



**Knox County**  
**Board of Assessment Review**

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A meeting of the Knox County Board of Assessment Review took place on Friday, May 18, 2012 at 10:00 a.m. in the Knox County Commission Hearing Room.

Board members in attendance: Jim Murphy, Lauren Hall Kenniston, John Flood, Marian Robinson, Rick Lavoie. Board members absent: Martin Cates

County Administrative office staff in attendance: Administrative Assistant Candice Richards serving as recording secretary.

Others in attendance: Christopher & Cynthia Mudgett, taxpayers; Robert Gingras, Assessors' Agent for the Town of St. George.

## **AGENDA**

**Friday – May 18, 2012 – 10:00 a.m.**

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|-------------|--------------|---|
| <b>I.</b>   | <b>10:00</b> | <b>Meeting Called To Order</b>                        |
| <b>II.</b>  | <b>10:01</b> | <b>Opening Remarks by Board Chair</b>                 |
| <b>III.</b> | <b>10:10</b> | <b>Hearing</b><br>1. Appellant<br>2. Town of Appleton |
| <b>IV.</b>  | <b>11:00</b> | <b>Board Deliberation &amp; Vote</b>                  |
| <b>V.</b>   |              | <b>Other Business</b>                                 |
| <b>VI.</b>  |              | <b>Adjourn</b>  |

**I. Meeting called to order**  
Chair Marian Robinson called the meeting to order at 10:00 a.m.

**II. Opening Remarks by Chair**

**III. Hearing**

Marian Robinson asked about the tax year requested, which should be April 1<sup>st</sup> of a year. Mr. Gingras explained that St. George had changed their fiscal year so they had an 18-month Fiscal Year. He confirmed that the actual tax year is April 1<sup>st</sup>, 2011.

### **Appellant's Evidence**

The taxpayer requested an abatement based on the following information for the April 1, 2011 tax year:

Address: 32 Clark Island Road in St. George, MAP/LOT: 232/068.

Current Assessed Valuation	Land	\$84,900
	Building	\$218,600
	<b>Total</b>	<b>\$303,500</b>

Owner's Opinion of Current Valuation	Land	\$35,000
	Building	\$153,000
	<b>Total</b>	<b>\$188,000</b>

<b>Abatement Requested</b>	<b>\$115,500</b>
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- Jim Murphy motioned that the appellant has standing for this appeal and all materials were timely filed. Lauren Kenniston seconded. A vote was taken with all in favor.

Mrs. Mudgett stated that she didn't understand the Town's methodology and felt that the new appraisal should have been taken into account. She stated that her neighbor's house next door went down in value but hers went up. She did not think that makes sense, especially since the neighbor's house was almost entirely rebuilt after a fire. Her own house is a modular home. Most of the property is swamp land and when she had had a soil test done, she was told that her house is on the only buildable lot on the property. The neighbors with more buildable land and a house with more square footage than her have lower taxes. She said that she just wanted to be treated fairly. Her house is 12 years old. She added that nobody has come to look at the house.

1. In support of the taxpayer's position, he submitted the following documents:

- Exhibit 1: Application for Abatement to BAR dated 5/13/12
- Exhibit 2: Application for Abatement to Town of St. George dated 10/31/11
- Exhibit 3: Letter from the Town of St. George to the taxpayer scheduling review of the tax abatement request, dated 1/30/12
- Exhibit 4: Letter from the Town of St. George to the taxpayer denying the taxpayer's tax abatement request, dated 2/15/12
- Exhibit 5: 2011 Real Estate tax bill for FY 1/1/11 – 6/30/12
- Exhibit 6: Appraisal done by Sara Robertson of the Coastal Appraisal Company dated 8/19/11
- Exhibit 7: List of reasons why the taxpayer feels their property is assessed too high submitted to the County Administration office on 5/4/12
- Exhibit 8: Pictures and Valuation Report for 19 Clark Island Road dated 4/19/12 and labeled "across the street"
- Exhibit 9: Pictures and Valuation Report for 22 Clark Island Road dated 4/19/12 and labeled "next door"
- Exhibit 10: Pictures and Valuation Report for 14 Clark Island Road dated 1/6/10 and labeled "two houses down"
- Exhibit 11: MLS#1009910 report showing sale of 177 Wallston Road in St. George for \$182,000 on 7/29/11

2. In support of the taxpayer's position, he offered the testimony from the following witnesses:

The taxpayers, Christopher and Cynthia Mudgett, were the only persons present for their party. They did not offer any witnesses.

3. Overvaluation:

In this appeal, one of the taxpayer's concerns and arguments focused on their belief that the property was substantially overvalued. The evidence of overvaluation the taxpayer presented was primarily based on the fact that the property located next door to the subject's property (22 Clark Island Road) dropped in house value by \$78,700 while surrounding properties, including the appellants', increased for this tax year.

**Town's Evidence**

Mr. Gingras stated that the Board has all of the documentation from the Town of St. George. The Town's Board of Assessors have reviewed the Mudgetts' abatement request and feel that the one comp the Mudgetts used (177) Wallston Road is not very comparable. The land values of her neighbors are all very comparable. The building values are not very comparable but the land values are.

John Flood asked why the house next door dropped \$78,000 in value. Mr. Gingras said that he had no knowledge of that and would have to check the Town records for that. He briefly looked through his paperwork but said that he had no idea what the answer was. He said that he knew that the house had been under construction. Ms. Mudgett commented that the construction was completed already.

