

BOARD OF ASSESSORS MEETING

OFFICIAL MINUTES

JULY 16, 2012

CALL TO ORDER: Vice Chairman Todd Lizotte called the meeting to order at 5:01 PM.

Present: Todd Lizotte, Nancy Comai, James Sullivan, Todd Haywood (Assessor).

1. **APPROVAL OF MINUTES:**

- a. **June 27, 2012 Public Minutes:** James Sullivan made a motion to approve the meeting minutes of June 27, 2012. The motion was seconded by Nancy Comai. The motion carried unanimous.

2. **ADMINISTRATIVE MATTERS OF IMPENDING TAX ABATEMENTS**

James Sullivan made a motion to move the items off the table from the last meeting. Nancy Comai seconded the motion. The motion carried unanimous

a. **Fisher, Clayton & Jennifer** **Map 26 Lot 3-8**

The taxpayer is requesting abatement because they believe the assessment does not adequately reflect market value. They have submitted an appraisal that has a value range of between \$278,000 by the sales comparison approach and \$397,000 by the cost approach. The final conclusion of value is \$278,000. The field appraiser has re-inspected the property. All assessing data appears to be correct. However it is recommended that the patio be removed from the sketch and be added under extra features and outbuilding section so that it can be valued separately from the house. This would be reduction of \$800 in assessed value.

As far as the taxpayer's appraisal is concerned, there is a very large spread between the two appraisal approaches used. The assessor said he would expect the two to be with 10% of each other. In the sales comparison approach, the appraiser did not use similar type properties as sales comparable and used bank sales as well. Lastly the equalized assessed value is about 5% different which is within the acceptable range.

James Sullivan made a motion to accept the Assessor's recommendation to abate. The motion was seconded by Nancy Comai. The motion carried unanimous.

b. **Pratt, Henry** **Map 22 Lot 29**

The taxpayer is requesting abatement because he believes the assessment does not adequately reflect the amount of fire damage to the building. The Assessor reinspected the property. Currently the building is reduced by 85% to reflect the fire damage. The taxpayer reports the loss is 75%. Essentially the amount of loss to the building being reflected is more than the taxpayer suggests resulting in a lower value. The land represents most of the value which is \$163,700. The property is flagged so we can revisit it in 2012.

James Sullivan made a motion to approve the Assessor's recommendation to abate zero. Nancy Comai seconded the motion. The motion carried unanimous.

c. L'Heureux, Mark Map 43 Lot 46-6

The taxpayer is requesting abatement because he had an appraisal done that indicates a market value of \$280,000. He believes his assessment is also inequitable compared to his neighbors. The town field appraiser has re-inspected the property. The listing data is correct. The Assessor compared the assessments of the neighbors and found them to be consistent. The properties that have an imposing view of the water tower have been given an adjustment to the building for economic obsolescence of -5%. However this property loses 6000 square feet of area to the cul-de-sac right of way. The Assessor recommends reducing the site value by an additional - 5% for this. When the revised assessment is equalized, it results in an indicated market value of \$278,700, which is slightly lower than the taxpayer's appraisal. James Sullivan made a motion to accept the Assessor's recommendation to abate. Nancy Comai seconded the motion. The motion carried unanimous.

d. Leavitt, John Map 17 Lot 32-3

The taxpayer is requesting abatement because he believes the assessment does not adequately reflect the market value. He has submitted an appraisal that has a value conclusion \$245,000. The appraiser only considered one approach to value. The Assessor has re-inspected the property. The assessing data is correct. However the central air-conditioning is not currently operable. The Assessor would recommend an adjustment to the building by an additional 3% to account for this. There two parking spaces only not five. The assessor questions why there was a cost approach to value considered in the taxpayer's appraisal. Also the appraiser mentions the Nashua real estate market is stable but also states there is a decline of 5% over the past number of months which is conflicting. The appraiser adjusted the comparable sale properties negatively for time because they were subsequent to the effective date of this report. This contradicts the notion that the market is in decline. If that is the case (market decline) the comparable sales should adjusted positively because the market has declined from the effective date of the appraisal to sale date. If the correct adjustments were being made the resulting value should be \$20,000 higher.

\$5100 reduction in asset value recommended by the assessor. Mr. Leavitt said he would have another appraisal done. James Sullivan made a motion to accept the Assessor's recommendation to abate \$5,100 in assessed value. Nancy Comai seconded the motion. The motion carried unanimous.

e. Sorel, Michael & Doris Map 13 Lot 55

The taxpayers are requesting abatement because they believe the assessment should not be changed until 2012. They cite several sales that occurred in 2011 that were not adjusted. Therefore they believe the value for this lot should not be adjusted until subsequent years despite the evidently egregious error in in assessment valuation. The taxpayer read NH RSA 75:1 which says we shall assess all property at its fair market value as though it were in payment for debt unless provided for by another statute. The

Assessor stated that if an error is discovered we can are duty bound to fix it. This property was erroneously assessed as a “non-buildable” lot. Once the current owner who is a knowledgeable realtor bought this property for \$50,000 on 5/23/2011, it became evident that the \$9,400 assessment was erroneous. There were no changes to the property from 4/1/2011 to the date of purchase 5/23/2011 which indicates its market value as of 4/1/2011 was the same as on the date of purchase which means the assessment in accordance of NH RSA 75:1 should be \$56,400. The Assessor corrected this once it was discovered. The revised assessment of \$56,400 equalized is \$52,500 which is within 5% of the purchase price.

The taxpayer feels that because the sale was after April 1, the assessed value cannot be changed until the following tax year. He made several references to conversations with the Director and Assistant Director of the Property Appraisal Division NH Dept. of Revenue Administration where he left under the impression that if it is discovered after April 1 it shouldn't be assessed until the subsequent tax year.

