

New Jersey



Assessors

Bulletin



MEMBER
International Association
of Assessing Officers

Vol. 16, No. 4

November, 1977

LEGAL FUND GUIDELINES

The Advisory Committee of the State Tax Assessors' Association has approved the following guidelines:

1. New memberships will be accepted only on an annual basis. Dues for 1977 are \$10 thru December 31, 1977. Dues for 1978 and thereafter shall be \$20 payable Jan. 1 of each year.
2. Assessors representing more than one taxing district must pay dues for all districts, or must specify to which district dues shall be applied prior to acceptance of membership.
3. The maximum amount of money to be allocated for any case shall be \$500. The committee shall have the power to make exceptions after thorough review.
4. Membership shall be for Assessors and members of Assessment Boards who hold a Tax Assessor's Certificate and a regular member of the State Assessors Association in good standing.
5. Upon application for membership an exempt claim period shall exist for the first ninety (90) days from the date of filing of an original membership. (This time period is to be used for investigating applicants for the possibility of cases pending).
6. Applications for membership shall only be approved by the Assessors' Advisory Committee.
7. Repayment of monies advanced if the applicant is successful in recovery over and above the legal costs expended plus salary loss. Applicant must sign an agreement before receiving payment.
8. Applicant shall have the privilege of the selection of an attorney.
9. Checks for dues shall be made out to N. J. Assessors Legal Fund and mailed to the Treasurer of the Legal Fund.
10. Checks from Municipalities will not be accepted.
11. The Applicant shall submit estimated costs for legal services to the Committee.

12. At the conclusion of the case the applicant shall turn over to the Committee a full report and briefs of the legal proceedings.

13. The basic reason to qualify for payment is the hindrance in the performance of the duties of the assessor by taxpayers, municipalities or anyone else.

14. The decisions of the Committee shall be final.

Samuel Katz

Secretary-Treasurer, Legal Fund

The preservation of liberty is a contest, but it is not a spectator sport. We cannot remain on the sidelines while professionals play the game for us.



NEW C.T.A.'S

Twenty-two persons qualified to become municipal tax assessors on September 24, 1977 by passing an examination conducted by the State Division of Taxation, Department of the Treasury.

Seventy-seven persons took the six hour examination which was held simultaneously at three locations in the State.

The examination was held in accordance with the Assessor Certification and Tenure Act which requires that anyone assuming office as tax assessor on and after July 1, 1971 must hold a Tax Assessor Certificate.

Sidney Glaser, Director of the State Division of Taxation stated the purpose of the assessor certification law is to promote professional administration of the property tax through training and examination, and to provide tenure in office as tax assessor to qualified persons.

Mr. Glaser noted that examinations are offered twice each year, in March and September, and cover the fields of property tax law, farmland assessment, tax exemptions and deductions, sales ratio and equalization programs and the three approaches to valuation of real property. He also pointed out that New Jersey was in the forefront among the States in its assessor qualification program.

Those who received passing grades are as follows:

BERGEN COUNTY: Wilber G. Heinemeyer, Bogota Borough; Raymond A. Koski, Edgewater Borough; Harvey Gerald Weber, Jr. Edgewater Borough; Joseph N. Sardone, Fair Lawn Borough; Michael Ksenich, Garfield City; Max Kerman, Leonia Borough; Frank E. Montmeat, Leonia Borough; Anthony F. Lama, New Milford Borough.

CAMDEN COUNTY: Leonard F. Albig, Somerdale Borough.

CAPE MAY COUNTY: Sandra J. Sharpley, Lower Township.

ESSEX COUNTY: Harold H. Liebeskind, Newark City.

HUDSON COUNTY: Paul W. Korch, Bayonne City.

HUNTERDON COUNTY: Paul Dzavik, Milford Borough.

MERCER COUNTY: Vincent R. Stolarski, Jr., Trenton City.

MIDDLESEX COUNTY: Kathleen A. Hayes, City of New Brunswick.

MONMOUTH COUNTY: John P. Currie, Belmar Borough, Mark L. Nichter, Freehold Borough.

OCEAN COUNTY: Georgian Kolber, Lakewood Township.

PASSAIC COUNTY: James B. Krieger, Paterson city; Matthew C. Mondanile, Paterson City.

SOMERSET COUNTY: Nicholas R. Cantore, Raritan Borough.

COMMONWEALTH OF PENNSYLVANIA: Anthony R. DiArenzo, Springfield, Pennsylvania.

In New York state, all appointed or re-appointed assessors must sign an Oath of Office.

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ASSESSOR WINS APPEAL

Farmer Peter Pulis is no Frank Perdue, but he does raise chickens.

