

# MONMOUTH COUNTY BOARD OF TAXATION

## Frequently Asked Questions About Challenging Your Assessment For the 2020 Tax Year

### 1. Where I can find my 2020 assessment?

In late November you will receive your 2020 assessment postcard which is sent annually by the Monmouth County Tax Board. The postcard will display your assessment for 2020. Once certified, about mid-November, you can also find your assessment online at Monmouth County's *Open Public Records Search System* (OPRS) website. Here is a link to that site:

<https://oprs.co.monmouth.nj.us/oprs/External.aspx?ild=12>

You can also contact the Assessor's office and request a copy of your *Property Record Card* (PRC). The PRC contains the physical data of your house that is being used in the assessment modeling.

### 2. How do I know if I am being assessed fairly?

Please be mindful that the assessment function is focused on the ***uniformity and accuracy of the assessments*** NOT the resulting tax responsibility. When the assessments are set to the same standard (market value) in a uniform way, the tax levy will be distributed fairly in accordance with the NJ Constitution. The Assessor does not have control of the tax levy (amount being raised by property taxation). County, municipal and school budget costs determine the amount of property tax to be collected. An individual's property taxes are directly correlated to that property's proportionate share ownership of the municipality. To put it simply, if a property was worth 5% of the municipality, it would be assigned to pay 5% of the annual tax levy. The purpose of the assessment function is to value your house fairly based on market data so that the distribution of the tax levy is fair. You should always be aware of the market to be sure your assessment (and resulting apportionment of the tax levy) is fair.

To determine if your assessment is fair, compare your total assessment to recent sale prices of similar houses in your area. "Similar houses" means similar age, size, style, condition, quality, amenities and location. Remember, the assessment is intended to be a reasonable representation of the market value of your home and the assessment modeling attempts to take into account all the same factors that buyers and sellers take into account when buying or selling a home. Comparing your assessment to other assessments is not the proper way to determine if your assessment is accurate, therefore you should focus your research on sale price data.

All houses are (in one way or another) different from each other. More credibility should be given to sales of houses that are most similar to yours. For example, if your house is a new house, sales of older houses should render less significance (if any) in your study. Similarly, if your house is a 2,000sf Ranch, a sale of an 9,000sf Colonial would have no relevance on the value of your home. It is important to compare *apples to apples* in your review. Location, quality and amenities also should be given proper consideration.

You should only give consideration to sale prices that were "bona fide arms-length transactions" between "willing" buyers and sellers. That means that no participant of the transaction was overly compelled to buy or sell. Generally speaking, short sales, estate sales, bank sales, sales between

family members etc. are all excluded from a market value analysis. Houses that were openly listed (and the market had time to digest) are typically more credible transactions when compared to private deals where there was no actual market exposure. Remember- this *is* all about market value!

The age of the sale is another factor worth considering in your review. Keep in mind that the valuation date for the 2020 assessment is October 1<sup>st</sup>, 2019. Sales that occurred in 2019 would generally be given more credibility (all other factors being equal). It is reasonable to also look at sales from 2018 in your review, but just remember that the more recent sales would usually be given more weight (all other factors being equal).

### **3. What do I do if I feel my 2020 assessment DOES NOT reflect the fair market value?**

If you believe the 2020 assessed value does not reflect the true market value of your property, you should contact the Assessor's office immediately to confirm that the physical characteristics on your *Property Record Card* (PRC) are accurate. After speaking to the assessor, if you still feel the assessment does not equal the fair market value of the property, you should file an appeal with the Monmouth County Tax Board before January 15th, 2020. Here is a link to the appeal site-

<https://secure.njappealonline.com/prodappeals/login.aspx>

Please note that the site will not be open until the 2020 assessment postcards are sent out. If you miss the January 15th deadline, you will not be able to file an appeal at the County until the following year (2021).

If you choose to file an appeal on your 2020 assessment, you will be required to provide evidence to demonstrate your position. "Evidence" is typically recent sales of comparable properties. The County Appeal Website becomes the portal for communication between you and the assessor. You would input your sales data or other evidence into the portal for the assessor to review your case. The Assessor would also use the portal to communicate with you- and publish evidence in support of the current assessment for you to review. All evidence – both town and taxpayer - must be submitted at least 7 days prior to the original hearing date.

### **4. What can I expect if I file an appeal?**

Typically, the Assessor will contact you (through the email you use to register on the online appeal site) to request interior photos of your house. The photos would assist in determining the quality/condition of your home and how your house compares to other similar houses that have recently sold. Ultimately, the Assessor is tasked with generating fair assessments, therefore more information and photos is always helpful for the process. The Assessor will often request to inspect your house as well.

After confirming the accuracy of the physical characteristics of the house, the Assessor would review the evidence that you have submitted within the website portal. The Assessor would then review other sales and establish a position- if the assessment modeling is setting your assessment at a reasonable expectation of market value or if it is not. If the Assessor agrees with you, a settlement would be offered through the online appeal portal. If the Assessor believes the assessment is defensible, you would be required to attend a hearing at the Hall of Records in Freehold where you would present your case to the County Tax Board. The Assessor would attend the hearing and present a defense as to why the town believes the assessment is fair (based on the evidence already

provided to you). The hearings are intended to be non-adversarial and simply viewed by the County Tax Board as a discussion of how the sales data already put into evidence relates to your home.