The Assessor attempted to clarify that if a property changed in value somehow after April 1, the assessment doesn't change until the subsequent tax year. In this case nothing changed after April 1, so the value on May 23, 2011 was the same value on April 1, 2011 and should be assessed accordingly pursuant to NH RSA 75:1 and RSA 75:8..

James Sullivan made a motion to approve the Assessor's recommendation to deny. The motion was seconded by Nancy Comai. A roll call vote was taken. James Sullivan No. Nancy Comai No. Todd Lizotte No. The motion failed.

The taxpayer read from NH RSA 75:8 Revised Inventory which states Assessors and Selectmen shall consider adjusting assessment for any properties that meet one of any six criteria. This property under (c) had changed ownership but the taxpayer said that this adjustment should be done annually and the tax year is April 1 to March 31. The assessor stated that the sale was within the 2011 equalization study done by the Department of Revenue, Property Appraisal Division and was considered when conducting the equalization ratio study for the year 2011.

James Sullivan made a motion to abate \$47,000 in assessed value. Nancy Comai seconded the motion. The motion carried unanimously.

f. Jutras, Wayne Map21 Lot 35-6

The taxpayers are requesting abatement because the assessment for this property reflects more than market value. The taxpayer had an appraisal for mortgage financing with a value range of \$300,000 - \$329,000. After review, this property was noted as having sprinklers. They are required in this neighborhood so they are considered “normal” for the neighborhood so no assessed value is added. The assessor removed the assessment for sprinklers. Nancy Comai made a motion to accept the Assessor's recommendation to abate. James Sullivan seconded the motion. The motion carried unanimous.

g. Stillwater Properties Map 16 Lot 78-1

The taxpayer is requesting abatement because the assessment for this property reflects a factor for a positive view. The Assessor stated that the property unlike the others in this subdivision does not have a positive view influence and this factor should be removed and the difference abated. The Assessor explained the use of a tables with and associated multiplier for waterfront property and a view code which is a site index code. James Sullivan made a motion to accept the Assessor's recommendation to abate. The motion was seconded by Nancy Comai. The motion carried unanimous.

h. Stillwater Properties Map 16 Lots 78-2,3,4,5 & 9

The taxpayers are requesting abatement because they believe the assessments for these properties exceed market value. The property owner has not provided sufficient evidence that these properties are over assessed. The values are similar and differ due to size and range of mountain view. James Sullivan made a motion to accept the Assessor's recommendation to deny. Nancy Comai seconded the motion. The motion carried unanimous.

i. Di Gregorio, Louis & Veronica Map 18 Lot 49-405

The taxpayers are requesting abatement because the assessment for this property reflects a full basement when it is crawl space only. After review, this property was noted as having crawl space and not an unfinished basement. James Sullivan made a motion to accept the recommendation of the Assessor to abate. Nancy Comai seconded the motion. The motion carried unanimous.

j. Comai, Matthew & Nancy Map 45 Lot 61

Board member Nancy Comai abstained from discussion and vote to avoid a conflict of interest. James Sullivan made a motion to table the vote until we find out if we need a simple majority vote when only three members are present and one member abstains. Todd Lizotte seconded the motion. The vote was 2 ayes and one abstention. Motion carried.

k. Aoude Map 37 Lot 9

The taxpayers are requesting abatement because the assessment for this property reflects more than market value. The taxpayer had an appraisal for mortgage financing with a value conclusion of \$575,000. After a review of the property, the Assessor recommends changing the grade from "average +10" quality to "average". This property is very basic as far as a gas/convenience stores are concerned. James Sullivan made a motion to accept the assessor's recommendation. Nancy Comai seconded the motion. The motion carried unanimous.

l. Thomas, Kenneth Map 14 Lot 14-2

The taxpayers are requesting abatement because they believe the assessment exceeds market value more than the acceptable range. The Assessor has re-inspected the property and met with the taxpayer. He did note some unique circumstances this property has relative to the neighborhood. There is a very small building envelope. To one side there is a steep drop off which prohibits a two car garage on this lot. There is room for one garage stall. All other properties in the neighborhood have two car garages. He recommends a -

5% on the land and -5% on the building for this circumstance. The revised assessment when equalized is within the 10% of taxpayer's opinion of value.

James Sullivan made a motion to accept the assessor's recommendation.

Nancy Comai seconded the motion. The motion carried unanimous.

m. 1663 Hooksett Road LLC

Map 14 Lot 1-2

The taxpayers are requesting abatement because they don't believe the lack of Town approvals has been sufficiently adjusted for in the assessment. The Assessor met with the taxpayer's representative and in discussion it was indicated that in order to develop this property the taxpayer would have to go through the cumbersome approval process. The Assessor agrees that the lack of approvals does diminish the market value of the property.

If the land condition is adjusted to reflect this, the assessment would be more appropriate.

Nancy Comai made a motion to accept the Assessor's recommendation to abate. James Sullivan seconded the motion. The motion carried unanimous.

4. New Business

Nancy Comai stated that at the next meeting there would be a new Board member appointed by the Council. At that time new officers would be chosen. The Board also wanted to know when do need a simple majority vote. If only three board members present and one abstains, how is the vote counted? Information to be obtained for next meeting.

5. ADJOURNMENT

Nancy Comai made a motion to adjourn at 6:25 PM. James Sullivan seconded the motion. It was decided that the Board of assessors would meet Wednesday, August 8th. The motion carried unanimous.

Respectfully Submitted,

Elayne Pierson
Assessing Clerk