

Condos East Corporation

v.

Town of Lincoln

Docket No. 4727-88

DECISION

The "Taxpayer" appeals, pursuant to RSA 76:16-a, the "Town's" 1988 assessment of \$1,523,200 consisting of land and improvements. (Mansion Hill Phase II) For the reasons stated below, the appeal for abatement is denied.

The Taxpayer has the burden of showing the assessment was disproportionately high or unlawful, resulting in the Taxpayer paying an unfair and disproportionate share of taxes. See RSA 76:16-a; Tax 201.04(e); Appeal of Town of Sunapee, 126 N.H. 214, 217 (1985). We find the Taxpayer failed to carry its burden and prove any disproportionality.

The Taxpayer was not represented but a letter was submitted that argued the assessment was excessive because, "The disagreement involves the appraised value of the land. The total cost to the Taxpayer was \$390,500," according to a written statement. "While one could argue that the land had building approvals and is worth more than cost the company had put into it. We feel a four fold increase in value is not equitable. A two or three fold increase seems more in line with reality."

The Town's representative, Ms. Mary Pinkham, appraiser, argued the assessment was proper because the land has an appraisal value of \$23,800 multiplied by 64 units. It's assessed value is \$1,523,200. Not much land is available for development in Lincoln. "Mansion Hill is still selling units for \$89,000." Cost does not equal value.

We find the Taxpayer failed to prove the 1988 assessment was disproportional. We also find the Town supported the Property's assessment.
SO ORDERED.

BOARD OF TAX AND LAND APPEALS

George Twigg, III, Chairman

Peter J. Donahue, Member

Ignatius MacLellan, Member

Date: March 27, 1991

I certify that copies of the within Decision have this date been mailed, postage prepaid, to George Hashem, representative for Condos East Corp., taxpayer; and the Chairman, Selectmen of Lincoln.

Michele E. LeBrun, Clerk

Date: March 27, 1991

0009