

FREQUENTLY ASKED QUESTIONS FOR COUNTY TAX APPEALS

Under New Jersey Law, there is a presumption that the assessed value of your property is correct. The burden of proving the assessment wrong is on the taxpayer. You must introduce sufficient relevant, credible evidence to convince the Commissioners that a lower value is justified. If you fail to introduce sufficient evidence the assessed valuation will be affirmed.

When do I file my appeal?

Appeals must be filed by April 1, 2019. Municipalities undergoing a Reassessment or Revaluation (Mullica Township this year) have a May 1st deadline to file a tax appeal. The appeal must be received at the Atlantic County Board of Taxation by the close of business (4:30 PM) on the due date. An envelope postmarked on the due date which is received after the due date is NOT acceptable. Please wait until you receive your 2019 Notice of Assessment from your municipal assessor to file a tax appeal. The Notice of Assessment must be mailed to you by February 1.

I am over 65 (or a disabled veteran); do I have to pay a filing fee?

Yes, you must pay a filing fee, if you are appealing your assessment, there are no exceptions. Payment is in cash or check payable to the County Tax Administrator. If you are appealing **only the denial** of a senior citizen or disabled veteran deduction, there is no filing fee.

Do I need to be represented by an attorney?

No, you may appeal and appear on your own behalf **UNLESS** the property is owned by a trust, estate, or a business entity such as a corporation, partnership or LLC. These entities must be represented by an attorney admitted to practice law in the State of New Jersey only if the prior year's taxes were more than \$25,000.

Should I hire an appraiser?

You may do so if you wish, but it is not necessary. If you do hire an appraiser, special rules apply. The appraiser **must** appear with you at the hearing to give expert testimony on the appraisal. The appraiser normally will charge you an additional fee for appearing with you at the hearing. The appraisal report should be delivered **at least 7 days prior to your hearing date** to the Board of Taxation, and one copy each to the Municipal Assessor and Municipal Clerk. **A real estate agent may not testify unless he or she is also a New Jersey licensed appraiser.**

What are considered valid comparable sales to use as evidence in my appeal?

Comparable sales should have occurred prior to October 1, 2018 for appeals filed in 2019. Sales occurring between October 1, 2017 and October 1, 2018 have the most evidentiary value, although older sales before that one year period may be considered, but will be given less weight as will sales occurring after October 1, 2018. Comparable sales should be of properties similar to your property in your neighborhood or in a neighborhood similar to yours. The more similar the characteristics of comparable properties to your property, the better they will aid you in your appeal. **While not a complete list**, such items as size (both lot and building), garage, finished attic or basement, number of stories, pool, and age of building are a few value contributing amenities you should consider. You should be prepared to discuss the similarities between your property and the comparable sale you have selected. Pictures of your property and your comparable sales are helpful. The sale should meet the requirements for a "fair market sale" i.e. between a willing buyer and seller in an arm's length transaction. The comparable sales should have been advertised for sale. Examples of sales that have little value as evidence of market value include most foreclosures, sheriff's sales and short sales.

How many comparable sales should I use?

There is usually no reason to use more than five sales. However, quality is better than quantity. Two or three highly comparable sales may be sufficient. Please be sure the sales are truly comparable and are actual sales, not just listings of properties for sale.

When must my comparable sales evidence be submitted?

It is best if you can list the comparable sales information on your appeal application and attach evidence to the appeal when it is filed. However, at the latest, you must supply your evidence to the Board of Taxation, your Municipal Assessor and Municipal Clerk, **at least seven (7) days prior to your hearing**. This allows the Tax Board Commissioners and your Municipal Assessor time to become familiar with your evidence. If you wait until your

hearing to supply your evidence it most likely will not be admitted, and you will not have any evidence to support an assessment reduction.

Where can I get physical descriptions of my property and the comparable properties I will use as evidence?

Property sales information is available for you to research at your Municipal Assessor's office, the County Board of Taxation office and on various websites. Information on comparable sales is available on our website, www.aclink.org/taxation. Look for the heading "How to Find Comparable Sales". Any information you obtain from any website should be verified with your assessor's office.

Why does the appeal form have multi-colored copies?

If you obtain a printed form from our office, the assessor's office or a County Library branch, the appeal form consists of four (4) copies, each labeled at the bottom of the page:

White copy (top) goes to the County Board of Taxation, with your filing fee

Yellow copy (second) goes to your Municipal Assessor.

Pink copy (third) goes to the Municipal Clerk in your town

Goldenrod copy (fourth and last) is your copy to keep for your records.

IT IS YOUR RESPONSIBILITY TO DELIVER THE COPIES TO YOUR MUNICIPAL ASSESSOR AND MUNICIPAL CLERK. If you decide to mail these copies, you may want to obtain proof of delivery (certified mail, for example).

