

## **2020 ABATEMENT REQUEST – Staff Notes**

### **Map 231 Block 352 Lot 19-008 – Bernard, Darren P & Cynthia A**

The property owners filed an abatement request on their condominium at 29 Fox Crossing Ln. The unit is a detached 3 bedroom, 3 and a half bathroom condo in Bay Hills. The owners purchased the condo on 3/24/2020 for \$800,000 and has an assessed value in 2020 of \$734,100. The abatement application contains a matrix of several properties that between 2018 and 2020 and is focused on the percent change from 2019 to 2020 assessed values.

The property owner provided little evidence of market value in the application other than properties that have sold, the assessment ratio for each sale, and the percentage of change from 2019 to 2020. The application contends that the assessment of their property increased at a greater percentage than the other properties in the immediate vicinity. The market may treat attributes of any property differently each year, therefore it is not uncommon to see properties value change at varying percentages, even within one condo complex or street.

The best indicator of market value is a sale of the property itself. As the owners purchased the property within the assessment year, the sale was reviewed and was considered an arms-length and valid sale for the 2020 update. The ratio of assessed value (\$734,100) to sales price (\$800,000) for the individual property is 91.8%. The overall ratio for the City for 2020 is 90.6%.

The assessed value is supported by the sale price of the property and the ratio for 2020. If a property is undervalued during one tax year, it does not mean that property should not reflect market value in any subsequent year. For these reasons, it is recommended that the abatement be denied.

CURRENT OWNER		TOPO	UTILITIES	STRT / ROAD	LOCATION	CURRENT ASSESSMENT				
BERNARD DARREN P & CYNTHIA A						Description	Code	Assessed	Assessed	1501 LACONIA, NH
151 JEFFREY LN						RESIDNTL	1020	734,100	734,100	
TAUNTON MA 02780		<b>SUPPLEMENTAL DATA</b>								<b>VISION</b>
		Alt Prcl ID 23EE 295 24 8		ZONE 2						
		OWNOCC N		ZONE 2 % WARD WARD 6						
		REVIEW		Assoc Pid#						
		ZONE 1 RS								
		ZONE 1 % 100								
		GIS ID 231-295-19				Total 734,100 734,100				

RECORD OF OWNERSHIP								PREVIOUS ASSESSMENTS (HISTORY)												
BK-VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE	VC	Year	Code	Assessed	Year	Code	Assessed	V	Year	Code	Assessed					
3303 0655	03-24-2020	Q	I	800,000	04	2020	1020	734,100	2019	1020	609,900		2018	1020	603,900					
3212 0234	12-07-2018	Q	I	775,000	00															
2968 0097	05-08-2015	Q	I	630,000	04															
2200 0223	07-28-2005	Q	I	580,130	01															
2032 0457	04-28-2004	U	I	390,000	1															
Total						734,100			Total			609,900			Total			603,900		

EXEMPTIONS				OTHER ASSESSMENTS			
Year	Code	Description	Amount	Code	Description	Number	Amount
Total			0.00				

ASSESSING NEIGHBORHOOD				
Nbhd	Nbhd Name	Cyclical Group	TIF District	ID Code
0001				

BUILDING PERMIT RECORD							
Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp
563-04	10-21-2004	07	NEW HOME	287,000	06-06-2006	100	07-12-2005

This signature acknowledges a visit by a Data Collector or Assessor

APPRAISED VALUE SUMMARY	
Appraised Bldg. Value (Card)	729,700
Appraised Xf (B) Value (Bldg)	4,400
Appraised Ob (B) Value (Bldg)	0
Appraised Land Value (Bldg)	0
Special Land Value	0
Total Appraised Parcel Value	734,100
Valuation Method	C
Total Appraised Parcel Value	734,100

LAND LINE VALUATION SECTION													
B	Use Code	Description	Zone	Dist	Land Type	Land Units	Unit Price	Size Adj	Site Index	Cond.	Nbhd.	Nbhd. Adj	
1	1020	CONDO MDL-0	RS			0 SF	0	1.00000	5	1.00	00	1.000	
Total Card Land Units						0 SF	Parcel Total Land Area						0.00
												Total Land Value	0

Element	Cd	Description	Element	Cd	Description
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Style:	8A	Det Condo	Model	05	Res Condo
Stores:	1	Occupancy	Grade	06	Good

Interior Wall 1:	05	Drywall/Sheet	Interior Wall 2:	07	K PINE/A WD
Interior Floor 1:	12	Hardwood	Interior Floor 2:	11	Ceram Clay Til
Heat Fuel:	03	Gas	Heat Type:	04	Forced Air-Duc
AC Type:	03	Central	Ttl Bedrooms:	03	3 Bedrooms
Ttl Bathms:	03	3 Full	Ttl Half Bths:	1	
Total Rooms:	7		Bath Style:	03	Modern
Kitchen Style:	03		Year Built	2005	

