



David C. Wilkes

Partner

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David C. Wilkes is a Partner in the firm's Corporate Department, focusing on major litigation over the valuation of commercial real estate and involving appraiser professional regulatory/liability matters related to valuation report integrity. He is an internationally recognized authority in complex commercial property taxation disputes with local governments involving nearly every type of real property asset. His practice includes counseling appraisal firms in regulatory matters and that may include appraiser work product review and compliance with regulatory standards. His practice includes obtaining government development incentives and tax exempt status for non-profit owners.

In his role as U.S. Senior Legal Advisor to governments in the Middle East and Eastern Europe, along with advisory work to the President of Ghana in West Africa, David designed a variety of initiatives aimed at reforming property rights, taxation and mortgage finance structures, decentralizing governments, and fostering economic stimulus within the real estate sector.

David has also dedicated himself to the furtherance of education and professional standards that uphold the public trust in the fields of valuation and tax. He is a former Chairman of The Appraisal Foundation, which is the Congressionally-appointed authority on appraisal and appraiser standards in the U.S. that are followed by agencies such as the IRS, SEC, Bureau of Land Management, financial institutions, and others. He is also co-founder and President of the National Association of Property Tax Attorneys. He served as the elected U.S. representative to the Governing Council of RICS, based in London, which is the world's leading professional regulatory body for qualifications, standards, and ethics in real estate, and was Chair of its Americas Valuation Council.

David is a Contributing Author for Bloomberg Tax and the co-author (with Partner Kevin Clyne) of the monthly property tax and appraisal column in the New York Law Journal. David has held crucial editorial roles, serving as Editor-in-Chief, Senior Editor, and Contributing Editor for reputable publications like Real Estate Review (NYU),

the New York State Bar Association Journal, the American Alpine Club Journal, and Litigation News (ABA). He is a Board Member of the Mohonk Preserve and Chair of its Land Protection Committee, and also sits on the Boards of Mid-Hudson Pattern for Progress and the Hudson Valley Economic Development Corporation. He holds a Masters Degree in Real Estate Appraisal from NYU's prestigious Schack Real Estate Institute, where he graduated first in his class with honors, and currently sits on the NYU Schack Alumni Board.

Areas of Concentration:

- Appraiser and Appraisal Regulation & Standards
- Hospitality and Resorts
- Net Asset Valuation of Real Estate Investment Trusts
- Major Office Portfolios
- Regional Shopping Centers and Retail Anchors
- Segregation of Intangible/Business Value from Real Property
- Valuation of Conservation Easements and Related Tax Court Disputes

Practices

- Corporate
- Tax Assessment, Eminent Domain and Property Valuation
- Complex Real Property Tax Issues
- Eminent Domain
- Real Estate Property Tax Challenges
- Appraiser Defense, Regulatory Counsel, and Risk Management
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Bar Admissions

- New York
- Colorado
- U.S. Supreme Court
- U.S. Tax Court

Education

- M.S., New York University, 2001
 - Real Estate Valuation, Schack Real Estate Institute, Real Estate Valuation and Finance
- J.D., Boston University School of Law, 1992

- B.A., The City University of New York, 1989

Professional and Community Activities

- President and Member, National Association of Property Tax Attorneys 2005 – Present
- Member Board of Directors, International Property Tax Institute, 2005 – Present
- Chair, Tax Certiorari & Condemnation Committee, Westchester County Bar Association, 2014 – Present
- Chair and Member, The Appraisal Foundation, 2006 – 2016
- Mohonk Preserve, Board Member, Life Member, Chair of Land Protection Committee
- Hudson Valley Pattern for Progress
- United Jewish Appeal, Board Member
- Jewish Business Network, Partner
- Counselors of Real Estate, Designated Member
- New York University Schack Real Estate Alumni Board
- Royal Institution of Chartered Surveyors, Fellow and former Member of the Governing Council (London)
- Real Estate Board of New York (Economic Development)
- Institute for Professionals in Taxation

