

TAX APPEALS: CHALLENGES, CHANGES & MIXED MESSAGES

August 29, 2012
NJACTB Conference, Cape May
by
SCOTT J. HOLZHAUER, CTA, SCGREA

New (or improved) Challenges facing municipalities

From the Tax Court:

- Limited Resources – there is great tension between taxpayer & municipality both having to operate within narrow financial parameters (a.k.a. costs) to secure credible appraisal services measured against the tax dollars at risk in an appeal.
- When is it “cost effective” to pursue (prosecute) or settle (defend) a tax appeal?
- The Court expects certain proofs in order to “sway them” toward a value conclusion – first Greenblatt, now Tuck v. West Caldwell. (*see “summary” of Tuck case at end of outline*)
- Whatever happened to the *FAST TRACK*? Multi-year appeals continue to be a major enemy to the municipality’s revenue stream – especially when the final outcome is determined by settlement (which usually begs the question – why did the matter not get resolved sooner??)

From the County Tax Boards:

- Taxpayer Comps – from Blessing to Curse
 - While always a part of the Petition, prior to the past 5 or 6 years comps were not routinely presented by taxpayers filing appeals. At that time, much more discussion during the CTB hearing revolved around the physical characteristics of the subject property, and the corresponding assessment determinations made (building class, effective age, depreciation, land adjustments, etc.)
 - Because of such a strong campaign in recent years by the CTB’s to insist that taxpayers prepare themselves with “market evidence” if they have any hope for a reduction – now almost every petition includes upwards of 5 COMPS
 - Different expectations from Board to Board with regard to the “extent” to which the comps must be reported (some just listed, with oral testimony on the details of comparability – while others require more of an appraisal analysis on the comps)

- Regardless, ALL comps listed on the Petition must be investigated by the municipality – this takes an enormous amount of time (could easily involve at least 5 minutes / comp)
- No relaxation of “exchange rules” for municipality if they are presented comps on a large number of appeals on the final exchange day (7 days prior).
- **“Pick your best comp”**... despite the large amount of time expended by the municipality to review taxpayer’s comps (usually 5 comps), as well as submitting at least 3 - 5 comps of their own, often the practical **time constraints** presented by the sheer volume of appeals dictates that each matter “cuts to the chase”. This usually results in the CTB asking both the Taxpayer & the Municipality to select just their “best comp” for discussion.

From the Division of Taxation:

- The enhanced effort by the State to investigate the usability of sales has changed some of the data that the town and/or taxpayers rely on. This is both a Plus & Minus: SR-6’s to change sales from NU to Useable by the State have opened up some “bad comps” for use against the town, while some sales that have been changed by the State from Useable to NU have taken potential good comps away from an already depleted pool available.

From the New Technology:

- The internet has become a vast (and FAST) resource for precise “on point” information for almost any imaginable topic. Tax Appeal businesses and companies are continually entering the new fertile marketplace
- Internet “how to” sites provide taxpayers a cliff-notes version of the appeal process. No longer does the municipality have the upper-hand when it comes to information on “how the process works”
- Like all good things *for free*... some information is good, some is lacking. A **particularly good website for free information** is published by Envoy Real Estate (from Bound Brook, NJ), known as NEW JERSEY TAX APPEAL NOW (web address = njtaxappealnow.com). This site goes into extensive detail on all aspects of the appeal process, and could be a source of information that you may choose to inform the public about
- However, even in good things the truth hurts... and some weaknesses exposed... (*see screenshots #1 & 2*)

Screenshot #1 – from njtaxappealnow.com

Cross Examining The Tax Assessor

- The taxing district strategy will be to attack your expert and appraisal. Your attorney should view *their* task the same way. Force the assessor to discuss their case and reasoning. Few assessor's will have the time to prepare a cogent detailed case for every appeal. You need to press the advantage here.

The towns used to be viewed as having “unlimited resources” – but NOT NOW based on the volume of appeals filed

Screenshot #2 – from njtaxappealnow.com

New Jersey Tax Appeal Now

HOME LINKS TAX APPEAL DATA PAGE ENVOY REAL ESTATE

Free Services

- » About Free Services
- » What to File & Where
- » The Tax Appeal Process in NJ

[View all Free Services](#)

Fee Based Services

- » Pricing
- » Tax Appeal Coaching
- » General Consultation

[View all Fee Based Services](#)

Tax Appeal Tutorials

- » The Tax Appeal Process in NJ
- » Do I Have a Tax Appeal Case?
- » Informal Assessor Meeting
- » The County Tax Board
- » State Tax Court
- » What to File & Where
- » Data Sources For Tax Appeal
- » Critical Tax Appeal Dates

« NEVER leave your notes, sales or other information with the Assessor. Brokers can appear at the County Tax Board as a factual witness, but are NOT considered an expert witness »

Any evidence discovery deadlines at the last possible date

At the County Board of Taxation level and beyond, meet any evidence discovery deadlines at the last possible date. You are required to present your evidence, including an appraisal if applicable to the other party. Limiting their review time is just smart practice. During tax appeal season, the assessor is typically overwhelmed with appeals. The less time the assessor has to plan a competent defense and search for weaknesses in your data, the better.

SHARE

Recent News

New Jersey State Tax News Quarterly Newsletter / Fall 09

Property taxes: Where does your state rank?

Town loses \$9,000,000 Tax Appeal

Featured Tips

Ouch!!

- Ever since OPRA, an enormous amount of information relative to the assessment function has been considered “pubic information” and as such – has been taken from local electronic storage and converted into OPEN SOURCE data available across the entire internet.
- Until recently – the only 2 ways to file an appeal primarily involved:

- 1) Do it yourself – a daunting task for the average homeowner (and like shooting fish in a barrel for the municipality – oh how I miss those days...)
 - 2) Hire an attorney or appraiser – a costly option, robbed the deserving property owner of the full benefit of any reduction
- Now, Tax Appeal “Tools” are readily available to quickly inform a property owner of their assessment status with regard to Chapter 123, and what the valuation parameters would be for a successful appeal (*see Screenshot #3 from TaxRite.com*)
 - Some tools actually go further than above by suggesting a course of action. To reach this “suggestion”, there is an internally-calculated estimate of market value based on algorithms employed utilizing data that is not always readily apparent (*see Screenshot #4 & 5 from laniertaxappeals.com*)

Screenshot #3 – from TaxRite.com (*pertaining to my home property*)

TAXRITE™
THE EASIEST WAY TO REDUCE YOUR PROPERTY TAXES

Your property 1. Address 2. Property Summary 3. Payment Information 4. Payment Confirmation

Property Summary

Property Location Summary	
Address: 172 PEQUEST RD	County: Sussex
State: New Jersey	City: ANDOVER
Owner Name: 🏠	
Block: 20	Lot: 12
Living Space (SqFt): 2727	Lot Size (SqFt): 170929
Last Sold Price: \$220,000	Last Sold Date: 1996/05/28
Type: Single Family House	Estimated Market value: 🏠

Current Tax Information	
Land Assessed Value:	\$158,000.00
Improvements:	\$269,500.00
Assessed Value:	\$427,500.00 (2011)
TOTAL TAXABLE:	\$427,500.00
Property Tax:	\$9,982.13

TAXRITE has determined that you do not need to apply for a tax appeal.

Our analysis shows that you could not save money on your current year's property taxes by submitting a property tax appeal petition to your municipality.

(NOTE: I only provided a property address to this site – no personal estimate of value)

Screenshot #4 – from laniertaxappeals.com (pertaining to my same home property)

Assessment Appeals made easy with... **Tackle** Appeals Calculator

Sussex County

Welcome to Tackle, NJ's Property Tax Appeal Calculator.
We are here to serve you. Please enter your assessment, municipality, and your estimated value to get your value.

Your Current Assessed Value: (from your tax card or Click Here) \$ 427500

Select Your Township: Green Twp

Your Estimated Value* "What do you think its worth?" \$ 400000

Calculate My Appeal

Tackle NJ Tax Appeal Calculator

Screenshot #5 – from laniertaxappeals.com (pertaining to my same home property)



- The above 3 screenshots – involving 2 separate websites – illustrate how differently online Tax Appeal Companies may handle the same property (one says NO to an appeal – the other suggests YES and implies savings of \$1,147/yr in taxes)
- New companies are “getting into the business” every day, especially considering the long protracted time period of the current recession and the impact it has had on real estate values (*see screenshot #6*)

Screenshot #6 – from onlinetaxappealservices.com (*pertaining to a business venture*)



- What does a property owner have to lose? Many online tax appeal sites offer a “no risk guarantee” to the property owner that reimburses them in the event an appeal they manage is “unsuccessful” (*see screenshot #7*)

Screenshot #7 – from onlinetaxappeal.com

Online Property Tax Appeal
Helping Homeowners Lower Their Property Taxes

Client Login

Home About Us FAQs Glossary Contact Us

70% of property tax appeals are won.
The average savings is over \$800.00 per year.

We have saved homeowners just like you thousands on their OVERPAID property taxes!

Are You Overpaying Your Property Taxes?
FIND OUT NOW FREE
Fill out our form below to find out if your property is Over Assessed and how much you could save by winning an appeal

Street # Street Name e.g. Main
Unit Zip Code
For Security Reasons enter the code below.
3tb3 Enter Code

Submit

100% Money Back Guarantee

Online Tax Appeal stands behind the accuracy of forms, instructions and Comparable Market Analysis Report provided to each of our customers.

All homeowners who appeal their Property Tax Assessment receive a letter from the Taxing Authority informing them whether their tax appeal has been accepted or denied.

Therefore, if our customer is unsuccessful in lowering their Property Tax Assessment due to the quality of the Comparable Market Analysis Report provided by Online Tax Appeal, we will fully refund the money you paid us.

How to Receive Your Refund
The customer is required to mail, fax or e-mail the letter of denial from the Taxing Authority as well as proof of purchase to Online Tax Appeal within 90 days of receipt from the Taxing Authority. Once received, we will immediately refund in full, the money you have paid to us.

A Message from Our CEO
We believe you have purchased the finest product in the industry, containing concise, accurate and compelling information about the value of your property. That's why we stand behind our product 100%.
It's More Than a Promise...It's our Guarantee.
Michael F. Krzeminski
CEO

Property Details
Property Address:
County:

MONEY BACK 100% GUARANTEE

Changes in Technology have affected how appeals are prepared

A Case Study utilizing 3 of the most noticeable Online Tax Appeal Sites from the internet:

1. ValueAppeal.com
2. EasyTaxFix.com
3. TaxRite.com

NOTE: There has been some generic information shared among Assessor's on the AMANJ Blog, but most people involved in this aspect of our profession (Assessors, CTB personnel, Appraisers, Attorneys) don't really know SPECIFICALLY how these sites work. This is a brief overview of my findings after registering – or trying to register – on each one.

[ValueAppeal.com](http://www.bizjournals.com/seattle/blog/techflash/2011/06/valueappeal-raises-16m-to-fund-growth.html)

From the Puget Sound Business Journal
: <http://www.bizjournals.com/seattle/blog/techflash/2011/06/valueappeal-raises-16m-to-fund-growth.html>

FUNDING

ValueAppeal raises \$1.6M to expand tax appeal service

Puget Sound Business Journal by Greg Lamm, Staff Writer

Date: Wednesday, June 1, 2011, 7:05am PDT



Greg Lamm
Staff Writer
[Email](#)

Seattle startup [ValueAppeal](#) has raised an additional \$1.6 million from angel investors, founder and CEO [Charlie Walsh](#) said.

ValueAppeal, which provides home owners with an online property tax appeal service, [raised \\$1.5 million](#) in 2010, also from the same angel investors.

Walsh said the company, [launched in 2009](#), will use the funds to hire more people, expand its technology and market its services. Walsh said he was able to raise the most recent funds in less than three weeks.

ValueAppeal has 15 employees and is planning to move into larger space to accommodate its growth. Walsh said ValueAppeal has expanded rapidly in the past year, when it offered its customized reports in five counties in Washington, California and Nevada.


Today, the company's service is available in 80 percent of the nation's counties, including all major metro areas.



The company charges \$99 to create an appeal document, which includes a list of comparable properties that are supposed to reflect the true value of the home.

Walsh is so much confident in his company's technologies and algorithms that he offers a refund for any homeowner who doesn't gain a lower assessment after receiving a ValueAppeal report that indicates the homeowner's property is over assessed.

The company says that 80 percent of customers using ValueAppeal have successfully appealed their property taxes, resulting in an average tax savings of \$839.

- This site is user-friendly, and only requires a property address to get started. The next few screens provide an overview of their process:

 ValueAppeal™

 +1  Like

29555

1-877-829-1277

CALCULATE MY PROPERTY TAXWHAT WE DOPRESS & CUSTOMER STORYSMEDIA INFOMEET OUR TEAMBLOG


OverviewOur ProcessProducts and PricingOur GuaranteeProperty Tax Appeal BasicsFAQ

Overview

Our services help overassessed homeowners lower their property taxes. [Find out for FREE if you are overassessed.](#) Use our simple process that takes as little as 10 minutes to appeal your property tax assessment and lower your taxes. Results are GUARANTEED.

ValueAppeal - Appeal Your Property TaxesShareMore info

ARGUMENT 1
Comparable Sales



We provide everything that you need to [appeal your property taxes](#). By entering your address in our website we search your area and can let you know if you are overassessed.

If you are overpaying your property taxes we can help. In 10 minutes we walk you through the simple steps of creating your customized Appeal which you print and mail!

