

2018 ABATEMENT REQUEST – Staff Notes

Map 321 Block 452 Lot 11.4– Cheryl K. Wooley, Trustee, Cheryl K. Wooley Trust

Ms. Wooley filed an abatement request on property located at 103 Hickory Stick Lane. The property was assessed for \$398,700 for 2018. The property is a single-family home having an effective area of 2,923 sf, and living area of 2,249 sf.

The property was last visited April 2019 and the building was inspected as part of the sale validation process.

Provided with the abatement application was a copy of an Appraisal Report from the recent purchase of the property for \$352,000 on 7/10/2018.

In addition to the recent sale of the subject property, there were two other very similar properties that sold on the same street with very similar attributes:

	Sale Date	Style	Age	*Size	Cond	Sale Price	Assessment
Subject	7/10/2018	Contemp.	2006	2249	AVG	\$352,000	\$397,100
103 Hickory Stick Lane	4/30/2018	Contemp.	2006	2249	AVG	\$352,000	\$397,100
119 Hickory Stick Lane	12/18/2017	Contemp.	2007	2156	AVG	\$337,900	\$387,800

While other examples can be found in the Country Club Shores subdivision, they represent properties that are much closer to Lake Opechee, and have much better views.

It appears that the grade (representing the quality of construction of the property) is slightly overstated. After changing the grade for the subject property to Average +20 from Good, the resultant value is \$359,000. While not perfectly matched to the selling price, this value appears to be much more representative of the value of the property.

000032

2018 APPLICATION FOR ABATEMENT

Please Type or Print Clearly

ONE APPLICATION FOR EACH PROPERTY APPEALED

Upon completion of this form return to:

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

RECEIVED

FEB 08 2019

ASSESSOR'S OFFICE
LACONIA, NH

Date: Feb 4, 2019

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

Name: Cheryl K. Wooley, Trustee Cheryl K. Wooley Rev. Trust

Mailing Address: 117 Hickory Stick Lane, Laconia NH 03246

Telephone No: (Work): _____ (Home): 317-902-5239

*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: 321 Block: 452 Lot: 1114

Assessed Valuation: \$ 397,100 Tax Account. #: 10801

Property Location: 117 Hickory Stick Lane Laconia NH 03246

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.

9/15/15

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.

<u>Town Parcel ID#</u>	<u>Street Address</u>	<u>Description</u>	<u>Assessment</u>
<i>None</i>			

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

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# 321/452/11/4 Appeal Year Market Value \$ 352,000

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).

<u>Map/Block/Lot</u>	<u>Property Address</u>	<u>Sale Price</u>	<u>Date of Sale</u>	<u>Assessment</u>	<u>Rent(s)</u>
245/298/10	7 Exeter Place	341,000	11/20/2017	316,000	
265/289/16	74 Drummer Trail	415,000	9/17/2017	437,000	
244/275/5	373 Davidsm Dr	490,000	7/7/2017	439,000	
306/492/7/18	71 Port Way	309,000	11/31/2017	326,000	

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: 2/4/2019

X Cheryl K Woolley, Trustee
 (Signature) Cheryl K. Woolley Revocable Trust

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: _____

FILING DEADLINE FOR 2018
LOCAL APPEAL: MARCH 1, 2019
BOARD OF TAX & LAND APPEALS/
SUPERIOR COURT: ON OR BEFORE
SEPTEMBER 1, 2019

CITY OF LACONIA
TAXPAYER'S RSA 76:16 ABATEMENT APPLICATION
TAX YEAR 2018

**** PLEASE READ ENTIRE APPLICATION BEFORE COMPLETING THIS FORM****

Dear Taxpayer:

1. Complete the application by typing or printing legibly in ink. **This application does not stay the collection of taxes; taxes should be paid as assessed. If abatement is granted, a refund with interest will be made.**
2. File this application with the municipality by the deadline (see above). Date of filing is the date this form is either hand delivered to the municipality, postmarked by the post office, or received by an overnight delivery service. **Applications sent by facsimile or E-mail will not be accepted.**

DEADLINES: The "notice of tax" means the date the board of tax and land appeals (BTLA) determines the last tax bill was sent by the municipality. (If your municipality bills twice annually, you must apply after the bill that establishes your final tax liability and not before.)