Building Value New	768,150	Year Built	2005	GD	2015
Effective Year Built	2015	Depreciation Code	GD		
Remodel Rating	5	Year Remodeled			
Depreciation %	0	Functional Obsol			
External Obsol	0	Trend Factor	1,000		
Condition %	95	Condition			
Percent Good	95	Cost to Cure Ovr Comment			
Cns Sect Rchld	729,700	Cost to Cure Ovr Comment			

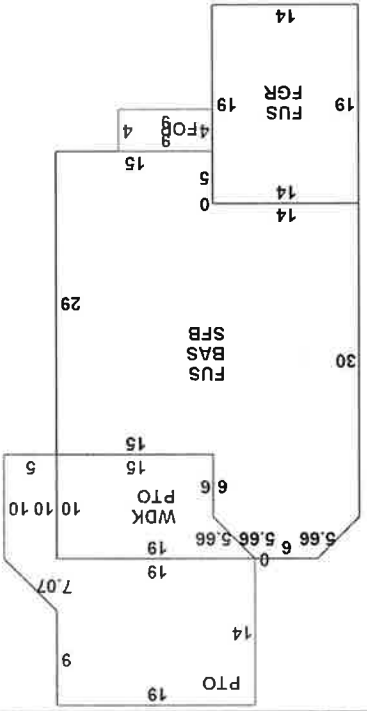
CONDO DATA					
Parcel Id	103987	Code	C 002	Ownr	0.0
BAY HILLS		Description	B 1	S 1	
Adjust Type	E	Condo Fir	E	Excellent	115
Condo Unit	D	Condo Unit	D	D	100

COST / MARKET VALUATION					
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OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)					
Code	Description	L/B	Units	Unit Price	Yr Bilt
JTUB	JET TUB	B	1	3400.00	2013
FPL	FIREPLACE	B			
Description Units Unit Price Yr Bilt Cond. Cd % Gd Grade Grade Adj. Appr. Value					

BUILDING SUB-AREA SUMMARY SECTION					
Code	Description	Living Area	Floor Area	Floor Area	Unit Cost
BAS	First Floor	895	895	264.99	237,162
FGR	Garage, Finished	0	266	105.60	28,089
FOP	Porch, Open, Finished	0	36	51.53	1,855
FUS	Upper Story, Finished	1,161	1,161	264.99	307,649
PTO	Patio	0	487	13.06	6,360
SFB	Base, Semi-Finished	0	537	158.99	142,297
WDK	Deck, Wood	0	16	26.83	4,240
Description Living Area Floor Area Floor Area Unit Cost Undprepc Value					

Ttl Gross Liv / Lease Area	2,056	3,898	2,746	727,652
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RECEIVED

DEC 11 2020

**2020 APPLICATION FOR ABATEMENT**

Please Type or Print Clearly

ASSESSOR'S OFFICE  
LACONIA, NH

**ONE APPLICATION FOR EACH PROPERTY APPEALED**

Upon completion of this form return to:

**City of Laconia/Assessors  
45 Beacon St. East  
Laconia, NH 03246**

Date: 12/5/2020

**SECTION A. Party(ies) Applying (Owner(s)/Taxpayer(s))**

Name: DARREN + CYNTHIA BERNARD

Mailing Address: 151 JEFFREY LN TAUNTON, MA 02780 Email Address: DARRENBERG@GMAIL.COM

Telephone No: (Work): \_\_\_\_\_ (Home): 508 400 3626

\*If abatement is granted and taxes have been paid, interest on the abatement must be paid in accordance with RSA 76:17-a. Any interest paid to the taxpayer must be reported by the municipality to the Internal Revenue Service, in accordance with federal law. Prior to the payment of an abatement with interest, the taxpayer shall provide the municipality with the applicant's social security number or federal tax identification number. Municipalities shall treat the social security or federal tax identification information as confidential and exempt from a public information request under RSA 91-A.