Appeals on your own can take hours or days with limited success. We dramatically reduce the time spent and we guarantee our results!

Check your property

Overview

Our Process

Products and Pricing

Our Guarantee

Property Tax Appeal Basics

FAQ

We make the process of appealing your taxes easy

1 Check property

2 Identify savings

3 Select comparables

4 Print, sign, and send

Check your property

Instantly determine if you are overassessed by simply entering your address. If you are, we step you through our easy process. If not, we will protect you against overpaying next year.

Identify possible savings

We analyze your property by comparing it to many other homes in your area and also reviewing your local region's property tax rules. If you are overassessed, we step you through our easy process. If not, we will protect you against overpaying next year.

Select comparable home sales

Comparable home sales (comps) are the basis for an appeal and show why you are overassessed. There are many rules and regulations that dictate which comps may be allowed. We do the hard work for you and select only those that can be considered. We select the comps that we believe create the strongest case for you. Using your knowledge of the area, you make the final selections.

Describe your property condition

We ask you additional questions about the condition of your house to bolster your case. Factors that are not included in the county data such as a leaky roof, cracked foundation or busy street can impact the assessment.

Print, sign and send

We try to complete as much of the necessary forms as possible for you. All you need to do is print and sign the report and then send it in to your assessor's office before the deadline. We also provide you with instructions and a checklist to help.

It's like Tax Appeal on a Stick!

The Cost:

<p>3-Year Property Tax Protection</p> <p>We have you covered. For the next 3 years, we will monitor your property's assessment and will send you an alert each year if we think you are fairly assessed or overassessed. If you are overassessed, we give you 1 free Property Tax Appeal Evidence Report to lower your assessment will alert you to the key dates and deadlines.</p> <p>Learn more about Property Tax Protection</p>	<p>\$24.99</p>	<p>Protect yourself from overpaying in the future. We watch your assessment for you, and when we think you are overpaying, you have access to the necessary tools and expertise to file a successful appeal!</p>
<p>Property Tax Appeal Evidence Kit</p> <p>Save time and money with our Property Tax Appeal Evidence Kit. You benefit by getting everything you need to successfully lower your taxes including an Appeal Evidence Report, County Appeal Form, Success Checklist and more. Our property tax experts also provide help along the way. Cost: only \$99 with full money-back guarantee!</p> <p>Learn more about Property Tax Appeal Evidence Report</p>	<p>\$99 with 100% money back guarantee</p>	<p>Save time and money! We have everything you need in one place to quickly build a successful report.</p>
<p>Comp Research Tool</p> <p>Research your jurisdiction's comps in advance to understand their argument. This tool enables you to enter the comp's address and see relevant information about the property.</p>	<p>FREE</p>	<p>Gain an advantage with the Comp Research Tool by preparing in advance to secure a bigger reduction. You can tell the hearing Board why your comps are better.</p>

Another Guarantee:

The screenshot shows the ValueAppeal website. The header includes the company logo, a phone number (1-877-829-1277), and social media links. The navigation bar lists: CALCULATE MY PROPERTY TAX, WHAT WE DO, PRESS & CUSTOMER STORIES, MEDIA INFO, MEET OUR TEAM, and BLOG. A left sidebar contains links to Overview, Our Process, Products and Pricing, Our Guarantee (highlighted), Property Tax Appeal Basics, and FAQ. The main content area is titled "100% MONEY BACK GUARANTEE" and contains the following text:

We guarantee you will lower your assessment when using our Property Tax Appeal Evidence Report or we will give you a full refund. If you are unsuccessful in reducing the assessed value of your property due to the quality of the analysis provided in the Appeal Evidence Report, we will fully refund your fee. While we cannot guarantee the exact amount of your savings, we do guarantee your property assessment will be lowered or we will fully refund your \$99.

You will receive a letter in the mail from your jurisdiction with the results of your appeal. If you are denied, send us a copy (either by email, fax, or mail) of the written denial within 6 months of receiving it and we will refund your fee immediately.

How to Claim Your Refund

Regardless of whether your appeal is accepted or denied, you will receive a letter in the mail communicating the region's decision. The customer is required to email or fax to ValueAppeal, within six months after receipt from the county, a copy of the written denial they receive from the region, and we'll refund the fee immediately.

Email: customerservice@valueappeal.com
Fax Number: 1-206-260-8910
Phone Number: 1-877-829-1277

Reasons we will fully refund our fee:

The appeal board determines that the comparable sales provided by ValueAppeal are inadequate evidence for lowering the assessed value of the homeowner's property.

A red bracket and arrow point to the "Reasons we will fully refund our fee:" section.

This is very important to understand for this site. When I tried to have this site evaluate my own property (see Pg 15) – they told me I didn't have a case this year. I believe the reason they told me that was because they could only provide 2 sales from their internal algorithm. This same situation was evident again on Pg 22 of this outline when I tried to "deselect" one of the 5 sales "provided" by the company. That screen shot shows how I was not allowed to proceed further unless I selected a fifth sale. In that instance, the company had only provided me with 5 sales to choose from, so I had to select all of them – regardless of comparability!

Based on their refund policy as pointed out above, it appears that the company is trying to ensure the greatest degree of possible success by forcing its users to present 5 sales during an appeal. That way there is a much better chance (?) of the petitioner getting a reduction – either from the Assessor trying to settle the matter, or the CTB – based on the tried and true "if you throw enough things at the wall eventually something is likely to stick" principle. From a business perspective, this practice would make it easier for the company to make their "GUARANTEE".

What they do...

We do all the hard work for you, in seconds

The analysis process is complex and requires significant research – the good news is our automated property tax analysis system does the hard work for you. Below are the key pieces of our process:

How to appeal your property taxes:


1. Find your property
2. Look-up your property information at the county
3. Understand your county's property tax assessment and property tax appeal rules and regulations
4. Determine the relevant time frames for your property's assessment and appeal
5. Locate comparable homes sales data
6. Determine comparable homes sales data time frames
7. Disqualify and remove comparable homes foreclosures and short-sales
8. Process the county's rules and regulations against your property and comparable home sales
9. Calculate whether or not your property is overassessed or not

Next steps

If your property is overassessed, our [Property Tax Appeal Evidence Report](#) gives you the information necessary to lower your taxes, guaranteed.



OK, sounds good. Let's get started:

 **ValueAppeal™**


+1 29

Like 556

1-877-829-1277

[CALCULATE MY PROPERTY TAX](#) | [WHAT WE DO](#) | [PRESS & CUSTOMER STORIES](#) | [MEDIA INFO](#) | [MEET OUR TEAM](#) | [BLOG](#)


1 Are you overpaying?



Hundreds of thousands of homeowners have used our **FREE** analysis service to see if they are overassessed. Simply enter your address above to find out today!

[Property Tax Analysis](#)


2 We can help you save!



If you are paying too much, our Tax Appeal Kit is **guaranteed** to lower your tax bill—or your money back. Users save an average of **\$1,346** a year in property taxes.

[Property Tax Appeal Evidence Report](#)

3 Protect yourself next year!



25% of homes in the US are overassessed each year. We will monitor your property's assessment and notify you when you can save.


[Property Tax Protection](#)

We can determine if your home is overassessed and if you are overpaying your property taxes.

[Find out ... FREE](#)

e.g., 100 34th Ave W #201, 98199 or 210 Main St, 98199

(again – checking my home property first to see if they feel an appeal is warranted)

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You are not currently overpaying your property taxes

Your 2011 assessment is fair

How do we know?


We analyzed 20 sales comparables in your neighborhood and here are the top three comparisons we made to determine that you are not overpaying your taxes in 2011.

Address	Sale Price ?	SqFt	Distance
2 Spring Hunter Ct, Andover, NJ 07821	\$485,000	2,724	2.37mi
39 Hedden Rd, Andover, NJ 07821	\$410,000	3,328	1.94mi

Download your full Assessment Report FREE!

Your Assessment Report shows all the comparable sales used to determine your status as well as a full analysis of the information in your area.

holzy@ptd.net




Google ©2012 Google

True Market Value ?	\$391,375
Assessed Value ?	\$427,500
Tax Rate	2.81 %
Tax Bill	\$11,016

OK – better luck next year.

They'll "keep an eye out" for me (for a fee of course)

**ValueAppeal™**

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Like 53


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[CALCULATE MY PROPERTY TAX](#) | [WHAT WE DO](#) | [PRESS & CUSTOMER STORIES](#) | [MEDIA INFO](#) | [MEET OUR TEAM](#) | [BLOG](#)

Protect Yourself From Overpaying

This year, your assessment was fair. However, most counties reassess properties every year. Our Property Tax Protection Plan will monitor your home's assessments throughout 2012, 2013, and 2014.

	Tax Bill	Status	You can...
2011	\$11,016	Not Overassessed at \$391,375	Log into your account to view your FREE Assessment Report
2012	To be reported 10/1/2012	You will be reassessed in end 2012	Purchase our Property Tax Protection Plan
2013	To be reported 10/1/2013	You will be reassessed in end 2013	We will monitor your home for three years. If you are ever overassessed, we will help lower your taxes with no additional fees .
2014	To be reported 10/1/2014	You will be reassessed in end 2014	Get Protected



Google ©2012 Google

True Market Value

\$391,375

Assessed Value

\$427,500

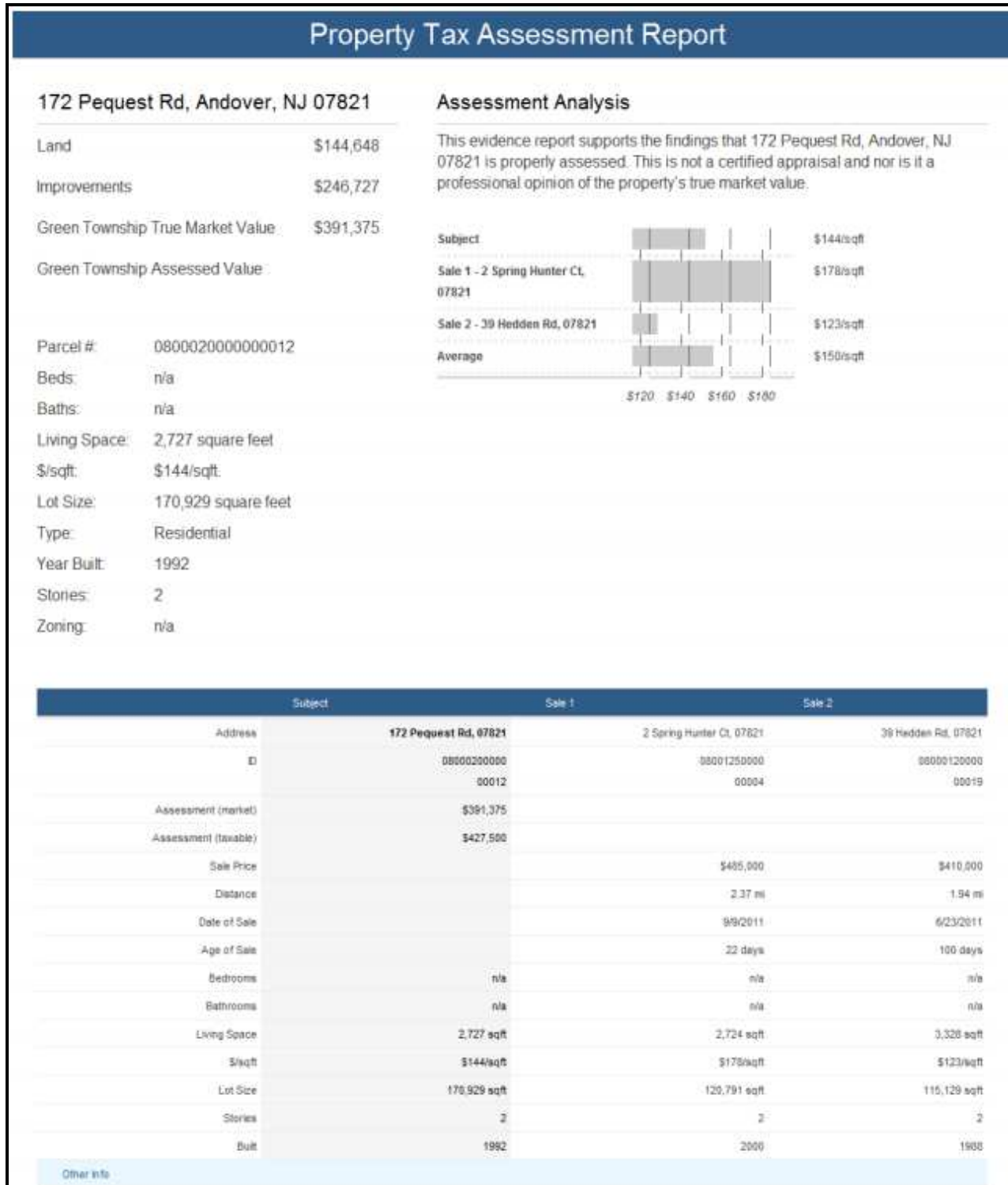
Tax Rate

2.81 %

Tax Bill

\$11,016

What I got for free:



Now – let's try another property. The following is a real property that I had an appeal on in Morris Plains at the CTB for 2012. The property owner was one of 17 owners that utilized this service in the filing/preparation of their appeals this year. After inputting the address for this property, the "owner" would then see the following:

ValueAppeal™ 1-877-829-6711

CALCULATE MY PROPERTY TAX | WHAT WE DO | PRESS & CUSTOMER STORIES | MEDIA INFO | MEET OUR TEAM

31 Hawthorne Ave
Morris Plains, NJ 07950

You're currently overpaying by \$1,900!
ValueAppeal estimated your overpayment using Morris Plains Borough's unique appeal guidelines for eligible comparable home sales.