That's why he's upset with a state tax ruling which says that his poultry farm was not a poultry farm back in 1973 and 1974, when, he says, it was producing 10,000 chicks a year.

The decision will cost Pulis about \$45,000 in taxes.

The state Division of Tax Appeals ruled earlier this month that during those years Pulis did not devote enough land nor realize enough income from his farming, to qualify for a farmland assessment.

Instead of a \$15,000 assessment on his 30-acre tract for 1973-1975, he'll get one for \$400,000. Pulis says he probably will appeal. In the past two years, Pulis has used the required five acres to qualify for the lower assessment.

The winner in the dispute is township tax assessor Carolyn Landi, but not, as it turns out, because she is tax assessor.

Mrs. Landi pressed the case in 1973 as a private citizen, after the Township Committee voted not to support her.

"When I took the oath of office," said Ms. Landi, "I said I would be fair and equitable to all, not just to individuals. I'm not for one or two, but for the whole town."

The state decision covers 1973 and 1974, but the farmland was also assessed at \$400,000 for 1975. In the past two years, Pulis has devoted the required five acres and taken in at least \$500 a year to qualify for the lower assessment.

Still, at about \$15,000 a year in added taxes for the three years, 1973-75, the decision is not chicken feed.

And Mrs. Landi will inspect the property again to determine whether an old dispute hatches anew.

Property Exemption Extended

The Assembly passed by a 60-0 vote a bill that would raise to \$10,000 the present \$4,000 assessed value of improvements a homeowner can make on his dwelling and qualify for a five-year property tax exemption.

Rollback Assessments
Upheld

Tax exempt corporations such as the New Jersey Turnpike Authority and the State Department of Transportation are subject to back taxes when they purchase farmland regardless of their exempt status, according to a ruling by the New Jersey Supreme Court.

Presently, under the Farmland Assessment Act, agricultural or horticultural land is assessed at a reduced rate.

However, when the land is converted to another usage, the municipality can roll back the reduced assessment for three years and collect the difference in taxes as if the special abatement did not exist.

Both the turnpike Authority and the Department of Transportation had contested the roll back assessments on farmland they purchased for highway purposes but the court ruled they had to pay for the change of use.

No decision was determined by the court, however, as to who is actually liable for the payment of the back taxes — the new owner or the old owner. Another court case will probably follow.

The trouble with most of us is that we would rather be ruined by praise than saved by criticism.

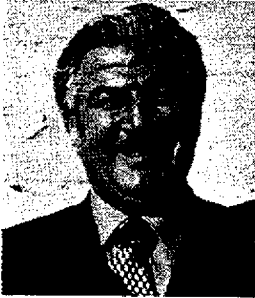
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Legislative Committee



My apologies to the members of the State Assessors Association for not making the deadline of the last issue of the bulletin. I tried hard, but the amount of time spent on those two pieces of legislation which the Assessor's Association had been persuing seemed to leave little time for anything else.

Yes, I'm referring to S-1495 and A-2147. I'm sure that by now everyone is familiar with the contents of these two items. I have never believed that having laws enacted which would benefit Property Tax Administration would take so long and would be so hard to push thru. I tried to analyze why this should be so and I can't seem to draw any conclusions, especially since these bills had been so widely publicized and endorsed by many groups. To name a few—The Small Community's Mayor's Association (endorsed at the last mini-tax convention), the New Jersey Conference of Mayors, The Legislative Committee of the League of Municipalities, and the Tax Collectors Association.

On S-1495, which is still awaiting the Governor's signature since May 16, 1975 despite petitions from President Bill Bailey asking that the Governor sign this bill, the importance of this signing was stressed to show the need of eliminating needless litigation pertaining to farmland rollback. The State Assessor's Association is hopeful that, at this reading, the governor will have signed this amendment to the Municipal Land Use Law.

On A-2147, The Legislative Committee has just about run out of effort on how to successfully complete the passage of this proposal. Since Ch. 361 was signed into law in 1975, the Legislative Committee has been working to have it amended. This was because those provisions set forth in Ch. 361 (calling for the payments of 90% of the taxes due during an appeal with an 8% penalty upon adjudication in favor of the appellant) would present a hardship to the effected assessor, collector and municipality. For the Assessor it was the feeling that Ch. 361 would induce appeals because of both the 90% payment and the 8% interest.

For the collectors it would have been an automatic compounding of 10% in the reserve for uncollected taxes for all the years while the case is pending at the division level.

For the municipality the automatic compounding of this reserve for uncollected taxes would uncontrollably result in an increase in the amount to be collected by taxation thereby shifting the burden of taxation to those not involved in the tax appeal.

