

NOTICE OF DECISION

Town of Mendon Board of Abatement

On May 19, 2022, an application for tax abatement was submitted to the Town Clerk by Dayle S Wheeler regarding property located at: 854 Meadowlake Drive. The Parcel ID Number is 03-01-42.000.

The Property is: Residential Commercial Agricultural Forest Land
and has an Assessed Value of \$146,100.

The abatement request was pursuant to the following category:

- Taxes or charges of persons who have died insolvent. 24 V.S.A. § 1535(a)(1).
- Taxes or charges of persons who have removed from the state. 24 V.S.A. § 1535(a)(2).
- Taxes or charges of persons who are unable to pay their taxes, charges, interest, and / or collection fees. 24 V.S.A. § 1535(a)(3).
- Taxes or charges in which there is manifest error. 24 V.S.A. § 1535(a)(4).
- Taxes or charges in which there is a mistake of the listers. 24 V.S.A. § 1535(a)(4).
- Taxes or charges upon real or personal property lost or destroyed during the tax year. 24 V.S.A. § 1535(a)(5).
- The exemption amount available to certain veterans and their family members under 32 V.S.A. § 3802(11) to persons otherwise eligible for exemption who file a claim on or after May 1 but before October 1 due to the claimant's sickness or disability or other good cause as determined by the board of abatement; but that exemption amount shall be reduced by 20 percent of the total exemption for each month or portion of a month the claim is late filed. 24 V.S.A. § 1535(a)(6).
- Taxes or charges upon a mobile home moved from the town during the tax year as a result of a change in use of the mobile home park land or parts thereof, or closure of the mobile home park in which the mobile home was sited, pursuant to 10 V.S.A. § 6237. 24 V.S.A. § 1535(a)(9).

The Board of Abatement held a hearing on the application on: June 23, 2022.

The members of the Board of Abatement that were present at the hearing were: Nancy Gondella – Chair, Rich Carlson, Larry Courcelle, Lindsey MacCuaig, Betsy Reddy, Jim Reddy, Val Taylor, Ann Singiser, Al Wakefield. Also present was Jesse Bridge – Secretary/Assistant Clerk

The persons appearing for the Applicant were: Dayle Wheeler

The Board’s Findings of Fact were as follows:

The applicant provided information indicating that a Tesla Power Wall was installed in 2017 to keep sump pumps working during a power outage. During a power outage in March 2021, the Power Wall failed to provide power. When the new sump pumps were being installed in May, 2021, there was a power surge, causing a complete power outage in the entire house. This caused light fixtures in the basement to smoke, burn very brightly and then burn out. Many appliances and electronic devices were also destroyed. The workers installing the sump pumps refused to continue work due to the extreme fire hazard. There has been no power in the home since that time, which resulted in the entire building being covered in black mold. Ms. Wheeler is working with an attorney, Green Mountain Power, and Tesla to resolve this issue, but in the meantime, the home is unusable.

The Applicant’s request for abatement was:

Denied by the Board.

Granted by the Board in a total amount of \$878.79 This total consists of \$878.79 in taxes.

This is an abatement of an amount or amounts already paid, and therefore, the Board orders that this abatement of an amount or amounts already paid shall be in the form of:

a credit against the tax or charge for the next ensuing tax year or billing cycle and for succeeding tax years or billing cycles if required to use up the amount of the credit; or

a refund.

The Board's reasoning is as follows:

The home itself is currently unlivable due to the mold and lack of power. The applicant is working with both Tesla, Green Mountain Power, and her own attorney. The parties will settle at some point, but in the meantime, the board decided that a portion of the property taxes should be abated. The board also suggested to Ms. Wheeler that she grieve her current assessment.

I hereby certify that this is a true record of the action taken by the Board of Abatement.

Signature of Chair, Board of Abatement

A decision of the Board of Abatement may be appealed to Superior Court in accordance with Rule 75 of the Vermont Rules of Civil Procedure.

A decision of the Board of Abatement does not affect the tax assessment for the property.

A copy of this decision shall be recorded in the office of the Town Clerk and a certified copy shall be forwarded forthwith to the collector of taxes and the Town Treasurer pursuant to 24 V.S.A. § 1536.