

PROPERTY TAX RELIEF

What is it?

How to implement it?

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What is property tax relief?

A reduction, postponement or forgiveness of property taxes for homeowners who cannot afford their property taxes.

The requirements for property tax relief are set out in New Hampshire's statutes.

Most forms of property tax relief are administered by municipalities.

Some forms of property tax relief are required while others are optional. And for some property tax relief, municipalities may decide on the parameters for the relief.

What is the difference between a credit, exemption, deferral, and abatement?

A *credit* is a reduction in the amount of property taxes payable in a given year.

An *exemption* is a reduction in the value of the property which is taxed.

A *deferral* allows the homeowner to pay the property taxes at a later time at a reduced interest rate and without the risk of tax deeding.

An *abatement* is a forgiveness of taxes based on an error in the assessment calculation, a disproportionate assessment, or poverty and an inability to pay.

How does a homeowner apply for property tax relief?

The city/town's tax collector, Selectmen's office or other designated employee should have applications on hand. All municipal employees should know where to direct homeowners for applications, and the applications should be available whenever municipal offices are open.

Form PA-30 "Elderly and Disabled Tax Deferral Application" is used to request a deferral of property taxes.

Form PA-29 "Permanent Application for Property Tax Credits/Exemptions" is used to request exemptions /credits.

Form DP-8 "Low and Moderate Income Homeowners Property Tax Relief" is used by low and moderate income homeowners for a modest refund.

These forms also can be downloaded from the Department of Revenue's website (www.revenue.nh.gov), or requested on the "form line," 230-5001.

"Taxpayer's RSA 76:16 Abatement Application to Municipality" is used to request an abatement. This form is available by calling the Board of Tax and Land Appeals at 271-2578, or on its website (www.nh.gov/btla/).

What are the deadlines for property tax relief?

March 1 - tax deferral and abatement applications are due March 1st following the date of notice of tax.

April 15 - exemption/credit forms must be filed by April 15th.

May 1 to June 30 - applications for the low & moderate income homeowners property tax relief program must be filed between May 1st and June 30th following the final property tax bill.

How does the town/city determine whether a homeowner qualifies for property tax relief?

Municipalities typically have documentation requirements, including their own form(s), to determine whether the homeowner qualifies for the relief requested. *See RSA 72:34 and DRA website!*

For some types of tax relief, there are specific income and asset limits. The information and documentation requirements should not go beyond what is required to make a fair decision under New Hampshire's laws.

The privacy and dignity of homeowners should be respected throughout the property tax relief process.

What happens next?

The town/city has until July 1 to make its decision whether to grant the property tax relief.

If the taxpayer disagrees with the town/city's decision or there is no decision, the taxpayer may file an appeal with either the Superior Court or the Board of Tax and Land Appeals (BTLA) by September 1.

A BTLA appeal is submitted on a form – “Taxpayer’s RSA 72:34-a Exemption, Deferral or Tax Credit Appeal to the Board of Tax and Land Appeals” – available on the BTLA’s website. An “Application to Waive Filing Fee” also is available on the website. Otherwise, the filing fee is \$65.

Key Statutes

RSA 72:38-a for deferrals

RSA 72:39-a, b for elderly exemption

RSA 72:37 exemption for the blind

RSA 72:37-b exemption for the disabled

RSA 72:37-a exemption for improvements to assist persons with disabilities

RSA 72:38-b exemption for deaf or severely hearing-impaired persons

Key Statutes (continued)

RSA 72:28 standard and optional Veterans' tax credit

RSA 72:28-b all Veterans' tax credit

RSA 72:28-c optional tax credit for combat service

RSA 72:29-a surviving spouse tax credit

RSA 72:35 tax credit for service-connected total disability

RSA 72:36-a certain disabled veterans (total exemption)

RSA 76:16-c abatement of resident taxes



DEFERRALS

Deferrals (RSA 72:38-a)

I. Any resident property owner may apply for a tax deferral if the person:

- (a) Is either at least 65 years old or eligible under Title II or Title XVI of the federal Social Security Act for benefits for the disabled; and
- (b) Has owned the homestead for at least 5 consecutive years if the person qualifies as an elderly applicant, or has owned the homestead for at least one year if the person qualifies as a disabled applicant; and
- (c) Is living in the home.

The assessing officials may annually grant a person qualified under this paragraph a tax deferral for all or part of the taxes due, plus annual interest at 5 percent, if in their opinion **the tax liability causes the taxpayer an undue hardship or possible loss of the property.**

Deferrals (RSA 72:38-a) (continued)

The total of tax deferrals on a particular property shall not be more than 85 percent of its equity value. The total of tax deferrals shall be determined by the following formula:

Assessed Value = Equalized Assessed Value

Equalization Ratio

Equalized Assessed Value - Total of Priority Liens = Equity Value

Equity Value X .85 = Total Amount Which May be Deferred

At any time during the tax deferral process, the governing body may consider an abatement pursuant to RSA 76:16.

Deferrals (RSA 72:38-a) (continued)

III. If the property is subject to a mortgage, the owner must have the mortgage holder's approval of the tax deferral. Such approval does not grant the town a preferential lien. ...