Since the initial proposal to amend Ch. 361 was made in the early part of 1976, many changes were made to A-2147 until its final form was agreed upon by the Senate on September 29th, 1977. Altho the Assembly had previously passed the bill the word changes made by the Senate had to be approved by the Assembly. It was hoped by the State

Assessor's Association that this could have been approved during the session of October 3, but the measure was held up for further reading.

I'm not going to use this report as a means of seeking your sympathy—but I will say this, that the legislative committee has certainly been given a clear lesson in futility in trying to have these bills enacted into law. Your legislative aide, with members of the committee, has been constantly exerting every effort in moving these items of legislation because they greatly benefit Property Tax Administration. We will continue this effort until either they become law or they are allowed to dissipate.

Concerning 1978, a request has been made through the office of the Taxation Committee of the General Assembly for input from the assessors on various changes in Property Tax Administration.

Perhaps you have already received this request and have complied with it but for those who have not yet done so, I urge you to comply. (Request appears elsewhere in this bulletin).

The hearings held on SR-30 (Revisions of the Tax Appeal system) and on AR-3003 (the need for revisions on assessment procedures, revaluation, equalizations et al) have pointed out the need for many changes in Property Tax Administration.

The Assessors Association recognizes the fact that if changes are to be made, then the recommendations should come from those primarily responsible for the implementations of these changes.

Respectfully submitted.

George C. Harraka, Chm.
Legislative Committee

Make it a rule to never regret and never look back.
Regret is a waste of time.

IN MEMORIUM

ROBERT R. HAGUE

SENIOR FIELD REPRESENTATIVE
NEW JERSEY LOCAL PROPERTY TAX
DEPARTMENT

AGE 38

Association of Municipal Assessors of New Jersey

NEW JERSEY ASSESSORS BULLETIN

P. O. Box 187, New Brunswick, N. J. 08903 — (201) 745-5011

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ONE MAN'S OPINION



The Field Staff of the Assistant Section of the Local Property Division, Public Utility Branch, in my opinion, have a most unenviable job.

They're the people who check out the SR-1's.

Robert Johnson, Chief of the Sales Ratio Section, has his hands

full.

The Sales Ratio Section gets the SR-1's first, screens them and sends those they deem questionable to the Field Staff.

The Field Staff, which is greatly undermanned, then runs around the State questioning buyers, lawyers, assessors, etc.

Of course, the Staff shudders when they see a ratio of 200 or greater. They can't see how this can be a usable sale so they look to knock it out and if they do, Bob Johnson might get a disturbing phone call from the assessor.

On the other hand, a ratio of 50 or lower is treated as commonplace.

If I'm portraying the Field Staff as robots, running around with sardonic smiles on their faces, this is not the impression I want to give.

They have a job to do but an assessor knows his community more thoroughly than a field man can expect to know a few counties.

The subsequent result, in some cases, is to wind up in court.

Here, unfortunately, the presiding judge may also wonder how a 400 per cent ratio can be arm's length.

On the other hand, if this is true, how can a 50 per cent ratio be usable.

Maybe a high and a low should be set and everything above or below be thrown out.

Remember, this is One Man's Opinion.

Lou Schick

A man can succeed at almost anything for which he has unlimited enthusiasm.

ANOTHER MAN'S OPINION



On the subject of appeals, it should be first noted that most are made purely as tax appeals, not assessment appeals; that is, they are directed against high taxes caused by county, school and municipal budgets. A taxpayer's only recourse following receipt of the tax bill is to try to lower the

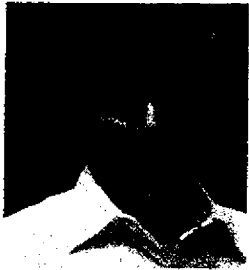
assessment and so result in lower taxes. There are some, but usually few in number, which are made in order to complete an agreed stipulation between taxpayer and assessor prior to appeal time. The appeal has to be made in order to have the stipulation, which is welcomed by Taxation Boards, to be sure.

In any event, it has been my practice to write down my arguments in defense of the assessments on appeals that are heard, which are sent in full form, or at least an outline of such defense, to the Tax Board in advance of hearing date, so they will know what to expect from me, with no surprises. Some appeals can be grouped under one type of defense. This is done just in case I am unable to appear at the hearing and also for their information should there be an unexpected and sudden postponement of any appeal, since I would attend only the one hearing. It is noted some taxpayer lawyers have a habit of finding other things to do and ask for one postponement after another, which I totally disregard.

