

Petitioner,

-against-

The Board of Assessors and the Board of Assessment  
Review of the Town of Brookhaven

Index No.

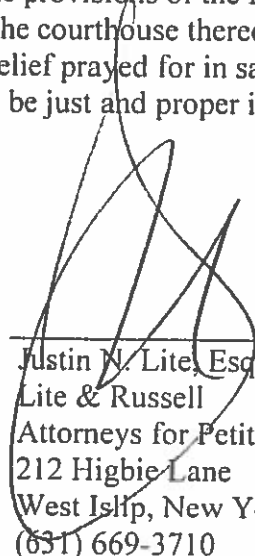
Respondents.

NOTICE OF PETITION

TO THE RESPONDENTS NAMED WITHIN: PLEASE TAKE NOTICE THAT, upon the annexed verified petition, an application will be made, pursuant to the provisions of the Real Property Tax Law, at a Special Term for Tax Certiorari of this court, to be held at the courthouse thereof, on September 15, 2015 at 9:30 am, or as soon thereafter as counsel can be heard, for the relief prayed for in said petition, upon the grounds set forth therein, and for such other and further relief as may be just and proper in the premises.

Dated: July 16, 2015

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TOWN OFFICE  
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ASSESSOR'S OFFICE

  
Justin N. Lite, Esq.  
Lite & Russell  
Attorneys for Petitioner  
212 Higbie Lane  
West Islip, New York 11795  
(631) 669-3710

Respondents.

The petitioner above named, by his attorneys, Lite & Russell, respectfully alleges as follows:

1. At all times herein mentioned, petitioner was and still is a taxpayer of the municipality whose Board of Assessors is the respondent herein (hereafter referred to as "the assessing jurisdiction") and is an aggrieved party with respect to the assessment within the meaning of Section 706, Real Property Tax Law, State of New York.
2. The respondents have heretofore prepared, completed and perfected, purportedly according to law an assessment roll for the assessing jurisdiction, for the tax year (2015/2016) which assessment roll included an assessment for petitioner's real property, described in Column I and assessed as set forth in Column II of the following schedule.

Column I	Column II Original Valuation	Column III Claimed Valuation	Column IV Confirmed Valuation (Same as Column II except as otherwise indicated)	Column V Extent of inequality and/or Excessiveness
SD-472211 SECTION / BLOCK / LOT: 200-515-1-8 ITEM NO.: 6047030	Land \$1,090 Total \$3,235	\$275 \$810		\$815 \$2,425
SECTION / BLOCK / LOT: ITEM NO.:	Land \$ Total \$	\$ \$		\$ \$
SECTION / BLOCK / LOT: ITEM NO.:	Land \$ Total \$	\$ \$		\$ \$

7. Upon information and belief, a true and correct copy of the said assessment was duly rendered by the respondent who failed and refused to correct or reduce the said assessment as requested and confirmed the said assessed valuation of the petitioner's property as set forth in column IV of paragraph 2. of above.

5. Thirty (30) days have not elapsed since the filing of the certified copy of the completed and verified assessment roll as required by law.

6. The said assessment of your petitioner's property is erroneous upon the following grounds: (a) Excessive Assessment (to the extent set forth in column V of paragraph 2 above) in that the assessed valuation exceeds the full value of the property; and that the real property failed to receive all or a partial exemption to which the property is entitled; and that the actual assessment and/or transition assessment exceeds the limitations placed on assessment increases and the respondent has failed to comply with the methods of assessment computation set forth in RPTL 1805 and 1904; (b) Misclassification in that the petitioner's property has been classified as being all or in part in classes two, three or four, instead of the appropriate class for petitioner's property; (c) Unequal Assessment (Inequality) (to the extent set forth in column V of paragraph 2 above), in that it has been made at a higher proportionate value than the assessment of other real property in the assessing jurisdiction made by the respondent; the specified instances of such inequality are the assessment of all of the real property in the assessing jurisdiction and each and every parcel thereof; and/or, in the alternative, at the election of the petitioner, that said assessment has been made at a higher proportionate valuation than the assessment of other real property in the same class on the same roll by the same officers; the specified instances of such inequality are the assessments of all other real property in the same class in the same assessing jurisdiction and each and every parcel thereof; and (d) Unlawful Assessment (Illegality) in that this property and all real property in the assessing unit is not assessed at a uniform percentage of value, as required by RPTL 305(2); and that the base proportion for the appropriate class for petitioner's property was established and/or adjusted in an erroneous, arbitrary and capricious manner; and that the property was selectively reassessed in violation of the Real Property Tax Law, the regulations of the State Board Of Equalization and Assessment, and the equal protection clauses of the constitutions of the State of New York and United States.

9. If there is more than one petitioner herein, the word "petitioner" shall mean "petitioners" or each of petitioners," as the contexts requires.  
WHEREFORE, your petitioner prays that the Supreme Court review and correct on the merits the aforementioned final determination of the respondent on the grounds set forth in this petition, and that the said Court take evidence to enable your petitioner to show the unjust, unequal, excessive, illegal, misclassification and erroneous assessment of the said real property to the end that the assessment may be reduced to the full, true market value thereof for land and improvement, and to a valuation proportionate to the assessments of other real property, and/or all other property in the same class, assessed on the same rolls for the same year, so that equality of assessments will result, and may be properly classified, and for such other and further relief as the Court may deem proper, together with the costs and disbursements of this proceeding.

Justin N. Lite, Esq.  
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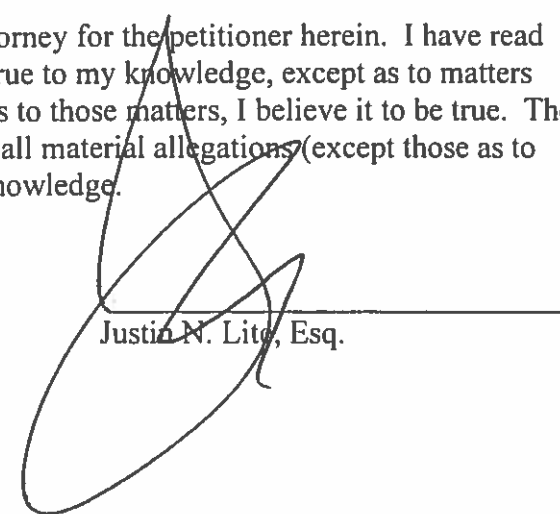
VERIFICATION

State of New York, County of Suffolk ss:

The undersigned being duly sworn, deposes and says: I am the attorney for the petitioner herein. I have read the foregoing petition and know the contents thereof; the same is true to my knowledge, except as to matters therein stated to be alleged upon information and belief and, that as to those matters, I believe it to be true. The reason this verification is made by me and not by petitioner is that all material allegations (except those as to matters of public record) of said petition are within my personal knowledge.

Sworn to before me this 16<sup>th</sup> day of July, 2015

  
\_\_\_\_\_  
Notary Public

  
\_\_\_\_\_  
Justin N. Lite, Esq.

KATELYN HAMILTON  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01HA6208893  
Qualified in Suffolk County  
My Commission Expires July 13, 2017

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