V. The assessing officials shall file notice of each tax deferral granted, within 30 days, with the registry of deeds of the county in which the property is located to perfect it.

Note also:

II. A tax deferral shall be subject to any prior liens on the property and shall be treated as such in any foreclosure proceeding.

Deferrals (RSA 72:38-a) (continued)

When the homeowner dies -

IV. When the owner of a property subject to a tax deferral dies, the heirs ... shall have first priority to redeem the estate by paying in full the deferred taxes plus any interest due. If the heirs ... do not redeem the property within 9 months of the date of death of the property owner, the municipality may commit the accrued amount of the deferral to the collector of taxes with a warrant signed by the assessing officials requiring him or her to collect it; and the collector of taxes shall have the same rights and remedies in relation thereto as provided in RSA 76:13 and RSA 80. Prior to holding a tax sale or executing a priority tax lien under RSA 80:59, the collector shall, at least 30 days prior to such tax sale or tax lien execution, send notice by certified or registered mail, to the last known post office address of the current owner, if known, or to the last known address of the deceased taxpayer, and to all mortgagees from whom permission has been sought pursuant to paragraph III of this section. Any person with a legal interest in the property may redeem it, either prior to the tax sale or tax lien execution, or subsequently as set forth in RSA 80:32 or RSA 80:69.

Deferrals (RSA 72:38-a) (continued)

When the homeowner sells the property –

IV-a. When the owner of a property subject to a tax deferral sells or otherwise conveys the property, the owner or grantee shall pay in full the deferred taxes plus any interest due and the municipality shall provide recorded written release or satisfaction of the notice of tax deferral. If the owner or grantee, who shall be deemed to have notice of and shall take title to the property subject to the notice of tax deferral, does not pay the accrued amount on the property within 9 months of the date of sale or conveyance of the property, the municipality may commit the accrued amount of the deferral to the collector of taxes with a warrant signed by the assessing officials requiring him or her to collect it; and the collector of taxes shall have the same rights and remedies in relation thereto as provided in RSA 76:13 and RSA 80. ...

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
ELDERLY AND DISABLED TAX DEFERRAL APPLICATION
DUE MARCH 1 FOLLOWING THE NOTICE OF TAX

OWNER AND APPLICANT INFORMATION																	
STEP 1 OWNER AND APPLICANT NAME AND ADDRESS	OWNER If required, is a PA-33 on file? <input type="radio"/> YES <input type="radio"/> NO <input style="width: 90%;" type="text"/>																
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	MAILING ADDRESS (if different from above) <input style="width: 95%;" type="text"/>																
CITY/TOWN STATE ZIP CODE <input style="width: 60%;" type="text"/> <input style="width: 10%;" type="text"/> <input style="width: 10%;" type="text"/>																	
PROPERTY LOCATION																	
STEP 2 PROPERTY LOCATION	STREET <input style="width: 95%;" type="text"/>																
	CITY/TOWN COUNTY <input style="width: 60%;" type="text"/> <input style="width: 20%;" type="text"/>																
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STEP 3 TO BE COMPLETED BY PROPERTY OWNER	(a) Tax year for which the deferral is requested <input style="width: 50px;" type="text"/>																
	(b) Amount of requested tax deferral <input style="width: 50px;" type="text"/>																
	(c) Amount of tax bill <input style="width: 50px;" type="text"/>																
	(d) Is the applicant YES NO 65 or older and has owned homestead for five (5) consecutive years; or <input type="radio"/> <input type="radio"/> Receives benefits under Title II or Title XVI of the Federal Social Security Act and has owned homestead for one year; and <input type="radio"/> <input type="radio"/> Living in the home? <input type="radio"/> <input type="radio"/>																
STEP 4 OWNER SIGNATURES	I understand that upon a approval of this application by the municipal assessing officials, a lien shall be created against the above described property, pursuant to RSA 72:55. My signature below indicates my agreement with the obligation incurred against the property described in Step 2 above. Under penalties of perjury, I declare that I have examined this document and to the best of my belief the information here is a true, correct and complete.																
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NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
ELDERLY AND DISABLED TAX DEFERRAL APPLICATION