Morris Plains Borough has overassessed your property by \$107,755!

$\$107,755 \times 1.80\% \text{ tax rate}$

\$1,900 /yr in savings!
in property taxes

We can provide several eligible comparable sales to choose from which sold for less than your 2011 assessment amount

Similar Homes	Sale Price
93 Maple Ave, 07950 3,124 sqft. 0.09 miles	\$510,000
Diana Rd, 07950 1,513 sqft. 0.16 miles	\$405,000
Burch Dr, 07950 1,292 sqft. 0.32 miles	\$405,000

Showing 3 of 33

[What is this?](#)

Your tax appeal filing deadline passed
Morris Plains Borough's tax appeal filing deadline was on Monday, Apr 02, 2012. You will have the opportunity to challenge next year's assessment on Friday, Feb 01, 2013.

However, if you have a pending appeal, we can still help...
Our evidence report is guaranteed to help you lower your property tax assessment or your money back

Get Started

Do not worry: we will remind you next year
We are monitoring the tax information for 31 Hawthorne Ave, Morris Plains, NJ 07950 and will keep you informed on your assessment and appeal next year.

What is this?

To appeal your property taxes you are required to provide several comparable sales between 10/1/2010 and 10/1/2011 that indicate your home is overassessed. Based on the unique requirements of Morris Plains Borough we have found 33 that will give you a strong case

*This is the pop-up
dialogue box you get
when you click this link*

What you get.... what they get (cost)...

The screenshot displays the ValueAppeal website interface. At the top, the ValueAppeal logo is on the left, and social media links for Google+, Facebook, and Twitter are on the right, along with the phone number 1-877-829-6711. A navigation bar includes links for 'CALCULATE MY PROPERTY TAX', 'WHAT WE DO', 'PRESS & CUSTOMER STORIES', 'MEDIA INFO', and 'MEET OUR TEAM'. On the left sidebar, a progress bar shows four steps: 1. YOUR PROPERTY (selected), 2. ESTIMATED SAVINGS, 3. REVIEW COMPARABLE SALES, and 4. FINALIZE YOUR APPEAL. Step 2 details a property at 31 Hawthorne Ave, Morris Plains, NJ 07950, with an original assessment of \$561,760 and a revised assessment of \$445,820, resulting in \$1,944 in savings. A red banner notes that the user is past the deadline to appeal this assessment. The main content area features a 'Property Tax Appeal Kit' description, a list of five benefits received, and a 'Purchase Report' button. On the right, a green box guarantees a 100% refund if the appeal is unsuccessful, and a blue box shows the \$99 time fee. Accredited Business and Verified & Secured logos are also present.

ValueAppeal™

1-877-829-6711

CALCULATE MY PROPERTY TAX | WHAT WE DO | PRESS & CUSTOMER STORIES | MEDIA INFO | MEET OUR TEAM

1 YOUR PROPERTY
31 Hawthorne Ave
Morris Plains, NJ 07950

2 ESTIMATED SAVINGS \$1,944

Original Assessment	\$561,760
Revised Assessment	\$445,820

3 REVIEW COMPARABLE SALES

4 FINALIZE YOUR APPEAL

Have Questions? 1-877-829-6711

Property Tax Appeal Kit

Save time and money with our Property Tax Evidence Report. You benefit by getting everything you need to successfully lower your taxes including an Appeal Evidence Report, County Appeal Form, Success Checklist and more. Our property tax experts also provide help along the way.

Note: You are currently past the deadline to appeal this assessment. Continue only if you already have a pending appeal. Email customerservice@valueappeal.com for any questions.

ValueAppeal One Time Fee \$99

WE GUARANTEE YOUR ASSESSMENT WILL BE REDUCED. We stand behind our results, if your appeal is unsuccessful we will refund 100% of our fee.

BBB ACCREDITED BUSINESS

VERIFIED & SECURED

WHAT DO YOU RECEIVE?

- 1 Your custom report with detailed information and communication specific to Morris.
- 2 We identify other evidence that can assist lowering your assessment such as recent issues with your property. We also analyze the fairness of other assessments in your neighborhood.
- 3 Morris mailing checklist and, in most cases, a pre-filled form to give you all the information you need to win
- 4 A customer service representative to help assist with any questions you have
- 5 Additional tools and resources to help respond to any communication from the municipality

Purchase Report

Now the start of their “internal” screening process. Despite the earlier claim that there were 33 sales found that would give you a “strong case”, there were only 5 sales provided to choose from at this stage of their appeal preparation (all were automatically selected for inclusion in the output report they generate).

1 YOUR PROPERTY


31 Hawthorne Ave
Morris Plains, NJ 07950

2 ESTIMATED SAVINGS

\$1,944

Original Assessment
\$561,760
Revised Assessment
\$445,820

3 REVIEW COMPARABLE SALES



4 FINALIZE YOUR APPEAL

Have Questions? 1-877-829-6711

Choose Your Comparable Sales

Use the interactive map and property comparison tools to select which sales you want to include in your appeal evidence report. Click continue when you are finished.

Continue

☒ **1 93 Maple Ave, 07950**
Beds: n/a Baths: n/a Space: 3,124 sqft (\$163/sqft)
Sold 3/10/2011
\$510,000
VALUEAPPEAL COMPScore™ B+
[Map & Photo](#)
[VIEW ADDITIONAL INFO](#)

☒ **2 6 Diana Rd, 07950**
Beds: n/a Baths: n/a Space: 1,513 sqft (\$267/sqft)
Sold 3/8/2011
\$405,000
VALUEAPPEAL COMPScore™ B+
[Map & Photo](#)
[VIEW ADDITIONAL INFO](#)

☒ **3 7 Burch Dr, 07950**
Beds: n/a Baths: n/a Space: 1,292 sqft (\$313/sqft)
Sold 5/6/2011
\$405,000
VALUEAPPEAL COMPScore™ B
[Map & Photo](#)
[VIEW ADDITIONAL INFO](#)

☒ **4 1 Park Way, 07950**
Beds: n/a Baths: n/a Space: 1,327 sqft (\$246/sqft)
Sold 11/11/2010
\$327,500
VALUEAPPEAL COMPScore™ B+
[Map & Photo](#)
[VIEW ADDITIONAL INFO](#)

☒ **5 29 Park Way, 07950**
Beds: n/a Baths: n/a Space: 1,430 sqft (\$279/sqft)
Sold 3/12/2011
\$400,000
VALUEAPPEAL COMPScore™ B
[Map & Photo](#)
[VIEW ADDITIONAL INFO](#)

Continue

Review Your Selections

OPTIONAL: It can be helpful to see your comparables' characteristics side by side. Review your selections below to ensure that they are appropriate for your appeal or simply click continue.

Previous

Continue


Comparable Sales (1 - 5 of 5)

ANALYSIS	Subject	Comp 1	Comp 2	Comp 3	Comp 4	Comp 5
Address	31 Hawthorne Ave, 07950	6 Diana Rd, 07950	7 Burch Dr, 07950	93 Maple Ave, 07950	29 Park Way, 07950	1 Park Way, 07950
ID	23000370000 00005	23000310001 00013	23000310001 000230009	23000390000 000330006	23000610000 00011	23000620000 00021
Assessment (market)	\$561,760					
Assessment (taxable)	\$522,100					
Sale Price		\$405,000	\$405,000	\$510,000	\$400,000	\$327,500
Distance		0.16 mi	0.32 mi	0.09 mi	0.7 mi	0.62 mi
Date of Sale		3/8/2011	5/6/2011	3/10/2011	3/12/2011	11/11/2010
Age of Sale		207 days	148 days	205 days	203 days	324 days
Bedrooms	n/a	n/a	n/a	n/a	n/a	n/a
Bathrooms	n/a	n/a	n/a	n/a	n/a	n/a
Living Space	2,126 sqft	1,513 sqft	1,292 sqft	3,124 sqft	1,430 sqft	1,327 sqft
\$/sqft	\$264/sqft	\$267/sqft	\$313/sqft	\$163/sqft	\$279/sqft	\$246/sqft
Lot Size	7,492 sqft	10,149 sqft	11,586 sqft	7,274 sqft	9,278 sqft	7,753 sqft
Stories	1	2	2	n/a	1	1
Built	1947	1950	1950	n/a	1924	1952
Other Info						
Block	37	31.01	31.01	39	61	62
Lot	5	13	23.09	33.06	11	21
		REMOVE	REMOVE	REMOVE	REMOVE	REMOVE

NOTE: When I tried to “deselect” one of the 5 comps – I got an error message (see bottom of screenshot) stating that I must utilize 5 comps. I could not proceed further until I re-selected the fifth comp for inclusion (comp #4 in this instance).

1 YOUR PROPERTY
31 Hawthorne Ave
Morris Plains, NJ 07950

2 ESTIMATED SAVINGS **N/A**
Original Assessment \$561,760
Revised Assessment N/A

3 REVIEW COMPARABLE SALES

Map data ©2012 Google - Terms of Use

4 FINALIZE YOUR APPEAL
[Open Your 2011 Formal Appeal](#)

Have Questions? **1-877-829-6711**

Choose Your Comparable Sales

Use the interactive map and property comparison tools to select which sales you want to include in your appeal evidence report. Click continue when you are finished.


<input checked="" type="checkbox"/> 1 93 Maple Ave, 07950 Beds: n/a Baths: n/a Space: 3,124 sqft (\$163/sqft) VIEW ADDITIONAL INFO	\$510,000 Sold 3/10/2011 Map & Photo	VALUEAPPEAL COMPScore™ B+
<input checked="" type="checkbox"/> 2 6 Diana Rd, 07950 Beds: n/a Baths: n/a Space: 1,513 sqft (\$267/sqft) VIEW ADDITIONAL INFO	\$405,000 Sold 3/8/2011 Map & Photo	VALUEAPPEAL COMPScore™ B+
<input checked="" type="checkbox"/> 3 7 Burch Dr, 07950 Beds: n/a Baths: n/a Space: 1,292 sqft (\$313/sqft) VIEW ADDITIONAL INFO	\$405,000 Sold 5/6/2011 Map & Photo	VALUEAPPEAL COMPScore™ B
<input type="checkbox"/> 4 1 Park Way, 07950 Beds: n/a Baths: n/a Space: 1,327 sqft (\$246/sqft) VIEW ADDITIONAL INFO	\$327,500 Sold 11/11/2010 Map & Photo	VALUEAPPEAL COMPScore™ B+
<input checked="" type="checkbox"/> 5 29 Park Way, 07950 Beds: n/a Baths: n/a Space: 1,430 sqft (\$279/sqft) VIEW ADDITIONAL INFO	\$400,000 Sold 3/12/2011 Map & Photo	VALUEAPPEAL COMPScore™ B





You must select at least 5 comps to continue.

There is an opportunity to make certain comments about your property. There is no opportunity to individually “adjust” for anything brought up with these comments. They appear to be for inclusion only as an area “for additional consideration”.

1 YOUR PROPERTY 31 Hawthorne Ave Morris Plains, NJ 07950	Property Condition Questions In addition to providing comparable homes as evidence in your case, you may use the space below to highlight any additional issues that the appeal board should know about when reviewing your appeal. Is there an error in the municipality data that you're certain increases the assessed value of your home? Example: Does your home have fewer bedrooms, bathrooms, or square feet than the municipality records say you do? (Remember, a data change may prompt a visit from the assessor to confirm the accuracy of your claim.) <div>Square footage seems high based on useable area</div> Are there any significant structural issues with the home? Please explain. Examples: Cracked foundation, leaking roof, termites, fire damage, etc. <div>All original - no updates in Kit or Bath since house was built</div> Do you have a quote from a contractor in the past year to make significant repairs to your home? If so, please describe the repairs here. Also, include a photocopy of the bill with your Property Assessment Appeal Evidence. <div></div> Are there any significant issues with your lot that would effect a proper valuation? Examples: Oddly shaped lot, unusable lot area, extremely steep grade, significant erosion or drainage problems, etc.
2 ESTIMATED SAVINGS \$1,944 Original Assessment \$561,760 Revised Assessment \$445,820	
3 REVIEW COMPARABLE SALES 5 out of 5 comparables selected	
4 FINALIZE YOUR APPEAL Open Your 2011 Formal Appeal	
Have Questions? 1-877-829-6711	

There is a Confusion of Terms: This site routinely refers to the property “assessment” based on the calculation of EQUALIZED VALUE. The actual 2012 assessment for this property is \$522,100.




 +1  29  Like  555

1-877-829-6711

CALCULATE MY PROPERTY TAX | WHAT WE DO | PRESS & CUSTOMER STORIES | MEDIA INFO | MEET OUR TEAM

[Your Properties](#) > 31 Hawthorne Ave, Morris Plains, NJ 07950
[Monitoring Service \(ON\)](#) | [Delete](#)



2011 Assessment is Overassessed

2012 ASSESSMENT WILL BE IN 159 DAYS

Most counties reassess properties every year. Our Property Tax Protection Plan will monitor your home's assessments in the future.