Step One: Taxpayer must file the abatement application with the municipality by March 1 following the notice of tax.

Step Two: Municipality has until July 1 following the notice of tax to grant or deny the abatement application.

Step Three: Taxpayer may file an appeal **either** at the BTLA (RSA 76:16-a) or in the Superior Court (RSA 76:17), but not both. An appeal must be filed:

1. **No earlier than:** a) after receiving the municipality's decision on the abatement application; or b) July 1 following the notice of tax if the municipality has not responded to the abatement application; and
2. **No later than** September 1 following the notice of tax.

FORM COMPLETION GUIDELINES:

1. **SECTION E.** Municipalities may abate taxes "for good cause shown" RSA 76:16. Good cause is generally established by showing an error in the assessment calculation or a disproportionate assessment. Good cause can also be established by showing poverty and inability to pay the tax.
 2. **SECTION G.** If the abatement application is based on disproportionate assessment, the taxpayer has the burden to show how the assessment was disproportionate. To carry this burden the taxpayer must show: a) what the property was worth (market value) on the assessment date; and b) the property's "equalized assessment" exceeded the property's market value. To calculate the equalized assessment, simply divide the assessment by the municipality's equalization ratio (assessment / ratio). Because a property's market value is a crucial issue, taxpayers must have an opinion of the market value estimate. This value estimate can be shown by obtaining an appraisal or presenting sales of comparable properties.
 3. **SECTION H.** The applicant(s) must sign the application even if a representative (e.g. Tax Representative, Attorney, or other advocate) completes Section I.
 4. **Make a copy of this document for your own records.**
-

2018 Application for Abatement
Section E
117 Hickory Stick Lane, Laconia NH. 03246
321/452/11/4

We purchased our home in Laconia, New Hampshire on July 10, 2018 for a price of \$352,000.

There were three property sales in our section of Hickory Stick Lane in the past year:

119 Hickory Stick Lane	\$337,900	Sold on December 18, 2017
103 Hickory Stick Lane	\$356,000	Sold on April, 30, 2018
117 Hickory Stick Lane	\$352,000	Sold on July 10, 2018

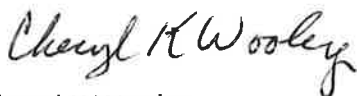
These three properties are very similar in style, age and condition. They are 12 years old and they were built by the same builder. They do not have finished basements. They do not have large decks They do not sit on water front lots. Since these similar properties sold within the last year I believe it is reasonable to assume that the market value of homes in our section of Hickory Stick Lane are in the \$338,000 to \$356,000 range.

The 2017 assessment for our property was \$380,000 which was 8.1% higher than the market value that we paid for it. The 2018 assessment for our home is now \$397,100, a 4.4% increase from its previous assessment, which brings the assessment to a level that is 12.8% higher than market value.

Since I have just recently moved to New Hampshire, I do not have a comprehensive understanding of how assessed values are determined, but it is my understanding that because our home is classified as a "Modern Contemporary" it is being assessed as part of a group of properties that are not at all like our home. It is being compared to seven properties that sold recently for prices ranging from \$770,000 to \$1,550,000 - more than double to four times the price our home. And, curiously, most of these high-priced homes are being assessed at amounts that are lower than their market value.

It is also my understanding that in New Hampshire it is desirable to have property assessments that are fairly representative of the market value of the property. The instructions for Section G of this Abatement Application say I am to "show that the property's "equalized assessment" exceeded the property's market value." To do so I am to divide the assessment of \$397,100 by the municipality's equalization ratio of .945. That calculation of \$420,213 exceeds the market value of my property by 19%. Therefore, it is my feeling that our home has been over assessed and I request it should be reevaluated and assessed closer to its market value of \$352,000.

Thank you for your consideration of this request.