WHO MAY FILE	Under the provisions of RSA 72:38-a, I, any resident property owner may apply for a tax deferral if they: <ul style="list-style-type: none"> • Are either at least 65 years of age or eligible under Title II or Title XVI of the Federal Social Security Act for benefits for the disabled; • Have owned the homestead for at least five consecutive years if elderly or at least one year if disabled; and • Are living in the home.
WHEN TO FILE	The completed Form PA-30 shall be filed by March 1 following the date of notice of tax. Example: If you are applying for a tax deferral from your 2014 property taxes, which are due no earlier than December 1, 2014, then you have until March 1, 2015 to file this form.
WHERE TO FILE	Once completed and signed in ink, this form shall be filed as follows: Original: Register of Deeds Copy: To the Selectmen / Municipal Assessing Officials of the municipality of your primary residence Copy: Property Owner
TAX DEFERRAL PROVISIONS	The municipal assessing officials may annually grant a person qualified under this paragraph a tax deferral for all or part of the taxes due, plus annual interest at five percent, if in their opinion the tax liability causes the taxpayer an undue hardship or possible loss of the property. The total of tax deferrals on a particular property shall not be more than 85 percent of its equity value. A tax deferral shall be subject to any prior liens on the property and shall be treated as such in any foreclosure proceedings. If the property is subject to a mortgage, the owner must have the mortgage holder's approval of the tax deferral. Such approval does not grant the town a preferential lien.
APPEALS	The municipal assessing officials shall send written notice advising the taxpayer of their decision to grant or deny the request for exemption by July 1. Failure of the municipal assessing officials to respond shall constitute a denial of the application. If an application for a property tax deferral is denied, an applicant may appeal in writing on or before September 1 following the date of notice of tax under RSA 72:1-d, to the New Hampshire Board of Tax and Land Appeals (BTLA) or the County Superior Court in the county where the property is located. Example: If you were denied a deferral from your 2014 property taxes, you have until September 1, 2015 to appeal. Forms for appealing to the Board of Tax and Land Appeals may be obtained from the New Hampshire Board of Tax and Land Appeals, 107 Pleasant Street, Concord, NH 03301, by calling (603) 271-2578 or by visiting their website at www.nh.gov/btla . Be sure to specify that you are appealing the Elderly or Disabled Tax Deferral application denial.
ADA COMPLIANCE	Individuals who need auxiliary aids for effective communication in programs and services of the New Hampshire Department of Revenue Administration are invited to make their needs and preferences known. Individuals with hearing or speech impairments may call TDD Access: Relay NH 1-800-735-2964.
NEED HELP	Contact your local municipality or the Municipal and Property Division at (603) 230-5950; or visit the department's website at www.revenue.nh.gov/forms .

LINE-BY-LINE INSTRUCTIONS

STEP 1	Enter the complete name and address of the property owner(s) requesting a tax deferral under RSA 72:38-a.
STEP 2	Enter the location, street address, municipality, county, number of acres, tax map, block and lot numbers, and book and page numbers of the property for which the RSA 72:38-a, deferral is requested.
STEP 3	(a) Enter the tax year for which the deferral is requested. (b) Enter the amount of the requested tax deferral. (c) Enter the amount of the tax bill for the year of this application. (d) Check the appropriate boxes to indicate that all of the qualification requirements have been met.
STEP 4	ALL property owners of record must type or print their full name, sign and date in ink, acknowledging that they understand and agree to the obligation incurred against the property by electing a deferral of taxes under RSA 72:38-a. If there are more than four owners, submit a supplemental list of names and signatures.
STEP 5	Enter the name of the mortgage holder and obtain the signature of an authorized agent for the mortgage holder.
STEP 6	The municipal assessing officials shall complete this step. (a) Enter the amount of taxes deferred in prior years. (b) Enter the amount of tax requested for deferral in the current year. (c) The total amount of the tax deferral (Step 6(a) plus Step 6(b)).
STEP 7	The municipal assessing officials shall complete this step. (a) Enter the percentage of the total equity value encumbered under RSA 72:38-a in prior years. (b) Enter the percentage of the total equity value encumbered under RSA 72:38-a in the current year. (c) The percentage of the total equity value encumbered for all years combined (Step 7(a) plus Step 7(b)). If the result of Step 7(c) exceeds 85 percent, this application will be denied pursuant to RSA 72:38-a, I.
STEP 8	The municipal assessing officials shall complete this step. Check applicable box for type of tax deferral. Check whether tax deferral was granted or denied. If granted, enter dollar amount granted. Enter date tax deferral was granted.
STEP 9	Signatures of a majority of the local Selectmen or municipal assessing officials on the lines provided indicates approval.

The standards for granting a deferral, by design, are less severe than the standards for receiving an abatement of taxes due to poverty or inability to pay under RSA 76:16. As interpreted by the supreme court, RSA 76:16 requires taxpayers to demonstrate it would not be reasonable “for them to relocate, refinance, or otherwise obtain additional public assistance” in order to receive an abatement. See Ansara v. City of Nashua, 118 N.H. 879, 881 (1978). If an abatement under the Ansara standard is granted, there is no recouping of the tax loss by the municipality. RSA 72:38-a, however, the tax deferral statute at issue in this appeal, does provide for the municipality to be reimbursed the full amount of the deferral plus interest when the property is liquidated.

In light of this statutory framework, the board finds taxpayers can qualify for an RSA 72:38-a tax deferral without necessarily showing they are entirely destitute; instead, this statute allows them to “tap” the equity of their house to produce a living situation that avoids “undue hardship or possible loss of the property.” Cf. Peterson v. City of Laconia, BTLA Docket No. 23970-08EX (June 2, 2009) at pp. 4-5 (ordering municipality to refund taxes paid and defer them pursuant to RSA 72:38-a).

Raye Ellen Adams v. Unity, BTLA Docket No. 30013-19EX (August 4, 2021) at pp. 3-4.

DEFERRALS ARE

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76:13-b Limitations on Interest When Tax Relief is Granted

Notwithstanding any provisions of RSA 76:13 or 76:15-a or 76:15-b to the contrary:

I. Interest on tax deferrals for the elderly and disabled granted pursuant to RSA 72:38-a will accrue at 5 percent beginning 30 days after the date of the final tax bill.