[Protect Yourself](#)

[Download Report](#) | [Re-Evaluate](#) | [Hearing Preparation](#)

Assessment for 2011	Our Assessment	Difference	Savings
\$561,760	\$445,820	\$115,940	\$1,944

Formal Appeal

Year	Status	Assessment	Our Assessment	Difference	Savings	
2011	Overassessed	\$561,760	\$445,820	\$115,940	\$1,944	Download Report More...
2010	Overassessed	\$556,728	\$422,585	\$134,143	\$2,270	Evaluate
2009	N/A					Evaluate

Have Questions?

Call us at 1-877-829-6711 if you have any questions at any time during this process.

From this screen, you can select “Download Report” to get the finished appeal form and supporting documents.

The provide their clients with advice on getting ready for the Tax Appeal Hearing:

The screenshot shows the ValueAppeal website. At the top, there is a navigation bar with links: CALCULATE MY PROPERTY TAX, WHAT WE DO, PRESS & CUSTOMER STORIES, MEDIA INFO, and MEET OUR TEAM. The main content area is titled '31 Hawthorne Ave, Morris Plains, NJ 07950 > Hearing Preparation'. Below this, there is a section for 'Hearing Preparation' with a paragraph of text and a link to 'Preparing for your hearing'. Another section, 'Comparative Analysis', explains the tool's purpose and includes a text input field with three addresses: '115 Glenbrook Dr, Morris Plains NJ, 07950', '35 Burch Dr, Morris Plains NJ, 07950', and '27 Franklin Pl, Morris Plains NJ, 07950'. Below the input field, there is a list of example addresses: '111 Main Street, Seattle WA, 98009', '251 Main Street, Seattle WA, 98009', '368 Main Street, Seattle WA, 98009', and '785 Main Street, Seattle WA, 98009'. A red 'Compare' button is at the bottom.

ValueAppeal™

1-877-829-6711

CALCULATE MY PROPERTY TAX | WHAT WE DO | PRESS & CUSTOMER STORIES | MEDIA INFO | MEET OUR TEAM

31 Hawthorne Ave, Morris Plains, NJ 07950 > Hearing Preparation

Hearing Preparation

More often than not, when you file a property tax appeal your assessor will schedule a hearing for your case. In this meeting you, and other homeowners, must present your evidence to the board of equalization and be prepared to answer questions from board members as well your assessor. Read the attached document to know how you can prepare to present a winning argument.

[Preparing for your hearing](#)

Comparative Analysis

Municipalities will often present a counter argument to yours. This tool will help you analyze whether or not their argument is valid. Tell us which properties to compare against. Your letter from the Municipality will indicate the properties that they have deemed valid.

115 Glenbrook Dr, Morris Plains NJ, 07950
35 Burch Dr, Morris Plains NJ, 07950
27 Franklin Pl, Morris Plains NJ, 07950

Please format like this:

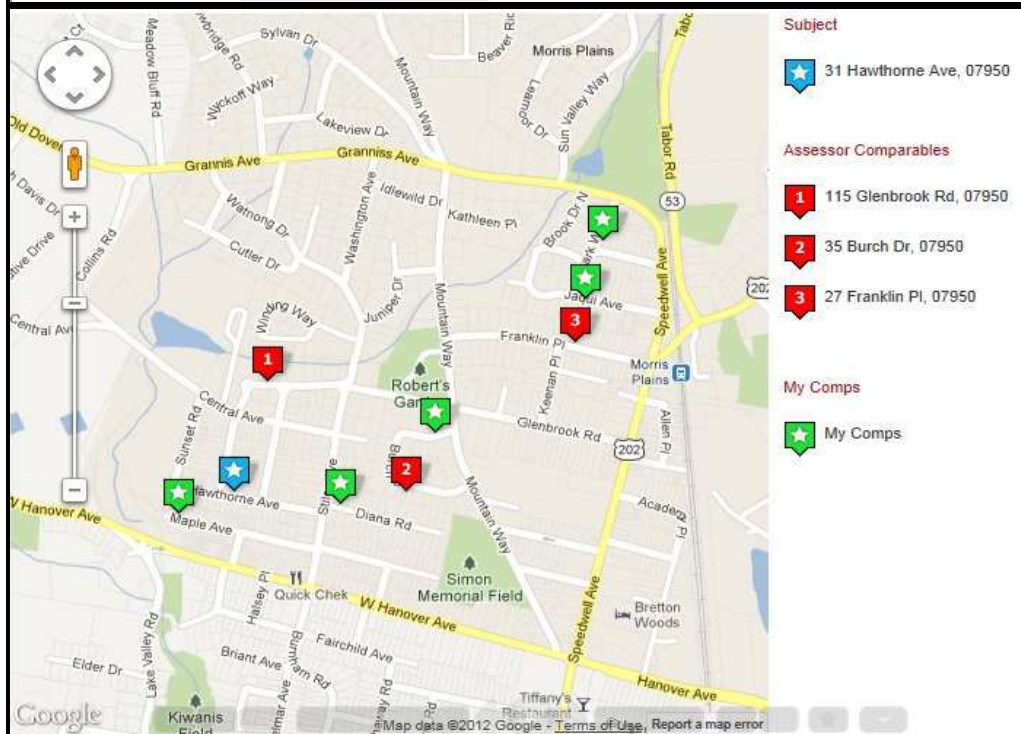
111 Main Street, Seattle WA, 98009
251 Main Street, Seattle WA, 98009
368 Main Street, Seattle WA, 98009
785 Main Street, Seattle WA, 98009

[Compare](#)

I filled in the addresses for the 3 Comps that the municipality relied on in the appeal.

Help for the taxpayer's case – what they had to reveal about the municipality's Comps

ANALYSIS	Subject	Assessor Comp 1	Assessor Comp 2	Assessor Comp 3
Address	31 Hawthorne Ave 07950	115 Glenbrook Rd 07950	35 Burch Dr 07950	27 Franklin Pl 07950
ID	2300037000000005	2300041000200006	23000310001000230020	23000630000000031
Assessment	\$561,760	\$422,745	\$402,517	\$441,252
Sales		SOLD \$440,000 (\$255/sqft) - 201 days - 3/14/2011	SOLD \$425,000 (\$255/sqft) - 1094 days - 10/2/2008 SOLD \$446,000 (\$267/sqft) - 48 days after - 11/18/2011 SOLD \$446,000 (\$267/sqft) - 67 days after - 12/7/2011	SOLD \$515,000 (\$355/sqft) - 73 days after - 12/13/2011
Distance		0.19 mi	0.26 mi	0.58 mi
Bedrooms	n/a	n/a	n/a	n/a
Bathrooms	n/a	n/a	n/a	n/a
Living Space	2,126 sqft	1,721 sqft	1,666 sqft	1,447 sqft
Lot Size	7,492 sqft	15,681 sqft	12,283 sqft	8,407 sqft
Stories	1	2	2	2
Built	1947	1946	1950	1910
Other Info				
Living Space	2,126	1,721	1,666	1,447
Lot Space	7492	15681	12283	8407



PRINT ON LEGAL SIZE PAPER

STEP-BY-STEP INSTRUCTIONS

Submitting Your Property Tax Appeal

Morris County, NJ

SUBMITTING YOUR APPEAL

1. Print out all pages of your Custom Appeal Report. This will include:

- Step-By-Step Instructions
- **Three (3)** copies of the Official "Petition of Appeal" form (Form A-1)
- **One (1)** copy of your Property Assessment Appeal Evidence

2. Review all three copies of your "Petition of Appeal" form (Form A-1). Information that is available has been pre-filled for you. Complete any questions/fields that have not been pre-filled.

- Near the upper right of the "Petition of Appeal," fill in a daytime telephone number where you can be reached.
- Near the bottom left of the "Petition of Appeal," sign and date the form where indicated.
- **Next: We will tell you where to send your application fee, and each petition. Follow the instructions below.**

3. Make a check out to the "County Tax Administrator" for your county's filing fee. The amount of the check depends on the current assessed value of the property being appealed:

- \$5 for assessed valuation less than \$150,000
- \$25 for assessed value between \$150,000 and \$499,999
- \$100 for assessed value between \$500,000 and \$999,999
- \$150 for assessed value of \$1 million or more

NOTE: A county's filing fee is non-refundable.

4. Mail your **filing fee check** and **One (1)** copy of the "Petition of Appeal" form (A-1) to County **Board of Taxation**, at the address written below:

Morris County Board of Taxation
PO Box 900
Morristown, NJ 07963

5. Mail **(1) copy** of the completed "Petition of Appeal" form (A-1) to the **Clerk** at the address listed below as soon as possible:

Morris Plains Boro Clerk
531 Speedwell Ave

Morris Plains, NJ 07950

6. Mail **(1) copy** of the completed "Petition of Appeal" form (A-1) to the Assessor at the address listed below as soon as possible:

Morris Plains Boro Assessor
531 Speedwell Ave

Morris Plains, NJ 07950

DON'T MISS YOUR FILING DEADLINE!

Petitions must be recieved by the assessor no later than April 2nd, 2012.

IMPORTANT:

The "Petition for Appeal" forms must be **printed on legal sized paper (8½ by 14)** per New Jersey regulations or it will be rejected!

STEP-BY-STEP INSTRUCTIONS

Submitting Your Property Tax Appeal

Morris County, NJ

7. IMPORTANT: Be sure your appeal forms are RECEIVED before the deadline of April 2, 2012! To be sure your appeal is received, we recommend sending via certified mail.

Keep the other copy of your Property Assessment Appeal Evidence for your own records. If you have a hearing, you will want to bring this with you as it is your argument for a reduced assessment.

Note: Do NOT mail the Comparable Sales Report. Only mail the appeals form! You will use your sales report in the event that you have to attend a hearing.

About New Jersey Assessment Ratios (Average Ratios)

New Jersey uses an assessment ratio in order to relate your home's taxable value to current housing market conditions. For example, if your taxable value is \$100,000 and your municipality's assessment ratio is 75, your taxable value is currently 75% of what your house should sell for on the open market. In other words, a 75% assessment ratio with a taxable value of \$100,000 means your property is assessed for and should sell for about \$133,000 in the current market.

What Happens Next?

Once your appeal is received, it will be reviewed, and you may be contacted by the assessor. Oftentimes they will work to resolve your appeal at this early stage, while other times a hearing before the County Tax Board will be scheduled. It is strongly recommended that you attend this hearing. If you miss it or do not attend, the County Tax Board will typically dismiss the case "for lack of prosecution."

YOU MAY BE APPROACHED BY THE COUNTY IN A VARIETY OF WAYS ENCOURAGING YOU TO WITHDRAW OR GIVE UP ON YOUR APPEAL - DO NOT WITHDRAW YOUR APPEAL UNDER ANY CIRCUMSTANCES. YOU HAVE A GOOD CASE AND THEY WILL DO EVERYTHING THEY CAN TO DISCOURAGE YOU FROM PROCEEDING. IF YOU ARE CONTACTED BY THE COUNTY AND HAVE QUESTIONS, DO NOT HESITATE TO CALL AND WE WILL ASSIST YOU.

IMPORTANT: If the assessor contacts you regarding your appeal, you should request the list of the specific comps the assessor thinks support their original assessment of your property.

Once you receive this list of comps from the assessor:

- Log in to your account
- Click on the "Comparative Analysis" button
- Enter the address or parcel ID for each of the comps the assessor has provided to support their original assessment.

Our Comparative Analysis tool will analyze the assessor's comps and tell you the reasons why the assessor's comps are not as comparable to your property.

Print a copy of the Comparative Analysis results and take it with you to your appeal hearing. This Comparative Analysis, combined with your comparable sales evidence, is your script for making your case during the appeal hearing.

A petition filled out with the Value Appeal program shows the property class in a "larger font" than the rest of the typing

Form A-1 (7-10)

PETITION OF APPEAL
 COUNTY BOARD OF TAXATION

Appeal Number _____

Property Class 2

NAME OF PETITIONER Scott Holzhauer
 (Please type or print)

MAILING ADDRESS 31 Hawthorne Ave
Morris Plains, NJ 07950

Daytime Telephone No. : () _____

E-mail Address holzy@ptd.net

BLOCK 37 LOT 5 QUALIFIER _____ Lot Size 7492

Municipality Morris Plains Borough Property Location 31 Hawthorne Ave

Name, telephone no., fax no. and address of person or attorney to be notified of hearing and judgment if different than above:

SECTION I - APPEAL OF REAL PROPERTY VALUATION (SEE INSTRUCTION SHEET FOR FILING FEES AND DEADLINE DATE)
 TAX YEAR 2012

CURRENT ASSESSMENT		REQUESTED ASSESSMENT	
Land	\$ <u>235,000</u>	Land	\$ <u>186,499</u>
Improvement	\$ <u>287,099</u>	Improvement	\$ <u>227,845</u>
Abatement	\$ _____	Abatement	\$ _____
Total	\$ <u>522,100</u>	Total	\$ <u>414,345</u>
Purchase Price \$ _____		Tax Court Pending <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
Date of Purchase _____			

OTHER REASON FOR APPEAL: Comparable home sales show that a lower assessment is warranted.

