

HELPFUL INSTRUCTIONS AND FAQ'S WHEN FILING YOUR FY16 ABATEMENT APPLICATION

WHEN AND WHERE:

The abatement period begins when the Actual Tax Bill is issued on January 1st and closes on February 1st. The Board of Assessors must receive your abatement application by the close of business (4:30pm) on February 1st, 2016. The Board of Assessors is not authorized to extend or waive this deadline.

If your application is being mailed, it must be correctly addressed to the Assessor's Office, 16 Great Neck Rd., North, Mashpee MA, 02649; sent by First Class U.S. Mail and postmarked no later than midnight February 1st, 2016. FedEx, UPS or other delivery service date stamps are not legal postmarks by state law. Abatements mailed to the Collector's office with tax bill payments which do not reach the Assessor's office by the deadline date and time are also late and cannot be legally considered by the Board of Assessors. If your application is not postmarked or received by the deadline, the Board of Assessors has no legal jurisdiction to grant you an abatement, regardless of how justified your reason(s) may be.

REASONS FOR FILING AN ABATEMENT APPLICATION:

Abatements are generally filed for one of the following reasons:

- **OVER VALUATION:** If you believe that your assessment exceeds the 'fair market value' of your property **as of the Assessment Date of January 1, 2015**. You must support your claim by listing at least 3 to 5 sales of properties that took place during calendar year **2014**. Choose comparable sales that closely match yours in **style, size, and quality of construction, condition and location**. The closer the match, the stronger your case. In searching for comparable properties, you may find the Sales Reports or the Assessing Dept. Property Database on our Town of Mashpee web site helpful. (<http://www.mashpeema.gov>)
- **INEQUITABLE ASSESSMENT:** This type of abatement may be more difficult to obtain. It's a misconception to believe that finding one or two similar houses in your neighborhood that are valued for less, automatically entitles you to a reduction. In most cases there's a good reason for the differences. A neighboring property's assessment being increased or decreased by a different percentage than yours is not grounds for abatement.
If you decide to use this approach, please use the same methods of comparison as addressed with "fair market value assessment" above.
- **INCORRECT LISTING:** If you believe your property has been incorrectly measured or listed, bring this to our attention on your abatement application, and we will inspect the property and make any necessary correction(s). Some listing corrections may only be cosmetic, while others may have an effect on your assessment.

PAYMENT OF TAX:

Filing an application for abatement does not stay the payment of your taxes. To avoid penalties and possible loss of further appeal rights, your taxes should be paid timely. If an abatement is granted, an adjustment will be issued to you in the way of a credit or refund for any over payment.

WHAT THE ASSESSORS CANNOT DO:

- ▶ The Assessors cannot reduce an assessment based upon a person's inability to pay the tax.
- ▶ The Assessors cannot and will not reduce an assessment without justification.

ASSESSORS DECISION (DISPOSITION):

The Board of Assessors will make their determination within three (3) months from the date your application is filed and notify you in writing of its decision within ten days.

See reverse side for Frequently Asked Questions ▶

Frequently asked questions about Assessed Value:

“How do Assessors determine my value?”

The assessors are required by Massachusetts law to value all real and personal property at its “full and fair market value”, the amount a knowledgeable and willing buyer would pay a knowledgeable and willing seller on an open market. In other words, if you decided to sell your property, you would not accept less than what you believe it is worth nor would a buyer pay more than they think it’s worth to them and each of you has the freedom to say no to the deal and buy elsewhere. These are the types of market sales that the assessor’s office uses to set values and they don’t include bank sales.

In establishing value, assessors first inspect each property to record all the features of the land and buildings that contribute to, or detract from, the property’s overall value. Building style, livable area, quality of construction, number of rooms, baths, fireplaces, extra features like pools and detached garages – all are examples of the data collected. This data is combined with the costs of buying land and then calculated with the current costs to build all the features on the property to establish a replacement value.

Finally, the costs of building are depreciated for age and condition to arrive at an initial mass appraisal value. In other words, we do our “homework” before establishing your value. We then adjust that “cost” value within a range of what completed valid local sales indicate each property should sell for.

“I haven’t done anything to my property, why did it increase in value?”

Finding the “full and fair market value” of a property involves discovering what similar properties to yours are selling for on the open market. When home prices increase, just like gasoline or groceries, the taxable value increases. No improvement at all needs to be done to the property for this to happen, nor does your property need to deteriorate to see the value drop in a slumping real estate market.

“What do I need to submit to be considered for an abatement?”

Unless your property has data errors that have resulted in a higher value than it should have, the evidence must be in the form of sales of similar properties in a similar location; or, if you own an income-producing property, in the form of 3 complete years of your actual income and expense data showing a net operating income result each year, without taking out depreciation, debt service or taxes.

The sales must also come from the same time period that the assessing department had to use to establish the values. For FY16, sales from 1/1/2014 through 12/31/2014 were used to set values. Sales outside of those dates ARE NOT ALLOWED as abatement evidence since the assessor did not have those sales to use to set the FY16 values, especially sales that occurred in 2015.

A minimum of 3 similar property sales is best. DO NOT single out the land value or any single improvement value for reduction alone. No developed property, including yours, is sold without both elements included and only the ENTIRE value of the property will be considered.

Also, land value cannot be compared on a per-square-foot basis. The primary value in a lot is in whether it can be built upon or not. As a result, smaller, buildable lots will always be higher on a per-square-foot basis than larger lots will be, just like smaller houses will have higher per-square-foot costs to build than larger houses of the same style. Your chosen sales should support the total taxable value of your property.

Once you have chosen your sales, you must also submit your opinion of value that you wish the Board of Assessors to consider. If no opinion of value is included, or is not supported by sales, it is almost certain you will receive a denial because once assessments are approved by the Department of Revenue each year, they are deemed legally correct and the burden of proof shifts to the taxpayer.

“What if I’m not satisfied with the Board’s decision?”

If you feel you have not gotten a fair review of your property’s value by the Board of Assessors, you may further appeal the valuation to the Appellate Tax Board (ATB), which requires a filing fee. The instructions for filing such an appeal will be outlined on the certificate form mailed to you after the Board’s decision is made. All hearings with the ATB take place at 100 Commonwealth Avenue in Boston and usually will take approximately a year to be scheduled from your application. The same type of evidence that the Board of Assessors requires will also be required for the ATB’s consideration.