II. No interest shall be charged on any taxes abated pursuant to RSA 76 on the grounds of poverty or hardship and inability to pay.

III. No interest shall be charged on that portion of taxes of any residential property for which an exemption or tax credit is granted pursuant to RSA 72.



EXEMPTIONS
and
CREDITS

PERMANENT APPLICATION FOR PROPERTY TAX CREDITS/EXEMPTIONS

DUE DATE APRIL 15 PRECEDING THE SETTING OF THE TAX RATE

STEP 1 OWNER AND APPLICANT INFORMATION		
STEP 1 OWNER AND APPLICANT NAME AND ADDRESS	OWNER <input type="text"/>	
	If required, is a PA-33 on file? <input type="radio"/> YES <input type="radio"/> NO	
	APPLICANT'S LAST NAME <input type="text"/> APPLICANT'S FIRST NAME <input type="text"/> MI <input type="text"/> PHONE NUMBER <input type="text"/>	
	APPLICANT'S LAST NAME <input type="text"/> APPLICANT'S FIRST NAME <input type="text"/> MI <input type="text"/> PHONE NUMBER <input type="text"/>	
	MAILING ADDRESS <input type="text"/>	
	CITY/TOWN <input type="text"/> STATE <input type="text"/> ZIPCODE <input type="text"/>	
	PROPERTY ADDRESS <input type="text"/> TAX MAP <input type="text"/> BLOCK <input type="text"/> LOT <input type="text"/>	
	IS THIS YOUR PRIMARY RESIDENCE? <input type="radio"/> YES <input type="radio"/> NO	
	STEP 2 VETERAN'S INFORMATION	
	1. APPLICANT IS THE: <input type="radio"/> Veteran <input type="radio"/> Spouse <input type="radio"/> Surviving Spouse	2. APPLYING FOR: <input type="checkbox"/> Veterans' Tax Credit (RSA 72:28) Standard (\$50) / Optional (\$51 up to \$750) <input type="checkbox"/> All Veterans' Tax Credit (RSA 72:28-b) <i>If Adopted by Town</i> Standard (\$50) / Optional (\$51 up to \$750) <input type="checkbox"/> Tax Credit for Service-Connected Total Disability (RSA 72:35) Standard (\$700) / Optional (\$701 up to \$4,000) <input type="checkbox"/> Tax Credit for Surviving Spouse (RSA 72:29-a "...of any person who was killed or died while on active duty...") <input type="checkbox"/> Tax Credit for Combat Service (RSA 72:28-c) <i>If Adopted by Town</i> (\$50 up to \$500) <input type="checkbox"/> Certain Disabled Veterans (Exemption) (RSA 72:36-a)
3. Veteran's Name <input type="text"/>	Dates of Military Service Enter (MMDDYYYY) <input type="text"/>	
4. Date of Entry <input type="text"/>	5. Date of Discharge/Release <input type="text"/>	
IF A VETERAN OF ALLIED COUNTRY: (RSA 72:32)		
6. Name of Allied Country Served in <input type="text"/>	7. Branch of Service <input type="text"/>	
9. Does any other eligible Veteran own interest in this property? YES <input type="radio"/> NO <input type="radio"/> If YES, provide name <input type="text"/>	8. Please Check One. <input type="radio"/> US Citizen at time of entry into Service <input type="radio"/> Alien but resident of NH at time of entry into Service	

PROPERTY OWNER NAME

PROPERTY OWNER NAME

Exemption for the Elderly – RSA 72:39-a, b

An exemption of \$5000 is required.

The net income limit must be no less than \$13,400 for a single person or \$20,400 for married persons.

The net asset limit must be no less than \$35,000.

Municipalities may enact a higher exemption and also higher income and asset limits.

72:39-a Conditions for Elderly Exemption

I. No exemption shall be allowed under RSA 72:39-b unless the person applying therefor:

(a) **Has resided** in this state for at least 3 consecutive years preceding April 1 in the year in which the exemption is claimed.

(b) **Had** in the calendar year preceding said April 1 a **net income** from all sources, or if married, a combined net income from all sources, of not more than the respective amount applicable to each age group as determined by the city or town for purposes of RSA 72:39-b. Under no circumstances shall the amount determined by the city or town be less than \$13,400 for a single person or \$20,400 for married persons. The net income shall be determined by deducting from all moneys received, from any source including social security or pension payments, the amount of any of the following or the sum thereof:

- (1) Life insurance paid on the death of an insured;
- (2) Expenses and costs incurred in the course of conducting a business enterprise;
- (3) Proceeds from the sale of assets.

RSA 72:39-a (continued)

(c) **Owns net assets** not in excess of the amount determined by the city or town for purposes of RSA 72:39-b, excluding the value of the person's actual residence and the land upon which it is located up to the greater of 2 acres or the minimum single family residential lot size specified in the local zoning ordinance. The amount determined by the city or town shall not be less than \$35,000. A city or town may set a combined net assets amount for married persons in such greater amount as the legislative body of the city or town may determine.

