In Re: Town of Meredith Reassessment

Docket No.: 19388-02RA

ORDER

On March 16, 2004, the board held a noticed hearing regarding a petition filed with the board pursuant to RSA 71-B:16, IV, requesting the board order a municipal-wide reassessment in the "Town." At the hearing, the board received testimony from Steve Merrill, the lead petitioner, represented by Margaret H. Nelson, Esq., and from Selectman Frank S. Michel and Assessor Lena Bolton of the Town, represented by attorneys Laura Spector, Esq. and Timothy Bates, Esq. An interested taxpayer, Philip McGowan, also was present and testified. The board's review appraiser, Ms. Cynthia L. Brown, who prepared an assessment-to-sale ratio study ("Report") at the board's request dated October 1, 2003, also testified.

Issues Presented

The "Petitioners'" and the Town's detailed arguments are encapsulated in their respective requests answered at the end of this Order and they are summarized as follows. The Petitioners argued the board should order a reassessment effective for tax year 2005 because: 1) of the time elapsed since the last complete reassessment in 1987; 2) of the Town's lack of routine cyclical inspections of property; 3) the periodic updates performed by the Town have not resulted in truly

proportional assessments; and 4) the Town has no definitive plans to perform a reassessment. The Town argued there was no need for a complete reassessment because: 1) its periodic updates, most recently in 2002, have maintained acceptable assessment equity; 2) it has performed extensive inspections of property; and 3) its last three years' ratio studies indicated acceptable equity.

Board's Rulings

The board's statutory authority in these proceedings is contained in RSA 71-B:16:

> **Order for Reassessment.** The board may order a reassessment of taxes previously assessed or a new assessment to be used in the current year or in a subsequent tax year of any taxable property in the state: . . . III. When in the judgment of the board, determined in accordance with RSA 71-B:16-a, any or all of the property in a taxing district should be reassessed or newly assessed; . . . .

Further, RSA 71-B:16-a provides:

> **Criteria for Ordering Reassessment.** Prior to making any determination to order a reassessment or a new assessment under RSA 71-B:16, III, the board shall give notice to the selectmen or assessors of the taxing district and, if requested, hold a hearing on the matter at which the selectmen or assessors shall have the opportunity to be heard. The board shall not order any such reassessment or new assessment unless it determines a need therefor utilizing the following criteria:
>
> I. The need for periodic reassessment to maintain current equity.
> II. The time elapsed since the last complete reassessment in the taxing district.
> III. The ratio of sales prices to assessed valuation in the taxing district and the dispersion thereof.
> IV. The quality of the taxing district's program for maintenance of assessment equity.
> V. The taxing district's plans for reassessment.

Based on the evidence submitted at the hearing and considering the five above-listed criteria, the board orders a full revaluation to be completed no later than for the 2006 tax year. The board will detail its findings as to the need and the timing of the reassessment in the following paragraphs.

Criteria I and II

The board finds the last full revaluation, as defined in the department of revenue administration's ("DRA") rule Rev 603.01(d),[1] occurred in 1987. None of the subsequent updates have separately or collectively encapsulated all the property listing and market data investigation and analysis that is included in a "full revaluation" for the board to conclude that they constitute, or are a substitute for, a complete reassessment. While mindful that Pt. II, Art. 6 of the New Hampshire Constitution requires valuation anew every five years but not necessarily physical inspections, Sirrell v. State, 146 N.H. 364, 382 (2001), the board also finds that commonly accepted standards for mass appraisal established by the International Association of Assessing Officers ("IAAO") (Taxpayer Exhibit 2) indicates at sections 4.5 and 4.7 that periodically (every four to six years) the physical aspects of properties should be reviewed and fully reappraised.

Although the Town argued it had a program in place to perform periodic physical inspections, the board finds from the testimony and evidence, this process had not been instituted in a systematic fashion. Town Exhibit C was submitted as a tabulation to show that approximately half the properties in the Town had been physically inspected since the 1987 reassessment. This tabulation is misleading as it is a summation of the first two inspection lines on assessment-record cards and, thus, counts many properties twice. Further, the fact that the Town testified it had not reviewed or modified the depreciation of improvements since the 1996 update also demonstrates that physical inspections have not been performed in as methodical a fashion as both the Town asserts it has and the IAAO standards indicate are desirable.