**SECTION B. Party's (ies)' Representative if other than Person(s) applying (Also complete Section A)**

Name(s): \_\_\_\_\_

Mailing Address(es): \_\_\_\_\_

Telephone Number(s): (Work): \_\_\_\_\_ (Home): \_\_\_\_\_

**SECTION C. Property(ies) for which Abatement is Sought**

For the property on which the abatement is sought, please fill in the following:

Map: 231/352/19/008 Block: \_\_\_\_\_ Lot: \_\_\_\_\_

Assessed Valuation: \$ 734,100 Tax Account #: 9650

Property Location: 29 FOX CROSSING LANE LACONIA, NH

**CODE OF THE CITY OF LACONIA  
CHAPTER 215, ARTICLE 1 § 215-1**

*All delinquent taxes, charges or fees due to the City of Laconia from any person, business or other entity shall in all cases be deducted from any monies that may become due such person, business or other entity from the City of Laconia and such person, business or other entity shall receive the balance over and above the amount due for such delinquent taxes, charges and fees. The City's right to off-set shall be limited by applicable New Hampshire law and all such set-offs shall be credited first against interest due and then against principal. The City shall have no right to set-off against wages due any employee of the City. Passed and approved the 18th day of October 1990.*

List other property in the municipality owned in the same name(s), even if abatements for the other property(ies) have not been sought. The taxpayer's entire real property estate must be considered in determining whether the appealed property is disproportionately assessed.

Town Parcel ID#	Street Address	Description	Assessment
264/275/S/205	195 DAVIDSON DA CILA	BOAT RACK	19,000
264/275/S/242	195 DAVIDSON DR 24	BOAT SLIP	120,000

**SECTION E. Reasons for Abatement Application**

RSA 76:16 provides that an abatement may be granted for "good cause shown". "Good cause" generally means: 1) establishing an assessment is disproportionate to market value and the municipality's level of assessment; or 2) establishing poverty and inability to pay the tax. This form can be utilized for either basis of requesting an abatement. **The taxpayer has the burden to prove good cause for an abatement.** To carry this burden, the taxpayer generally must show what the property was worth on April 1 of the year appealed. The property's market value would then be compared to the assessment by using the municipality's assessment ratio. Therefore, comparable sales or other market information are an essential part of most abatement applications.

1) If claiming disproportionality, state with specificity all the reasons supporting your application. Statements such as "taxes too high", "disproportionately assessed" or "assessment exceeds market value" are insufficient. Generally, specificity requires the taxpayer to present material on the following (all may not apply):

- a) **Physical data** -- incorrect description or measurement of property (if you are appealing your assessment due to factual error(s), please explain in detail. Please furnish the assessor's office with any and all information, which supports your reasons. Examples: Sketch of building(s) with outside dimensions, building contracts, surveys, deeds, site plans, appraisals, pictures, etc. If you are questioning land area or frontage, a deed or survey must be included.); and/or
- b) **Market data** -- the property's value on the April 1 assessment date, supported by comparable sales, income analysis, or a professional opinion of value; and/or
- c) **Assessment data** -- the property's assessment exceeds the general level of assessment shown by comparing the property's market value and the city-wide level of assessment.

**NOTE:** If you have an appraisal or other documentation, please submit it with this application.

2) If claiming poverty or inability to pay, state in detail why abatement of taxes is appropriate as opposed to some other relief such as relocating, refinancing, or obtaining some alternative public assistance. Ansara v. City of Nashua, 118 N.H. 879 (1978).

(Attach additional sheets if needed.)

SEE ATTACHED  
COMMENTS

**SECTION F. Taxpayer's(s') Opinion of Market Value**

State your opinion of the market value of the property(ies) appealed as of April 1 of the year under appeal.

Map/Block/Lot# 231/352/19/008 Appeal Year Market Value \$ \$ 700,000  
 Map/Block/Lot# \_\_\_\_\_ Appeal Year Market Value \$ \_\_\_\_\_

SECTION G. Sales, Rental and/or Assessment Comparisons

List the properties you are relying upon to show over assessment of your property(ies). If you are appealing an income producing property, list the comparable rental properties and their rents (attach additional sheet if necessary).

Map/Block/Lot                      Property Address                      Sale Price                      Date of Sale                      Assessment                      Rent(s)

SEE ATTACHED  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SECTION H. Certification by Party(ies) Applying

Pursuant to BTLA Tax 203.02(d), the applicant(s) MUST sign the application. By signing below, the Party(ies) certifies and swear(s) under the penalties of RSA ch. 641, the application has a good faith basis, and the facts stated are true to the best of my/our knowledge.

Signature of Property Owner(s) and Representatives

Date: 12/8/2020

X \_\_\_\_\_  
(Signature)  
X \_\_\_\_\_  
(Signature)

SECTION I. Certification and Appearance by Representative (If other than Party (ies) Applying)

By signing below, the applying party's representative certifies and swears under penalties of RSA ch. 641:

- 1. All certifications in Section H are true;
- 2. The Party (ies) applying has (have) authorized this representation and has (have) signed this application; and
- 3. A copy of this form was provided to the person applying.

Date: \_\_\_\_\_ X \_\_\_\_\_  
(Representative's Signature)

SECTION J. Disposition of Application\* (CITY USE ONLY)

RSA 76:16, II states: the municipality "shall review the application and shall grant or deny the application in writing by July 1 after notice of tax date..."

