

Long Island Business News

Who's Who in Commercial & Residential Real Estate Law

December 14-20, 2012

JAY M. HERMAN

Herman Katz Cangemi & Clyne, LLP



Jay M. Herman is senior partner at Herman Katz Cangemi & Clyne, LLP with offices in Melville and New York City. Herman has more than 25 years of extensive, complex trial experience and understands the intricacies of property valuation (tax certiorari and condemnation) litigation.

Herman has been at the forefront of some of the most complicated litigation in this area, i.e., golf and country clubs, storage facilities and assisted living facilities. More specifically, he successfully has tried virtually every property type throughout the state, including the trial of a commercial New York City condominium of approximately one million square feet that included a parking garage, retail, theater and office space. It was one of the first office buildings tried in New York City in years and resulted in more than \$90 million of assessment reductions.

“Hurricane Sandy had a horrific effect on our lives and our properties,” Herman said.

To all property owners, Herman offers the same advice he has provided to the firm’s current property tax clients – take pictures, document the damage and obtain costs and a timeframe to repair the damage, if possible.

“First, Tax Assessors are required to value a property based upon its condition as of a particular date each year,” he said. “For example, the most recent taxable status date for the City of Long Beach roll is Dec. 1, 2012. This date is utilized for 2013/14 city taxes. When the city’s tentative assessment roll is published during January 2013, the assessment should reflect the condition of the property as of Dec. 1, 2012. If on that particular date, the property was in a damaged condition, then the new tentative assessment should reflect that fact. If not, the documentation should help establish that the tentative assessment is in error.”

“Second, we anticipate seeing shifts from some properties to other properties within the same taxing jurisdiction based upon the degree of damage suffered,” he said. “Clearly, the taxing authorities will still need to meet their budgetary requirements. Now with a portion of their assessment roll reduced

to account for the damage, the lesser or non-damaged properties will constitute a greater portion of the entire assessment roll. This will result not only in a higher tax rate, but a greater tax shift to these properties. This assumes no state or federal subsidies.”

“All affected taxpayers should keep this information in mind,” Herman noted.

Herman worked as a deputy county attorney in the office of the County Attorney of Nassau County, Tax Certiorari and Condemnation Bureau. He also was an assistant corporation counsel for the law department of the City of New York in the tax certiorari department.

Herman earned a bachelor’s degree, magna cum laude, from Hofstra University and a juris doctor from Case Western Reserve School of Law. He is admitted to practice in the State of New York and is AV peer rated by Martindale Hubbell.

Herman Katz Cangemi & Clyne, LLP attorneys provide valuation and litigation services; assist commercial property owners with reduction of real estate taxes, real estate assessments, commercial real estate tax litigation, property tax reduction, real estate assessments, assessment reductions, business valuations, eminent domain, tax certiorari, and condemnation law throughout Long Island, New York City, Westchester County, and upstate New York. The firm represents owners and investors of retail properties; office, industrial, and warehouse buildings; hotels, motels, and resorts; regional shopping centers and department stores; golf courses; and restaurants.