RSA 72:39-a (continued)

"Net assets" means the value of all assets, tangible and intangible, minus the value of any good faith encumbrances. "Residence" means the housing unit, and related structures such as an unattached garage or woodshed, which is the person's principal home, and which the person in good faith regards as home to the exclusion of any other places where the person may temporarily live. "Residence" shall exclude attached dwelling units and unattached structures used or intended for commercial or other nonresidential purposes.

RSA 72:39-a (continued)

II. Additional requirements for an exemption under RSA 72:39-b shall be that the property is:

(a) Owned by the resident; or

(b) Owned by a resident jointly or in common with the resident's spouse, either of whom meets the age requirement for the exemption claimed; or

(c) Owned by a resident jointly or in common with a person not the resident's spouse, if the resident meets the applicable age requirement for the exemption claimed; or

(d) Owned by a resident, or the resident's spouse, either of whom meets the age requirement for the exemption claimed, and when they have been married to each other for at least 5 consecutive years.

III. Upon the death of an owner residing with a spouse pursuant to subparagraph II(b) or II(d), the combined net asset amount for married persons determined by the city or town shall continue to apply to the surviving spouse for the purpose of the exemption granted under RSA 72:39-b until the sale or transfer of the property by the surviving spouse or until the remarriage of the surviving spouse.

72:39-b Procedure for Adoption and Modification of Elderly Exemption

I. A town or city may adopt or modify elderly exemptions by the procedure in RSA 72:27-a.

II. An elderly exemption, based on assessed value for qualified taxpayers, may be granted for a different dollar amount determined by the town or city, to a person 65 years of age up to 75 years, to a person 75 years of age up to 80 years, and to a person 80 years of age or older. To qualify, the person must have been a New Hampshire resident for at least 3 consecutive years, own the real estate individually or jointly, or if the real estate is owned by such person's spouse, they must have been married to each other for at least 5 consecutive years. ...

RSA 72:39-b (continued)

... In addition, the taxpayer must have a net income in each applicable age group of not more than a dollar amount determined by the town or city of not less than \$13,400 or, if married, a combined net income of not more than a dollar amount determined by the town or city of not less than \$20,400; and own net assets not in excess of a dollar amount determined by the town or city of not less than \$35,000 excluding the value of the person's residence or, if married, combined net assets not in excess of a dollar amount determined by the town or city of not less than \$35,000 excluding the value of the residence. Under no circumstances shall the amounts of the exemption for any age category be less than \$5,000. The combined net asset amount for married persons shall apply to a surviving spouse until the sale or transfer of the property by the surviving spouse or until the remarriage of the surviving spouse.

2020 Exemptions and Credits Summary Report

alphabetical –

<https://www.revenue.nh.gov/mun-prop/property/equalization-2020/documents/etc-summary-alpha.pdf>

by county –

<https://www.revenue.nh.gov/mun-prop/property/equalization-2020/documents/etc-summary-county.pdf>

navigate from DRA website –

<https://www.revenue.nh.gov/mun-prop/property/exemptions-tax-credits.htm>

NH DEPARTMENT OF REVENUE ADMINISTRATION
MUNICIPAL AND PROPERTY DIVISION
2019 Elderly Exemption Report
RSA 72:39-a, -b

County	Municipality	Amount of Exemption per Age Category			Number of New Applicants				Number of Exemptions Granted		
		65-74	75-79	80+	65-74	75-79	80+	Total	65-74	75-79	80+
Sullivan	Acworth	\$15,000	\$30,000	\$40,000	1	0	0	1	1	3	1
Carroll	Albany	\$25,000	\$30,000	\$35,000	0	0	0	0	0	0	5
Grafton	Alexandria	\$27,500	\$42,000	\$61,000	1	0	0	1	9	1	8
Merrimack	Allenstown	\$20,000	\$30,000	\$50,000	0	0	0	0	21	9	25
Cheshire	Alstead	\$20,000	\$40,000	\$60,000	0	0	0	0	0	1	1
Belknap	Alton	\$40,000	\$60,000	\$80,000	1	0	1	2	9	12	10
Hillsborough	Amherst	\$76,000	\$114,000	\$151,000	0	2	3	5	13	17	42
Merrimack	Andover	\$40,000	\$60,000	\$70,000	0	0	0	0	3	2	7
Hillsborough	Antrim	\$25,000	\$50,000	\$65,000	1	1	0	2	4	7	6
Grafton	Ashland	\$30,000	\$40,000	\$50,000	0	0	0	0	4	0	4
Rockingham	Atkinson	\$100,000	\$150,000	\$200,000	0	0	0	0	5	7	22
Coos	Atkinson & Gilmanton	\$5,000	\$5,000	\$5,000	0	0	0	0	0	0	0
Rockingham	Auburn	\$150,000	\$170,000	\$210,000	0	0	0	0	2	4	7
Belknap	Barnstead	\$30,000	\$40,000	\$50,000	1	1	0	2	11	12	19
Strafford	Barrington	\$85,000	\$127,500	\$161,500	8	2	0	10	28	31	22
Carroll	Bartlett	\$10,000	\$20,000	\$30,000	0	0	0	0	2	3	12
Grafton	Bath	\$5,000	\$5,000	\$5,000	0	0	0	0	0	1	2
Coos	Bean's Grant	\$5,000	\$5,000	\$5,000	0	0	0	0	0	0	0

