

NOTES OF THE ASSESSING
STANDARDS BOARD
Public Forum
Assessing Reference Manual

Approved as Written

DATE: January 31, 2014

TIME: 9:00 a.m.

LOCATION: Department of Revenue, Training Room, 109 Pleasant Street Concord

BOARD MEMBERS:

Senator David Pierce ~ *Absent*
Representative Priscilla Lockwood
Len Gerzon, Public Member, Chairman
Robert J. Gagne, NHAAO, City, Vice-Chairman
Joseph Lessard, NHAAO, Towns >3,000
Todd Haywood, NHAAO, Towns <3,000
Betsey Patten, Public Member
Vacant, Municipal Official, Towns >3,000

Senator Bette Lasky ~ *Absent*
Representative Peter Schmidt ~ *Absent*
Stephan Hamilton, NHDRA
Eric Stohl, Municipal Official, Towns <3,000
Marti Noel, NHAAO
Thomas Thomson, Public Member ~ *Absent*
Vacant, Municipal Official, City

MEMBERS of the PUBLIC:

Loren Martin, Avitar Associates
Joe Haas, V.O.C.A.L.S., Inc.
Rosann Lentz, Assessor, Portsmouth
Dave Marazoff, CNHA
Mary Pinkham-Langer, NHDRA

Cindy Brown, BTLA
Dave Gomez, Assessor, Derry
Jim Wheeler, City Manager, Berlin
Jim Michaud, Assistant Assessor, Hudson

Chairman Gerzon convened the meeting at 9:10 a.m.

Introductions

Chairman Gerzon stated the manual has been available on-line on the DRA website and this forum is being held to receive comments from the public.

Ms. Lentz expressed concern with the definition of sales chasing as written in the manual. The concern is that the definition is too broad and taxpayers will accuse the assessor of sales chasing when an assessment changes causing an increase in work and expense to the municipalities due to abatement requests and BTLA and Superior Court cases. New Hampshire does not require an assessor to get into a property however statute requires assessors to correct errors and omissions. Correcting the errors and omissions could be interpreted by the taxpayer as sales chasing based on the definition as currently written.

Chairman Gerzon stated the board has held several discussions on the topic and definition of sales chasing. Based on those discussions, the board felt it appropriate to draft different levels of defining sales chasing for different purposes. The definition proposed in statute defines sales chasing using statutory language; the reference in this manual was kept short; and a more in depth definition and explanation was provided for the Equalization Manual which the board felt was the most appropriate reference to address the issue. Creating three levels of the definition was not intended to confuse taxpayers. The idea was to provide alternative explanations for those who may not be familiar with the technical terminology used in statute.

Ms. Lentz suggested referencing the Equalization Manual in the Assessing Reference Manual with regards to sales chasing.

Mr. Haas requested the terms “common” and “federal” be added to the index as well as a statement that a taxpayer may only appeal to either the BTLA or Superior Court but not to both for the same appeal.

Mr. Marazoff, an independent contractor, felt the sales chasing definition was too harsh and did not provide enough latitude. The lack of clarification of what “similar” or “like properties” means could cause a misperception when changing an assessment and be interpreted as sales chasing. He agreed with Ms. Lentz that with the definition as written it could cause an increase in work and expense for municipalities.

Ms. Martin stated the reference manual’s purpose is to provide general guidance to the assessing process. She added describing sales chasing in the manual any differently would have no bearing.

Mr. Michaud raised a couple of points. The first, he asked whether or not the State received permission to use IAAO material. Mr. Hamilton stated he believed the information was cited properly within the document but would verify. The second, if the department would consider expanding its distribution list to certified personnel and municipalities. His concern was that information is not reaching those to whom it pertains to the most. Mr. Hamilton stated pertaining to certified personnel, there is not a resource at this time that maintains e-mail addresses, however, the department will look into incorporating that information in the future.

With regards to the definition of sales chasing, Mr. Michaud echoed the concerns of Ms. Lentz and Mr. Marazoff adding that he does not believe the public will recognize the subtleties between the three definitions which he feels have not been well articulated.

He explained his interpretation of the language proposed as a town having a measure and list process in place may change an assessment on a property that sold and that new current year assessment will be used as part of the ratio study. However a town that does not have a measure and list process in place may change an assessment on a sale property but because it was not found without utilizing a measure and list process, the prior year assessment will be used as part of the ratio study. A person could therefore infer changing the sale property’s assessment is sale chasing. He asked the Board to consider the three definitions and consider revising to provide clarification.

Mr. Michaud stated the proposed bill pertaining to the statutory definition of sales chasing will be heard next Thursday, February 6, 2014, at 1:15 p.m., by Municipal and County Government at the Legislative Office Building, Room 301.

Chairman Gerzon adjourned the public forum at 10:00 a.m.

Respectfully Submitted, Stephanie Derosier
NH Department of Revenue Administration – Municipal and Property Division

Documentation relative to the Assessing Standards Board may be submitted, requested or reviewed by:

Telephone: (603) 230-5955
Facsimile: (603) 230-5943
Web: www.revenue.nh.gov
E-mail: asb@dra.nh.gov

In person at 109 Pleasant Street, Concord

In writing to:
NH Department of Revenue
Assessing Standards Board
PO Box 487
Concord, NH 03302-0487