

State of New Hampshire

Board of Tax and Land Appeals

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Anne M. Stelmach, Clerk



Governor Hugh J. Gallen
State Office Park
Johnson Hall
107 Pleasant Street
Concord, New Hampshire

03301-3834
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JUL 17 2020

NH DEPT OF REVENUE ADMN
HEARINGS BUREAU

In Re: Town of Derry

Docket No. 29656-20RA

ORDER FOR REASSSSMENT

The board has reviewed the Joint Petition for Reassessment (“Petition”) filed on February 5, 2020 by the department of revenue administration (“DRA”) and the “Town.” The board has also reviewed a copy of the signed “revaluation contract” submitted by the Town’s assessing contractor (Whitney Consulting Group, LLC) in March, 2020.

RSA 71-B:16, V gives the board jurisdiction and authority to act on petitions filed by the DRA pursuant to RSA 21-J:3, XXV. Due to the State of Emergency issued by Governor Sununu, the hearing on this Petition duly noticed and scheduled for March 20, 2020 could not take place.

Upon further review and in light of these developments, the board finds it is both prudent and reasonable to grant the remedy requested in the Petition without a hearing at this time,¹ subject to the following additional provisions.

The revaluation shall comply with all applicable statutes and regulations, including the “Part 600” rules enacted by the DRA, which contain specific requirements for a revaluation ordered by the board, including additional oversight responsibilities by the DRA.

The parties will provide written updates to the board at least as often as once every 30 days regarding “progress of the reappraisal and milestones achieved on the work plan” and will


¹ Consequently, the February 20, 2020 Order and Hearing Notice is mooted by this Order.

specifically address the steps taken in order to comply with the conditions contained in the Petition, ¶16.

The parties will provide an explanation regarding why, although the Town reappraised all properties in tax years 2016 and 2018, the DRA determined those reappraisals “did not determine values anew in conformity with RSA 75:8-a.” Id., ¶9.

SO ORDERED

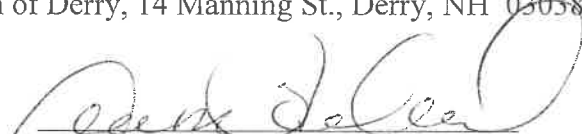
BOARD OF TAX AND LAND APPEALS


Anne M. Stelmach, Clerk
PER ORDER OF THE BOARD.

CERTIFICATION

I hereby certify a copy of the foregoing Order for Reassessment has been mailed this date, postage prepaid, to: Peter C.L. Roth, Esq. and Derek E. Kline, Esq., State of New Hampshire, Department of Revenue Administration, 109 Pleasant St., Concord, NH 03302, counsel for DRA; Brenda E. Keith, Esq., Boutin Law PLLC, PO Box 1177, Londonderry, NH 03053; and Chairman, Board of Selectmen, Town of Derry, 14 Manning St., Derry, NH 03038.

Date: July 17, 2020


Anne M. Stelmach, Clerk