SECTION II - COMPARABLE SALES (See Instruction #9B)

Block/Lot/Qualifier	Property Location	Sale Price	Sale/Deed Date
1. <u>31.01 / 13</u>	<u>6 Diana Rd</u>	<u>\$ 405,000</u>	<u>3/8/2011</u>
2. <u>31.01 / 23.09</u>	<u>7 Burch Dr</u>	<u>\$ 405,000</u>	<u>5/6/2011</u>
3. <u>39 / 33.06</u>	<u>93 Maple Ave</u>	<u>\$ 510,000</u>	<u>3/10/2011</u>
4. <u>81 / 11</u>	<u>29 Park Way</u>	<u>\$ 400,000</u>	<u>3/12/2011</u>
5. <u>62 / 21</u>	<u>1 Park Way</u>	<u>\$ 327,500</u>	<u>11/11/2010</u>

SECTION III - APPEAL FOR DENIAL OF: (See Instruction #4, "Filing Fees")

- | | |
|---|--|
| 1. <input type="checkbox"/> Veteran's Property Tax Deduction | 5. <input type="checkbox"/> 100% Disabled Veteran Exemption or Surviving Spouse or Civil Union Partner or Domestic Partner Exemption |
| 2. <input type="checkbox"/> Veteran's/Serviceperson's Surviving Spouse or Veteran's/Serviceperson's Surviving Civil Union Partner or Veteran's/Serviceperson's Surviving Domestic Partner Deduction | 6. <input type="checkbox"/> Farmland Assessment Classification |
| 3. <input type="checkbox"/> Senior Citizen /Disabled Person Property Tax Deduction | 7. <input type="checkbox"/> Abatement or Exemption -Religious, Charitable, etc. |
| 4. <input type="checkbox"/> Surviving Spouse or Surviving Civil Union Partner of Senior Citizen/Disabled Person | 8. <input type="checkbox"/> REAP Property Tax Credit (Specify) |

MUNICIPALITY'S REASON FOR DENIAL: _____
 (Attach copy of Denial Notice)

WHEREFORE, Petitioner seeks judgment reducing/increasing (circle one) the said assessment(s) to the correct assessable value of the said property and/or granting the requested deduction, credit, Farmland Assessment classification, exemption or abatement.

Date _____ Scott Holzhauer
 Petitioner or Attorney for Petitioner

CERTIFICATION OF SERVICE
 On _____, 20 12, I, the undersigned, served upon the Assessor and the Clerk of Morris Plains Borough (Municipality) or upon the taxpayer, personally or by regular mail or certified mail, a copy of this appeal. I certify that the foregoing statement I have made is true. I am aware that if the foregoing statement is willfully false, I am subject to punishment.

Date _____ Signature _____

Evidence Report for Property Tax Appeal

Evidence Report Overview

This evidence report supports the findings that 31 Hawthorne Ave, Morris Plains, NJ 07950 is overassessed. This is not a certified appraisal and nor is it a professional opinion of the property's true market value. The appellants carefully selected the comparable home sales evidence for this report which shows why the property is overassessed. Each comparable home sales argument should be considered on its own in support of the overassessment finding.

Comparable Home Sales

31 Hawthorne Ave, Morris Plains, NJ 07950 is eligible for a reduced assessment based on the following sales of comparable homes. The comps selected are similar in features, size and age to the subject property.

REALLY??

	Land	Improvements	True Market Value	Assessed Value
Morris Plains Borough	\$252,851	\$308,908	\$561,760	\$522,100
Proposed Revision	\$200,667	\$245,153	\$445,820	\$414,345

Property Profile

Property Address (Subject)	31 Hawthorne Ave, 07950
Parcel #:	2300037000000005
Beds:	n/a
Baths:	n/a
Living Space:	2,126 square feet
\$/sqft:	\$264/sqft
Lot Size:	7,492 square feet
Type:	Residential
Year Built:	1947
Stories:	1
Zoning:	n/a

There is an element of “*putting words into your mouth*” carried out by the company at this juncture as it pertains to comments in the Evidence Report Overview section above

This is their version of a Comp Sales Grid. However, based on their own directions this was seldom attached to anyone's petition of appeal. I noticed during the appeal hearings for Morris Plains that everyone with a Value Appeal filing seemed to be reading from something that neither I – nor the CTB – had possession of. This is what it was:

Comparable Sales (1 - 5 of 5)							
ANALYSIS	Subject	Comp 1	Comp 2	Comp 3	Comp 4	Comp 5	
Address	31 Hawthorne Ave, 07950	6 Diana Rd, 07950	7 Birch Dr, 07950	93 Maple Ave, 07950	29 Park Way, 07950	1 Park Way, 07950	
ID	23000370000 00005	23000310001 00013	23000310001 000230009	23000390008 000300005	23000610000 00011	23000620006 00021	
Assessment (market)	\$561,760						
Assessment (taxable)	\$522,100						
Sale Price		\$405,000	\$405,000	\$510,000	\$400,000	\$327,500	
Distance		0.16 mi	0.32 mi	0.09 mi	0.7 mi	0.62 mi	
Date of Sale		3/8/2011	5/6/2011	3/10/2011	3/12/2011	11/11/2010	
Age of Sale		207 days	148 days	205 days	203 days	324 days	
Bedrooms	n/a	n/a	n/a	n/a	n/a	n/a	
Bathrooms	n/a	n/a	n/a	n/a	n/a	n/a	
Living Space	2,126 sqft	1,513 sqft	1,292 sqft	3,124 sqft	1,430 sqft	1,327 sqft	
\$/sqft	\$264/sqft	\$267/sqft	\$313/sqft	\$163/sqft	\$279/sqft	\$246/sqft	
Lot Size	7,492 sqft	10,149 sqft	11,588 sqft	7,274 sqft	9,276 sqft	7,753 sqft	
Stories	1	2	2	n/a	1	1	
Built	1947	1950	1950	n/a	1924	1952	
Other Info							
Block	37	31.01	31.01	39	61	62	
Lot	5	13	23.09	33.06	11	21	

Lastly, this was the data for “additional consideration” entered earlier during the setup phase. The data below is just my own “made-up” notes to populate the various question fields:

Is there an error in the municipality data that you're certain increases the assessed value of your home?

Square footage seems high based on useable area

Are there any significant structural issues with the home? Please explain.

All original - no updates in Kit or Bath since house was built

Are there any significant issues with your lot that would effect a proper valuation?

Neighbor's property always drains onto my front yard

Are there any other external factors that would effect the value of your home?

Busy street

Other

I am one of the smallest houses in my neighborhood.

How to Prepare for Your Appeal Hearing

Still part of the Value Appeal package. This is generally good advice for the property owner

Know Your Comps!

It is up to you to prove the assessment is unreasonable and to suggest a more reasonable value. You have selected the comps that prove your case. Remember, as the petitioner you are asking the hearing board to lower your assessed value based on what comparable homes sold for during the assessment period.

You have the best chance of winning when you are familiar with your comps and their details. To know your comps we recommend:

- **Study your comps** – be prepared to show that the comps are close in distance to your home, are similar in size and features, and have sold for less than your current assessment
- **Drive by your comps** – this shows the Assessor you are serious and know your stuff
- **Request the Assessor's comps in advance** – get their comps, log in to your account and enter those in the Comparative Analysis tool
- **Drive by the Assessor's comps** – if you have the Assessor's comps, go by so you can talk about them at your hearing
- **Look up your comps on the Assessor's site** – this strengthens your argument because you can say you used and included their resources in your analysis

Here is what one customer who had her assessment lowered said: *"I also felt more prepared because I took the time to actually go see the comparables, and when they asked 'Had I personally seen the comps?' I could answer yes and discuss the differences."*

Show Up

- Arrive early and dress respectfully
- Treat the Assessor, attorney for the Assessor, and the Board with respect

Present Your Data

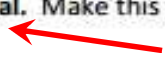
- **Stick to the data.** You have taken the time to select valid, credible comps. You have studied the comps. You have visited the comps. You want them to be considered to lower your assessment. Don't present trivial or nonessential material just because you have it. Don't base your appeal on personal judgments of your friend in the real estate business. Refrain from starting any sentence with "My friend the real estate agent thinks that..." You must rely on facts only.

- **Remain calm.** Remember the Appeal Board members didn't create the system and they can't change it. Don't attack the tax Assessors or the tax system. This is not the time for philosophy or politics.
- **Keep your testimony simple and to the point.** You can practice using the template below for explaining why your comps should be considered and how you came up with a lower value:

"As indicated on my application, the value I am requesting, your revised amount, is supported by the sales listed on my form. I have visited all these homes and find them to be a good representation of the value I am requesting. I have also looked into the comps the Assessor has provided and they are not a good representation of the value of my home. My comps provide a strong value range between \$ amount of the lowest comp sale price and the highest comp sale price and are all within 1 mile of my house."

"To further illustrate, the sales price per sq. ft. of my comparable sales are between lowest \$/sq. ft. and highest \$/sq. ft. The value I am requesting is \$/sq.ft. which falls in the range of my comparable sales. I determined \$/sq.ft. by taking the average of the comparable sales' sq. footage and making a slight adjustment because of property differences (lot size, number of bedrooms/bathrooms, age, etc.)"

"So, in light of this evidence presented to you, I am requesting my value be adjusted to your revised amount."

- **Be firm but polite.** You have good data and it should be considered accordingly! Sometimes the assessor may try and question the data. Make sure you request they look at each comp and say you looked at these comps on their own site. If for some reason they don't like one of your comps, make sure they look at and consider the others.
- **National housing market is not relevant.** You may include a statement in your appeal on how recent changes in your immediate neighborhood may have affected your assessment. (A school closure, loss of a major local employer, etc.) However, don't base your appeal on national or even regional economic conditions you hear about on the news at night.
- **Do not refer to ValueAppeal.** Make this your case. You have done your research using publically available data.  **What?**
- **Do not call your evidence an appraisal.** Appraisals are based on the market value of homes and do not need to follow the rules of an Assessor. Your report is not an appraisal but is the comparable homes sales evidence that supports your home being overassessed.

NOTE: This is all generally good coaching – but definitely helps to put words into the taxpayer's mouth. However, check out the 2nd to last bullet point. This make the taxpayer's testimony very misleading, and in my opinion "unethical".

Photographs of the Subject property, and the 5 comps as “selected” by Value Appeal. These pictures were contained in the Assessor’s database, and were NOT part of the Value Appeal packet. They are provided now in order to illustrate **the most glaring weakness with this service**: the ***LACK OF STYLE IDENTIFICATION ON THE BUILDINGS***. The subject is a colonial; the comps selected include 3 Capes, 1 Ranch, & 1 Colonial.



EasyTaxFix.com

Help/Questions: 888-292-5050
County: **Nassau** 



Automated Property Tax Appeals

Do your property tax appeal **yourself** the **easy way** in minutes!

1

are you overpaying your property taxes?

**Start here FREE!**

PropertySearch :
☒ Address ☐ Owner ☐ Parcel
Street# Street Name (e.g., Main)
Unit (If applicable) Zip Code
(Enter image text:) 
Submit
[Tips if you cannot find your property](#)

What you will see instantly:

- ✓ Your current assessment
- ✓ Our proposed assessment
- ✓ Your estimated tax savings

2

review, personalize, and approve

**only \$79⁹⁵**

Money Back Guarantee
Get 100% of your money back if you do not win your appeal using our service
[Click here for details](#)

EasyTaxFix has done the research for you!
Instantly receive your County's:

- ✓ Completed appeal application with a personalized home valuation
- ✓ Detailed appeal instructions and deadline information

3

print, sign, send!

**OVER 78.7% OF OUR USERS SAVED MONEY SEE THE SURVEY!**



"It was very easy, very quick and well worth not to have to take off work to go down to the county clerk's office."
[View more testimonials](#)

**Real Users. Real Results. We survey our customers.**
[View 2010 survey results](#) [View 2011 survey results](#)

**Nassau County deadline is **March 1, 2011.****



How they do it:

Our Valuation Methodology

What is the goal here?

The goal is to get to the lowest defensible valuation of your property because your taxes are calculated based on this assessment.

What is your valuation methodology?

Many counties publish a recommended approach to this valuation. We are using it if they have provided a suggested methodology!

How do we select the three comparable properties we base your estimated tax savings on?

We use an algorithm that selects properties geographically and physically similar to yours and sold during the applicable valuation period.


Can I just use sites like Zillow, HomeValues or Trulia to get comps?

These sites offer comparable properties, but they may not fall into the appropriate time period required for your valuation.

What are the "adjustments"?

The "adjustments" are consistent with typical adjustments made by Assessment Review Commission appraisers. They are not binding on either you or the County. You can override them.

This site would not allow me to “file an appeal” at this time. It was aware that the appeal deadline had passed, and it did not give me any opportunity to prepare an appeal form – stating that I needed to wait till next year (however the website referred to next year as 2012?).



Automated Property Tax Appeals

Help/Questions: 888-292-5050

County: Morris

[Sign In](#)

Step 2: Personalize Your Valuation

Step 1
Step 2
Step 3

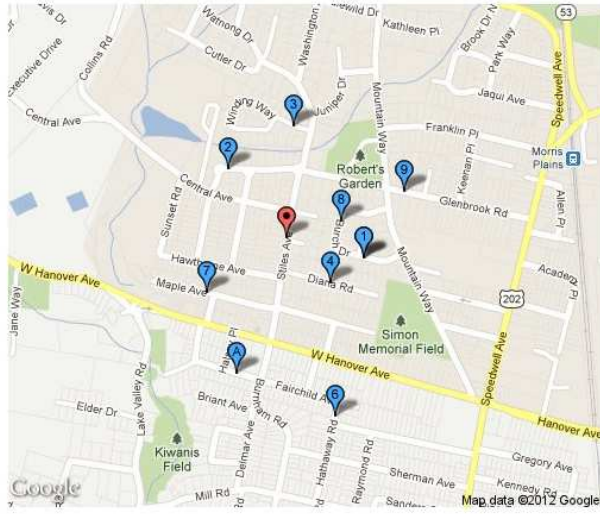
PERSONALIZE

BILLING

CONFIRM

Should You Appeal?	Est. Annual Savings	Appeal Window Open	Appeal Deadline
YES <small>(Based on selected comps)</small>	✓ \$2,332	NO	April 02, 2012

Please visit us again in **February 2012** when the appeal window for New Jersey opens again. Also, feel free to click [here](#) if you would like us to notify you when savings for your property are available.



Your potential savings based on THREE *preliminary* recent comparable sales in your municipality:


A. Your current assessment (Edit)	\$374,900
B. MORRIS PLAINS BOR county equalization rate	93%
C. Market value, per the County (A / B)	\$403,379
<hr/>	
D. Avg. per square foot of selected comparables (from below)	\$279
E. Your property square footage	1,068
F. The proposed market value (D x E)	\$297,905
<hr/>	
G. The proposed assessment (F x B)	\$276,873
H. Assessed value difference (A - G)	\$98,027
<hr/>	
I. Estimated MORRIS PLAINS BOR Property Taxes	2.38%
<hr/>	
Estimated Annual Savings (H x I)	✓ \$2,332

Please visit us again in February 2012 when the appeal window for New Jersey opens again. Also, feel free to click [here](#) if you would like us to notify you when savings for your property are available.

I could however look at information that would have been “utilized”, had I been allowed to file an appeal late – beginning with the Subject Property (another appeal from Morris Plains – that actually utilized this exact service in a timely manner):

(PLEASE SCROLL DOWN AND REVISE TO UPDATE ESTIMATED SAVINGS)

Your property (Residential): [Link](#) | [Edit property details](#)

	Block-Lot-Qualifier	Street Address	Distance from you	Lot Size	Square Feet	Year Built	Date of Purchase	Purchase Price	Equalized Assessment	Price per square ft.	Bedrms.	Bths	Pool	Fireplace
	00036 00016 07	42 STILES AVE	0 mi	.3940 Acres	1,068	1950	05/04/2001	\$10	\$403,379	\$378	2	1.0	N	Y

A. Choose three comparables:
 Pick three properties that are similar to yours in size and quality. Lower values help to save you more money on property taxes.

Tips for Selecting Comparables Show 10 Comps Sort results by ☐ Distance ☒ Sales Date ☐ Price per square foot

Property	Select	Block-Lot-Qualifier*	Street Number*	Street Name	Distance from you	Lot Size	Square Feet	Year Built	Sales Date	Sales Price	Price per square ft.	Bedrms.	Bths	Pool	Fire place
1	<input type="checkbox"/>	Sign-up!	Sign-up!	BURCH DR	0.15 mi	.1930 Acres	1,292	N/A	03/02/2011	\$320,000	\$248	N/A	N/A	N/A	N/A
2	<input checked="" type="checkbox"/>	Sign-up!	Sign-up!	GLENBROOK RD	0.17 mi	.3600 Acres	1,721	1946	03/14/2011	\$440,000	\$256	N/A	N/A	N/A	N/A
3	<input type="checkbox"/>	Sign-up!	Sign-up!	WINDING WAY	0.21 mi	.2750 Acres	1,676	1947	08/26/2011	\$442,000	\$264	N/A	N/A	N/A	N/A
4	<input checked="" type="checkbox"/>	Sign-up!	Sign-up!	DIANA RD	0.12 mi	.2330 Acres	1,513	1950	03/08/2011	\$405,000	\$268	N/A	N/A	N/A	N/A
5	<input checked="" type="checkbox"/>	Sign-up!	Sign-up!	BURCH DR	0.15 mi	.2660 Acres	1,292	1950	05/06/2011	\$405,000	\$313	N/A	N/A	N/A	N/A
6	<input type="checkbox"/>	Sign-up!	Sign-up!	HATHAWAY RD	0.35 mi	.1102 Acres	1,206	1922	08/31/2011	\$450,000	\$373	N/A	N/A	N/A	N/A
7	<input type="checkbox"/>	Sign-up!	Sign-up!	MAPLE AVE	0.18 mi	.1670 Acres	3,124	N/A	03/10/2011	\$510,000	\$163	N/A	N/A	N/A	N/A
8	<input type="checkbox"/>	Sign-up!	Sign-up!	BIRCH TER	0.11 mi	.0000 Acres	1,463	1993	08/24/2011	\$300,000	\$205	N/A	N/A	N/A	N/A
9	<input type="checkbox"/>	Sign-up!	Sign-up!	GLENBROOK RD	0.24 mi	.7530 Acres	3,368	1880	05/11/2011	\$745,000	\$221	N/A	N/A	N/A	N/A
10 (A)	<input type="checkbox"/>	Sign-up!	Sign-up!	FAIRCHILD AVE	0.27 mi	.3903 Acres	968	1918	05/16/2011	\$290,000	\$300	N/A	N/A	N/A	N/A

* Required for the valuation and application.

Average price per square foot of selected comparables: **\$279**

The program did initially pre-select 3 Comps – and presumably utilized them to arrive at their indicated “value” based on a simple averaging of the Sale Price per SF.

Limited adjustments can be made in this program – but ***only downward***, and no more than **3%** for each category (in ½ % increments). These adjustments are then used to adjust the AVERAGE SP/SF of the 3 comps chosen. **This program only allows you to choose 3 comps.**

B. Optional: refine your valuation as compared to selected properties.
Price per square foot is not the only factor in your property's valuation. There are other intangible factors that can affect your valuation. If you know that your property is LESS desirable than the selected sales comps due to specifics of the property (older construction, poor views, etc.), you may be eligible for a further reduced property reassessment.

My property is...

Location:

- Lack of views
- Traffic
- Proximity to an undesirable area

0% worse than comparables

If you choose "worse," you will be asked to explain these differences when you sign up. You are not required to fill out this section, but we recommend you be as specific as possible when evaluating these factors as you may need to defend them to the County Assessor.

[see sample](#)

Quality:

- Age of home
- Construction/renovation
- Finishes & appliances

0% worse than comparables

If you choose "worse," you will be asked to explain these differences when you sign up. You are not required to fill out this section, but we recommend you be as specific as possible when evaluating these factors as you may need to defend them to the County Assessor.

[see sample](#)

Amenities:


- Pool vs. no pool
- Fireplaces vs. no fireplaces
- Quality of outdoor space
- Miscellaneous

0% worse than comparables


If you choose "worse," you will be asked to explain these differences when you sign up. You are not required to fill out this section, but we recommend you be as specific as possible when evaluating these factors as you may need to defend them to the County Assessor.

[see sample](#)

Your potential savings based on THREE *preliminary* recent comparable sales in your municipality:

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<hr/>	
I. Estimated MORRIS PLAINS BOR Property Taxes	2.38%
<hr/>	
Estimated Annual Savings (H x I)	 \$2,332

Once you approve your valuation we will provide you with the two completed documents that you simply need to sign and send to your county's assessor.



Even if you approve your application, you can make changes as long as you like.

Sign-up! Only \$79.95 for a completed valuation and application. One time charge. No hidden fees!

Please visit us again in February 2012 when the appeal window for New Jersey opens again. Also, feel free to click [here](#) if you would like us to notify you when savings for your property are available.

TaxRite.com

I utilized the same Subject Property when trying out this service that I did with the ValueAppeal website. The initial results however are quite different:

TAXRITE™
THE EASIEST WAY TO REDUCE YOUR PROPERTY TAXES

Your property 1. Address 2. **Property Summary** 3. Payment Information 4. Payment Confirmation

Property Summary

Property Location Summary	
Address: 31 HAWTHORNE AVE	County: Morris
State: New Jersey	City: MORRIS PLAINS
Owner Name:	
Block: 37	Lot: 5
Living Space (SqFt): 2126	Lot Size (SqFt): 7492
Last Sold Price: \$325,000	Last Sold Date: 2001/01/29
Type: Single Family House	Estimated Market value:

Current Tax Information	Estimated Tax
Land Assessed Value: \$235,000.00	Est. Land Assessed Value:
Improvements: \$287,100.00	Est. Improvements:
Assessed Value: \$522,100.00 (2011)	Est. Assessed Value:
TOTAL TAXABLE: \$522,100.00	EST. TOTAL TAXABLE::
Property Tax: \$9,852.03	Est. Property Tax: \$5,696.26 (1.89%)

The TAXRITE System has determined that you can try to Appeal your Property taxes by submitting an application.

Congratulations!
"Our System has also determined that You may be able to save approximately **\$4,155.77** annually on your property taxes!"

Let Us help you prepare your property tax appeal application for only \$129.95.

Prepare your Tax Appeal Application

- TaxRite feels this property is overpaying in Taxes by \$4,155
- ValueAppeal felt this same property was overpaying by \$1,900

This company was willing to let me file an appeal now— regardless of the deadline timing. After signing up, it's Comp selection time:

Comparables

ALL? Based on what criteria?

Here is a summary of all comparable properties, please select a minimum of 3 comparables but a maximum of 5 comparables:

ADDRESS:	DIST.	ESTIMATED MARKET VALUE:	TAX ASSESSED VALUE:	LIVING SPACE (SQFT):	LOT SIZE (SQFT):	LAST SOLD PRICE:	LAST SOLD DATE:	BLOCK:	LOT:	BEDS:	BATHS:
<input type="checkbox"/> 17 HAWTHORNE AVE, MORRIS PLAINS	0.06	\$305,000	\$367,900	1311	7492	\$305,000	2011/12/09	36	5	N/A	N/A
<input type="checkbox"/> 20 HAWTHORNE AVE, MORRIS PLAINS	0.07	\$320,000	\$371,200	1283	6490	\$320,000	2011/11/09	35	41	N/A	N/A
<input type="checkbox"/> 82 MAPLE AVE, MORRIS PLAINS	0.09	\$420,000	\$472,100	2093	5619	\$420,000	2011/12/28	39	5	N/A	N/A
<input type="checkbox"/> 38 CENTRAL AVE, MORRIS PLAINS	0.1	\$375,000	\$392,000	1428	8102	\$375,000	2012/03/19	38	19	N/A	N/A
<input checked="" type="checkbox"/> 90 IRONDALE RD, MORRIS PLAINS	0.22	\$271,345	\$336,400	2082	9761	\$271,345	2012/03/27	1601	4	N/A	N/A
<input checked="" type="checkbox"/> 40 WINDING WAY, MORRIS PLAINS	0.26	\$480,000	\$466,200	2288	13764	\$480,000	2012/01/05	41.02	27	N/A	N/A
<input type="checkbox"/> 71 W HANOVER AVE, MORRIS PLAINS	0.27	\$320,000	\$337,100	1536	7230	\$320,000	2012/04/25	33	2	N/A	N/A
<input checked="" type="checkbox"/> 32 CUTLER DR, MORRIS PLAINS	0.39	\$555,000	\$557,700	2467	19384	\$555,000	2012/06/15	56.01	8	N/A	N/A

Then adjustment time (Note that adjustments can go UP or DOWN, but only by 5% max):

How do you believe your home's value compares against your neighbor's home values?

Property Improvements

-5%

-2%

same

+2%

+5%

For Property Improvements, consider the age of your home, conditions of the roof, additions, fewer or extra bedrooms, additional or less garage space, fireplaces, pool, etc.

Land value

-5%

-2%

same

+2%

+5%

For the Land Value, consider corner lot location, wooded area, isolation, noise, etc.

Special Location

-10%

-5%

same

+5%

+10%

For the Special Location, consider Beach front property with Boat Docks or Magnificent or Magestic Views, etc.

Page | 41

And now to the finish line:

TAXRITETM
THE EASIEST WAY TO REDUCE YOUR PROPERTY TAXES

Welcome Back
You are logged in as holzy@ptd.net

LOGOUT

My Account

Manage properties

Account information

Properties listing

**Property #1**
31 HAWTHORNE AVE, NJ
[Edit property](#) [Edit comparables](#)

Appeal Application calculated on 08/26/2012
[View Tax Appeal Application Form](#)

[+ Add a property](#)

TAXRITETM
THE EASIEST WAY TO REDUCE YOUR PROPERTY TAXES

Welcome Back
You are logged in as holzy@ptd.net

LOGOUT

My Account

Manage properties

Account information

Edit property

1. Location

2. Value

3. Property Summary

4. Tax Appeal Application

View Form

PLEASE CAREFULLY REVIEW AND FOLLOW ALL INSTRUCTIONS PROVIDED BY YOUR STATE BOARD OF TAXATION WHEN YOU FILE AN APPEAL. THE BUTTONS BELOW PROVIDE YOUR COVER LETTER AND COMPARABLES, YOUR APPEAL FORM, AND ADDITIONAL INFORMATION. PLEASE PRINT AND BRING THE COVER LETTER, COMPARABLES AND SIGNED APPEAL FORM TO YOUR SCHEDULED HEARING. THE ADDITIONAL MATERIALS ARE FOR YOUR INFORMATION AND ARE NOT REQUIRED FOR THE HEARING.