Mr. Mudgett stated that he had a question about the Wallston Road property. He asked for the base value of Wallston Road versus the base value of Clark Island Road. Mr. Gingras responded by saying that the base values are determined by the marketplace.

Jim Murphy asked the Mudgetts if Sarah Robertson, who had done the appraisal for them, was advised that it was going before an appeals board. He added that since the taxpayers didn't have Ms. Robertson attend the hearing, she wasn't present to testify. Ms. Mudgett responded that she had not told Ms. Robertson what the appraisal was being used for. Mr. Murphy commented that there are reasons for and limitations to appraisals. Since Ms. Robertson did not know the reason she was being asked to do an appraisal, she just gave another opinion of value and it wasn't given for the purpose of this appeal. It does not address the question of equity within St. George. As long as the entire town is assessed over or under by the same amount, it's equitable. Ms. Mudgett said she had just asked Ms. Robertson for an opinion of value. Mr. Murphy said that it needed to be effective April 1<sup>st</sup> and look at assessed values.

Marian Robinson commented that there seemed to be some issues about the land size and how it may be used. She asked how many homes can be built on this lot. Mr. Gingras responded that Ms. Mudgett is only charged one site per lot, like everyone else. It doesn't matter how many *could* be built; there's still only one base lot value and the rest is just considered acreage until such time that the land is divided.

Mr. Gingras commented that he had nothing to show that the property has wetland.

Marian Robinson asked if anyone from the Town had inspected the property. Mr. Gingras said that he had inspected the property. Ms. Robinson pointed out that the property card indicated that he had not. Mr. Gingras apologized and said he was looking at the wrong property card. He

looked at another card and said the property was visited on August 19, 2009 but he didn't have a signature from the property owner. He had measured the building and walked around the property but did not go inside the building. The inside was estimated based on previous information.

Marian Robinson asked Mr. Gingras if he personally goes to see the property when someone asks for an abatement. He replied that he usually does but this time he did not. He added that the information on the property card was verified by Mr. Mudgett. Mr. Mudgett spoke up and said that he did not verify the information on the card, which isn't signed. He added that he was not home on the day Mr. Gingras assessed the property.

Marian Robinson asked if there were any sales of similar properties. Mr. Gingras said that he didn't think so. Ms. Robinson commented that a lot of the evidence presented to the Board is after April 1, 2011 and asked how late did Mr. Gingras used sales for the St. George commitment. Mr. Gingras responded that he didn't use any sales. St. George hasn't used sales since the re-val, which used sales up to April 1, 2009.

Marian Robinson asked if the Town differentiates between modular and stick built. Mr. Gingras responded that yes, they did, and that it is a C+5 house.

Marian Robinson asked for the ratio since the documentation said 105. Mr. Gingras said that the Town's quality rating is 12 and the certified ratio was 100.

1. The Assessor(s) submitted as evidence the following documents:

- Exhibit 1: Cover Letter to Board of Assessment Review dated 5/4/12
- Exhibit 2: Preliminary 2012 State Valuation Report for the Town of St. George from the MRS Property Tax Division, dated June of 2011
- Exhibit 3: Property Card and Valuation Report for Map/Lot 232-068 (taxpayer)
- Exhibit 4: Property Cards and Valuation Reports for neighboring properties:  
Map 232 / Lot 066  
Map 232 / Lot 001
- Exhibit 5: Property Cards and Valuation Reports for comparable sales in the area:  
Map 232 / Lot 067  
Map 228 / Lot 044  
Map 228 / Lot 017
- Exhibit 6: Property Card and Valuation Report for the comparable property used in the appraisal report done by Coastal Appraisal Company:  
Map 218 / Lot 032
- Exhibit 7: Tax Maps:  
218  
228  
232

2. The Assessor(s) offered the testimony from the following witnesses:

Robert Gingras, Assessors' Agent for the Town of St. George represented the Town. He offered no other witnesses.

3. The town certified ratio for the assessment year being appealed:

100%

Public hearing closed at 10:35 a.m. Mr. Gingras left at 10:36 a.m.

**IV. Board Deliberation & Vote**

**Findings of fact**

1. The appellants have standing for this appeal by virtue of their ownership of this property.
  2. The appeal was timely filed.
  3. The appraisal was not created for the purpose and function of assessment review and therefore did not factor into the Board's decision.
  4. The interior of the subject property was not inspected by the assessors or their agent for the Town.
  5. There was no proof of \$303,500 being inequitable.
  6. There is no evidence that the assessment was unreasonable.
  7. The town has established that the subject property and similar properties to it were assessed by the same land and/or building schedule in a similar fashion.
  8. The appellant has failed to show proof of comparable properties and that the assessment is irrational or so unreasonable in light of the circumstances that the property is substantially overvalued and an injustice results, there was unjust discrimination, or the assessment is fraudulent, dishonest or illegal.
- **A motion was made by Lauren Kenniston to accept the findings of fact. The motion was seconded by Jim Murphy. A vote was taken with all in favor 5 - 0.**

**Decision**

The Knox County Board of Assessment Review finds in favor of the Town of St. George.

**V. Other Business**

**VI. Adjourn**

- A motion was made by Jim Murphy to adjourn. The motion was seconded by Rick Lavoie. A vote was taken with all in favor.

Meeting adjourned 10:51 a.m.

Respectfully Submitted,

Candice Richards  
Administrative Assistant  
Board of Assessment Review Recording Secretary