

Arthur D. Eastwood and Alice A. Eastwood

v.

Town of Meredith

Docket No. 3725-87

DECISION

A hearing in this appeal was held, as scheduled, on September 29, 1988. The Taxpayers were not represented. The Town was represented by David C. Head, Senior Appraiser, M.M.C. Incorporated and Debra Pelczar, Assessing Coordinator.

The Taxpayers appeal, pursuant to RSA 76:16-a, the assessment of \$253,900 (land, \$218,300; buildings, \$35,600) placed on their real estate, located on Wagon Wheel Trail for the 1987 tax year. The subject property consists of a four room cottage and 100 feet of shore frontage on Lake Winnepesaukee.

Neither party challenged the Department of Revenue Administration's assessment-sales ratio of 96 percent for the 1987 tax year for the Town of Meredith. Based on that ratio the Taxpayers assessment equates to a market value of \$264,500, on April 1, 1987.

The Taxpayers argued by letter of September 19, 1988, "1. The 120' water front property of the adjacent property (McStay) which is more useable and desirable than my property, is appraised at \$2057 per foot. My 100' water front is appraised at \$2183 per foot. 2. My comparable properties on Wagon

Wheel

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Trail are appraised at \$238,700 and \$239,700. I can see no justification for \$253,900 for my property." The Taxpayer also submitted a copy of a letter from David Mardis, Realtor, giving an opinion of value as of February 12, 1987, "the current market value of the subject property is \$210,000". The letter of opinion listed properties with asking prices and properties that had sold in 1986, with unconfirmed or validated sales. The Realtor also noted values have increased somewhat since the beginning of 1986.

The Town argued they had no information regarding the comparables presented by the Taxpayers. The Town further argued that a March, 1987, sale of a comparable property, with 39 less feet of shore frontage, a smaller lot, but a 300 square foot larger building, sold for \$300,000, but was assessed for \$298,900. The Town argued this demonstrated the assessments were in line with the market values in the taxing district.

The Board finds the Taxpayers failed to present evidence of market value as of April 1, 1987. The Board finds that while comparisons by the Taxpayer of the assessments of his property with the assessments of others can be useful, the Taxpayer must present evidence of market value.

The Board therefore rules that the Taxpayers have failed to prove that the assessment is unfair, improper, or inequitable or that it represents a tax in excess of the Taxpayers just share of the common tax burden. The ruling is therefore: Request for abatement denied.

SO ORDERED.

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BOARD OF TAX AND LAND APPEALS

— Anne S. Richmond, Esq., Chairman

— George Twigg, III, Member

— (Mr. Damour did not sit.)

— Raymond J. Damour, Member

— Peter J. Donahue, Member

Date: December 22, 1988

I certify that copies of the within Decision have this date been mailed, postage prepaid, to Arthur D. & Alice A. Eastwood, taxpayers; and the Chairman, Selectmen of Meredith.

— Michele E. LeBrun, Clerk

Date: December 22, 1988

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