The TAXRITE Program has determined that you should submit a Real Estate Tax Appeal Submission Form to the following address:

Morris County Board of Taxation
10 Court Street
Morristown, NJ 07960
Tel (973) 285-6707

ALSO send a copy of your Appeal Petition Form and supporting documents to your municipal tax assessor and municipal clerk:

ALLAN W ADAMS
531 SPEEDWELL AVE
MORRIS PLAINS, NJ 07950
Tel: 973 538-2444

Appeal Deadline: **04/01/2012**

Deadline Explanation:

(a) Your appeal must be received (not merely postmarked) by the county board of taxation on or before April 1 of the tax year, or 45 days from the date the bulk mailing of Notification of Assessment is completed in the taxing district, whichever is later. An appeal received after the close of business hours on April 1, or 45 days from the date the bulk mailing of Notification of Assessment is completed in the taxing district, whichever is later, is untimely filed and will result in dismissal of the appeal. If the subject property lies within a taxing district where a municipal-wide revaluation or municipal-wide reassessment has been implemented, your appeal must be received (not merely postmarked) by the county board of taxation on or before May 1 of the tax year. If the last day for filing an appeal falls on a Saturday, Sunday, or legal holiday, the last day shall be extended to the first succeeding business day. (b) A taxpayer will have 45 days to file an appeal upon issuance of Notification of Change of Assessment. (c) Should the assessor fail for any reason to mail or deliver a Notification of Assessment or a Notification of Change in Assessment, the county board of taxation may, upon the written application of the taxpayer and with the approval of the Director of the Division of Taxation, grant a reasonable extension of time to file an appeal.

 Print your Application Form

 Print your Application Kit

 Print Additional Information

This is the FINAL PRODUCT: The TaxRite Appeal Kit (using 5 Comps)

ROSS TIMOTHY J / ROSS BERNADETTE P 31 HAWTHORNE AVE MORRIS PLAINS, NJ 07950																																																																					
<p>August 26, 2012</p> <p>Tax Assessor Department</p> <p>Attention</p> <p style="padding-left: 40px;">Morris County Board of Taxation 10 Court Street Morristown, NJ 07960 Tel: (973) 285-6707</p> <p>Dear Ladies/Gentlemen:</p> <p>I would like to request a formal assessment review of the residential property located at:</p> <p>Address: 31 HAWTHORNE AVE MORRIS PLAINS, NJ 07950</p> <p>Parcel No: 23-00037-0000-00005</p> <p>Based on this application of appeal and the comparables sales data attached, I am requesting a reduction of my Tax Assessed Value:</p> <p>Tax Assessment Value is \$522,100.00 as of (2011)</p> <p>Comparable sales data indicates a value of \$325,058.67</p> <p>If the Tax Assessor disagrees with my requested to lower my property's assessed value, and has comparable sales to support a higher value, I have included a self-addressed stamped envelope so I can be provided with the addresses of those comparable sales as well as a copy of my property's Record Card prior to a formal hearing.</p> <p>If you require additional information or clarification, please don't hesitate to contact me. Thank you for your attention in this matter.</p> <p>Sincerely,</p> <p>_____</p> <p>Scott Holzhauer</p> <p>Phone: _____</p> <p>Enclosures: Application for Appeal of Property Tax Assessment, Comparable Sales Data Table, Self-addressed stamped envelope.</p> <p>Comparables</p> <p>Here is a summary of all comparable properties used to calculate the present market value of 31 HAWTHORNE AVE, MORRIS PLAINS, NJ 07950:</p> <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"><thead><tr><th>Address</th><th>Dist. (miles)</th><th>Living Space (Sq Ft)</th><th>Lot Size (Sq Ft)</th><th>Last Sold Price</th><th>Last Sold Date</th><th>Block</th><th>Lot</th><th>Bed</th><th>Bath</th></tr></thead><tbody><tr><td>82 MAPLE AVE, MORRIS PLAINS</td><td>0.09</td><td>2093</td><td>9619</td><td>\$420,000</td><td>2011/12/28</td><td>39</td><td>5</td><td>N/A</td><td>N/A</td></tr><tr><td>38 CENTRAL AVE, MORRIS PLAINS</td><td>0.1</td><td>1428</td><td>8100</td><td>\$375,000</td><td>2012/03/19</td><td>38</td><td>19</td><td>N/A</td><td>N/A</td></tr><tr><td>90 IRONDALE RD, MORRIS PLAINS</td><td>0.22</td><td>2082</td><td>9761</td><td>\$271,345</td><td>2012/03/27</td><td>1801</td><td>4</td><td>N/A</td><td>N/A</td></tr><tr><td>40 WINDING WAY, MORRIS PLAINS</td><td>0.26</td><td>2288</td><td>13764</td><td>\$480,000</td><td>2012/01/25</td><td>41.02</td><td>27</td><td>N/A</td><td>N/A</td></tr><tr><td>32 CUTLER DR, MORRIS PLAINS</td><td>0.39</td><td>2467</td><td>10384</td><td>\$555,000</td><td>2012/06/15</td><td>56.01</td><td>8</td><td>N/A</td><td>N/A</td></tr></tbody></table>										Address	Dist. (miles)	Living Space (Sq Ft)	Lot Size (Sq Ft)	Last Sold Price	Last Sold Date	Block	Lot	Bed	Bath	82 MAPLE AVE, MORRIS PLAINS	0.09	2093	9619	\$420,000	2011/12/28	39	5	N/A	N/A	38 CENTRAL AVE, MORRIS PLAINS	0.1	1428	8100	\$375,000	2012/03/19	38	19	N/A	N/A	90 IRONDALE RD, MORRIS PLAINS	0.22	2082	9761	\$271,345	2012/03/27	1801	4	N/A	N/A	40 WINDING WAY, MORRIS PLAINS	0.26	2288	13764	\$480,000	2012/01/25	41.02	27	N/A	N/A	32 CUTLER DR, MORRIS PLAINS	0.39	2467	10384	\$555,000	2012/06/15	56.01	8	N/A	N/A
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(Now only using 3 sales – see how the value automatically adjusts based on the averaging)

ROSS TIMOTHY J / ROSS BERNADETTE P 31 HAWTHORNE AVE MORRIS PLAINS, NJ 07950										
August 26, 2012										
Tax Assessor Department										
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40 WINDING WAY, MORRIS PLAINS	0.26	2288	13784	\$460,000	2012/01/05	41.02	27	N/A	N/A	
32 CUTLER DR, MORRIS PLAINS	0.39	2467	19384	\$555,000	2012/06/15	56.01	8	N/A	N/A	

(Note the much more “cooperative” instructions included than with Value Appeal)

Instructions to File Your Tax Assessment Appeal

Checklist boxes – Check off each box to ensure you haven't missed anything!

-
- ☐ Please review and fill out all forms as completely as possible. Use black or dark blue ink, not pencil. This form will be photocopied, so legibility is very important. TAXRITE will fill in available data on the official appeal petition/form however it is the responsibility of the applicant to complete any missing information. **IT IS THE RESPONSIBILITY OF THE PROPERTY OWNER THAT THIS FORM IS FILLED OUT TO YOUR BEST "BELIEF AND KNOWLEDGE" BEFORE SIGNING.**
 - ☐ Be sure to give your correct mailing address and telephone number so that you can be notified of hearings and decisions. The county tax appeal board must give you reasonable notice of the date and hour of a hearing.
 - ☐ If additional space is needed, use a separate sheet of paper and attach it to the application. Please show the number of pages you are attaching.
 - ☐ **SIGN AND DATE the "APPLICATION".** Signing this document is a statement that the information you have provided is true and correct to the best of your belief and knowledge. **MAKE COPIES** of the Application for all "interested parties". **FOLLOW INSTRUCTIONS as to who receives copies of the appeal application. Some authorities require that a copy be sent to the municipal assessor and clerk as well as the County Board of Appeals.** A copy of your appeal form should be retained by you after the appeal form has been signed and dated at the time you file your appeal. It will be necessary to show this copy if questions should arise as to the timeliness of filing, or whether a specific property has been appealed.
 - ☐ Make sure that all required fees have been included, if required (Please check the website of your local tax assessor for this information). **A TAX ASSESSMENT APPEAL CANNOT BE FILED WITHOUT THE FEE OR AN APPLICATION TO WAIVE OR DEFER THE FEE.** Include with your application a check or money order for the fee or an Application for Waiver or Deferral of Fees.
 - ☐ Please enclosed the following in the mailing to the Tax Assessor:
 - A. Formal Appeal Request Letter
 - B. Application for Appeal of Property Tax
 - C. Comparable Sales Data Table
 - D. Self-addressed stamped envelope
 - ☐ To ensure your application is received, it is the recommendation of TAXRITE that you mail this application via **Certified Mail** with return receipt requested along with a self-addressed stamped envelope for the return of a copy of your processed application for your records.
 -  ☐ Even though there is an appeal pending, you must pay all taxes by the due dates or penalty and interest will be charged. Should you be successful in your appeal, any overpayment in taxes will be refunded to you as soon as procedurally possible.
 - ☐ For additional regarding real property assessment information and forms please go to the website of your local tax assessor.
-

Homeowners Guide to Tax Assessment Appeals

*Again – pretty fair advice
from this company*

Last Minute Guide for Presenting Your Case

So you've filed an appeal of your property assessment. Your potential for success will increase if you are prepared and can keep calm while dealing with an emotional issue like the value of your property.

Informal Appeal

→ The first step should be to contact the assessor's office and ask to review the data and information regarding the property characteristics they are using to value your property. Corrections to erroneous assessment because of factual errors can generally be brought to the attention of the local assessor's office at any time. These factual errors are the result of being able to verify the correct size, location, or existence of a property characteristic. For example, if your home has 1,424 square feet (sq. ft.) of gross living area (GLA) and the local assessor's office is using 1,710 sq. ft. of GLA when they determine your assessment, there may be an error in the assessment that can be corrected. We have used GLA size as an example of a factual error in property characteristics that can have an affect on an assessment. Other factual errors in property characteristics include, but are certainly not limited to:

- Correct lot, parcel or acreage size
- Number of bathrooms
- Number of fireplaces
- Correct size and number of garages, decks, patios and other features
- Basement size and how much may be finished basement area
- Year built or remodeled
- Zoning or land use restrictions

Calling an erroneous assessment to the assessor's attention early in the year may result in a correction without using the formal appeal process. Don't accuse them of making an error or purposefully causing you to have a high assessment. **Be an investigator, not an accuser.**

Note: Some chief county assessment officers require a written complaint form and may have rules regarding hearings and evidence.

If you find a correction which results in a reduction in your assessment, you may not have to go to a formal appeal hearing.

If you decide to withdraw your appeal, do so as soon as you have made this decision. Withdrawing your appeal at least three days before the scheduled hearing date would be courteous. If you do not find any mistakes in the assessor's information, you should prepare yourself for the formal appeal hearings.

Tax Appeal Hearing

Keep in mind that the purpose of the hearing is to resolve the dispute between you and the assessor. While the hearings do not use the formal rules of evidence followed by courts, any evidence you present must be appropriate and meaningful in order to be admissible. To help ease any last minute anxieties, what follows are several tips on presenting your case and general conduct before the appeal board.

- Dress for success – Dress neat and clean. You want to be a good representative of your position. Common dress is business or business casual.
- Get to the meeting early and observe the proceedings. When you first arrive, check in with the Clerk or whoever is responsible for managing the agenda. Give that person your name and property address. Almost all appeal hearings are open meetings, that is to say they are open to the general public. It may be to your advance to sit in on one or two cases to learn how the board handles their cases.
- Once introduced by the appeal board clerk or chairperson, follow the guidance given to you. For example, if the board chairperson says that they will hear any background from the assessor's office first, don't challenge the way the case is being heard. You'll get your allotted time.
- If you are not certain of the identification of the attendees at the hearing, ask. The assessor and his or her staff are generally invited to be present by the appeal board. The assessor does not have voting rights or influence

over the appeal board. Generally, the appeal board decides to what degree the assessors are involved in the case.

- Be prepared and organized. When it is time to present the materials you prepared for your case, refer to your exhibits by name, page number, and if using a spreadsheet or columned chart, by line and column number. If you do have a lengthy submission or you'll be referring to attachments or exhibits, number the pages so that you can easily refer the appeal board members to the page you wish them to focus on. You are usually only allowed a specific period of time to make your case, so don't use it up shuffling pages and trying to get organized. For example, you could refer to your exhibit labeled "Comparable Assessments and Sales Grid" and direct the appeal board members to the sale price of comparable number one shown on line 1, column 9. You don't want to be too formal or legal sounding, but you want to be sure that your presentation is easy to follow.
- Typically, don't discuss tax amounts, except in the context of the assessed value. Neither the appeal board nor the assessment office sets the tax rate or have final approval over how property is taxed. They only have the ability to adjust and correct assessed values. Try to stay focused on equitable assessments that reflect the market value or defined value for assessment purposes required in your state.
- Uniformity of assessment doesn't mean that the assessment for your property goes up or down the same percentage as everyone else. Uniformity of assessment means that all assessments are at the same level of assessed value to estimated market value. For example, if your state requires that assessments be at 100% of estimated market value, your properties and others valued by the assessor will be at 100% of estimated market value. Your property may need to increase a higher percentage amount in order to get it to 100% of market value than your neighbor's property, but they are still uniformly assessed.
- The valuation of real estate is not an exact science. It is generally expected that if two professional real estate appraisers are within 5% of each others estimates of market value for a residential property, this is reasonable. This variation can be as much as 10% for unique properties and certain commercial and industrial properties. So don't expect the appeal board to adjust your assessment because you can show that it is 1% higher than it should be according to your evidence.
- Don't criticize the assessment office for not having made a personal visit to you property recently. Most local government budgets do not provide sufficient funds for assessment staffing that would provide inspection services on an annual or frequent basis. Assessors are notified of most actions taken that relate to property valuation. For example, if you apply for a building permit, the assessment office is notified. The same is true if your property is somehow unfit for occupancy. But keep in mind that these actions have to be part of the local government records. If you had a termite inspector out last fall that told you needed to replace most of the supporting members in the first floor of your house, the assessor would not know this unless you went forward with the project and were issued a building permit for the repairs.
- Don't overload the appeal board with too many comparable assessments or sales to support your position. More is not necessarily better. Three (most common) to five of the most comparable properties is typically sufficient. Think of good resume writing guidelines. If you send too lengthy a resume to a potential employer it may not be read as thoroughly as one that is short and to the point.

