

**In Re: City of Nashua
Docket No.: 29261-19RA**

**THE FOLLOWING ARE MINUTES FROM AUGUST 6, 2019 HEARING
AND NOT A VERBATIM RECORD**

BOARD MEMBERS:

Michele E. LeBrun, Chair (ML); Albert F. Shamash (AS); Theresa M. Walker (TW)

APPEARANCES/TESTIMONY:

Municipality: Celia Leonard, Esq. (CL); Steve Bolton, Esq. (SB)

Department of Revenue Administration: Peter Roth, Esq. (PR); Derek Kline, Esq. (DR)

TIME	INDEX No.	SPEAKER	PHASE OF CASE
9:21	1	ML	Opens record; reasons; procedures.
	2:49	SB	Opening remarks; introductions.
	6:00		Mark Municipality Exhibit A; hearing info packet;
			KRT; 2018 update; model; sales;
			samples; COD 6.14%; PRD 1.0045;
	10:40		DRA Ratio Study; IAAO; Median
			Ratio; ER 94.8%; COD; PRD;
			Verified by DRA – acceptable;
	20:50		Compliance; further plans for full
			measure and list for 2022 tax year.
9:43	22:00	SB	Measure and list; 30 years since last
			one; not best practice; too long;
			improve on and make better what is
			already good.
	23:22	AS	Clarify 2017 or for 2018?
		SB	Considered it in 2017; for 2018.
			Time deficient; accelerated
			schedule; RFP; bond vote pending;

			not wait five years; will fall below
			90%; keep data current.
			What are we doing? Monitor
			Building permits; ARC data;
			Inspection; best evidence if
			denied inspection; all sales
	27:57		examined; MLS; Zillow;
			April; pictometry; aerial photos;
			current plus 2 years; overlay;
			update ARC; abatements require
	33:15		inspection in Nashua: 2007 and 2008.
			Patriot Properties for inspections.
			Many abatements.
9:57	35:40	TW	Timeframe?
		SB	2006-2008; update Patriot Software;
			AssessPro – new features; consultant
			David Cornell; contract to review
			practices; provide feedback,
			recommendations and guidance.
			Best possible results; 28K
			Properties; human function;
			occasional instances;
	39:00		Not perfect - strive; DRA 2018
			Review in compliance of ARCS.
		TW/SB	New values implemented 2022
			Bond voting; BOA minutes; KRT
			and use of software; open bid;
			\$1.3M range; estimate; 2018
			statistical update; inspections;
			field review; exterior of all

	44:44		sold; interior inspections done by staff.
		RT	Rob Tozier (RT); explains
			process, Jon Duhamel comments.
10:07	45:57	TW/RT	No attempts to inspect;
			Door tags; income and expense
			commercial properties; data lost
			3 months into 3 week period;
			Pictometry; what you can;
	50:00		improvements; maybe factors to consider.
		TW/RT	USPAP/sub grading;
			KRT involved in update; field
			review; grades.
	54:03	TW/SB	Statistics; sale properties given a lot
			of attention; property not sold less
			attention; some yes, some no.
			Systematic review; time
			consuming and expensive;
			replace by aerial photography;
			Board of Assessors; 3;
			training for BOA; religious
10:26	1:04:04		exemption; elderly exemptions;
			Cornell Contract; IAAO best practices;
			Rev. 600 rules; DRA; Board ordered reval requirements.
10:30	1:09:16	TW/SB	Inspect as much as possible as our goal.
		AS/SB	Rational for three year phase of full measure
			and list; want to do it right; manpower?
	1:11:41	AS/RT	Recommend 3 year phase; minimum number
			of field personnel;
		AS/SB	Recommendation - board order v.

			City schedule. Prefer City.
		ML/RT	Number of Commercial & Industrial in Nashua.
			16K Single-family; 2K commercial and industrial.
			Utilities Doug Dame (DD); Sansoucy;
			utility – use again, yes.
		RT	Experience for commercial and industries personnel.
			Yes.
10:38	A:16:52	PR	Peter Roth, Esq. (PR).
			DRA position; documents; may file Petition; concerns; exhibits.
11:15		ML	Recess.
			Second audio started/merge audio.
11:26	1	ML	Return from recess.
11:27		SB	Objections to DRA exhibits.
			15 & 16 – no objection; all others object. Explain.
		PR	Response; relevance; 541-A; RSA 21-J:14;
			DRA confidential; exception-
			municipal and public; all fall in.
		ML	RSA 91-A; right-to-know
	7:26	PR	Explains.
		ML	Accept all; marked DRA 1
			all 22 sub exhibits.
	10:53	PR	Introduces Adam Denoncour (AD).
			DRA Eastern District Supervisor.
			Can explain documents.
		ML	Swears in AD.
		AD	10 years of correspondence with City.

