Howard B. Leavitt
v.
Town of Meredith

Docket No. 3973-87

DECISION

A hearing in this appeal was held, as scheduled, on October 19, 1988. The Taxpayer represented himself. The Town was represented by David C. Head, Senior Appraiser, M.M.C. Incorporated.

The Taxpayer appeals, pursuant to RSA 76:16-a, the assessment of $213,500 (land, $152,800; buildings, $60,700) placed on his real estate, located on Pine Island for the 1987 tax year. The subject property consists of a 2.26 acre parcel with 260 feet of water frontage, improvements of several buildings and a dock.

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 ration the Taxpayers assessment equates to a market value of $222,400, on April 1, 1987.

The Taxpayer opened his testimony by reading into the record a prepared statement (Taxpayers Exhibit 1). The Taxpayer argued, in his statement, that the decreasing level of Town services, or lack of Town services, should result

in lower assessments for island properties. The Taxpayer noted the Lyon study which purports to compare the sales prices and assessed valuations of mainland waterfront properties and island waterfront properties. The Taxpayer also testified in his statement that there were qualitative features which lessen the value of his property, including the before mentioned level of Town services, which the Taxpayer felt the appraisal company ignored. The Taxpayer also, in his statement, elaborated on the difficulties in understanding the property record assessment card produced by the appraisal company and the difficulty the Taxpayer had in attempting to communicate with representatives of the company.

The Town's representative testified sales survey and analysis of sales was conducted for island properties. The Town's representative further testified there were no sales available on Pine Island and that values derived from sales on Bear Island were adjusted downwards to determine values for properties on Pine Island.

The Board's review appraiser, in his report to the Board, adjusted the land area of the subject property to that determined by a survey. The Town's representative, when questioned as to the value of this adjustment, responded it was worth about $2,500 on the assessed value.

The Board finds the Taxpayer failed to present evidence of sales and market value for the subject property as of April 1, 1987. The Board also finds the Town's representative and the Board's review appraiser agreed in their estimative assessed value of the land area removed, by the evidence of

the survey, from the subject property.

The Board rules for the above stated reason, the proper assessment for the 1987 tax year is:

Land	$150,150
Buildings	$ 60,700
Total	$210,850

If the taxes have been paid, the amount paid on the value in excess of $210,850 is to be refunded with interest at six percent per annum from date of payment to date of refund.

SO ORDERED.

BOARD OF TAX AND LAND APPEALS

(Ms. Richmond did not sit.)

_ Anne S. Richmond, Esq., Chairman

_ George Twigg, III, Member

_ Raymond J. Damour, Member

_ Peter J. Donahue, Member

Date:

I certify that copies of the within Decision have this date been mailed, postage prepaid, to Howard B. Leavitt, taxpayer; and the Chairman, Selectmen of Meredith.

_ Michele E. LeBrun, Clerk

Date: