

Assessing Standards Board
Public Forum
(Pursuant to RSA 21-J:14-b II.)

Notes – Accepted as written

DATE: November 16, 2023

TIME: 2:30 p.m.

LOCATION: NHMA Conference, Manchester NH

BOARD MEMBERS

(E) Excused absence.

Senator James Gray *(E)*

Senator Rebecca Perkins Kwoka *(E)*

Representative Peter Schmidt *(E)*

Representative Joseph Guthrie

Betsey Patten, Public Member, Chair

Charles Reese, NHAAO, City Official

Sam Greene, NHDRA Commissioner, Designee

Jim Wheeler, Municipal Official, City, Designee

Municipal Official, Towns >3,000

Robert Edwards, Municipal Official, <3,000

Emily Goldstein, NHAAO, At-Large Member

Tom Hughes, NHAAO, Towns, >3,000

Joe Lessard, NHAAO, Towns <3,000

Tom Thomson, Public Member *(E)*

Vacant, Public Member

Chair Patten convened the public forum to receive general comment on assessing standards and practices at 2:30 p.m. Introductions of the Board followed.

Chair Patten thanked Mr. Gagne for his many years of service on the Board.

Accomplishments in 2023:

- House Bill 285 relating to the Equalization Manual being incorporated into Administrative Rules
- House Bill 409 corrected reference of the ASB to ACB, relating to the board established under the Office of Professional Licensure and Certification (OPLC)

Mr. Greene summarized the meeting held by the OPLC relating to changes in the certification of assessing personnel.

- Complaints received by the OPLC will be investigated, a recommendation of dismissal or an action made to the Assessing Certification Board (ACB), representing the subject matter experts, who will then submit a recommendation to the Executive Director for a final decision.
- Complaints dismissed – complainants will receive a letter; the respondent does not
- Certification List
 - Current list on DRA website effective as of September 1 and may be taken down soon
 - OPLC will be ready to certify people beginning next week and make the list available on their website
 - Certification information on the DRA website will be removed
 - Goal is to have all assessors in their database by December 31
- Reciprocity – OPLC will review other state requirements to determine which states have substantially similar requirements and will provide a list of which states to honor reciprocity from

- Individuals granted certification through this process will be required to meet NH renewal requirements
- Renewals will be filed through a website called CE Broker which will track continuing education (CE) and validate CE requirements for the level being applied for.
- All DRA files have been transferred to the OPLC
- Renewal dates – will coincide with the certification date of approval of original or new certification level
- Continue using DRA forms, however, written requests should still be accepted
- OPLC was unaware that DRA did not charge for certification; expect a fee to certify at some point
- The ACB will be advisory; OPLC will be the authority processing and approving certification requests
- When rules change, OPLC is required to notify and solicit feedback
 - OPLC does not need ACB approval to change rules
- OPLC is actively looking to use AI to assist in customer service

It was noted the OPLC will be sending out requests for information from certified individuals asking for full name, date of birth, social security number and email address.

Chair Patten explained the ASB revised rules relating to certification to provide a complete set of rules to follow, at least to start, which they may choose to use or not. The Asb 300 rules will remain in place until the OPLC adopts new ones.

There were three subcommittees that met this year.

Low-Income Housing Tax Credit – Mr. Gagne was the former chair and has offered to stay on the committee. A current Board member will need to be assigned to call a meeting. The subcommittee discussed using a range of cap rates in the formula but was determined not to be a good idea. There was another idea to remove the formula and have the LIHTC properties pay 10% of rent as a tax payment, which was well-received at the meeting as it would provide uniformity and fairness. The idea was distributed to both the assessor's organization and NH Housing representatives for consideration and feedback. There were some developers that thought this would increase property taxes as they should already be paying at least 10%, which is the circuit breaker. There were a couple of ideas provided including the timing of the tax rate and impact on assessed value and the idea of making it a payment in lieu of tax and amending statute.

Assessment Review – Mr. Greene summarized the changes to the next cycle of assessment review. Statistics were merged into one standard of level and uniformity; public records were separated into public and confidential records and more specifically how confidential records are handled. A review of current use records to make sure there are current forest land stewardship plans and applications on file. Relating to contracts, insurance certificates and names and levels of certified personnel working in a municipality need to be provided to the DRA, to verify which duties each individual is qualified for. This includes anyone doing contracted assessing work.

The DRA will report the number of parcels sampled that have three or more data element errors. The DRA has always looked at data elements; the change is that going forward, the DRA will report on them as part of the assessment review.

In addition to reporting on the compliance of USPAP reports, the DRA will now report on the timeliness of receipt of the original report, excluding submission of additional information requested. The existing standard is for USPAP reports to be delivered to DRA within 30-days of submission of the MS-1.

Relating to equalization ratio studies, the minimum change in value to require an explanation was increased from \$3,000 to \$5,000; a request was made to use standard rounding, which means values 0-4 round down, values 5+, round up, versus banker's rounding, which alternates rounding from calculation to calculation. This is based on the Real Data program; Axiomatic said they could accommodate this change in the next program rewrite.

The ASB rules for certification will remain in place until the OPLC incorporates them as their own or rewrites them.

The Board will be submitting a proposed legislative change to RSA 76:21, Prorated Assessments of Damaged Buildings, to clarify the type of damage that qualifies by adding the word "physical" before damage. This relates to a court case where a retailers asked to qualify based on income lost due to COVID. The court denied the request.

There was a brief discussion on accessory dwelling units (ADU) and issues assessors are facing, including a variety of land use codes to track them. This was more of a zoning issue versus assessing issue however it is something that should be considered and looked at.

The public forum to receive general comment on assessing standards and practices concluded at 3:05 p.m.

The public forum to receive general comment on ratio study procedures began at 3:05 p.m.

It was noted that the threshold for providing an explanation for a change in assessment was increased from \$3,000 to \$5,000 and the equalization manual is now incorporated into administrative rules.

No public comment was received.

The public forum to receive general comment on ratio study procedures concluded at 3:07 p.m.

Respectfully submitted,

Stephanie Martel, ASB Clerk
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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