



## David C. Wilkes

### Partner

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David C. Wilkes is a property tax and valuation strategy partner in the firm's corporate department. He is an internationally recognized authority in complex commercial property taxation disputes, valuation law, and related litigation. David adeptly guides clients through crucial decisions in real estate investment and management, placing a specific focus on understanding the local tax implications of transactions and construction, and negotiating with local government to achieve his clients' objectives. With a global perspective, he has extensive experience representing major owners, developers, and tenants in the retail, hospitality, office, and industrial sectors worldwide.

In his role as Senior Legal Advisor to governments in the Middle East and Eastern Europe, along with advisory work 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 standards that uphold the public trust in the fields of valuation and tax, having served as Chairman of The Appraisal Foundation, which is the Congressionally-appointed authority on appraisal and appraiser standards in the U.S., and as a co-founder and President of the National Association of Property Tax Attorneys. 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).

#### **Areas of Concentration:**

- 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

## Practices

- Corporate
- Tax Assessment, Eminent Domain and Property Valuation
- Complex Real Property Tax Issues
- Eminent Domain
- Real Estate Property Tax Challenges

## Bar Admissions

- New York
- Colorado
- U.S. Supreme 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)