		ML	Any items to address?
		AD	Meeting minutes.
		SB	Objection; opinion; read file.
		ML	Reflect and discuss what they are.
11:40	15:11	AD	Explains documents.
		AS	Role at DRA; Avitar; N. District; E. District – 80 Towns.
		TW	Other actions at DRA?
		PR	Explains discoveries.
		SB	Objection. No notice. Illegal process.
		ML	Further inquiry.
		PR	Met with City last week. Inaccurate and sloppy record keeping.
			Sales chasing; unsold homes; permit changes;
			Favoritism; MLS data; ER; few inspections by City.
		SB	AD never came to our department to review ARCs.
	26:29	AD	Score sheet with ARCs; MLS Verification.
	28:29	ML	Persons wishing to testify?
Aa:55		LO	Laurie Ortolano – TP 1 (LO).
			Swear in; presentation; p. 5; sold v. unsold properties.
11:59	33:17	LO	Sales adjustment; blanket cuts; p. 8 properties;
			sales chasing; p. 24; use of MLS data;
			p. 15; effective year build to depreciation.
		AS	Confirms EYB changes because sold.
		LO	Yes; MLS pictures; 30 Greenview Dr.; p. 58.
	50:39		Disproportionately; permit capture; value permits; p. 9 permits; grade improvements;

			bathrooms and kitchens; why permits are not in
			line with market value.
			2005 permit data; transparency; p. 10 bar graph;
		AS	Clarify years to close; have not acted on it?
	56:12	LO	Value based permits. P. 20; EYB; p. 16.
		TW	Timing of permit to assessing.
12:24	58:47	LO	Explains.
		TW	Pulling of permit; timing.
		LO	p. 16 EYB; 10-11-18; KRT meeting with City; used to increase depreciation.
		AS	Who prepared minutes?
		LO	Cheryl Walley, Nashua.
	1:05:15		p. 27; p. 28; reset cards; p. 10 and 11; sales verification; unqualified sales v. qualified
			sales; pp. 23-25, 29;
	1:13:19		permits and EYB changes; p. 18; Berkley Street
			2 nd review; no transparency; garages and swimming pools; p. 30. Pools in-ground high; above ground free. They pay for decking, p. 32; fire property -
			total rebuild. Price per sf; p. 33; favoritism;
			price fixing.
1:01	1:34:50	LO	Neighboring properties; abatement form; EQ
			section deleted by City – EQ ratio to 1. KRT abatement;
			AssessPro. P. 38 audit log; adjustments w/o abatement
			Process; 1252 letters sent; p. 38
	1:40:4		Why changed? No notes; influence factor; P. 41;

			Discounts; p. 44 distribution factors; city values
			for property own; land values; inconsistency;
			current use; p. 49; farmland \$2400 value;
			land under condos; p. 52;
			depreciation of land; special case properties;
			p. 59 model failure; 39 Berkley Street; increase
			\$140k;
			\$100k abatement; continued citywide analysis.
1:22	1:56:12	LO	p. 61. Transparency; manuals; read into record.
	2:01:53	ML	Recess 2:15pm.
2:21	ML	ML	Return from lunch.
		LC	Laura Colquhoun (LC)
			P. 53 of Public Exhibit 1; Pemichuck Water;
			ARC info not matching.
		AS	Concerns brought to City.
		LC	Tried to ask questions – no answers; online
			database not accurate; TP 2 – noncompliance
			with RSA 76:80; TP 3 – assessing errors on.
2:29	2:10:02		Properties within Nashua; taxes owed; mobile
			home parks – unpaid taxes;
			TP 3 – perks – no abatement filed.
			Adjustment made; accessory building cannot be
			over 750 sf; 70 Indian Rock Road.
2:36	2:16:40	LC	Review of property errors.
2:38	2:19:10	RG	Robert Gagne, Manchester; member of ASB,
			accuracy of data effects; ASB rules; sales
			chasing definition; 2005 monitor review.
		TW	Sample size?
		RG	30 ARCs roughly; random sample; 7.5%
			improved value.

		ML	E-mail from Fred and Nicole Fraser dated August 5, 2019. Could not attend hearing.
		ME	Melanie Ekstrom, Deputy Clerk, reads e-mail into record.
	2:28:06	RT	No evidence of sales chasing; not responsible for any data.
			Used all city data; size sample small.
2:50	2:30:55	RT	Continues; Berkley Street.
		AS	Non-response by City.
		TW	EYB; measure and list fix it?
		RT	Yes.
		TW	Blank ARCs or reuse ARCS and fix data?
2:55	2:36:36	FT	Fred Teeboom; smoothing functions; bad data = bad results.
			Reval will not cure problem; recommend qualified contractor.
	3:38:23	LO	List and measure; percentage of homes to entry; PR
			Problem; condition change; lost credibility.
	2:45:20	AS	Cornell Report – when?
		SB	October 1.
		AS	Public?
		SB	Unknown. On the whole data is good. Reval 50% or more of properties; ER not being applied.
	2:54:16		Info from City.
	2:59:56	ML	Close Record.