Cheryl K Wooley
Trustee of Cheryl K Wooley Revocable Trust
February 4, 2019

Property Location: 117 HICKORY STICK LN MAP ID: 321/ 452/ 11/ 4/ Bldg Name: State Use: 1010
 Vision ID: 102106 Account # 10801 Bldg #: 1 of 1 Sec #: 1 of 1 Card 1 of 1 Print Date: 04/12/2019 15:56

CURRENT OWNER		TOPO.	UTILITIES	STRT./ROAD	LOCATION	CURRENT ASSESSMENT				
WOOLEY CHERYL K REV TRUST WOOLEY CHERYL K TRUSTEE 117 HICKORY STICK LN LACONIA, NH 03246 Additional Owners:		2	Public Water			Description	Code	Appraised Value	Assessed Value	1501 LACONIA, NH
		3	Public Sewer			RESIDNTL	1010	312,000	312,000	
						RES LAND	1010	47,000	47,000	VISION
SUPPLEMENTAL DATA						Total				
Other ID: OWNOCC Y		ZONE 2 ZONE 2 % WARD WARD 6				359,000				
ZONE 1 RS ZONE 1 % 100 GIS ID: 321-452-11		ASSOC PID#				359,000				

RECORD OF OWNERSHIP						PREVIOUS ASSESSMENTS (HISTORY)									
WOOLEY CHERYL K REV TRUST	3182/0408	07/10/2018	Q	I	352,000	01	Yr.	Code	Assessed Value	Yr.	Code	Assessed Value	Yr.	Code	Assessed Value
HENDRICKX FAMILY REV TRUST	2828/0492	02/01/2013	U	I	1	44	2018	1010	350,100	2017	1010	333,800	2016	1010	304,500
HENDRICKX ALAN R & ROBIN H	2306/0135	06/06/2006	Q	I	439,930	00	2018	1010	47,000	2017	1010	47,000	2016	1010	40,800
COUNTRY CLUB SHORES ON OPECHEE LLC	1963/ 470	10/20/2003	U	V	495,000	1N									
Total:						397,100			380,800			345,300			

EXEMPTIONS				OTHER ASSESSMENTS				APPRAISED VALUE SUMMARY				
Year	Type	Description	Amount	Code	Description	Number	Amount	Comm. Int.	This signature acknowledges a visit by a Data Collector or Assessor			
Total:								Appraised Bldg. Value (Card) 307,700				
								Appraised XF (B) Value (Bldg) 4,300				
								Appraised OB (L) Value (Bldg) 0				
								Appraised Land Value (Bldg) 47,000				
								Special Land Value 0				
								Total Appraised Parcel Value 359,000				
								Valuation Method: C				
								Adjustment: 0				
								Net Total Appraised Parcel Value 359,000				

ASSESSING NEIGHBORHOOD					
NBHD/ SUB	NBHD Name	Street Index Name	Tracing	Batch	
0001/A		A			

NOTES									
COUNTRY CLUB SHORES LOT4 NATURAL GAS									

BUILDING PERMIT RECORD										VISIT/ CHANGE HISTORY					
Permit ID	Issue Date	Type	Description	Amount	Insp. Date	% Comp.	Date Comp.	Comments	Date	Type	IS	ID	Cd.	Purpose/Result	
329-05	06/23/2005	07	NEW HOME	0	05/01/2006	98	05/31/2006	CO ISSUE	04/05/2019	S		TB	14	INSPECTED	
									07/26/2017			DD	20	CHG FM OTHER	
									09/15/2015	CY		DD	03	MEAS & INSPC	
									07/20/2010			PM	33	RES FIELD REVIEW	
									05/16/2007			DD	30	EXTERIOR INSPECTIO	

LAND LINE VALUATION SECTION																				
B #	Use Code	Use Description	Zone	D	Front	Depth	Units	Unit Price	I. Factor	S.A.	Acre Disc	C. Factor	ST. Idx	Adj.	Notes- Adj	Special Pricing	S Adj Fact	Adj. Unit Price	Land Value	
1	1010	SINGLE FAM MDL-01	RS				3,332 SF	9.41	1.0000	5	1.0000	1.00	70	1.50		Spec Use	Spec Calc	1.00	14.12	47,000
Total Card Land Units: 0.08 AC Parcel Total Land Area: 0.08 AC																Total Land Value: 47,000				

