

Dusty Apartments, LLC

v.

City of Concord

Docket Nos.: 25324-09PT & 25992-10PT

ORDER

This “Order” responds to the “City’s” June 7, 2012 Motion to Dismiss and Motion in Limine and a June 11, 2012 Motion for Conditional Default and the “Taxpayer’s” June 15, 2012 Objection to Motion to Dismiss.

After a review of the above pleadings, the board rules as follows.

1. The board denies the City’s Motion to Dismiss.
2. The board grants the City’s Motion for Conditional Default and the Taxpayer is hereby placed in default for failure to provide the Municipality with discovery information. The Taxpayer is ordered, within ten (10) days from the clerk’s date below, to comply with the Municipality’s request for discovery. If the Taxpayer fails to comply, the Municipality shall notify the board and request an appropriate remedy.
3. The board grants the City’s Motion in Limine pursuant to Tax 203.07(g) as no appraisal was submitted at the mediation meeting on March 23, 2012.

SO ORDERED.

BOARD OF TAX AND LAND APPEALS

Michele E. LeBrun, Chair

Theresa M. Walker, Member

CERTIFICATION

I hereby certify a copy of the above Order has been sent via facsimile and mailed this date, postage prepaid, to: Mark Lutter, Northeast Property Tax Consultants, 14 Roy Drive, Hudson, NH 03051 (603) 579-0302, representative for the Taxpayer; and James W. Kennedy, Esq. and Chairman, Board of Assessors, City of Concord, 41 Green Street, Concord, NH 03301 (603) 225-8558 and (603) 230-3656.

Dated: 6/28/12

Anne M. Stelmach, Clerk