(For Outside NYC)

# How to E-File a SCAR Petition

## Mandatory Electronic Filing via NYSCEF

The electronic filing of a SCAR petition in counties outside of NYC is mandatory.* (Uniform Rules Sec. 202.5-bb). However, individual homeowners representing themselves as are exempt from having to file documents electronically, although they can choose to e-file. Additionally, if a representative is filing for you, the representative must file the petition electronically via NYSCEF, unless they meet the requirements to Opt-Out of e-filing pursuant to Uniform Rule 202.5-bb(e).

* Electronic filing is not authorized in Allegany County and the SCAR petition must be filed in hard copy (paper) in Allegany County.

## How to E-File the Petition via NYSCEF (New York State Courts E-Filing)

Please note the following are general navigational instructions for filing a SCAR Petition through the NYSCEF System. It is recommended that you reach out to the County Clerk's Office of the County that you are filing in for additional or specific procedural information and or requirements. For navigational assistance or questions regarding the NYSCEF System you can e-mail nyscef@nycourts.gov or call 646-386-3033.

1. Complete, print, sign, and scan the Small Claims Assessment Review Petition Form (SCAR Petition) to a location on your computer.
2. Create a User Name and Password to Login to NYSCEF to "Start a New Case". Create Account
3. To login from the NYSCEF Home page click on "**Supreme Civil Court"** and then enter your User Name and Password. Once logged in select "Supreme Court" in the "File Documents" section and on the following page click on "Start a New Case".
4. Select the County in which your real property is located from the menu then click "Next". On the "Select Case Type" screen, under the "Real Property" section click on "Other Real Property" and then select the "SCAR" option from the dropdown, then "Next".
5. On the "Add Parties" page enter the first and last name(s) of the homeowner(s) in the appropriate fields in the "Plaintiffs/Petitioners" section. Scroll down to enter the "Defendants/Respondents" information. For Nassau, Orange, Putnam, Rockland, Suffolk, and Westchester counties make sure you choose the correct "Municipality" as the defendant from the dropdown menu. For all other counties outside of NYC enter "Board of Assessment Review" in the "Business/Organization Name" field. Click "Next" to the "Verify Full Caption" page. If the parties (Petitioners/Respondents) display correctly click "Next". Otherwise select the applicable button to make the appropriate edits/corrections.
6. Select "SCAR PETITION" from the "Document Type" dropdown and attach your saved petition (Choose File). If you have additional documents in support, you will be able to add them while on this page. If filing in Nassau or Suffolk Counties, you will encounter a page requiring you to

enter additional information (block, lot, etc.) before attaching your petition. After attaching your petition and any supporting documents click "Next".

7. Enter your credit card information (Visa, MasterCard, and American Express) to pay the required $30 fee and service fee (.90) then click "Next".

8. On the "Review & File" page check all of the displayed information for accuracy. You can edit information previously entered from this page by clicking the applicable link. If all of the information is correct, click the box indicating you read the "Filing Acknowledgment", and then click "File Documents". You will receive a notification from the NYSCEF System confirming your filing. Once the County Clerk has received and approved your petition you will receive an additional notification providing the index number assigned to your case.

How to File the Petition in Hard Copy (paper) Form:

The original petition and two copies of the petition must be filed with the Clerk of the county in which your real property is located, within 30 days of the filing of the final assessment roll for your assessing unit. Your petition must be accompanied by a $30 filing fee and should include supporting statements, records, and other relevant information to support your petition. If you cannot file your petition in person, you may mail your petition, but it must be mailed no later than 30 days after the final assessment roll is completed and filed. The failure to file your petition on time may result in a dismissal of your claim.

Towns and villages may be separate assessing units. If your property is located in a village, filing a petition with respect to your town assessment or your village assessment alone may not affect the assessment by the other jurisdiction.

What to do Next

**After E-Filing Petition or Filing Petition in Hard Copy**:

• You must mail by certified mail, return receipt requested, or deliver in person, one (1) copy of the petition to the clerk of the assessing unit, or if there is no such clerk, to the officer who performs the customary duties of the clerk. If the petition was e-filed you must also include a Notice of Electronic Filing as required by the rules.

• You must mail, by regular mail, one (1) copy of the petition to the clerk of any school district where any part of the property, the assessment on which is to be reviewed, is located, except with respect to a school district within a city of 125,000 population or more. If there is no clerk of the school district, or the clerk's name and address cannot be obtained, the mailing may be made to a trustee of the school district. If the petition was e-filed you must also include a Notice of Electronic Filing as required by the rules.

• You must mail, by regular mail, one (1) copy of the petition to the treasurer of the county in which the property is located.

• You must mail, by regular mail, one (1) copy of the petition to the assessor, or the chairman of the board of assessors of the assessing unit named in the petition. If the petition was e-filed you must also include a Notice of Electronic Filing as required by the rules.

• You must mail, by regular mail, one (1) copy of the petition to the clerk of the village, where the village has ceased being an assessing unit in accordance with Real Property Tax Law Section 1402(3), if the assessment to be reviewed is on a parcel located within such village. If the petition was e-filed you must also include a Notice of Electronic Filing as required by the rules.

• The mailings and delivery, referred to above must be done within ten days from the date of filing three copies of the petition with the County Clerk*. The County Clerk is also the Clerk of the Supreme Court. Buffalo City School District, Rochester City School District, Syracuse City School District and Yonkers City School District.

*If e-filed there is no requirement to file three copies of the petition with the County Clerk.