Publications

- NYC Property Tax Report Is a Roadmap That Offers No Easy Paths, Bloomberg Tax, Nov. 17, 2023 (with Dubitsky, Warren).
- Supreme Court Forfeiture Ruling Spells Victory for Homeowners, Bloomberg Tax, May 26, 2023.
- Office Properties Deserve a Property Tax Break in 2022, NY Real Estate Journal, Dec. 2021
- A Look at the Unmatched Complexity of New York’s Property Tax System, NY Real Estate Journal, Aug. 2021
- Presentation: “Valuation of Real Estate for Property Tax Purposes During a Pandemic”, Appraisal Institute’s NY Chapter, March 2021
- Presentation: “Valuing the Fee Simple Interest for Tax Purposes in Situations Not Involving ‘Dark Stores’”, American Bar Association/Institute for Professionals in Taxation, March 2021
- Three-Year Moratorium on Tax Appeals and the Law of Unintended Consequences, NY Real Estate Journal, Feb. 2021
- Hospitality Owners Should Aggressively Seek Property Tax Relief in 2021, NY Real Estate Journal, Jan. 2021
- Presentation: “The Role of Mediation in Valuation Disputes”, International Property Tax Institute, Dec. 2020
- What do Valuation Dates and COVID-19 Have to do with Your 2021 Property Taxes? NY Real Estate Journal, Oct. 2020
- Minimizing Property Tax Increases for Retail Construction by Being Proactive, NY Real Estate Journal, May 2020
- How Will Lawmakers’ Initiatives Impact Owners’ Property Taxes? NY Real Estate Journal, April 2020
- Opportunities to Reduce Property Taxes for Senior Housing Properties, New York Real Estate Journal, February 2020
- Presentation: “Application of Highest and Best Use in New York Property Taxation”, Institute for Professionals in Taxation, Nov. 2019

- More Bitter Than Sweet: Anti-Landlord Rent Reforms will Drive Property Tax Reductions, co-authored with Kevin Clyne, Esq., New York Real Estate Journal, August 2019
- Presentation: "Property Tax for Hotel Owners", Webinar, Asian American Hotel Owners' Assoc., March 2019
- Presentation: "The Valuation of Contaminated Property", Royal Institution of Chartered Surveyors, Nov. 2018
- Presentation: "Understanding the Tax Certiorari Process", NYS Government Finance Officers Association, Sept. 2017
- Presentation: "Property Tax Basics", NYU Summer Institute in Taxation, July 2017
- Conservation Land Property Tax Exemptions: The Mohonk Preserve Experience, co-authored with Glenn D. Hoagland, New York State Bar Association Journal, March/April 2015 (Vo. 87, No. 3)
- Counseling the Prospective Tax Certiorari Client, Westchester Lawyer Magazine, March 2015
- An Interview With Ken Feinberg on Concepts of Valuation and the Administration of the 9/11 Fund, New York State Bar Association Journal, October 2010 (Vol. 82, No. 8)
- Discovery (and the Lack of it) in Property Tax Appeals, New York State Bar Association Journal, May 2010 (Vol. 82, No. 4)
- Who's Running the Show? Implementing Centralized Management of Property Taxes for a Global Portfolio, "Real Estate Issues" (Counselors of Real Estate's Quarterly Journal), Spring 2007
- Guest Editor, Government, Law & Policy Journal (New York State Bar Assoc.), Eminent Domain Special Issue, Spring 2007 (Vol. 9, No. 1), and Author of Compensating for the Loss of Business Value as a Result of Condemnation
- This Land is Your Land? The Public Use Doctrine in Eminent Domain, New York State Bar Journal, Vol. 77, 8 (October 2005 – Featured Cover Story)
- Detecting Intangible Asset Value (or Capitalized Economic Profit) in Sales to REITs: A Practical Framework for Analysis, "Real Estate Issues" (Counselors of Real Estate), Vol. 29, No. 4 (Winter 04-05). (Winner, Ballard Award for Best Article of 2005)
- Awarding Compensation for Going Concern Value in Eminent Domain Proceedings, Co-Author, Condemnation Law & Procedures, New York State Bar Association (2005)