NH DEPARTMENT OF REVENUE ADMINISTRATION
MUNICIPAL AND PROPERTY DIVISION
2019 Elderly Exemption Report
RSA 72:39-a, -b

County	Municipality	Single Income Limit	Married Income Limit	Single Asset Limits	Married Asset Limits	Total Maximum Allowable Exemptions	Total Exemption Amounts Reported	2020 Total Tax
Sullivan	Acworth	\$21,000	\$28,800	\$48,000	\$48,000	\$145,000	\$145,000	0.02937
Carroll	Albany	\$15,400	\$25,400	\$35,000	\$35,000	\$175,000	\$151,200	0.01205
Grafton	Alexandria	\$20,500	\$30,000	\$64,000	\$64,000	\$777,500	\$777,500	0.02792
Merrimack	Allenstown	\$40,000	\$52,000	\$85,000	\$85,000	\$1,940,000	\$1,769,200	0.02930
Cheshire	Alstead	\$17,500	\$24,000	\$40,000	\$40,000	\$100,000	\$100,000	0.02442
Belknap	Alton	\$25,000	\$44,000	\$50,000	\$50,000	\$1,880,000	\$1,851,100	0.01395
Hillsborough	Amherst	\$41,760	\$57,000	\$150,000	\$150,000	\$9,268,000	\$9,211,900	0.02848
Merrimack	Andover	\$30,000	\$40,000	\$75,000	\$75,000	\$730,000	\$730,000	0.02134
Hillsborough	Antrim	\$26,250	\$37,800	\$75,000	\$75,000	\$840,000	\$825,200	0.02855
Grafton	Ashland	\$20,000	\$30,000	\$60,000	\$60,000	\$320,000	\$320,000	0.02843
Rockingham	Atkinson	\$34,700	\$43,500	\$100,000	\$100,000	\$5,950,000	\$5,931,600	0.01834
Coos	Atkinson & Gilmanton	\$13,400	\$20,400	\$35,000	\$35,000	\$0	\$0	0.00000
Rockingham	Auburn	\$25,000	\$40,000	\$40,000	\$40,000	\$2,450,000	\$2,296,600	0.01848
Belknap	Barnstead	\$35,000	\$45,000	\$75,000	\$75,000	\$1,760,000	\$1,744,500	0.02310
Strafford	Barrington	\$36,000	\$50,000	\$125,000	\$125,000	\$9,885,500	\$7,938,500	0.02277
Carroll	Bartlett	\$20,000	\$30,000	\$125,000	\$125,000	\$440,000	\$418,300	0.00966
Grafton	Bath	\$16,400	\$24,400	\$40,000	\$40,000	\$15,000	\$15,000	0.02286
Coos	Bean's Grant	\$13,400	\$20,400	\$35,000	\$35,000	\$0	\$0	0.00000

ELDERLY TAX EXEMPTION QUALIFICATIONS WORKSHEET
(MAY BE USED FOR REQUALIFICATIONS. MAY ALSO BE USED FOR BLIND, DEAF OR
DISABLED EXEMPTIONS WITH 3 YEAR NH RESIDENCY REQUIREMENT)

RSA 72:33, VI allows Selectmen or Assessing Officials to require those receiving tax exemptions or credits to re-file their qualifying information periodically but no more frequently than annually. Failure to file such periodic statements may, at the discretion of the Assessing Officials, result in a loss of the exemption or tax credit for that year.

Town Name: _____

Town Address: _____

This worksheet is to be completed and submitted along with completed Form PA-29, Permanent Application for Property Tax Credit/Exemptions. All information supplied will be treated confidentially and any supporting documents will be returned upon approval or denial of the application. Please note the following **Income and Asset Limits** when considering submission of your application:

INCOME LIMITS: Single [\$] Married [\$]

ASSET LIMIT: Single [\$] Married [\$]

If you hold a life estate in the property or your property is owned by a trust, you must also submit a completed form PA33 (Statement of Qualification) **and** submit a copy of the deed showing the assigned ownership of the life estate **or** a copy of the Declaration of Trust, including a list of beneficiaries **or** a completed Certification of Trust per RSA 564-B: 10-1013.

Please print all information clearly:

Applicant's Name: _____

Spouse's Name: _____

Property Address: _____

Mailing Address: _____

Date of NH Residency _____

(Three-year NH residency for elderly exemption, Five-year NH residency for all other exemptions.)

INCOME:

Please list the source and amount of all income for year for both you and your spouse.

SOURCE: (Net income)	Applicant:	Applicant's Spouse:	Supporting Documentation
Social Security:	\$ _____	\$ _____	_____
Pension & Retirement	\$ _____	\$ _____	_____
Wages:	\$ _____	\$ _____	_____
Rental Income:	\$ _____	\$ _____	_____
Other Income/Annuities:	\$ _____	\$ _____	_____
Interest Income:	\$ _____	\$ _____	_____
TOTAL INCOME:	\$ _____	\$ _____	

If you have filed any of the following – please provide a copy.

