

MINUTES OF THE MEETING
BOARD OF CIVIL AUTHORITY
July 19, 2017

Present: Jean Strong Terry Gurdak-Carter Linda Tucker
 Alice Nitka Linda Petty Ulla Cook-Town Clerk
 Terry Thayne-Lister Margot Martell-Lister Mark Gauthier-Lister

The meeting was called to order by Chair Jean Strong at 10:00 AM.

Reorganization – Motion by Linda Tucker to nominate Jean Strong for Chair, second by Linda Petty. No other nominations. Motion was voted and passed. Motion by Terry Carter-Gurdak to nominate Linda Tucker for Vice-Chair, second by Linda Petty. No other nominations. Motion was voted and passed.

Oaths-Oaths were given by Town Clerk, Ulla Cook, to Listers and BCA members and signed by them.

TAX APPEALS

APPELLANT

Kathy Burns – Ledgewood E-4

The appellant was not present at the appointed time. She did however in her appeal to the BCA use Unit B-6/B-4 garage and G-7/G-3 garage siting per square foot cost of \$238.25 and \$231.90 for an average cost of \$242.00. She stated her unit at 1400 square feet times the average cost would bring her assessment to \$338,800. She did not average in D-1 as the unit has been completely renovated.

LISTERS

Terry Thayne represented the listers stating there have been a total of 4 sales of 3 BR units for the last 3 years. Three of the units are 1573 square feet and the average of those 3 sales is \$476,000. D-1 sold in April of 2014 for \$475,000 and two years later at \$555,000. We find it hard to believe the market has changed that quickly to the downside. The one unit without a garage sold for \$360,000 we consider an outlier. Our assessments of the 3 units that sold between \$472,000 and \$489,000. We don't feel with this small sample that changing the assessments at this time was called for. The cutoff date for analysis of the sales is 4/1/2017 and any sales after that date are not a part of this study. The appellant pointed out that unit D-1 was completely remodeled. We would not know that and it could be it is a price issue. Last summer we sent out notices that we would like to inspect all the units at Ledgewood and we got zero response. Alice Nitka asked what an outlier is and Margot Martell responded by saying it is a sale that is out of the normal, either high or low.

Inspection committee – Linda Tucker, Chair, Terry Carter-Gurdak and Jean Strong.

APPELLANT

Attorney Hans Huessy – Ledgewood Units

A3,A5,A6,B4,B5,B7,C4,C6,D4,D6,D8,E1,E5,E6,F5,F7,G7

Attorney Huessy was not present but in his letter to the BCA he stated these are 3 bedroom units and sales of Unit A-3 sold for \$360,000 and assessed for \$472,000, B-6 sold for \$400,000 and assessed for \$472,000 and G-7 sold for \$385,000 and assessed for \$466,000. He also stated listing for C-5 for \$400,000 a 3 bedroom unit on the market for almost a year and Unit A-1 also a 3 bedroom unit is listed for \$450,000 and has been on the market for almost a year. Attorney

Huessy also presented two appraisals one dated 2/19/2015 for Unit A-3 and one dated 4/16/2017 for Unit G-7.

LISTERS

Same argument as the Burns appeal. Attorney Huessy has 2 comp sales Unit B-6 with garage, no trailside location that sold for \$400,000, 1573 square feet and Unit A-3 no garage, trailside location sold for \$360,000, 1400 square feet. A unit closing after April 1 is not valid for this study. There are listing for units for sale at the \$400,000 to \$500,000 level and if they do sell, we can then address that next year. Four of the units are 1715 square feet and there are no sales for unit that size, two of the units in this appeal are 1400 square feet and the rest are 1573. We use D-1 which is 1573 square feet and sold twice in the 3 year period, first for \$475,000 and then for \$555,000 with no garage. We feel the sale of A3 is an outlier.

Mark Gauthier stated we do not have a large sale sample that would necessarily set a trend either way and that coupled with the fact we have not been in these units.

Inspection committee – Linda Tucker, Chair, Terry Gurdak-Carter and Jean Strong

Margot Martell stated they sent letters to 709 condominium properties asking for permission to inspect and we only received 10 responses and none from Ledgewood.

Linda Tucker stated the last time we did this the appeal went to the next level and the values were reduced.

APPELLANT

MDB Properties-488 Route 103 South

Attorney Birmingham represented the property owner stating this property was listed for sale initially in February 2015 and the in May of 2106 it was listed for \$299,000 and sold on 8/12/16 for \$200,000. It was an arm's length transaction between two unrelated people with a broker involved. There are a full string of Supreme Court Cases that tell us that if there is a bonafide arm's length buy and sell that is conclusive evidence of the fair market value and a leading case is the Town of Norwich where the Supreme Court said as long there is a willing buyer and willing seller at arm's length and a good faith, the tax statute is not concerned by the reasons the buyer and seller attribute to the value of the property.

LISTERS

Terry Thayne stated there are no comparable properties. We have not been able to inspect the interior of the property but the outside dimensions are correct. We gave this place a 25% location factor at grievance reducing it by \$94,500. The property owner purchased this property for \$385,000 in 2013 and sells it for \$200,000 three years later had to be a pretty anxious seller. We don't chase values up or down. The state does not allow it.

Inspection committee – Terry Gurdak-Carter, Chair, Alice Nitka and Jean Strong

The meeting recessed to July 26.

Respectfully submitted,

Ulla P. Cook, Clerk