

Barton's Motel, Inc.

v.

City of Laconia

BTLA Docket No. 26260-11PT

ORDER

The board has reviewed the "Taxpayer's" June 25, 2014 "Motion for Conditional Default" ("Motion") and the "City's" June 27, 2014 response requesting denial of the Motion.¹ Upon review of the disputed facts presented concerning two interrogatories, the board finds entry of a conditional default against the City is not warranted. The Motion is therefore denied.

With respect to Interrogatory No. 4, the City's appraisal has not yet been completed by its expert (David Cary of Integra Realty Resources). According to Mr. Duhamel, a copy will be provided to the Taxpayer once Mr. Duhamel receives it. Any comparables the City intends to rely upon will presumably be contained in the City expert appraisal.

As for Interrogatory No. 2, the board finds this interrogatory is overbroad and unreasonable in its scope. The Taxpayer may have an opportunity at the now scheduled

¹ As a preliminary matter, the Motion references an incorrect docket number in the caption ("#26572"). The board has corrected this error and filed the pleadings in the correct docket file.

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July 31, 2014 hearing on the merits to inquire further regarding what problems, if any, the City has with the Schubert Appraisal prepared for the Taxpayer.

SO ORDERED.

BOARD OF TAX AND LAND APPEALS

Michele E. LeBrun, Chair

Albert F. Shamash, Member

Theresa M. Walker, Member

Certification

I hereby certify a copy of the foregoing Order has this date been mailed, postage prepaid, to: Mark Lutter, Northeast Property Tax Consultants, 14 Roy Drive, Hudson, NH 03051; Taxpayer's Representative; and City of Laconia, Chairman, Board of Assessors, 45 Beacon Street East, Laconia, NH 03246.

Date: 7/2/14

Anne M. Stelmach, Clerk