1. Interest and Dividend tax return to the State of NH
2. Federal Income Tax Form
3. Any other documents as needed to verify eligibility

Check here if the applicant or applicant's spouse was not required to file a Federal Income Tax Return.
_____**ASSETS:**

Please list all assets owned (Self & Spouse)

Savings Accounts or Investments/Certificates: (CD's, Stocks & Bonds, IRA's, Annuities, Travel Trailers, Boats, Antiques, Cars etc.)

<u>INSTITUTION NAME:</u>	<u>TYPE:</u>	<u>VALUE/AMOUNT</u>
_____	Checking _____	_____
_____	Savings _____	_____
_____	Savings _____	_____
_____	IRA _____	_____
_____	Other _____	_____

VEHICLES:

- A. Make / Model / Year / Mileage _____
Est. Value \$ _____
- B. Make / Model / Year / Mileage _____
Est. Value \$ _____
- C. Boat / Model / Year _____ Est. Value \$ _____
- D. RV / Model / Year _____ Est. Value \$ _____
- E. Other / Description _____ Est. Value \$ _____
- F. Other / Description _____ Est. Value \$ _____

REAL ESTATE: (not including your primary residence and up to the greater of 2 acres or the minimum single family residential lot size specified in the local zoning ordinance.)

Property Type _____ In Town/State _____

**Provide copy of property tax bill.

Est. Value \$ _____

TOTAL Of All ASSETS \$ _____

I swear, under penalty of perjury, that all the above is a correct and accurate accounting of my financial condition to the best of my knowledge. I further authorize any agency or financial institution to release information about me or copies of my records to any agent of the [Town]. I release all persons whomsoever from any liability resulting from the release of this information.

APPLICANT'S SIGNATURE: _____ DATE: _____

PRINTED NAME: _____

SPOUSE'S SIGNATURE: _____ DATE: _____

PRINTED NAME: _____

TELEPHONE NUMBER: _____

PLEASE RETURN THIS QUESTIONNAIRE BY _____ / _____ / _____, THANK YOU.

THIS QUESTIONNAIRE WILL BE KEPT CONFIDENTIAL EXCEPT THAT THE COMMISSIONER OF THE DEPARTMENT OF REVENUE ADMINISTRATION OR HIS DESIGNEE SHALL HAVE ACCESS TO IT DURING THE DEPARTMENT'S FIVE YEAR ASSESSMENT REVIEW OF ASSESSING PRACTICES (RSA 21-J:11-a).

72:37 Exemption for the Blind

Every inhabitant who is legally blind as determined by the blind services program, bureau of vocational rehabilitation, department of education shall be exempt each year on the assessed value, for property tax purposes, of his or her residential real estate to the value of \$15,000, and a city or town may exempt any amount it may determine is appropriate to address significant increases in property values in accordance with the procedures in RSA 72:27-a. The term "residential real estate" as used in this section shall mean the same as defined in RSA 72:29. All applications made under this section shall be subject to the provisions of RSA 72:33 and RSA 72:34.

72:37-b Exemption for the Disabled (optional)

I. Upon its adoption by a city or town as provided in RSA 72:27-a, any person who is eligible under Title II or Title XVI of the federal Social Security Act for benefits to the disabled shall receive a yearly exemption in an amount to be chosen by the town or city.

I-a. Upon the adoption of this paragraph by a city or town as provided in RSA 72:27-a, a person who is eligible under Title II or Title XVI of the federal Social Security Act on his or her sixty-fifth birthday shall remain eligible for a yearly exemption either in the amount of the exemption applicable under paragraph I or the amount of the elderly exemption granted to the person under RSA 72:39-b, whichever is greater.

RSA 72:37-b (continued)

I-b. Upon the adoption of this paragraph by a city or town as provided in RSA 72:27-a, any person who at any time previously was eligible under Title II or Title XVI of the federal Social Security Act for benefits to the disabled, but who is no longer eligible for such federal benefits due to reasons other than the status of that person's disability, shall be eligible for the exemption under paragraph I or I-a, or both as may be applicable, provided that the person submits an affidavit from a physician licensed in New Hampshire that attests to the fact that the person continues to meet the criteria for disability that are used under Title II or Title XVI of the federal Social Security Act.

II. The exemptions in paragraph I and I-a may be applied only to property which is occupied as the principal place of abode by the disabled person. The exemption may be applied to any land or buildings appurtenant to the residence or to manufactured housing if that is the principal place of abode. Nothing in this section shall preclude a qualified applicant from earning an income.

RSA 72:37-b (continued)

III. No exemption shall be allowed under paragraph I or I-a unless the person applying for an exemption:

(a) Had, in the calendar year preceding said April 1, a net income from all sources, or if married, a combined net income from all sources, of not more than the respective amount determined by the city or town for purposes of paragraph I or I-a. Under no circumstances shall the amount determined by the city or town be less than \$13,400 for a single person or \$20,400 for married persons. The net income shall be determined by deducting from all moneys received, from any source including social security or pension payments, the amount of any of the following or the sum thereof:

- (1) Life insurance paid on the death of an insured.
- (2) Expenses and costs incurred in the course of conducting a business enterprise.
- (3) Proceeds from the sale of assets.

