

**BOARD OF CIVIL AUTHORITY HEARING  
of the HADEKA PROPERTY ASSESSMENT  
JULY 14, 2014 - 4:30 pm @ MENDON TOWN HALL.**

The Town Clerk, Marie Conway, nominated Ann Singiser as Chair of the BCA Meeting. This was approved by all attending BCA Members.

- Ann called the meeting to order at 4:35 p.m. and stated the purpose of the hearing is to hear the appeal presented by the Hadekas.
- Attending as BCA members were: Tracy Adams, Ann Singiser, Wanda Courcelle, Lindsey McCaig; Rich Carlson, Geoff Wells and Larry Courcelle.
- Also present were the appellants: Peter and Deborah Hadeka.
- Representing Mendon as the Town Assessor: Spencer Potter.

The Clerk administered the oath to the BCA members and they subsequently signed the oath.

The Clerk administered the oath to the appellants, and to Spencer Potter, the Town Assessor.

As Mendon's Assessor, Spencer Potter indicated the property in question is **259 Meadow Lake Drive**. There are 2 structures with residences on them. There are also 2 separate zoning lots. The property under consideration is valued at \$153,000. Spencer passed out copies of Assessor's exhibit L-1, a map showing the property site, and exhibit L-2, a picture of the buildings.

Peter Hadeka thanked the BCA for hearing his cause.

- He passed out copies of an Appraisal done by Renee Duma (Appellant's exhibit A-1).
- Peter stated that this is an old family house which had been lived in by many family members, and finally became a rental property. The last tenant was 3 years ago, and it is a mess.
- The Hadekas have done nothing with the property.
- Peter stated that he felt the tax appears to be pretty high on this property.
- Peter obtained an appraisal from Renee Dumas who felt the value of the property appraised should be \$69,500.
- The result of the earlier Assessor/Lister's appeal lowered the property from \$193,200 to \$153,000. While Peter felt this was good, he still feels it is too high given that they have no municipal water or sewer service and have no children in the schools—the only service he receives from Mendon is snow plowing.
- His appeal is based on exhibit L-1 appraisal, which is half of what the property taxes are assessed.
- Additionally, the Health Officer for Mendon has stated that because of mold, the property cannot be rented.

- The property needs a new septic system, a new roof, and a water system. It will probably cost at least \$40,000 to \$50,000 to make the property livable.

**Spencer Potter** referred to the Appraisal presented as Appellants exhibit A-1, which does not include the other zoned parcel. What is under appeal is what is in this appraisal, plus another building lot on the other side of the road.

Spencer stated that one thing an appraisal must address is the highest and best use. On page 3 of Exhibit A-1, the appraisal states the highest and best use at this time would be as a rental property. The appraisal implies it would be presented as a rental property; however, there is no zoning which states it could not be a single-family residence. One of the things Spencer looks for is the neighborhood where the property is located. Spencer did not feel the evidence presented was a "slam dunk" either way.

Spencer passed out another drawing, Exhibit L-3. He stated that the property just to the south has a commercial use. It is not someone's primary residence. Spencer explained the notations on L-3: R indicates a primary residence, and NR indicates a rental or a 2<sup>nd</sup> home (not a primary residence).

Spencer stated if he were trying to sell the property, he would sell it as a single-family residence. It is in a deteriorated condition and is approaching its life expectancy-- without major monies going into it. It is not a "move-in" dwelling

Spencer referred to Exhibit A-1, page 4, i.e., the comparable properties: North Street, State Street and E. Center Street. He felt it would be quite a stretch to consider these as comparables. These properties are all multi-unit rentals. There are no single-family residences shown.

**Geoff Wells** noted the first 3 comps are rentals, and the second 3 are sales, and the neighborhoods are not similar. Geoff noted also there was a forced sale of a property on Meadow Lake with 3 acres for \$148,501. The structure was not the same as the Hadekas' property and it was in better condition than the Hadekas' property.

Peter Hadeka noted that his appraiser, Renee Dumas, stated that it would be difficult to find a comparable. Very few places have 2 houses on a lot. That's why she used Rutland properties. Peter also noted that the property which sold for \$148,000 is much nicer and has a bigger lot. The Hadeka property is listed at \$153,000.

Rich Carlson asked what was the appraised value before the recent reduction. It was \$193,000. Rich asked what warranted that reduction. Spencer stated he had

increased the depreciation substantially due to its condition. Rich asked Peter if he would sell the property for \$69,500. Peter said he would sell it for that amount, however it would have to wait a year – he had other matters to attend to first.

**Tracy Adams** asked if the lot across the street was buildable. Peter stated it is too near the road. No one could build there.

**Ann Singiser** asked what the acreage was across the road. Spencer advised it is 2.3 acres.

**Geoff Wells** asked if building lots are separately deeded? Spencer said they were. Geoff asked if we knew how much the little rancher on the Sherwood sold for? Spencer did not know.

**Wanda Courcelle** asked how long the rental had been empty. Peter responded it was vacant for 2-1/2 to 3 years.

**Lindsey MacCuaig** asked if both properties had mold issues. Peter answered no.

**Rich Carlson** asked if there were a brook nearby. The Mendon pond is nearby.

Lindsey asked when the \$193,000 was reduced to \$153,000. It was reduced at the Grievance on June 16, 2014. Ann Singiser stated that this is an appeal of that reduction..

Lindsey asked Peter Hadeka what he would like to see happen. Peter said he would like to see the assessed valued lower to half of what it is now-- the amount stated in the appraisal. Peter said he would get an appraisal in the future on the 2.3 acres for next year.

**Spencer** referred to page 6 of A-1, the site value: .9 acres is valued at \$40,000, plus \$12,000 for site improvements. The \$40,000 for .9 acres is just for the land.

Peter said there was some confusion about the acres across the street. That was on one tax bill a year ago. They are on 1 tax bill, but they are two separate deeded properties. The road created 2 zoned parcels. The owner can sell either one separately.

Deborah Hadeka said they received the bills at different times. Geoff asked if they were both residences

Spencer stated the highest and best use is as a single-family residence. Apparently the appraiser believes it is rental. Spencer does not agree with the appraiser.

Ann Singiser asked for 3 volunteers to visit the property in question. Rich Carlson, Lindsey MacQuig, Tracy Adams and Ann Singiser volunteered to inspect the property. The date of the inspection was set for July 22, 2014 at 12:00 noon at the property. The appellants agreed to the site visit.

Ann cautioned that this is the only testimony and nothing else to consider can be presented at the July 22<sup>nd</sup> visit.

The BCA will reconvene on July 28, 2014 at 4:30 p.m. to render its decision.