[1] Rev 603.01(d) "'Full revaluation' means a complete measure, listing and valuation of all taxable and nontaxable properties in a municipality."

In short, while assessment updates, if properly performed, can adequately, for the short term, be a substitute for a complete reassessment and can, again, if properly performed, fulfill the requirements of the New Hampshire Constitution of valuing property anew every five years, the board finds the less than comprehensive process the Town has employed in performing the updates (as further detailed in the next section) is no substitute for a complete reassessment. Thus, the 17 years that have elapsed since the 1987 reassessment is significantly longer than warranted by any standard.

Criteria III and IV

For the reasons detailed below, the board concludes the 2000 and 2002 assessment equity indices contained in the DRA's ratio studies are not truly reflective of the actual assessment equity throughout the Town for the unsold properties.[2] The Town testified it performed assessment updates for tax years 2000 and 2002. As part of that process, it analyzed sales within a similar time period as that used by DRA for its annual equalization ratio studies. The DRA's statistics and assessment equity indices (coefficient of dispersion ("COD") and price-related differential ("PRD"), etc.) are drawn from the same sample of sales utilized by the Town in modifying its land and building base rates during those two years and, thus, the DRA's results are inherently reflective of the Town's assessment model changes to the sold properties. As the Taxpayers argued, the process results in a self-fulfilling prophecy of improved assessment equity. The true test occurs if other sales, not part of the DRA's studies, are analyzed such as those in the year that no assessment update is performed. Such analysis tests if the adjustments

[2] Results of DRA ratio studies (Report at p. 8) for 2000 and 2002:

	COD	PRD
2000	18.44%	1.12%
2002	13.70%	1.03%

to the land and building reassessment models were truly reflective of market or whether they just resulted in temporary improvement of the statistics for the sold properties. This occurred in 2001 when the Town did not perform an assessment update. The DRA's 2001 study calculated a COD of 24.5 and a PRD of 1.11, indicating that, in the one year since the last update in 2000, the assessment equity had deteriorated to undesirable levels.[3] The DRA's 2001 results are also similar to those outlined by the Town's stratified ratio studies dated October 29, 2002 (Taxpayer Exhibit 5) which indicated an overall COD of 26.16, based on an analysis of 14 months of sales between April 1, 2001 and June 1, 2002. Also, very telling as part of that analysis is the extremely high CODs for residential land-only sales of 37.24% and the high CODs of the nine "site index" neighborhoods, of which only two of the nine were less than 20%. These statistics indicate there are underlying problems with some of the basic assessment model configurations and neighborhood delineations which the updates only mask and only a complete reassessment will address.

Furthermore, the board finds the Town's process for updating its assessment models was not based on a comprehensive analysis of market data. Rather it was performed, as Ms. Bolton

[3]**International Association of Assessing Officers**
Table 7
Ratio Study Performance Standards

Type of Property	Measure of central tendency	COD	PRD
Single-family residential			
Newer, more homogenous areas	0.90-1.10	10.0 or less	0.98-1.03
Older, heterogeneous areas	0.90-1.10	15.0 or less	0.98-1.03
Rural residential and seasonal	0.90-1.10	20.0 or less	0.98-1.03
Income-producing properties	0.90-1.10		0.98-1.03
Larger, urban jurisdictions	0.90-1.10	15.0 or less	0.98-1.03
Smaller, rural jurisdictions	0.90-1.10	20.0 or less	0.98-1.03
Vacant land	0.90-1.10	20.0 or less	0.98-1.03
Other real and personal property	0.90-1.10	Varies with local conditions	0.98-1.03

testified, by "experimenting" with different land and building base rates to arrive at the best assessment-to-sale statistics of the sold properties. This "tweaking" of the assessment models without a thorough and rigorous market analysis by property type, neighborhood, etc., and internal comparison of land and building prices on a per acre or per square foot basis only results in the statistics for the sold properties indicating better assessment equity than what really exists for the unsold properties.

While the board acknowledges the Town's updating process may have improved assessment equity to some extent versus not performing any update (especially given the rapidly escalating waterfront property values), such updates have been based on experimental adjustments of assessment models and not upon a comprehensive review of recent market data and establishment of new assessment models where appropriate.