Abatement Request:      **Granted** \_\_\_\_\_ **Revised Assessment \$** \_\_\_\_\_

**Denied** \_\_\_\_\_

**Date** \_\_\_\_\_

Signature of the Board of Assessors: \_\_\_\_\_  
\_\_\_\_\_

**Abatement Detail for 29 Fox Crossing Lane**

**Summary,** 3 houses on our street are bigger from a square footage perspective and are assessed much lower than us. We paid a premium, probably too much for our house but this shouldn't dictate the assessment... to be fair, we should be viewed alongside other comparable properties, especially on our street. In addition to the 3 houses on our street, listed below are multiple examples of recent sales of comparable properties. Most are bigger than us and some have direct access to the lake from their property. We have no such access. 2 places on Island Drive have a boat slip, are newer and bigger and are assessed much lower than our house. Please review and consider our current assessment.

Property	Date Purchased	Price	Bedroom/Bath	Living	Gross	2019 Assess	2020 Assess	Increase	Ratio (Assess/Price)	Notes
29 Fox Crossing	3/24/2020	\$800,000	3br 3.5ba	2056sf	3898sf	\$609,900	\$734,100	20.4%	91.8%	Our Unit, 20% assessment increase... highest I can find in Laconia... Based on other comps, probably paid too much but willing to pay more for a retirement home... previous owner paid \$775k with \$609k assessment. We paid \$25k (3%) more but get assessed 20% more! We understand property values have gone up but not that much. Also, unlike some of the properties below we have a filtered Water view only with no direct water access
19 Fox Crossing	4/3/2018	\$640,000	3br 3.5ba	2206sf	3639sf	\$563,700	\$660,500	17.2%	103.2%	Same Street as 29 Fox Crossing, bigger living area. Shows that 29 Fox Crossing may be overvalued based on sale price. Filtered water view only... no direct water access.
23 Fox Crossing	10/4/2019	\$639,900	4br 3ba	2200sf	3919sf	\$548,500	\$643,800	17.4%	100.6%	Same Street as 29 Fox Crossing, same layout but a bigger unit. Shows that 29 Fox Crossing may be overvalued based on sale price. Filtered water view only ... no direct water access.
53 Fox Crossing	7/21/2020	\$690,000	3br 3.5ba	2192sf	4118sf	\$578,600	\$685,700	18.5%	99.4%	Same Street as 29 Fox Crossing, A bigger place. Shows that 29 Fox Crossing may be overvalued based on sale price. Filtered water view only ... no direct water access.
11 Island Drive #6 w/Boatslip	4/28/2020	\$867,900	4br 3ba	2427sf	2925sf	\$647,800	\$681,500	5.2%	78.5%	This place is assessed much less than us and sold for much more. It also has a boat slip. It's brand new, is bigger and pays less tax. Waterfront with slip.
17 Island Drive #9 w/Boatslip	1/3/2020	\$720,000	3br 3ba	2427sf	2925sf	\$639,800	\$676,600	5.8%	94.0%	Same as above, this place is assessed much less than us and sold for much more. It also has a boat slip. It's brand new, is bigger and pays less tax. Waterfront with slip.
27 Rose Point	2/4/2020	\$1,002,500	4br 3.5ba	2388sf	4650sf	\$690,600	\$806,800	16.8%	80.5%	Purchase price affected assessment but only at 80.5% versus us at 91.8%. A bigger place.... Why are we at 91% versus 80% for this place.
53 Aberry Drive	10/2/2019	\$800,000	4br 4ba	2952sf	5986sf	\$615,800	\$625,600	1.6%	78.2%	Same purchase price, much bigger than 29 Fox Crossing including br and ba, much smaller assessment. Filtered water view only ... no direct water access.
37 Brittany Lane	12/17/2019	\$820,000	3 br 2.5 ba	3016sf	8794sf	\$585,300	\$589,800	0.8%	71.9%	Similar purchase price, much bigger sq footage, much smaller assessment. Waterfront and direct water access.
114 Clover Lane	6/25/2019	\$870,000	5br 4ba	3679sf	9981sf	\$613,000	\$615,400	0.4%	70.7%	High Purchase Price, Significantly bigger Sfootage and BR/BA, much smaller assessment. Pond view.
44 Indian Path	5/13/2019	\$1,075,000	7br 2.5 ba	2275sf	4486sf	\$614,900	\$691,700	12.5%	64.3%	No explanation for this... clearly an outlier... they must have paid too much, like us. Waterfront and direct water access.
7 Yachtmans Ridge	10/21/2019	\$855,000	3br 2.5ba	2520sf	5272sf	\$716,100	\$711,100	-0.7%	83.2%	Higher price, bigger place, lower assessment. Seems they paid more than they should have but didn't get penalized for paying too much.