

C. M. Lovett, Inc.

v.

Town of Swanzey

Docket No. 4050-87

DECISION

A hearing in this appeal was held, as scheduled, on April 20, 1989. The Taxpayer was represented by Charles M. Lovett, President of Lovett, Inc.. The Town was represented by Sean M. Casey, MMC, Inc..

The Taxpayer appeals, pursuant to RSA 76:16-a, the assessment of \$93,000 (building only) placed on its real estate, located on Map 34-36-20 (Dillant Hopkins Airport) for the 1987 tax year.

The parties agreed that the equalization ratio for the town of Swanzey for the 1987 tax year was 96%.

According to the Taxpayer his 60' x 84' metal hanger was not complete on April 1, 1987.

The Taxpayer submitted a list of contractors and amounts paid for services rendered and materials used.

The Town's representative, Mr. Sean M. Casey, submitted a cost calculation based on Marshall & Swift tables.

The Taxpayer testified that the assessment valuation was \$28,000 more than the completed cost of the hanger.

The total completed cost according to Mr. Lovett's actual bill submitted was \$69,873.94. He also stated that his personal involvement in the general contracting probably saved 10% of the total cost.

The Taxpayer estimated the project was 21% incomplete on April 1, 1987. The Town said the building was 75% complete.

The Board of Tax and Land Appeals finds the value on April 1, 1987, was \$76,860 less \$15,000 for incomplete work.

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The Board rules the correct 1987 assessment is \$61,860.

If the taxes have been paid, the amount paid on the value in excess of \$61,860 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

Anne S. Richmond, Esq., Chairman

George Twigg, III, Member

Peter J. Donahue, Member

(Mr. Franklin did not sit.)
Paul B. Franklin, Member

Date: February 6, 1990

I certify that copies of the within Decision have this date been mailed, postage prepaid, to Charles M. Lovett, President, C. M. Lovett, Inc. taxpayer; and the Chairman, Selectmen of Swanzezy.

Michele E. LeBrun, Clerk

Date: February 6, 1990

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