A further indication that there is a need for a complete reassessment and that the Town's modifications of its 1987 assessment models are no longer truly reflective of market value is the Town's establishment in 2000 of neighborhood adjustment codes and factors for buildings on waterfront-related properties to attempt to reflect the quickly escalating waterfront values. These neighborhood adjustment codes (Municipality Exhibit B) are factors that range from a low of 0.55 to a high of 1.75. This extensive range of factoring is further evidence that the old neighborhood delineations and assessment models created in 1987, and slightly modified in 1996, are no longer truly reflective of the market conditions that exist at the current time.

In summary, without assessment updates entailing comprehensive and municipal-wide market data investigation and analysis, mirroring many of the procedures contained in the DRA's 600 rules for complete reassessments (such as sales surveys, development of unit costs from generally-accepted replacement cost manuals and local construction costs, revisiting depreciation

schedules, reviewing the physical data and re-inspecting where necessary, etc.) such updates quickly lose the relationship to market value as required by RSA 75:1. The resulting ratio studies based on sales that are utilized in performing the updates produce self-fulfilling results as to assessment equity when in reality it is likely significantly worse.

Consequently, based on all of the above, the board concludes the only way to create truly equitable assessment models is to perform a complete reassessment and no longer utilize the neighborhood delineations, land-and-building assessment models and physical listings created in 1987 and modified in 1996.

Criterion V

The Town stated it had no definitive plans to perform a complete reassessment as it was awaiting the result of the Petitioners' appeal in this case and the DRA's RSA 21-J:11-a and b assessment review. The Town has, however, appropriated over $300,000 in a capital reserve fund for assessment maintenance which could be used for a reassessment if so ordered. The Town also indicated it was in the process of hiring a new data collector to assist Ms. Bolton in measuring and listing properties.

The Town's lack of any plan for reassessment, coupled with the reasons stated in the previous sections, warrants an order for one.

Timing of Reassessment

The board concludes a complete reassessment should be performed no later than the 2006 tax year. The board believes it would be ill advised to order the Town to perform a complete reassessment for 2005 given the extensive reassessment activity occurring throughout the state competing for available assessment contractors and the access and inspection challenges for the many waterfront and island properties in Meredith. The board concludes giving the Town two

summers (2005 and 2006) in which a reassessment firm can visit and inspect such properties will potentially result in a better quality reassessment. In the meantime, the Town should review market data and perform RSA 75:8 updates in a proper fashion, if warranted.

The Town's complete reassessment for 2006 must comply with all applicable statutes, including RSA 21-J:11, I, and regulations, including the DRA's Part 600 rules on reassessments. Further, the board is directing its tax review appraisers to review, on an ongoing basis, the procedures and analysis employed during the 2006 reassessment and compliance with the above-stated statutes and rules.

The Town shall notify the board in writing, starting July 1, 2004 and every three months thereafter, of the status and progress of the reassessment in accordance with TAX 208.06(a). (See attached notification schedule (Addendum A).) Further, when signed and approved by the DRA pursuant to RSA 21-J:11, I, the Town shall forward a copy, to the board, of its contract with the assessing firm hired to implement this Order.

Upon receipt of this Order, the Town shall post copies of this Order in two public places in the Town.

Findings of Fact and Rulings of Law

With respect to the Requests for Findings of Fact ("Requests"), in these responses, "neither granted nor denied" generally means one of the following:

a. the Request contained multiple requests for which a consistent response could not be given;

b. the Request contained words, especially adjectives or adverbs, that made the request so broad or specific that the request could not be granted or denied;

c. the Request contained matters not in evidence or not sufficiently supported to grant or deny;

d. the Request was irrelevant; or

e. the Request is specifically addressed in the decision.

The Requests are replicated in the form submitted without any changes, typographical or otherwise, made by the board.

