

Montgomery Board of Civil Authority
Result of Lister Grievance Appeal Hearing

Monday August 20th, 2018

6:00 PM

at

Montgomery Town Office

Hearing Minutes

BCA Members: Charles “Charlie” Hancock, Mark Brouillette, Leanne Barnard, Patricia Hathaway, Misty McCartney, Darren Drevik, Christina Suarez, Jacob Racusin, Erin Kopacz
Listers: Parma Jewett, Lynda Cluba, Deanna Robitaille (Former Lister)
Appellant: Gregory Lucas (2073 North Main St)

Meeting called to order at 6:07PM

- 1) Charlie distributed and collected Oaths from the Board, Listers and Appellant.
- 2) Charlie described the rules and procedures of an appeal hearing and the Appellant did not receive his mailed copy of these in the mail.
- 3) Charlie asked Parma to describe the subject property.
- 4) The Appellant testified that, following Lister Grievance, he still feels his property is over assessed compared to the appraisal completed on behalf of his lender prior to his purchase. Mr. Lucas also indicated that he felt he did not understand the change in value following Grievance because the description in his Result was too vague. He believes Fair Market Value of his property should be \$245,000.
- 5) Parma, on behalf of the Lister, noted that while the Listers may consider the information included in an appraisal generated for lending purposes, those appraisals are done for a specific transaction and the disclaimer included states that they cannot be utilized for any other purpose without the consent of the lender. Also, without the appraiser in attendance, there is no opportunity to ask them about their methodology and assertions of value.
- 6) The Board had no questions for the Appellant.
- 7) Parma presented a packet of evidence that included:
 - a. Appeal Letter from Appellant
 - b. Response to Letter of Appeal
 - c. List of “Arms Length Transactions” for the Grand List year and a calculation of average assessment difference at time of sale.
 - d. Lister Card and Sketch (prior to Grievance and Post-Grievance).
 - e. Property Listing History and Sales data.
 - f. Sales Comparison for Property completed by Listers
 - g. Sales Comparison for Property completed by Appraiser.

Parma noted that the Appraiser utilized sales from outside of the immediate area and expressed concern that there were and are comparable sales within Town that seemed to have been omitted from the Appraisers research.

- 8) The Appellant responded to the Listers evidence and statements.
- 9) The floor was opened to members of the BCA to ask questions. Jacob asked the Listers a question pertaining to square footage.
- 10) Hearing no further questions, the Board set an inspection to be held at 5:00 PM on Monday August 27th. The hearing was set to reconvene on Monday September 17th at 6:00

The hearing reconvened at 6:08pm on September 17th 2018.

The appellant was given a final opportunity to provide comments to the board. Appellant read from a prepared statement. As no listers were present no final comment was received.

Mark motioned to enter into deliberative session, seconded by Darren. Passed unanimously. The board entered deliberative session.

Mark motioned to come out of deliberative session, seconded by Darren. Passed unanimously. The board exited deliberative session

Mark motion to sustain listers appraisal of Lucas property based on sales comparison approach used by listers, and with BCA understanding question of depreciation would not have impacted sales comparison approach

Mark moved to adjourn at 6:55pm, seconded by Darren, passed unanimously