When there is a Revaluation of Reassessment which might generate more than usual tax appeal activity, or even in ordinary times, I should think, as a protection for the Revaluation firm, the Assessor and to the Municipality, that some "cap" be set on appeals. For instance, when your local \$9,000 land assessment is challenged by a \$3,000 appeal (petitioner verbally asked for \$2,500 at the hearing) on which the market price was \$50,000 two years later, there is something wrong with the system. A limit should be set as to how far an appeal can go to eliminate the \$75,000 buyers of \$50,000 homes who appeal for a \$30,000 assessment, or the "I-know-it's-not-worth-what-I-paid-for-it" buyer.

Bill Birchall

Executive Board Meeting



The Executive Board of the Association of Municipal Assessors of New Jersey held a meeting on August 30, 1977 at the Beacon Manor, Point Pleasant Beach and various committee meetings were held prior to the Executive Board meeting.

The meeting was called to order by President Bailey and the minutes of the previous meeting were approved as mailed.

Chuck Taylor submitted the Treasurer's Report and an acknowledgment of expression of sympathy from the family of Bob Hague was read. Also received was an acknowledgment from the American Heart Association, Burlington County Chapter in the amount of \$25, in memory of Richard Haines.

Committee Reports

Legislation Committee: George Harraka, Chairman. Chairman Harraka recommended to the Executive Board that they move in some direction on SR 30, which is Senator Dunn's Bill creating a Special Senate Committee on Tax Appeals Procedure. Per a directive by President Bailey, the Executive Board will review the following Bills: A 3380, A 3378, A 3331, A 3332 and all comments will be sent to President Bailey, Ken Beck, or George Harraka. Presented was the Legislative reports for the months of June and July of Sal Pollina, Legislative Aide.

Public Relations Committee: Bill Birchall, Chairman. Bill Birchall has made the following request: "In an attempt to show the humanitarian side of assessors, the Public Relations Committee needs pictures of assessors involved in civic activities. Any photos submitted will be considered for use in the Association's display at the 1977 League of Municipalities conference in November. Photos may be sent to Bill Birchall, Box 31, Hainesport, N. J. 08036."

Nominating Committee: A report of the Nominating Committee is on file with the Secretary and attached to the minutes.

New Business: President Bailey asked Mrs. Yahnel to contact Tony Panaro, President of the County Board Secretary and Commissioners Association to get a letter out to all counties in regard to Chapter 361, Laws 1975, which makes reference to 90% of $\frac{3}{4}$ of the taxes due upon filing a tax appeal. This letter was requested so that all county tax boards would make a determination as to how they would handle this law.

President-Elect Joseph Crane is requesting volunteers for committees for 1978. Anyone interested please contact him.

A motion was made to adjourn the meeting at 1505 hours.

Kenneth H. Beck, CTA, SMA
Secretary

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A man's real possession is his memory. In nothing else is he rich, in nothing else is he poor.

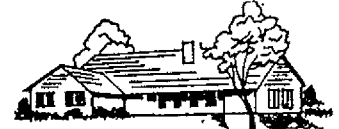
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New Bills Signed Into Law

S-866 2nd OCR Chapter 174 August 16

Requires county recording officers to notify municipal tax assessors of the filing of approved sub division plats.

A-2440 4th OCR Chapter 234 September 26

Increases the number of judges in the Division of Tax Appeals from 7 to 11, creates a Small Claims Bureau and provides for direct appeals to the Division of Tax Appeals where the assessed value exceeds \$100,000.

A-2538 2nd OCR Chapter 241 October 3

Extends the homestead exemptions to residents of non-profit corporatives and mutual housing corporations.

S-3403 Chapter 242 October 3

Supplements the act extending homestead rebates to resident cooperatives and mutual housing corporations.

A-1801 3rd OCR Chapter 256 October 11

Exempts solar energy heating and cooling systems from the real estate tax.

New Bills Proposed

S-3240 Feldman. To permit municipalities to adopt ordinances providing for exemptions up to the full value of improvements to multiple dwellings.

ACR-3028 Bassano, Albanese, Fava, Olszowy, VanWagner, Dorsey. To amend the New Jersey Constitution, after referendum, to authorize persons 65 years of age or over or persons permanently and totally disabled to receive both the "veteran's" and "senior citizens" property tax deductions simultaneously.

A-3378 Perskie. To provide for direct appeals to the tax court on property assessments on properties with assessed valuation of \$100,000.

A-3380 Perskie. To establish a tax court to hear tax appeals; to abolish the Division of Tax Appeals.

ACR-3303 McDermott and 2 other Sponsors. To amend the New Jersey Constitution, after referendum, to increase from \$5,000 to \$10,000 the maximum annual income to qualify for senior and disabled citizens real estate tax deductions.

S-3331 Dunn, Maressa, Skevin, Hagedorn, McDonough. To revise the law regarding County Boards of Taxation.