TOWN OF MEREDITH'S REQUESTS FOR FINDINGS OF FACT AND RULINGS OF LAW

Findings of Fact

1. Tax review appraiser, Cynthia Brown, completed a Report of her findings as to the Town's assessing practices and submitted the same to the board on October 1, 2003. In her report, Ms. Brown summarized the history of reassessments and updates in the town, noting that although the last town-wide reassessment had an effective date of April 1, 1988; in 1996 a complete field review was completed; and in alternate years since 1996 valuation updates have been performed, culminating with tax year 2002 in which a sales analysis and an update of values was completed for the entire town. See Report of Cynthia Brown at 2.

Neither granted nor denied.

2. Ms Brown focused on the 2002 update, and concluded that "[a] comprehensive update, that considers the value of all property classes, can be considered a valuation anew under these circumstances." She further noted that "[t]he results of the most recent update appear to be statistically sound, and in my opinion, has improved the overall equity of the Town." See Report of Cynthia Brown at 17.

Granted.

3. The town's equalization ratios for the last three years have been 90% (2002), 79% (2001) and 91% (2000) and the coefficients of dispersion ("CODs") have been 13.70 (2002), 24.50 (2001), and 18.44 (2000). See Report of Cynthia Brown at 8. The Department of Revenue Administration suggests that equalization ratios of 90% - 110% are acceptable and that CODs of less than 20 are acceptable. See Assessing Standards Board Guidelines Recommended to Department of Revenue Administration as voted on September 5, 2003.

Neither granted nor denied.

4. The Petitioners have provided no evidence that Ms. Brown's conclusions are incorrect, or that the assessments in the Town of Meredith are inequitable so as to require a town-wide reassessment.

Denied.

5. Despite the fact that its assessments have been, with the exception of 2001, within the range deemed acceptable by the New Hampshire Department of Revenue Administration, the town has set aside $301,000 in a "Property Assessment Maintenance Fund" for the purpose of reviewing, updating, revaluing or otherwise maintaining property assessments. It has been awaiting the results of the Department of Revenue Administration's 2003 certification process to determine if any such action is necessary.

Neither granted nor denied.

6. Petitioners' contention that the town does not have in place a system of cyclical inspections, see March 5, 2004 Deposition of Steven C. Merrill ("Merrill Deposition") at 13, is incorrect. See March 5, 2004 Deposition of Lena Bolton ("Bolton Deposition") at 42-43; see also Assessment History Questionnaire (attached to Report of Cynthia Brown) at page 1 ("Goal is to inspect all properties at least once in a four year cycle. At this time 50%" properties have been visited per B/P, sales, etc."); see also Visitation Summary (2653 properties visited between 1998 and 2002).

Denied.

7. The town has in place a program to periodically update assessed values and thereby to maintain assessment equity. This program has recently been enhanced by the decision of the town to employ a second full time employee in the tax assessing department, whose responsibility it will be to physically inspect 20% of the properties in town each year on a rolling basis so that each property is inspected once every five years.

Denied.

8. Moreover, the town's land and building values are based on those sales which take place in the town, adjusted for certain factors so that they are analogous to various properties in town. These factors include location, topography of land, and type of residence or other building. See Bolton Deposition at 61-62.

Neither granted nor denied.

9. The Petitioners' argument that a COD of 18.44 is evidence of disproportionality, see Merrill Deposition at 9, contradicts the guidelines proposed by the State of New Hampshire Department of Revenue Administration based upon the IAAO Performance Standards. See Report of Cynthia Brown at 8.

Neither granted nor denied.

10. Petitioners' arguments are based on anecdotal evidence, a misunderstanding of the New Hampshire tax system, and a misunderstanding of the Meredith system of updating its assessments, rather than true disproportionality. See Merrill Deposition at 11 and 21.

Neither granted nor denied.

11. Petitioners' main complaint is with their own assessments, the relief for which is an individual abatement application, not a request to this board for a town-wide reassessment. See letters to Board of Tax and Land Appeals from David P. Brownell ("My specific situation is a case in point"); Maurice & Mary Ann Morin ("We are writing this letter out of concern and frustration in regards to our property taxes"), Katherine B. Woodring ("my home was unfairly assessed at $539,700 in the November tax bill"); David L. Lynch ("Our property has increased at a substantially higher percentage than our surrounding neighbors"); Ralph and Guida Martin ("Since 1998, the appraised value of this home has increased every year"); Gilbert Green ("My property tax has increased 63.01% since 1999 while my neighbors' have not")

Neither granted nor denied.

