Property Tax & Condemnation

Real and personal property taxes are some of the most significant expenses facing our clients. Our attorneys work to save clients substantial sums on property taxes and establish realistic and accurate valuations of their real and personal property assets through our due diligence, negotiation, and litigation services.

Prior to the acquisition of a single material asset or an entire portfolio, we provide our clients with a comprehensive due diligence analysis of the property tax liability and offer modeling of projections on various alternative scenarios. If the asset is acquired, we can also assist in the purchase price allocation process.

Relative to existing assets, our attorneys successfully negotiate and litigate complex tax-reduction cases for numerous energy, utility, industrial, and commercial clients. Our experience litigating and negotiating these cases spans many decades and covers all forms of property valuation, including electric-generating facilities across the country, utility distribution and transmission facilities, commercial properties such as apartment buildings, environmentally damaged properties, hotels, industrial facilities, malls, shopping centers, strip plazas, mining operations, and special franchises.

We provide clients with creative resolutions of property tax burdens, which often involve complex negotiations with various levels of municipal government, project-financing issues, economic development programs, and frequent interaction with state and local industrial development agencies. Our attorneys regularly negotiate and craft proactive settlement agreements to meet the needs of both our clients and the communities in which they operate. We have extensive experience in obtaining tax exemptions and determining intangible valuation and functional and economic obsolescence at industrial facilities.

Our attorneys are intimately familiar with the equalization processes administered by states. We have ongoing interaction with both state and local assessors and are well versed with the assessment processes throughout the country.

In the area of condemnation, we have represented governmental and private condemnors to acquire property by eminent domain for numerous major projects and have litigated numerous just compensation valuation cases of all types of property. Our attorneys have also represented property owners both in challenging the eminent domain proceedings by which condemnors have sought to acquire their property and in litigating just compensation claims on their behalf. Again, our experience litigating and negotiating these cases spans many decades and involves all types of real property.

Representative Experience

- Successfully achieved a $12 million reduction in assessed value relating to hydro assets owned by an independent power producer, securing a significant refund and long-term agreement to keep assessed values lower and stable for the term, resulting in a reduced property tax burden.
- Advised a state agency in its role as an involved agency under SEQRA for a controversial new hospital project, during which we provided strategic advice throughout the environmental review process, including interfacing with the applicant and assisting with the development of a defensible environmental impact statement (EIS), which ultimately led to having all claims in the subsequent legal challenge dismissed against the state.
- Successfully achieved a $21 million reduction in assessed value relating to hydroelectric assets owned by an independent power producer, securing a significant refund and a long-term agreement to keep assessed values lower and stable for the term, resulting in a reduced property tax burden.