

RULE REVIEW

Office of Real Property Services

The following rule adoptions by the State Board of Real Property Services during 2004 were reviewed during 2009 pursuant to SAPA section 207 to determine whether they should remain in effect as adopted or should be modified. Each of these rules is contained in Title 9 of the NYCRR. Each was submitted to the State Board of Real Property Services at the Board's June 18, 2009 meeting. Each was continued without modification.

Notice of that Review appeared in the *State Register* of January 7, 2009. Public comments were requested by April 30, 2008. None were received.

Parts 186 and 193-Assessors' Reports and State Equalization Rates-RPS-05-04-00005-A, effective May 12, 2004. Statutory basis-RPTL, sections 202(1)(l), 575, 1200 and 1314(2). These rules govern the establishment of state equalization rates, including special rates, and reports maintained by assessors for equalization purposes. The State Board continued these rules at its meeting of June 18, 2009.

Part 190-Annual License Fees-RPS-06-04-00003-A, effective May 12, 2004. Statutory basis-RPTL, section 202(1)(l) and State Finance Law, section 99-kk. These rules continue to govern the payments made by local governments utilizing the Office of Real Property Services' computerized program for the administration of real property tax. The State Board continued these rules at its meeting of June 18, 2009.

Part 195-State Advisory Appraisals-RPS-06-04-00004-A, effective May 12, 2004. Statutory basis-RPTL, sections 202(1)(l) and 1544. These rules govern the procedures for requesting and issuing state advisory appraisals and qualifications for county appraisal personnel. The State Board continued these rules at its meeting of June 18, 2009.

Part 200-Calculation of Railroad Ceilings-RPS-09-04-00005-A, effective May 12, 2004. Statutory basis-RPTL, sections 202(1)(l), 489-g(8) and 489-iii(9). These rules continue to govern the procedures utilized in the assessment of railroad real property. The State Board continued these rules at its meeting of June 18, 2009.

Part 201-State Assistance for Annual Assessment Programs-RPS-36-04-00002-A, effective November 24, 2004. Statutory basis-RPTL, sections 202(1)(l) and 1573(1)(a) and Chapter 53, Laws of 2004. These rules continue to govern the applications for state aid for maintenance of quality assessment administration procedures. The State Board continued these rules at its meeting of June 18, 2009.

In addition, the following rules, initially adopted in 1999, were reviewed during 2004 and were continued without modification by the State Board of Real Property Services on June 15, 2004.

Part 187-Informational Hearings, Adjudicatory Proceedings and Review Procedures-RPS-29-98-00015-A, effective January 6, 1999. Statutory Basis-RPTL, sections 202(1)(l), 324 and 816 and SAPA, section 301(3). These rules continue to govern the conduct of informational hearings, adjudicatory proceedings and reviews of local disciplinary actions held by the State Board. The State Board continued these rules at its meeting of June 18, 2009.

Parts 190 and 192-Inventory Standards of Property Characteristics-RPS-08-99-00015-A, effective July 28, 1999. Statutory basis-RPTL,

sections 202(1)(l), 500 and 501. These rules continue to govern the form and standards related to maintenance of assessment inventory and real property valuation data and the standards for state assistance for maintenance of improved data. The State Board continued these rules at its meeting of June 18, 2009.

Part 194-Agricultural Assessment Program-RPS-48-98-00001-A, effective April 14, 1999-Statutory basis-AML, section 307 and RPTL, sections 202(1)(l) and 310. These rules continue to govern to the assessment of parcels used in agricultural production. The State Board continued these rules at its meeting of June 18, 2009.

