

## **TO: TOWN OF WENHAM PROPERTY OWNER**

### **SUBJECT: THE ABATEMENT PROCESS**

Please read the back of your tax bill and back of the application form for important information regarding your rights. Please note that any failure to pay your tax bill on time or comply with abatement filing procedure or deadlines may legally disqualify your application from consideration by the assessors, or may limit your ability to appeal a decision by the assessors.

The Board of Assessors has carefully reviewed the arms-length real estate sales that have taken places in Wenham, with particular attention to the sales since January 1, 2013, within the town. The calendar year 2014 sales, of course, do not impact current assessments but will be the focus of attention for FY 2016. Appeals relying on current market conditions to support a claim of overvaluation may be denied. It is important to remember that the assessments for FY 2015 reflect a property's market value as of January 1, 2014.

When seeking abatement, the board of Assessors request that you review recent sales in your neighborhood, with particular attention to sales that have taken place in 2013. Real estate abatements are granted when it can be shown that the assessment exceeds the fair market value of a property as of January 1, 2014. There are listings of past sales available for your use at the Assessor's Office that include all the same sales that were used to determine your current assessment. You should ask for a copy of your property record card, review it for accuracy, and then compare it with similar properties that have recently sold. You should show from your analysis that these sales actually indicate that a different value for your property than that estimated by the Board of Assessors. The Board will then review your application and your analysis, determined whether an interior inspection of your home is needed to correct factual errors and notify you within three months of the time you file your application if an adjustment is warranted. If you disagree with the decision, you will have three months from the date of the decision to appeal it to the Appellate Tax Board (ATB) in Boston.

Abatement applications are frequently filed for reasons that fall beyond legitimate parameters for granting them. If you were granted a real estate abatement in a previous year for a specific condition, in all likelihood, that adjustment has already been made, and you should not file. However, you should check to see that the change has been applied. This change will be reflected on the current property record card and factored into the current assessment. We often hear from property owners who state that they "have lived in their home for 30 years and have never done a thing to it." We are quite certain that no one would accept as a sale price the price he or she paid for the property 30 years ago. Elderly, retired homeowners frequently cite rising taxes as the reason for filing. No one questions the legitimacy and seriousness of that situation. It has, however, no bearing on the value of their property. The Assessors have no legal right to assess a property differently because of the financial condition of the homeowner. In fact, the Assessors shudder at the thought that any Board of Assessor should be given that right because of the potential for abuse. The Assessors encourage property owners who are having difficulty paying their taxes to request information on any exemptions for which they may qualify or consider the tax deferral program that under circumstances permits deferring taxes in part or in whole until the property is sold or transferred in the future.

In short, the Assessors encourage everyone who files for a real estate abatement to take it seriously. The more legitimate information you provide in proving your case, the more likely it will be granted.