12. Petitioners' complaints regarding the assessments of properties in town is compounded by their misunderstanding of how assessments are determined, see letters to Board of Tax and Land Appeals from Peter and Patricia Rand (discussing an increase in the assessed value of one of their properties and noting that "This property has never changed hands or been on the market during this period"); Prof. Werner Rebsamen (discussing the increase in assessed value on his property during 2003 and noting that "No changes were made to the property"); Ralph and Guida Martin ("it seems to us unfair to base revaluation solely on recent sales"); John & Teresa Cross ("[W]e filed for an abatement. The town, we feel, should not put us in the position of having to prove our claims"). This misunderstanding cannot be remedied by a request for a town-wide reassessment.

Neither granted nor denied.

Rulings of Law

1. RSA 71-B:16-a provides that this board shall not order any such reassessment or new assessment unless it determines a need therefor utilizing the following criteria:

I. The need for periodic reassessment to maintain current equity.
II. The time elapsed since the last complete reassessment in the taxing district.
III. The ratio of sales prices to assessed valuation in the taxing district and the dispersion thereof.
IV. The quality of the taxing district's program for maintenance of assessment equity.
V. The taxing district's plans for reassessment.

Granted.

2. Criteria I and II of RSA 71-B:16-a, according to Ms. Brown, suggest that no town-wide reassessment is necessary, as the update performed by the town in 2002 can be "considered a valuation anew."

Neither granted nor denied.

3. Criteria III of RSA 71-B:16-a, likewise suggests that no town-wide reassessment is necessary, as the town's equalization ratios for the last three years have been 90% (2002), 79% (2001) and 91% (2000) and the CODs have been 13.70 (2002), 24.50 (2001), and 18.44 (2000). These figures indicate that assessments in town are proportional.

Neither granted nor denied.

4. Towns are required to appraise all taxable property at its market value. "Market value means the property's full and true value as the same would be appraised in payment of a just debt due from a solvent debtor." RSA 75:1.

Granted.

5. Because the New Hampshire state statutes do not specify the methods to be used in making value estimations, the courts have permitted considerable leeway and allowed the use of the reproduction or replacement cost method, the income methods, and the comparable sales method. See Paras v. Portsmouth, 115 N.H. 63, 67 (1975).

Granted.

6. "[I]n order to achieve proportionality all taxpayers must be assessed at the same ratio." Appeal of Andrews, 136 N.H. 61, 64 (1992).

Granted.

7. Criteria IV of RSA 71-B:16-a, also suggests that this board need not order a town-wide reassessment, as according to Ms. Brown, assessment equity has been maintained by the town's biennial updating of land and building base values, and inspections of properties which

are sold, for which building permits are pulled, etc. This program will be enhanced by the town's addition of an assessing field clerk.

Neither granted nor denied.

8. The New Hampshire Supreme Court has interpreted part II, article 6 of the New Hampshire Constitution, which governs the valuation of property for taxation purposes, to not require physical inspections, but only to require that property be assessed at market value at least every five years. Sirrell v. State, 146 N.H. 364, 382 (2001).

Neither granted nor denied.

9. Finally, criteria V of RSA 71-B:16-a, supports a conclusion that this board need not order a town-wide reassessment, as the town has $301,000 set aside in a Property Assessment Maintenance Fund for use to continue its present system of updates or to address any problems which the Department of Revenue Administration finds in its certification process.

Denied.

10. Given the facts presented to the board and the prevailing law in the state of New Hampshire, the petition for reassessment is denied.

Denied.

THE PETITIONERS' REQUESTS FOR FINDINGS OF FACT AND RULINGS OF LAW

Findings of Fact

1. The Town of Meredith's ("Meredith") last complete town-wide revaluation took place in 1987.

Granted.

2. Meredith has not had a systematic program in place for the cyclical inspection of all property.

Granted.

3. Inspections of real estate which have occurred since 1998 have been based on the issuance of building permits, sales or property tax appeals and have not always involved a full inspection of the entire property.

Granted.