S-3332 Dunn, Maressa, Skevin, Hagedorn, McDonough. To establish a full-time tax court and abolish the Division of Tax Appeals.

A-3400 Otlowski and 7 other Sponsors. To permit municipalities to grant tax abatements for certain improvements to real property which are in excess of 15 per cent of assessed value or \$50,000.

A-3012 Muhler and 14 other Sponsors. To declare the sense of the Assembly that Governor Byrne shall not include or have enclosed with the October property tax rebate checks any personal statement.

A company that survives a recession is like a teabag. It doesn't really know how good it is until it gets into hot water.

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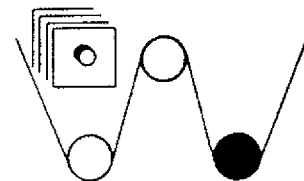
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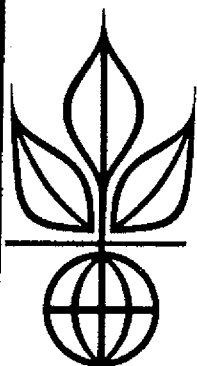
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BOOK REVIEW

It is unfortunate that books are written pointing out, in generalities, the pitfalls of a particular system without giving equal weight to the other side of the issue. It is also unfortunate that the problems of the assessment process in other states may be interpreted, by misguided readers, as the defects of the New Jersey function.

You CAN Get Your Real Estate Taxes Reduced explores the property tax process by attempting to answer the following assumptions.

"The bill is fair if the tax value is below your property's market value. (This is what assessors hope you will assume. But it is not the definitive test.)"

"Whoever valued your property was qualified to do so. (Most are not.)"

"Your assessment was carefully prepared. (Most aren't.)"

"The most reliable valuation methods were used. (It seldom happens.)"

"You probably couldn't do anything about the assessment even if it is too high. (Oh, but you often can.)"

You can't get special relief. (Several types are available.)"

After presenting these thoughts for consideration, the author begins his discourse by giving valid criticism of assessor qualification in North Dakota, Montana, Maine and Illinois. His comment on New Jersey assessors at this point is a slap at the part-timers. He quotes Jonathan Rowe of Ralph Nader's Tax Research Group who said "The State of New Jersey, for example, has over 500 local assessment units; I am told that in some of these units if you want to find the assessor, you have to go down to the gas station where he is pumping gas during the day."

The author then considers the process of assessment, review and appeal, including in his chapter headings the following:

"How to Tell if an Assessment Should Be Challenged"

"Are the Assessor's Records Open to You?"

"First Look for Mechanical Errors"

"How to Use Assessment Comparables"

"How to Show That Building Cost Does Not Necessarily Equal Value"

In his ten guidelines for a winning appeal the author commits a grievous error. Let's look at items 3 and 4 on his list.

"3. Tell the truth . . ."

"4. . . but not the whole truth. Limit your presentation to a few telling points. Do not try to "cover everything." It's hard to resist it, but resist it. Use less than the allotted time."

More than two-thirds of the book is used for supplements covering the three approaches to value, the state-by-state legal basis for value, assessor qualifications (most states have none), selection of appeal agency officials (local, county and state), relief and exemptions and personal property.

You CAN Get Your Real Estate Taxes Reduced, by Ronald E. Gettel, MAI, CRE, SREA, ASA is available hardbound for \$11.50. It is published by McGraw-Hill, New York.

Bill Birchall

NEW TAX REBATES

On October 3, Governor Brendan Byrne signed into law an extension of the Homestead Rebate making an estimated 16,000 residents of non-profit and mutual housing corporations eligible for this refund.

The new law will mean an average increase of \$125 to qualified taxpayers but the rebates will be smaller because many have received rental tax credits of \$65. to \$100.

Senior citizens, totally disabled people or surviving spouses of persons who would have been eligible will receive a higher amount.

Application forms for the new rebate are being prepared for distribution to municipalities and housing projects. Checks are to be mailed in a few months.

The total cost of this bill to the state is estimated at \$2.6 million this year.

To be eligible for a rebate this year, one must have been a resident in the qualified housing project as of October 1 last year.

Maximum refunds for homeowners in Oregon have increased from \$490 to \$655, and for renters from \$245 to \$328.

The Twenty Commandments for Assessing Officers

(From "List of tenant relations of the Building Owners and Managers of Calgary, Canada.")

