

In Re: Town of Northumberland

Docket No.: 22579-07RA

ORDER

On June 17, 2010, the board held a scheduled hearing, pursuant to its authority under RSA 71-B:17, to help determine whether the assessment update performed by the “Town” for 2008 (the “Update”) was “satisfactory” so as to allow removal of the “Reassessment Order” entered by the board on January 17, 2008. The parties were sent copies, in advance of the hearing, of the March 10, 2010 report (“Report”) filed by Theresa M. Walker, CNHA, one of the board’s review appraisers.

As stated in the board’s May 3, 2010 Order scheduling this hearing (at p. 3), the purpose was to “obtain feedback from interested parties regarding the Report and to listen to any practical suggestions they may have regarding how best to help the Town achieve assessment equity without causing undue strain on its limited resources and in light of the proximity of the next scheduled update in 2013.” In attendance at the hearing were: Town Selectman James W. Tierney, Jr.; lead petitioners Ronald G. Caron and Deborah Weeks; Steve Allen of Purvis & Associates (“Purvis”); Stephan W. Hamilton, Director, Property Appraisal Division, Department of Revenue Administration (“DRA”), along with two other DRA employees (Josephine Belville, a supervisor, and Ron Cote, a monitor).

Based on the testimony, the board finds the Town's plan is adequate for improving the quality of its assessment data and ultimately improving the Town's assessment equity.

As the board acknowledged at the June 17, 2010 hearing, it is difficult to conclusively determine whether the ordered 2008 Update produced statistically better assessment equity than what existed prior to the Update. This is both due to the limited market sales that have occurred and also due to the insufficient and inconsistent documentation provided by Purvis during the 2008 Update. See Report p. 12.

Regardless, a number of positive points were established at the June 17, 2010 hearing that cause the board to conclude it is preferable not to order any earlier reassessment than that which is scheduled for 2013 pursuant to RSA 75:8-a.

First, the "tax freeze" arrangements that were part of the lead petitioners' basis for filing a petition with the board have been abolished and those properties "are now being assessed in a manner consistent with other properties within the Town." Report at 12.

Second, the selectmen, as part of their RSA 75:8 and RSA 75:8-a responsibilities, have entered into two contracts with Commerford Neider Perkins, LLC ("CNP") to provide general assessing services (annual "pick-ups") and a cyclical measuring and listing program to annually measure and list 20% of taxable properties. Selectman Tierney and the lead petitioners both provided testimony as to the prompt and positive assessing services being provided by CNP under these contracts. Selectman Tierney also testified that CNP, before performing any assessment update, believed it would be prudent to complete the cyclical measuring and listing program and to get caught up with over due "pick-ups" before analyzing sales and performing an assessment update. While no solution is ideal, the board recognizes that any potential improvement in assessment equity prior to the assessment update planned for 2013 after

improvement of the assessment data may likely be marginal and not cost effective. It was clear from the testimony that the competence CNP is bringing to the assessment process is contributing to the long term improvement in assessment equity and confidence by the taxpayers in their assessing officials.

Third, at this time there appears to continue to be a limited number of market transactions to be analyzed to perform an assessment update for 2011, the earliest tax year logistically possible for such an update. The board certainly recognizes the unique economic conditions present in Northumberland (in addition to those existing nationally in the real estate market) and the distressed nature of many of the real estate sales that are occurring (foreclosure sales, bank sales, "short sales," etc.). While there is no certainty that the market will be measurably better for the 2013 assessment update (although hopefully both the national and Northumberland real estate markets will have had a better chance to stabilize by 2013), the Town will in the meantime improve its accuracy of physical data which, as Mr. Hamilton noted, is an important foundation for consistent assessments.

Fourth, the selectmen and the lead petitioners have developed a constructive relationship with the collective goal of improving the quality of assessments in the Town. To that end, the board would encourage the selectmen to consider and review any relevant physical data corrections that taxpayers may bring to their attention at any time during the tax year. See RSA 75:1 ("The selectmen shall receive and consider all evidence that may be submitted to them relative to the value of property,"). Also, to ensure the 83 sale properties contained in the Purvis Assessment Manual were assessed in a consistent manner with other similar property, the Town with CNP shall review those properties in 2010 as part of the 20% cyclical review and make any corrections, if necessary, pursuant to RSA 75:8.

In summary, the board finds the Town is proceeding in a responsible manner to improve assessment equity in the next several years and there is no better plan that is both practical and feasible that the board needs to order.

Consequently the board removes its Reassessment Order and closes its file.

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 this date been mailed, postage prepaid, to: Ronald and Linda Caron, 10 State Street, Groveton, NH 03582, Deborah Weeks, 103 Lancaster Road, Groveton, NH 03582, Lead Petitioners; Chairman, Board of Selectmen, Town of Northumberland, 2 State Street, Groveton, NH 03582; Brett S. Purvis & Associates, Inc., 3 High Street, 2A PO Box 767, Sanbornville, NH 03872, Contracted Assessing Firm; Stephan W. Hamilton, Director, Property Appraisal Division, State of New Hampshire Department of Revenue Administration, PO Box 487, Concord, NH 03302, Interested Party; and a courtesy copy to: Commerford Nieder Perkins, LLC, 556 Pembroke Street, Suite #1, Pembroke, NH 03275.

Date: June 24, 2010

Anne M. Stelmach, Clerk