

Potential Property Tax Relief for Properties Effected By Hurricane Sandy

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In the aftermath of Superstorm Sandy, we would like to advise that New Jersey law provides for potential property tax relief for properties that experience "material depreciation" between October 1 and January 1 for the subsequent tax year. The applicable statute is found at 54:4-35.1 and states the following:

"When any parcel of real property contains any building or other structure which has been destroyed, consumed by fire, demolished, or altered in such a way that its value has materially depreciated, either intentionally or by the action of storm, fire, cyclone, tornado, or earthquake, or other casualty, which depreciation of value occurred after October first in any year and before January first of the following year, the assessor shall, upon notice thereof being given to him by the property owner prior to January tenth of said year, and after examination and inquiry, determine the value of such parcel of real property as of said January first, and assess the same according to such value."

For example, storm Sandy caused severe damage to a home in Neptune New Jersey on October 29, 2012. Because this material depreciation took place between October 1, 2012 and January 1, 2013, the Neptune assessor, provided that notice from the property owner is provided by January 10, 2013, is then required by law to re-assess the value of the property as of January 1, 2013 and that new assessment shall be the basis for property tax payments in the 2013 year.

GHC and its property taxation group offers to assist 1. in the presentation of the claim to the municipal tax assessor 2. In the negotiation of the proposed reduction in value due to the material depreciation 3. To recommend and work with appraisal experts to accurately determine the change in value to assure the maximum amount of property tax relief in 2013 and 4. If necessary, litigate the matter before the respective County Tax Boards.

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National Law Review, Volume II, Number 314

Source URL: <https://natlawreview.com/article/potential-property-tax-relief-properties-effected-hurricane-sandy>

