adjusted for the physical changes and transfers among classes which are contained in the final assessment roll. These adjustments will be made in a separate resolution constituting the Council's second step. The "adjusted base proportions" thus derived will be the class shares used for allocating the real property tax levy for Fiscal 2013.

## **EXHIBIT A**

"Class equalization rate" represents the percentage that the total assessed value of each class is of the market value of the class, as shown in SBRPS sample studies.

"Base percentage" represents the percentage of total market value that each class constitutes in the 1989 base tax roll. The 1989 base tax roll is the one that was used in setting the tax levy for Fiscal 1990.

"Current percentage" is similar to the base percentage, but applies to the most recent year for which the SBRPS has established class equalization rates (in this case, the 2011 tax roll).

"Local base proportions" are the class tax shares used to fix the tax rates for Fiscal 1991.

"Current base proportions" are the local base proportions modified to take into account the market value changes revealed by the latest class equalization rates.