1. Greet the property owner promptly; even one minute is a long time when you are waiting.
2. Smile—it is a trademark of a friendly person and we all like to deal with pleasant people.
3. Call property owners by name; the most important name in the world is his own.
4. Don't argue—only fools have arguments, and even if you win you lose.
5. Sell your profession. When you speak well of your office, you also speak well of yourself.
6. Show your appreciation. A property owner does not like to feel that you are doing him a favor by serving him.
7. Show enthusiasm; it's contagious. Be enthusiastic about your office and profession.
8. Be a good listener; most people would rather talk than listen.
9. Make saying "thank you" a habit; it never gets old.
10. Don't be a "stuffed shirt." Property owners can see through any false front—just be friendly.
11. Put yourself in the property owners shoes. When unusual requests are made, you may understand his position.
12. Do small favors—often more important than big favors.
13. Keep cool; lost tempers can be damaging.
14. Don't overdo it; there is a vast difference between sincere appreciation and gushing flattery.
15. Know what you are talking about. Property owners depend on you for accurate information; if you guess you may guess wrong.
16. Keep promises. Confidence is the foundation on which friendship is built.
17. Look the part—People judge you by your appearance.
18. Be tactful; simply stated, tact is the consideration of the feelings of others.
19. Be helpful; you are obligated to serve the property owner.
20. Don't be afraid to admit to mistakes; after all if you were perfect you wouldn't be reading these 20 commandments.

Eligibility of Surviving Spouse to Receive Senior Citizen Deduction Without Filing Deed

An applicant, by virtue of being joint owner with right of survivorship of his or her home, becomes sole owner of said home upon the death of his or her spouse. Although it would be advisable for such applicant to inform the tax assessor, pursuant to N.J.S.A. 54:4-29, of his or her spouse's death, such notification is not a prerequisite under the present circumstances for the applicant to receive his or her senior citizen deduction. The applicant is thus entitled to receive the senior citizen deduction so long as he or she meets all of the other requirements under the statute.

LOCAL PROPERTY TAX— COMMON LEVEL OF ASSESSMENT FROM STATE TAX NEWS

The Appellate Division reversed the Division of Tax Appeals and held that a common level of assessment existed in Woodbridge Township in the tax years 1973 and 1974 and that the Division of Tax Appeals erred in reducing the taxes on the Vornado property by applying the Director's ratio to grant discrimination relief. A revaluation of the assessed properties in the township was made by an independent appraisal firm and put into effect for the tax year 1970 as of October 1, 1969. Assessments were at 50 percent of true value, the county ratio at the time. For 1973 the County Board of Taxation ordered assessments to be at 100 percent of true value. In order to comply, the local assessor incremented all appraised values from the year 1969 by 25 percent and applied that factor to the 100 percent value of all real estate in the municipality. It was held that the Township was attempting to maintain a common level of assessment. It was also held that a taxpayer who seeks a reduction of an assessment below true value must prove that his share of the total tax burden substantially exceeds the share allocated to others generally. The law calls for separate assessment of each parcel annually at its true value of the assessing date. While practicalities preclude most assessors from reviewing every assessment line item every year, there should nevertheless be alertness to changed valuation factors peculiarly affecting individual properties in years between revaluation and requiring prompt revision of such assessments in fairness to the particular taxpayer or to the taxing district.

Vornado Inc. v. Township of Woodbridge, Appellate Division (1976, unreported).

Good men will do a good job regardless of methods while no amount of careful designing can fully compensate for the shortcomings of incompetent men.

Legislature Aids Church

St. Andrew's Ukrainian Memorial church purchased a 50 acre tract of wooded land in Franklin Township in 1972.

In 1974 it became the Ukrainian Orthodox Seminary with plans for the construction of a multi purpose cultural center that would provide youth and religious programs.

But their future plans hit a snag when someone forgot to file an exemption application until more than a month after the November deadline.

Consequently, the church was taxed for the property despite the fact that an appeal was taken before the Somerset County Board of Taxation who stated they had no choice under the law than to deny the exemption.

The tax bill of \$47,000 was paid and for five years the church struggled to have it returned.

It wasn't until the Legislature granted a special exemption that the money was given back and the church is now able to proceed with the youth projects.

THE ASSESSOR IN 1799 WAS CLOCKWATCHER

The work of Suffolk's present-day assessors is much less complicated than that of their 18th century predecessors, who even appraised clocks and slaves.

The contrast is shown in old records of Selah Strong, who held the solution of Brookhaven Town commissioner of taxes in 1799, a post that held much power, considering that the number of assessors to be appointed was left to the commissioner's discretion.

Old records show that once the value of a person's real and personal property had been established, the computation of the tax was very simple.

For example, if the aggregate valuation of an individual's estate was \$259.50, the assessor would strike out the 9.50, and the remaining figure 25 would indicate the amount of tax in cents—25 cents. If the value was \$1,259, the tax would be \$1.25.

