

NOTICE TO THE BAR

Language to be included in Judgments Issued by the Tax Court

A stipulation of settlement submitted to the Tax Court must include the exact language as set forth below in order for it to be included in a final judgment.

For Statutory Interest:

“Statutory interest, pursuant to N.J.S.A. 54:3-27.2, having been waived by taxpayer, shall not be paid.”

or

“Statutory interest, pursuant to N.J.S.A. 54:3-27.2, having been waived by taxpayer, shall not be paid provided the tax refund is paid within 60 days of the date of entry of the Tax Court judgment.”

For application of the Freeze Act:

“The parties agree that there has been no change in value or municipal-wide revaluation or reassessment adopted for the tax year(s) _____, and therefore agree that the provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall be applicable to and a final disposition of this case and the entire controversy and of any actions pending or hereafter instituted by the parties concerning the assessment on the property referred to herein for said Freeze Act year(s). No Freeze Act year(s) shall be the basis for application of the Freeze Act for any subsequent year(s).”

NOTE: The Freeze Act will only be included in the judgment if the stipulation of settlement is signed after October 1 of the year preceding the Freeze Act year.

The Tax Court judgment will be silent if the stipulation of settlement contains any variation of the above language.

Cheryl A. Ryan
Tax Court Clerk/Administrator

Dated: December 8, 2009