Property Location: 117 HICKORY STICK LN
 Vision ID: 102106 Account #10801

MAP ID: 321/ 452/ 11/ 4/
 Bldg #: 1 of 1

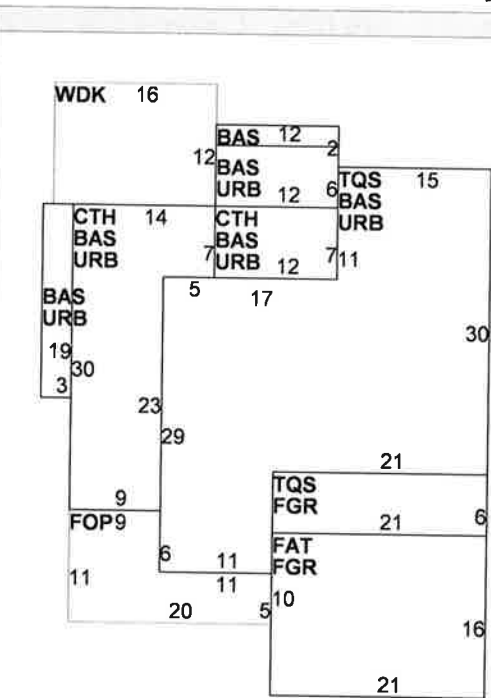
Bldg Name:
 Sec #: 1 of 1 Card 1 of 1

State Use: 1010
 Print Date: 04/12/2019 15:56

CONSTRUCTION DETAIL			CONSTRUCTION DETAIL (CONTINUED)				
Element	Cd.	Ch.	Description	Element	Cd.	Ch.	Description
Style	07		Modern/Contemp				
Model	01		Residential				
Grade	05		Average +20				
Stories	1.5						
Occupancy	1						
Exterior Wall 1	25		Vinyl Siding				
Exterior Wall 2							
Roof Structure	03		Gable/Hip				
Roof Cover	03		Asph/F Gls/Cmp				
Interior Wall 1	05		Drywall/Sheet				
Interior Wall 2							
Interior Flr 1	12		Hardwood				
Interior Flr 2	14		Carpet				
Heat Fuel	03		Gas				
Heat Type	04		Forced Air-Duc				
AC Type	03		Central				
Total Bedrooms	04		4 Bedrooms				
Total Bthrms	2						
Total Half Baths	1						
Total Xtra Fixtrs	2						
Total Rooms	9						
Bath Style	03		Modern				
Kitchen Style	03		Good				

MIXED USE		
Code	Description	Percentage
1010	SINGLE FAM MDL-01	100

COST/MARKET VALUATION	
Adj. Base Rate:	110.24
Net Other Adj:	322,243
Replace Cost	19,693.50
AYB	2006
EYB	2008
Dep Code	AV
Remodel Rating	
Year Remodeled	
Dep %	10
Functional Obslnc	0
External Obslnc	0
Cost Trend Factor	1
Condition	
% Complete	
Overall % Cond	90
Apprais Val	307,700
Dep % Ovr	0
Dep Ovr Comment	
Misc Imp Ovr	0
Misc Imp Ovr Comment	
Cost to Cure Ovr	0
Cost to Cure Ovr Comment	



OB-OUTBUILDING & YARD ITEMS(L) / XF-BUILDING EXTRA FEATURES(B)												
Code	Description	Sub	Sub Descript	L/B	Units	Unit Price	Yr	Gde	Dp Rt	Cnd	%Cnd	Apr Value
JTUB	JET TUB			B	1	3,400.00	2008		1		100	3,100
FPL	FIREPLACE			B	1	1,300.00	2008		1		100	1,200

BUILDING SUB-AREA SUMMARY SECTION						
Code	Description	Living Area	Gross Area	Eff. Area	Unit Cost	Undeprec. Value
BAS	First Floor	1,425	1,425	1,425	110.24	157,098
CTH	Cathedral Ceiling	0	389	19	5.38	2,095
FAT	Attic, Finished	67	336	67	21.98	7,386
FGR	Garage, Finished	0	462	185	44.15	20,395
FOP	Porch, Open, Finished	0	154	31	22.19	3,418
TQS	Three Quarter Story	757	1,009	757	82.71	83,455
URB	Basement, Unfinished, Raised	0	1,401	420	33.05	46,302
WDK	Deck, Wood	0	192	19	10.91	2,095
Ttl. Gross Liv/Lease Area:		2,249	5,368	2,923		341,937



08/15/2016