Taxable property included real estate, oxen, bulls, cows 4 years and older, meat cattle 2 and 3 years old, horses, mares and stallions, mules, coaches, chariots, post chaises, phaetons and coaches on stell springs.

If a person's clock had wooden works, there was no tax, but brass or steel wheels put the timepieces in the luxury or taxable class. Landowners paid a tax only on slaves between the ages of 12 and 50. Vessels were taxed according to weight.

The commissioner's instruction to assessors stated that in case any property owner "shall refuse or neglect to pay such sum," the belongings should be sold by the assessor, and the proceeds be forwarded to the county treasurer after the assessor had retained 5 cents out of every \$1 for his services.

As for such procedure, there was no alternative. The commissioner emphasized to the assessors, "... and hereof fail not at your peril."

Solar System Tax Break

Beginning January 1, solar heating or cooling systems installed in any residential or industrial structures will be exempt from property taxes under a new bill signed into law by Governor Brendan Byrne.

Eligibility will be determined by standards set up by the Department of Community Affairs and the State Energy Department.

Under this bill, sponsored by Assemblywoman Jane Burgio (R-Essex) assessors will deduct the value of the new systems from the total values of the structures.

Although the tax break will be available for five years, the exemptions will last as long as the systems are used.

Ms. Burgio said this bill will encourage property owners to conserve energy by applying the certified systems.

If the systems are not in use the assessor has the right to deny the exemption but all rejections are subject to an appeal via the regular procedures.

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Freedom requires vigilance. One does not earn freedom and then sit back and enjoy it.

Public Relations Committee

The Public Relations Committee, William Birchall, Chairman, met on Tuesday, August 30th, 1977 at the Beacon Manor, Point Pleasant Beach, New Jersey.

In attendance were: William Birchall, Chairman; John Corliss, Vice-President; Paul Sadlon, Claire Young, Louis Schick and Grace Wolf.

Mr. Fred Wille was not in attendance but did submit in writing his comments on the proposed agenda.

The Committee decided to revise the display for Atlantic City by including photographs with a human interest angle. Lou Schick will assist us in this endeavor and our aim is to have pictures of Assessors in other fields (scouting, service clubs, etc.). We also presented Ken Beck with a letter asking for pictures and information on the humanitarian activities of Assessors throughout the State.

We discussed the Speakers Bureau brochure and we are not progressing well in this area. Although we have distributed brochures to various civic associations, we have had no response and, in view of this, are tabling this item. Attached is the covering letter and a list of the mailings regarding the Speakers Bureau Brochure. We will, however, distribute the Speakers Bureau brochure at Atlantic City.

We have been discussing and are still not certain as to whether we want a regular column or periodic newspaper releases regarding tax assessment procedure.

We discussed the up-dating on our "Assessment Topics" brochure and have decided at this present time not to add any updating. However, one of the items on next year's agenda will be the revision of this brochure. The Chairman would appreciate any comments any members of the Committee would forward to him.

The meeting was adjourned at noon.

Respectfully submitted,

Grace Wolf
Secretary

S.M.A. Annual Luncheon

NOVEMBER 16, 1977—ALHAMBRA ROOM
ATLANTIC CITY, N. J.

11:45 AM Promptly \$8.00 p.p.

Our Annual Luncheon will be held at Howard Johnson's Regency, the Alhambra Room, ground level—Beach Block, Arkansas Avenue. They promise a fine beef menu, a welcome change!

Most important—We have the following program and hope that the speakers will help clarify our property tax situation in 1978. It is your opportunity to ask questions and project your point of view. Sidney Glaser will be on hand to introduce the speakers.

Moderator: Sidney Glaser
Director, State Division of Taxation
Topic: "Property Taxation Legislation"

Guest Speaker: The Honorable Richard Van Wagner
State Assemblyman, District 12
Chairman, Assembly Committee on Taxation

Guest Speaker: The Honorable Albert Burstein
State Assemblyman, District 37

Guest Speaker: The Honorable Clifford A. Goldman
State Treasurer

Claire Maxwell Young, SMA, CTA
Chairman

New Bill in Georgia

In Georgia a bill has been passed that stipulates that those persons employed by county government as staff appraisers who have earned the (CAE) Certified Assessment Evaluator designation or the (CPE) Certified Personality Evaluator designation conferred by the International Association of Assessing Officers shall be paid a salary supplement of (\$1,000) one thousand dollars per year.

Those who have earned the (GCA) Georgia Certified Appraiser designation conferred by the Georgia Association of Officials shall be paid a salary supplement of (\$750.00) seven hundred and fifty dollars per year, provided that the qualifications and requirements necessary for achievement of the Georgia Certified Appraiser must be approved by the State Revenue Commissioner before any supplements are paid for this designation.