However, the color of the forms is not a requirement. You may obtain the form from our website www.aclink.org/taxation and print all four copies on white paper. The only requirement is that the County Board of Taxation, the Municipal Assessor and the Municipal Clerk each receive a copy.

What telephone number do I put on the appeal?

You must supply the number where you most likely can be reached. If you will be outside the area at any time during April through August, please also supply a number where you may be reached during that period. It is also helpful to include an e-mail address.

When will I receive my hearing notice?

You will receive your notice of hearing at least 10 days prior to your hearing, which may not be until August. If you have not received your notice and are concerned, phone the County Board of Taxation at (609) 645-5820. It will be mailed to the address you have listed as your "**Mailing Address**" on your petition. If you have provided "**a person or attorney to be notified of hearing date and judgment**" on your petition, **ONLY THAT PERSON WILL RECEIVE A HEARING NOTICE.**

Do I have to appear at the hearing?

Yes, at least one property owner must attend the hearing. **If you are represented by an attorney, you still must attend your hearing**, unless a certified appraiser or expert witness will appear on your behalf. If a property owner is not available, you may request permission to send another person who is familiar with the property and who has authority to accept a settlement offer. This request must be in writing and addressed to the County Tax Administrator. Failure to appear may cause dismissal of your complaint.

Where are the hearings held?

Hearings are usually held at the Historic Courthouse at 5909 Main Street in Mays Landing. Please read your hearing notice carefully for the address, date and time of your hearing.

Once I have filed my appeal, is there any way I can settle my case prior to my hearing?

Your Municipal Assessor may contact you prior to your hearing date to discuss a possible settlement. If you do reach an agreement, the Municipal Assessor will prepare a Stipulation of Settlement form. This form is signed by you or your attorney and must be returned to the Municipal Assessor **within seven days or before the hearing date, whichever is sooner.** The Municipal Assessor will then forward it to the Board of Taxation for final review. If the Board of Taxation agrees to the settlement, it will issue you a Memorandum of Judgment and you will not have to appear for your hearing.

Do I have to pay my taxes when I am appealing my assessment?

Yes, pay your tax bills as you normally would. You must pay the first quarter of taxes due by February 1st and all other municipal fees and outstanding charges. Failure to make these payments may result in the dismissal of your appeal. If you are successful in reducing your assessment you will receive an adjustment on a tax bill in a subsequent quarter. You will receive credit for any overpayment made between January 1, 2019 and the time the credit is calculated.

Do I have any options if I am not satisfied with the result of my appeal hearing?

Yes, you may appeal to the New Jersey Tax Court within 45 days from the date of the Board's Memorandum of Judgment. The Tax Court procedures for appeal are available online or you may call the phone number listed on the back of the Memorandum of Judgment. You may appeal again in the next year. You can appeal your assessment every year.

My municipality has just undergone a revaluation. If I meet with the revaluation company and they agree to a reduction, am I done?

The Notice of Assessment card you receive in the mail is the official assessment determined by your assessor and takes precedence over any other notice you may have received. These are generally mailed by February 1st. If the assessment figures are what you expected and you are satisfied, then no further action is required. If the assessment figures are not what you expected, then you must file an appeal in order to pursue a reduction.

What should I do if I decide not to appeal after I have filed an appeal?

You may withdraw your appeal at any time prior to your hearing by notifying the Board of Taxation in writing. If you do withdraw your appeal, **your filing fee is not refunded.**

What should I do if I find that I cannot attend my hearing?

Hearings will not be rescheduled except for emergency medical procedures with a physician's note or travel plans made prior to the receipt of the hearing notice. Even if the hearing is rescheduled, all evidence, including appraisal reports, must be received **at least 7 days before the original hearing date.** If your hearing is not rescheduled and you do not appear, your petition can be dismissed for failure to prosecute.

COUNTY ASSESSMENT APPEAL TIPS

Come prepared.

Have your evidence and papers in order. Be prepared to discuss the major points you want to make about each comparable sale as it relates to your property. There are many hearings held each day, so be concise, don't ramble, and stay focused on what is important.

Do your homework.

Find sales of properties that have similar characteristics to your property, in your neighborhood or a neighborhood similar to yours. Be able to discuss the similarities of your comparable sales and why your comparable sales properties are a good match to your property. Simply, be able to explain why you chose these properties.

Confirm your sales.

Make sure your comparable sales are fair market sales (sales exposed to the market between a willing buyer and seller in an arm's length transaction). Sales between family members; sales with special financing; and sheriff's sales are all examples where the sale price may not reflect market value.

Don't compare assessments.

Do not reference a neighbor's assessments as the basis for appealing your assessment. Your neighbor's assessment may be lower than yours for numerous reasons. It may be incorrect. **Only market sales are valid evidence for comparable property analysis.**

Use photographs.

Pictures truly are worth a thousand words at your hearing. Pictures of your property and your comparable sales properties will help the board members in their understanding of your case. If there are neighborhood conditions that you feel diminish your property value, take a picture.