4. The State of New Hampshire Department of Revenue Administration (the "DRA") has found the following about Meredith for tax years 2000-2002:

	PRD	COD	Ratio
2000	1.12	18.44	.91
2001	1.11	24.50	.79
2002	1.03	13.70	.90

Granted.

5. A price related differential, or PRD, higher than 1.00 indicates a regressive tax base, i.e., low priced properties being assessed at a greater rate than high priced properties.

Granted.

6. Meredith performed updates adjusting certain assessments in 2000, 2002, and 2003.

Granted.

7. The neighborhoods used by Meredith for adjusting values in its updates were largely set in the 1987 revaluation.

Granted.

8. Meredith's updates lack consistency and have resulted in skewed assessments across all price strata.

Neither granted nor denied.

9. The DRA has developed criteria to determine whether the valuation of property for equalization purposes in one community may be disproportional to the valuation of any other municipality. These criteria include whether the town:

a) had a coefficient of dispersion greater than 20 in each of the last three years; or
b) had a coefficient of dispersion greater than 20 in two of the last three years and has not had a complete reassessment of the town completed within the past ten years.

Granted.

10. Meredith's assessor, Lena Bolton, was aware in June, 2002, based on an analysis of sales from April 1, 2001 to June 1, 2002 she performed, that absent some adjustment in assessments, Meredith's COD would have been 26.16.

Granted.

11. Meredith's assessor's June 2002 sales analysis indicated that absent some adjustments in assessments, Meredith's mean ratio would have been .80 and its median ratio .75 outside of professional standards for acceptable sales ratios which should be between .90 and 1.10 percent.

Granted.

12. Meredith's assessor completed her review of sales and implemented revised assessments in the Fall of 2002 and thus, would have been able to take into account all the sales six months before and after April 1, 2002.

G**ranted.**

13. Meredith has made only minor adjustments to its commercial sector in its last few updates despite significant change in the commercial sector..

Neither granted nor denied.

14. This selective reassessment process results in substantial assessment increases for certain types of property and raises the risk of selective revaluation to avoid application of the DRA criteria for full reassessment.

Neither granted nor denied.

15. The BTLA's Tax Review Appraiser, Cynthia L. Brown, has found as follows:

> The mass appraisal model for the Town, as it is presently specified, is regressive. This means lower value properties are assessed at a higher percentage of market value than higher valued properties. There are problems within classes of properties and stratum.

Brown Initial Investigation Report, p. 17.

Granted.

16. In 2002, Meredith established an expendable general fund Trust Fund, known as the Property Assessment Maintenance Fund, to provide funds for assessment purposes, and at the 2004 Annual Meeting, Meredith approved a budget request to hire a part-time real estate data collector to assist the assessor.

Neither granted nor denied.

17. Meredith has not indicated that it has any plans to conduct a complete revaluation at anytime.

Granted.

Rulings of Law

18. The New Hampshire constitution mandates that all properties be valued anew every five years to achieve equitable assessment and taxation. NH CONST. Pt. 1, Art. 12th and Pt. 2, Art. 5th and 6th; *Sirrell v. State*, 146 N.H. 364 (2001); *Appeal of Wood Flour, Inc.*, 121 N.H. 991

(1981); *In Re: Gilford Pet. for Reassessment*, 2002 N.H. Tax LEXIS 19 at * 2-3; *In Re: Town of Barnstead*, 2001 N.H. Tax LEXIS 46 at * 7-8.

Granted.

19. The New Hampshire Supreme Court has recognized that standards promulgated by the International Association of Assessing Officers provide that:

> property should be physically reviewed and reappraised at least every six years. This can be accomplished in at least three ways: (1) reappraising all properties at periodic intervals (e.g., every four to six years; (2) reappraising properties on a cyclical basis (e.g., one-fourth or one-sixth each year; and (3) reappraising on a priority basis as indicated by assessment ratio studies or other considerations, while still ensuring that all properties are physically reviewed every sixth year.

The Court went on to note:

> Both the plaintiffs and the State's experts endorsed this IAAO standard at trial. The plaintiffs' expert testified there can be no consistency or reliability in a system that does not perform regular revaluation of its taxable property and that without consistent data there can be no proportionality across taxpayers. The State's expert likewise agreed that while trending can be effective to update property data for short periods, full revaluations are required at regular intervals.