A Case of Compensated Obsolescence

A Philadelphia paper reports that Simon Pinder of Bristol, England appealed to his tax assessor for a reduction in the assessed value of his home because of his pretty wife.

The wife, it seems, attracts an inordinate amount of attention from the boys at a nearby naval academy. The constant wolf whistles, peculiar looks and marching to and from subject the property to a unique form of obsolescence.

The appeal was denied, with sympathy, and perhaps with the consolation that the obsolescence will diminish in inverse proportion to the rate of depreciation of the wife.

JUNE CONFERENCE

The Planning Committee for the Continuing Education Program at Rutgers held a meeting on October 13, 1977.

The date set for the coming year is June 20-23, 1978.

Suggestions from assessors as to new courses or programs are welcome and should be sent to Ken Beck, 54 Washington Street, Toms River or Ray Bodnar, Department of Government Services, Rutgers University, New Brunswick, N. J.

In attendance were assessors Ken Beck, Joe Crane and Charles Fouquet; Al Bills, Local Property Tax Bureau; and William Rae, Ray Bodnar and Betty Holland, from Rutgers University.

Liberty is obedience to the law which one has laid down for oneself.

Dunn Sponsors Tax Bills

Gov. Brendan Byrne was urged by Senator Thomas C. Dunn (D-Union, Middlesex) to take action on two bills he sponsored that would change the state tax appeal procedure, along with eliminating the Division of Tax Appeals.

Dunn let it be known that he was not in favor of a newly signed bill that will increase the number of part-time judges hearing tax appeals from seven to eleven.

Instead, Dunn proposes five to nine full time judges.

Dunn also recommended a method of expediting hearings and giving the county boards of taxation more power to dispose of tax appeals before they reach the state level.

The senator stated that the present tax appeals system favors commercial property owners at the expense of the municipalities and homeowners and, therefore, the system should be overhauled.

The only constant factor in our era is change—constant, never-ending change.

Assessors Education Program

The 24th New Jersey Assessors' Continuing Education Program, held at Douglas College June 21-24, was attended by about 125 people.

Ray Bodnar and Bill Bailey welcomed the registrants before they attended the classes of their choice.

In addition to the courses presented a series of round table discussions were held.

The Conference banquet was held on Thursday night and the review and examinations were held on Friday morning.

The Planning Committee for the conference consisted of: William T. Bailey, Kenneth H. Beck, Alvin E. Bills, Jr., Raymond D. Bodnar, Joseph A. Crane, J. Henry Ditmars, Robert E. Ebert, Lorraine A. Effenberger, Ackley O. Elmer II, Charles W. Fouquet, Edward P. Markowich, John J. Murray, Anthony J. Panaro and Courtney P. Powell.

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New York Tax Break

A bill was passed by the New York State Assembly that would give upstate businesses up to a one year, 50 per cent real estate exemption on the value of their improvements in major reconstruction or new construction.

Since the exemption applied only to any increased value resulting from improvements or new construction, no loss of present tax revenues would occur.

The bill has the support of the State Senate and Governor Carey.

In Oregon homeowners receive refunds based on the actual amount of taxes levied against their property. Renters claim 17 per cent of their rent as property taxes. Refunds are available for persons with income under \$15,000 per year.

In 1973, the first year of the refund program, 519,315 homeowners and renters received refunds totaling \$71,888,322.

Also, 32 per cent of the homeowners and renters received refunds equal to the total amount of their property taxes.

New Home Prices Rise

According to the Federal Home Loan Bank Board, prices of new homes across the nation are rising at an annual rate of 22%.

The sale price of a new home in February averaged \$43,000 as compared with \$38,000 one year ago.

The median price of \$43,000 means half the new homes in the country sold at a higher price and half sold at a lesser price.

A preliminary report showed that prices in March jumped to \$44,900.

The Federal Board said this might indicate that affluent persons are selling their old homes and buying more expensive ones at a faster rate than less affluent persons are buying homes for the first time.

Because of high construction and finance costs builders are now looking for smaller lots and cutting back on frills to keep the price of the completed home within reach of first-time home buyers.

Silence is one of the great arts of conversation.

Tax Board Get Ethics Code

Members and employees of county tax boards yesterday got a new code of ethics from the state.

The code would bar tax board members when:

—The petitioning taxpayer, the municipal assessor, the taxpayer's attorney, or the municipal attorney is a member of the tax board member's firm.

—If any of the parties in a tax appeal is a business partner of a board member.

—If the municipal tax assessor is a close relative of a board member, with second cousin being the outside definition of a close relative.

—If the taxpayer is a close friend of the tax board member.

State conflict-of-interest law makes violation of an ethics code cause for removal from office.

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