Assessing Standards Board  
Regular Board Meeting

Approved as written

DATE: January 28, 2019           TIME: 9:30 a.m.

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

BOARD MEMBERS
(E) Excused absence

Senator James Gray                        Paul Brown, Municipal Official, Towns >3,000
Senator Kevin Cavanaugh (E)               Sherman Hallock, Municipal Official, <3,000 (E)
Representative Peter Schmidt              David Marazoff, NHAAO, At-Large Member
Representative Mark Proulx                 Loren Martin, NHAAO, Towns, <3,000
Betsey Patten, Public Member, Chair       Joe Lessard, NHAAO, Towns >3,000
Robert Gagne, NHAAO, City Official        Len Gerzon, Public Member (E)
Thomas Hughes, NHDRA                       Thomas Thomson, Public Member
Jim Wheeler, Municipal Official, City (E)

MEMBERS of the PUBLIC

Mary Pinkham-Langer, NHDRA                  Emily Goldstein, Portsmouth
Theresa Rosenberger, DMB                    Charelle Lucas, GES

Chair Patten convened the meeting at 9:30 a.m. and welcomed those in attendance. Introductions of the Board followed.

Chair Patten reported Sherman Hallock from the Town of Dorchester has been appointed as the Municipal Official representing a municipality with a population less than 3,000.

Minutes

Representative Proulx motioned to accept the minutes of December 21, 2018; seconded by Mr. Lessard. No discussion. Chair Patten called the motion to accept the minutes of December 21, 2018, as written. Motion passed unanimously.

Election of Officers

Chair Patten opened the floor for nominations for Chairman. Mr. Gagne nominated Betsey Patten; Mr. Thomson seconded the nomination. Mr. Gagne motioned to close nominations; Mr. Lessard seconded the motion. Chair Patten called the motion to close nominations. Motion passed unanimously. Chair Patten called the motion for her to remain Chairman. Motion passed unanimously.

Chair Patten opened the floor for nominations for Vice-Chairman. Mr. Lessard nominated Bob Gagne; Mr. Marzoff seconded the nomination. Representative Proulx motioned to close nominations; Mr. Lessard seconded the
motion. Chair Patten called the motion to close nominations. **Motion passed unanimously.** Chair Patten called the motion for Mr. Gagne to remain Vice-Chairman. **Motion passed unanimously.**

**Correspondence**

Chair Patten referred to a letter that was received from Mr. Sansoucy expressing concern about the Board’s intent to distribute the annual report to the BTLA and superior courts; he felt it would be considered an ex-parte communication. After a brief discussion, it was agreed the report is a public document and the effort to distribute was an unnecessary step for the Board to take. Representative Proulx **motioned for the Board not to distribute the annual report to the BTLA or Supreme Court;** Mr. Gagne **seconded the motion.** Mr. Thomson reiterated the report is available on the DRA website for anyone to access. Chair Patten called the motion. **Motion passed unanimously.**

**Pending Legislation**

**House Bill 700**

Chair Patten reported House Bill 700 is the bill submitted by Representative Abrami relative to the study commission’s report. A hearing is scheduled for Wednesday, January 30, 2019, at 1:00 p.m. in Room 202. Mr. Gagne noted Representative Abrami adhered very closely to the ASB’s recommendation using the same formula with a slightly different percentage; 70/30 versus the 75/25 recommended; and for water utilities 25/75. The Commission did go in a completely different direction with the land using a percentage of the improvement value. Chair Patten indicated she would be attending the hearing and will speak to the similarities between the ASB’s and the Commission’s recommendation.

A discussion followed about the two minority reports. The issue brought by the utilities had been about the wide swings and percentage differences in values between the municipalities; it had not been about their total tax burden. Their concern did not include the lower values in some municipalities. This recommendation fixes the issue of the wide swings and percentage differences however it does not necessarily change the total tax burden. The lower value assessments in some communities will increase while the higher values will decrease reducing the expected gains. The utilities participated in all of the discussions including those at the ASB, ASB subcommittee and study commission and the minority reports are considered disappointing rather than having reached a consensus for a reasonable solution.

**Senate Bill 57 - relative to phasing out and repealing the utility property tax.**

This bill phases down, and ultimately out, the $6.60 tax per $1,000 over the next four years.

**House Bill 144 – relative to changes in property assessments.**

Mr. Gagne stated the current requirement for notifying a property owner of a change in assessment is on the tax bill. This change would require notifying every property owner of every assessment change and may significantly increase local municipal costs and most assessors have an issue with this bill for that reason. A hearing is scheduled for Tuesday, January 29, 2019, at 11:30 a.m. in Room 301.

A brief discussion followed about other proposed bills that may affect property taxes and the difficulty of implementing some of the changes that pass after being added to other existing, non-related bills. Senator Gray and Representative Proulx reiterated the importance providing information to the legislature on potential impacts or issues that may or may not have been known and/or considered in the proposed bills.
**Low-Income Housing Tax Credit (LIHTC)**

The reporting requirement of the low-income housing tax credit was discussed at the last meeting. Mr. Hughes described a handout that contained information required to be submitted to the Board annually. The report includes properties that have opted to participate in RSA 75:1-a. At this time, there is no record of collecting this information which makes compiling it difficult. A report was submitted to the Board in 2013 of the information that was compiled. A discussion followed including whether or not the information reported on these properties is useful and necessary; how the program and tax credit came about; the intent of the reporting; who uses the information and the number of times the report has been requested.

The NH Housing Financing Authority (NHHFA) was involved with the establishment of the program and currently keeps a list of properties that apply for the credits however not every property who applies for it elects to use it. It was suggested an inquiry be made with the assessors and the NHHFA to see if this information is a valuable tool or something that does not need to be reported. After more discussion, it was suggested to bring the question to the NHAAO and the NHHFA to gather information and come back to the next meeting to see if a change in the reporting requirement should be proposed.

Mr. Hughes addressed another concern pertaining to an annual public hearing to set the cap rates for the low-income housing tax credit program. The meeting to set the rates is scheduled for February 26, 2019, at 10:00 a.m. at the DRA.

**Meeting Dates**

**Rulemaking Hearing**  
Monday, February 4, 2019, at 9:00 a.m. at DRA

**Regular Board Meeting**  
Friday, February 15, 2019, at 9:30 a.m. at DRA (formerly February 11, 2019)

**Snow Date**  
Friday, February 22, 2019, at 9:30 a.m. at DRA

**Regular Board Meeting**  
Friday, March 8, 2019, at 9:30 a.m. at the LOB, Room 303

**Other Business**

The definition of sales chasing within the proposed rules has received concern relating to an interpretation of a few words that were felt could cause problems for an assessor. Mr. Gagne felt the definition, when read in its entirety, is properly written.

Representative Proulx motioned to adjourn; seconded by Representative Schmidt

Chair Patten adjourned the meeting at 10:56 a.m.

Respectfully submitted,

Stephanie Derosier  
Municipal and Property Division
NH Department of Revenue Administration

All meetings are recorded and available upon request.

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

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Facsimile: (603) 230-5947  
Web: [www.revenue.nh.gov](http://www.revenue.nh.gov)  
E-mail: asb@dra.nh.gov

In person at:  
109 Pleasant Street, Concord

In writing to:  
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