Sirrell, supra at 374-375.[4]

Granted.

---

[4] Richard Gloudemans, testifying for the appealing taxpayers stated that "the key to establishing equal values across a taxing district are regular and full revaluations of property. Once revaluation revaluations of property are regularly being performed, the process of 'trending' or 'updating' property values can be a very accurate method of keeping current property values for short periods of time. He testified that without regular, full revaluations, the equalization process not only fails to allow values to be equalized across towns, where the process is focused but also across tax payers. He stated that there can be no consistency or reliability in a system that does not perform regular revaluations of its property being taxed and that without current consistent data there can be no proportionality across taxpayers."

Similarly, Peter Davis who testified for the State said that in a perfect world New Hampshire would have annual revaluations but these may be extremely cost prohibitive and impractical." He also stated that equalization can be very effective to update property data for short periods, however, he felt that even equalization requires modified annual inspections at least every six years. Mr. Davis testified that a full revaluation would include a full physical review of all properties in the State including the land, buildings, boundaries, additions and subtractions, and that revaluation should additionally include an interview with each property owner. *Sirrell v. State*, order, Rockingham County Superior Court Docket No. 99-E-0692, pp. 12, 15.

20. Pursuant to RSA 71-B:16-a, I, there is a need to order Meredith to conduct a revaluation to maintain current equity.

Granted.

21. Pursuant to RSA 71-B:16-a, II, there is a need to order Meredith to conduct a revaluation because its last full revaluation was in 1987, some 17 years ago.

Granted.

22. Pursuant to RSA 71-B:16-a, III, there is a need to order Meredith to conduct a full revaluation because its ratio of sales to assessed valuation, its PRDs and its CODs all indicate a lack of assessment equity.

Neither granted nor denied.

23. Pursuant to RSA 71-B:16-a, IV, there is a need to order Meredith to conduct a full revaluation because Meredith does not yet have in place a program for cyclical inspection of real estate, has not developed a clear written policy on when and how updates will be conducted and does not have other policies in place to ensure the quality of its program for maintenance of assessment equity.

Neither granted nor denied.

24. Pursuant to RSA 71-B:16-a, V, there is a need to order Meredith to conduct a full revaluation because Meredith has no plans to conduct a reassessment.

Granted.

25. Meredith is hereby ordered to conduct a revaluation to be implemented no later than 2005, to be conducted consistent with RSA 71-B:17, Part 600 of the DRA's Rules and any other requirements established by the BTLA.

Denied.

SO ORDERED.

BOARD OF TAX AND LAND APPEALS

_____
Paul B. Franklin, Chairman

_____
Michele E. LeBrun, Member

_____
Douglas S. Ricard, Member

_____
Albert F. Shamash, Esq., Member

Certification

I hereby certify a copy of the foregoing Order has been sent this date, postage prepaid, to: Margaret H. Nelson, Esq., Sulloway and Hollis, P.L.L.C., 9 Capitol Street, Post Office Box 1256, Concord, New Hampshire 03302-1256, counsel for the Petitioners; Steve Merrill, 140 Veasey Shore Road, Meredith, New Hampshire 03253, Lead Petitioner; George Serrano, 124 Veasey Shore Road, Meredith, New Hampshire 03253, Lead Petitioner; Laura Spector, Esq. and Timothy Bates, Esq., Mitchell & Bates, P.A., 25 Beacon St. East, Laconia, New Hampshire 03246, counsel for the Town; Chairman, Board of Selectmen, Town of Meredith, 41 Main Street, Meredith, New Hampshire 03253; Guy Petell, Manager, Bureau of Assessments, Department of Revenue Administration, 57 Regional Drive, Concord, New Hampshire, Interested Party; and Philip T. McGowan, 19 Loon Road, Meredith, New Hampshire 03253, Interested Party.

Date: May 5, 2004

_____
Anne M. Bourque, Deputy Clerk

Addendum A

TAX 208.06(a) Notification Schedule
July 1, 2004
October 1, 2004
January 1, 2005
March 1, 2005
July 1, 2005
October 1, 2005
January 1, 2006
March 1, 2006
July 1, 2006
October 1, 2006
January 1, 2007