FAQ during your Tax Appeal Hearing

Q: Once I have filed my appeal, is there anyway I can settle my case prior to my hearing?

A: Yes, it is possible. If you contact your Assessor after you filed your appeal you may be able to reach an agreement on a reduced assessment. If you do reach agreement, the Assessor will prepare a Stipulated Settlement form. This form is signed by you and the assessor, who then forwards it to the Tax Board for final review. If the Tax Board agrees to the settlement, it will issue you a Memorandum of Judgment and you will not have to appear for your hearing.

Q: Do I personally have to attend my appeal hearing or can I send an authorized representative?

A: Yes. Appeals hearings are not as formal as a court of law. You are not required to have an attorney or an agent represent you. However, you, as the applicant, must personally attend the hearing or be represented by someone thoroughly familiar with the facts of your appeal. If a representative attends on your behalf, you may be required to provide written authorization prior to the hearing. Check with the clerk of your appeals board. Your attorney is not required to have written authorization.

A wife may appear for her husband, or vice versa, and sons or daughters may appear for parents, or vice versa. Failure of you or your agent to appear may result in the denial of your application. An appeals board has the ability to reconsider the denial of your application if you show good cause for your failure to appear, and file a written request for reconsideration by a board-established deadline. Contact the clerk of your appeals board.

Q: What kind of information should I present at the hearing?

A: Each party should be prepared to present everything they wish the Board to consider before rendering its decision. Pictures, maps, appraisals, copies of relevant communications or other documents may be offered as exhibits. Personal testimony or that of witnesses may be offered into evidence. For property tax appeals, information on comparable sales such as sale price, date of sale, and property characteristics is helpful for many valuation disputes. New information is allowed and the parties are responsible for presenting any old information.

Q: Can I get information from the other side before the hearing?

A: Yes. The formal process is called discovery and parties will receive further information on discovery with the acknowledgment letter discussed above. There are specific time limits for filing a request for discovery. All formal discoveries must be requested in writing and granted by the Board. Informal communication with other parties is permitted at anytime.

Q: At my appeals hearing, is it my responsibility to prove that the county assessor's value is not correct?

A: You should be prepared to present evidence to prove that the value you are requesting is correct. The burden of proof lies with the assessor's office to establish that their opinion of value is correct under the following:

- Appeals of owner-occupied single-family dwellings
- Appeals of your property's assessed value when the assessor enrolled a value different from your purchase price (if you filed a change in ownership statement timely), and
- Escape assessments (if you filed a change in ownership statement or a building permit) In all other situations, the applicant has the burden of proving that the property has not been correctly assessed

In all other situations, the applicant has the burden of proving that the property has not been correctly assessed and must be the first to present the evidence at the hearing.

Q: What do I need to do to prepare for my hearing?

A: In preparation for your hearing, you will need to collect and organize the evidence you plan to present to the hearing officer or appeals board. The evidence must support your opinion of the 'fair market value' of the property covered by your application. You should review your information and data to get a better understanding of how to prepare for your hearing. At the hearing, you and the county assessor will be given an opportunity to present factual evidence to substantiate your opinions of value. You and the county assessor may question each other regarding the evidence presented.

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Mixed Messages – please let us know what you want...

In General:

- The vast majority of municipal assessors are part-time Factually, 436 of New Jersey's 566 municipalities (77%) are employed less than fulltime (35 h/p/w) with a Tax Assessor. While the consolidation of employees may provide cost savings in other areas of government, the current utilization of part-time assessors coupled with the general contraction of support staffing experienced statewide since 1998, has already found near optimal efficiency (*excerpt taken from the April 2012 CTB Legislative Amendment Request for S-2*).
- Looking at it more bluntly – you can't squeeze water from a rock. It is borderline impossible to keep "doing more" with less! This applies directly to the issue of Tax Appeal defense – from all angles (Assessor's time, expert costs). It does not appear that the municipality, the CTB, or the Tax Court "gets this". Each entity continues to have unrealistic expectations on what the Assessor – especially in the majority "part-time" model – can actually accomplish.

Back to the Tax Court – again...

- Two recently decided cases did more to confuse the issue of assessment and valuation than they did to advance any level of "reason and fairness". A brief synopsis of the fact patterns is as follows:

TAX COURT CASE SUMMARY TUCK v. WEST CALDWELL (Another case with "unrealistic expectations"?)

- Written "non-published" decision dated August 10, 2012 by Judge Narayanan
- 2011 Appeal of CTB Judgment by both sides (taxpayer was Pro-se)
- Residential property: Tudor-Colonial built circa 1915 / 3113-sf / 0.33 Ac
- Assmt: 2011 Reval Yr (100%) = \$609,500
- 2011 CTB Jdmt = \$580,000
- Taxpayer seeking Assmt = \$528,000
- Municipality Counterclaim Appraisal = \$680,000
- Motion to dismiss for failure to overcome "burden of correctness" was dismissed
- Taxpayer contested SF based on impact of large 3-ft concrete interior wall on 1st fl
- Assessor contends living area is 3473-SF based on a prior inspection (in 2004)

- Appraiser uses 3113-sf just as Taxpayer alleges
- Property is within “vicinity” of a sewage treatment plant, but not in site of it. Occasionally affected by noxious odors
- Taxpayer offered 3 comps w/ adjustments. Taxpayer inspected all the comps
- Municipality offered 3 comps w/ adjustments. Appraiser did not inspect subject or the comps, but relied on data gained from his employees in connection with the Reval
- Plaintiff's total gross adjustments were (1) 28.13%, (2) 33.12%, (3) 63.6%.
- The comparability of properties offered by plaintiff as proof of the Subject's value is undermined by the magnitude of his numerous adjustments. For this reason alone, the court can reject the comparables
- Plaintiff's adjustments are unsupported by any market data. Absent a factual basis and legitimate quantification of the adjustments, it is difficult to gauge the credibility of the same
- Taxpayer argued about the living area calculation being taken from “exterior measurements”
- Court accepted the exterior measurement as the correct methodology to determine living area
- In sum, plaintiff has failed to prove the value of the Subject such that the County Board's judgment is incorrect (Judge's statement)
- Plaintiff objected to the court's consideration of the expert report and testimony on grounds the expert failed to personally inspect the Subject, or any of the comparables, therefore, his conclusions amounted to inadmissible net opinion (objection not accepted by Judge)
- Appraiser's Comp #3 was an NU-10. Judge felt expert offered insufficient evidentiary basis to justify accepting the sale as comparable for the purposes of valuation (sale not properly verified to determine if it was an “arms-length” transaction)
- Expert's gross adjustments to his Comparable 1 were 28.6% and thus of questionable probative value
- Expert's Comp #2 questioned based on location and superior condition – basis for adjustments (or non-adjustment) not supported. Court finds that West Caldwell's expert's comparable sales are of little probative evidence, and West Caldwell has failed to show that the County Board's judgment is incorrect.

Comments & Confusions:

- 1) The “market derived” adjustments that the Judge appears to be wanting from both parties would ultimately require a **paired-sales analysis**. With a contracted volume of sales due to the current economy, and the likely cost implications involved – it is simply not feasible, practical, or reasonable to expect that level of detail with regard to a small house valuation. The Court is always referencing the fact that the “Tax Court Judges have a unique knowledge of real estate”, and they are capable of making independent determinations of value. I believe the Judge's experience should allow

some measure of deference with regard to the “nature and magnitude of adjustments” – where credibility is not summarily eliminated for procedure – but “measured” based on testimony.

- 2) There appears to be a lack of consistency within the Judge’s decision. On page 15 of the decision... *“The court has already found that neither the interior wall thickness nor the proximity to the sewage plant merit an adjustment”*. This was said in response to the Plaintiff’s arguments. However, in response to the testimony of the municipal appraisal expert ... *“Lastly, none of his chosen comparables had proximity to a waste treatment plant or other similar construction/structure. His factually unsupported opinion that there was no adverse impact upon the Subject due to the sewage plant is insufficient justification for ignoring this aspect in his comparable sale analysis”*. I can understand (to a point) the “logic” in requiring Market Data to support your adjustments – but since when do you also have to similarly PROVE WHY YOU DIDN’T MAKE AN ADJUSTMENT??

TAX COURT CASE SUMMARY

COHEN v. MENDHAM TOWNSHIP

(A case decided without regard for “evidence” on the valuation date)

- Bench “non-published” decision – Decided June 2012, Judgment dated August 17, 2012 by Judge Bianco
- 2011 Appeal of CTB Judgment by taxpayer (taxpayer was Pro-se).
- Residential property: Colonial built 1998 / 4174-sf Living Area / 0.913 Ac
- Assmt: 2011 (1 Yr AFTER Reassessment): \$1,101,100 / 90.75%
- 2011 CTB Jdmt = Affirmed based on insufficient proofs by taxpayer
- Taxpayer seeking Assmt = \$943,800. Relied strictly on subject sale as basis for appeal at both the CTB and Tax Court
- No appeal filed for 2012 (ratio increased to 94.05%)

FACT PATTERN

- Property **LISTED** for sale on 6/30/2010 to \$1,249,000
- List Price lowered on 7/28/2010 to \$1,199,000
- On 12/29/2010 the Cohen’s put in an **OFFER TO BUY** at \$1,025,000
- On 12/30/2010 the Cohen’s agreed to increase their offer to \$1,040,000 – entered into **CONTRACT TO BUY**
- Property **CLOSED** on 2/17/2011

- Deed **RECORDED** 3/2/2011

TRIAL TESTIMONY

- Owners were Pro-se
- Only evidence submitted was the subject Contract for Sale & Deed
- No expert reports or other evidence entered
- No testimony rendered as to the market conditions on 10/1/2010.
- The municipality had no expert or the Assessor at trial – they felt no need as a matter of strategy
- After Plaintiff's case – municipality Moved for Dismissal based on the failure to overcome the Burden of Correctness attached to the assessment and subsequent CTB Judgment affirming same
- Judge denied the motion
- Municipal Attorney established for the record that the Cohen's were not even aware of the subject property until later December 2010 when they learned of it being for sale and checked it out
- As there was no other evidence in the record to establish – or "imply" value – anywhere near the valuation date of 10/1/2010 – the Township rested it's case

THE DECISION

- Judge felt his knowledge of the market was "commonly understood" with regard to the fact that the market was "flat" during the time period in question, and very much mirrored a time in the late 1970's when economic conditions were similar with regard to property devaluation...?
- Based on this "reasoning" – Judge GRANTED PLAINTIFF's APPEAL. The assessment was lowered to \$943,800 (utilizing the subject sale price X the 2011 ratio of 90.75%)
- Since there was no appeal for 2012 – the FREEZE ACT is applied (*of course if there was an appeal for this year – the assessment would have been higher because of the increase in Ratio to 94.05% - a shrewd move by the property owner*)

Comments & Confusions:

Where to start...? So what is the actual "value date" for Assessor's & Reval Firms to utilize? What should the CTB do about their generally accepted practice of not allowing "post valuation date" sales (with a small window of exception)? Isn't the use of sales data AFTER the valuation date just supposed to be of a corroborative nature to support evidence existing AS OF the valuation date? Wow – what a can of worms to open...!

FINAL THOUGHTS – Some *FOOD* for thought...

FDA Approved: The Maximum Amount Of Defects Allowed In Your Food

First Posted: 10/26/10 09:54 AM ET Updated: 05/25/11 07:05 PM ET

Rat hairs in your peanut butter sandwich and insect fragments in your pasta sauce? Yuck. Yet according to the [Food and Drug Administration \(FDA\)](#) these defects in certain foods are totally OK. Title 21, Code of Federal Regulations, Part 110.110 allows the FDA to establish maximum levels of natural or unavoidable defects in foods that you can consume in a given year.

(My favorite 7)

- Pizza Sauce: 30 Fly Eggs Per 100 Grams
- Chocolate: 60 Or More Insect Parts Per 100 grams
- Peanut Butter: 1 Or More Rodent Hairs Per 100 Grams
- Frozen Berries: 60 Percent Can Contain Mold
- Wheat: 9 Miligrams Or More Of Rodent Pellets Per Kilogram
- Dates: 5 Or More Insects In 100 Grams
- Pasta: 225 Insect Fragments In 6 Or More Samples

The parallel...

By definition, an appraisal is an “estimate” or “opinion” of value...(yada, yada, yada). By this definition it is impossible to have a PERFECT or FLAWLESS appraisal, and it is unrealistic to expect one. All you can hope for is that the “Defects” are below the accepted standards – as measured by the Tax Court and CTB (not the FDA – thank goodness).

Think of this next time you’re having lunch with your appraiser... 😊