Generally, the County Tax Board will render their judgement 4-6 weeks after the hearing. You would be notified of the results by mail. Should you disagree with the County Tax Board judgement, you could further file at the State Tax Court within 45 days of the judgement date. If your case was settled prior to the appeal hearing date, your attendance would not be required at the hearing.

### **5. Should I file an appeal at the State Tax Court or the County Tax Board?**

If your assessment is over One-Million (1,000,000), you would have the option to file an appeal with the County Tax Board by January 15<sup>th</sup> or directly to the State Tax Court before April 1<sup>st</sup>, 2020.

Filing an appeal at the County level is intended to be easier and less formal of a process when compared to the State Tax Court. A County Tax Board Appeal can be done online and is a much faster process. State Tax Court cases may linger for many years before a trial is scheduled. All County Tax Board appeals will be heard and adjudicated prior to May of 2020.

Historically, the County appeal process took place AFTER the adoption of municipal tax rates. This created an environment that meant that any reduction in assessment through an appeal resulted in a “loss of revenue to the town”. Monmouth County has revised the assessment calendar and holds the appeal process BEFORE the budgetary process. This simple change protects the town from “under-collections” and removes a good deal of the adversarial nature of the process. For these reasons the Tax Board advocates filing at the Tax Board.

Most importantly, if you disagree with a judgement from the County Tax Board, you would still have the ability to challenge the judgement at the State Tax Court (within 45 days of the judgement).

### **6. Do I need an attorney to file an appeal?**

You have the right to be represented by legal counsel though the entire process, but it is not required that you use an attorney. Generally, property owners are most knowledgeable of the neighborhood dynamics and understand the factors that affect market value. The Assessor welcomes dialogue with the property owners whether an appeal is filed or not. It is in everyone’s best interest that the assessment process is fair and transparent, therefore communication is encouraged.

### **7. Do I need have an appraisal done on my house to present my case?**

You have the right to hire an independent appraiser to produce an appraisal report and testify at the appeal hearing as an expert witness though submission of an appraisal report at the County Tax Board is not required. County Tax Board hearings are non-adversarial and informal; therefore, the Board does not require a professional appraisal as evidence. Taxpayers may submit the comparable sales evidence into the portal for discussion.

### **8. Is it possible for my assessment to increase from filing an appeal?**

The purpose of the assessment function is to generate fair distribution of taxes amongst all properties in the district. When an assessment is higher than it should be, that property is

inappropriately paying taxes that others should be paying. Conversely, when an assessment is lower than it should be, others in the district are inappropriately paying taxes which that property should be paying. Higher or lower assessments do not change the amount the district collects. The assessments are strictly used for the fair distribution of taxes. That said, it is the Assessor's responsibility to be sure that the tax distribution within the district is fair, therefore if a property is assessed too high, it should be reduced and if a property is assessed too low, it should be increased. In an appeal setting, these concepts hold true. In the interest of the taxpayers at large, the assessment target should be wherever the sales data supports.

### **9. Will I have to go to court. If so, where is it?**

If you file an appeal with the County Tax Board, they will mail you a letter with your hearing date sometime in late January or early February of 2020. The hearing date would be scheduled sometime between February 1<sup>st</sup>, 2020 and April 30<sup>th</sup>, 2020. All cases are heard at the Hall of Records located at 1 East Main St. in Freehold. If the case is settled prior to the appeal hearing date, your attendance would not be required at the hearing.

### **10. Where can I find more information on filing an appeal?**

You can also contact the Assessor if you have any further questions. The Monmouth County Tax Board Appeal Website has an instructions handout that contains a lot of valuable information about the process: [https://secure.njappealonline.com/prodappeals/help/InstructionsHandbook\\_Mon.pdf](https://secure.njappealonline.com/prodappeals/help/InstructionsHandbook_Mon.pdf)

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**Important Note:** The *Introduction to Chapter 123* described below applies only to the following towns that have chosen not to annually revise and maintain their assessments at current-market-value:

**Allentown, Avon, Belmar, Keansburg\*, Manasquan, Marlboro, Millstone and Wall**

\*Keansburg will implement a traditional revaluation for 2021 and maintain assessments at market value thereafter.

All other Monmouth County towns maintain each assessment at current market value by performing a state-approved annual reassessment therefore, the “permissible range of assessments” within Chapter 123 does not apply.

### **INTRODUCTION TO CHAPTER 123**

The goal of the “Chapter 123 property assessment test” is to verify that the relationship between your *total assessment* and your *true market value*, as viewed as a ratio or percentage, is within an acceptable range of the *Common Level* for your municipality. If it is not, then the current assessment is viewed as either too high or too low and will be adjusted accordingly. *Chapter 123* is not used in the year of Revaluation or Reassessment. In the year of a revaluation or reassessment there is no “range of permissible values” because the *total assessed value* must equal the *true market value*.