(b) Owns net assets not in excess of the amount determined by the city or town for purposes of paragraph I, excluding the value of the person's actual residence and the land upon which it is located up to the greater of 2 acres or the minimum single family residential lot size specified in the local zoning ordinance. The amount determined by the city or town shall not be less than \$35,000 or, if married, combined net assets in such greater amount as may be determined by the town or city. "Net assets" means the value of all assets, tangible and intangible, minus the value of any good faith encumbrances. "Residence" means the housing unit, and related structures such as an unattached garage or woodshed, which is the person's principal home, and which the person in good faith regards as home to the exclusion of any other places where the person may temporarily live. "Residence" shall exclude attached dwelling units and unattached structures used or intended for commercial or other nonresidential purposes.

(c) **Has been a New Hampshire resident for at least 5 years.**

RSA 72:37-b (continued)

IV. Additional requirements for an exemption under paragraph I or I-a shall be that the property is:

(a) Owned by the resident;

(b) Owned by a resident jointly or in common with the resident's spouse, either of whom meets the requirements for the exemption claimed;

(c) Owned by a resident jointly or in common with a person not the resident's spouse, if the resident meets the applicable requirements for the exemption claimed; or

(d) Owned by a resident, or the resident's spouse, either of whom meets the requirements for the exemption claimed, and when they have been married to each other for at least 5 consecutive years.

72:37-a Exemption for Improvements to Assist Persons With Disabilities

I. In this section:

(a) "Person with a disability" means a person who by reason of a physical defect or infirmity permanently requires the use of special aids to enable him to propel himself.

(b) "Residential real estate" has the meaning set forth under RSA 72:29, II.

II. Every owner of residential real estate upon which he resides, and to which he has made improvements for the purpose of assisting a person with a disability who also resides on such real estate, is each year entitled to an exemption from the assessed value, for property tax purposes, upon such residential real estate determined by deducting the value of such improvements from the assessed value of the residential real estate before determining the taxes upon such real estate.

RSA 72:37-a (continued)

III. The exemption under this section shall apply only in taxable years during which the person with a disability resided on the residential real estate for which the exemption is claimed on April 1 in any given year.

IV. No person shall be entitled to an exemption under this section unless he has filed with the selectmen or assessors, on or before April 15 of some year, a permanent application therefor, signed under the penalty of perjury, on a form approved and provided by the commissioner of revenue administration showing that the applicant is duly entitled and is the true and lawful owner and occupant of the property on which the exemption is claimed. If any person, otherwise qualified to receive an exemption, shall satisfy the selectmen or assessors that he was prevented by accident, mistake or misfortune from filing an application on or before April 15 of the year in which he desires the exemption, said officials may receive said application at a later date and grant an exemption thereunder for that year; but no such application shall be received or exemption granted after the local tax rate has been approved for that year.

V. Whenever the selectmen or assessors refuse to grant an applicant an exemption to which he may be entitled under this section, said applicant may appeal the decision in accordance with RSA 72:34-a.

VI. An exemption granted under this section shall have no effect on an applicant's eligibility for other exemptions as authorized under this chapter.

72:38-b Exemption for Deaf or Severely Hearing Impaired Persons

I. Any deaf person or person with severe hearing impairment shall be exempt each year on the assessed value, for property tax purposes, of his or her residential real estate to the value of \$15,000, and a city or town may exempt any amount it may determine is appropriate to address significant increases in property values in accordance with the procedures in this section. For residential real estate owned by the spouse of an eligible person, the exemption shall be allowed if they have been married for at least 5 years. The term "residential real estate" as used in this section shall mean the same as defined in RSA 72:29. All applications made under this section shall be subject to the provisions of RSA 72:33 and RSA 72:34.

II. The exemption in paragraph I applies only to property which is occupied as the principal place of abode by the eligible deaf person or person with severe hearing impairment. For purposes of this section, "deaf person or person with severe hearing impairment" means a person who has a 71 Db hearing average hearing loss or greater in the better ear as determined by a licensed audiologist or qualified otolaryngologist, who may rely on a visual means of communication, such as American Sign Language or speech recognition, and whose hearing is so impaired as to substantially limit the person from processing linguistic information through hearing, with or without amplification, so as to require the use of an interpreter or auxiliary aid. The exemption may be applied to any land or buildings appurtenant to the residence or to manufactured housing if that is the principal place of abode.

RSA 72:38-b (continued)

III. No exemption shall be allowed under paragraph I unless the person applying therefor:

- (a) Has resided in this state for at least 5 consecutive years preceding April 1 in the year in which the exemption is claimed.
- (b) Had in the calendar year preceding said April 1 a net income from all sources, or if married, a combined net income from all sources, of not more than the respective amount determined by the city or town for purposes of paragraph I. Under no circumstances shall the amount determined by the city or town be less than \$13,400 for a single person or \$20,400 for married persons. The net income shall be determined by deducting from all moneys received, from any source including social security or pension payments, the amount of any of the following or the sum thereof:
 - (1) Life insurance paid on the death of an insured.
 - (2) Expenses and costs incurred in the course of conducting a business enterprise.
 - (3) Proceeds from the sale of assets.
- (c) Owns net assets not in excess of the amount determined by the city or town for purposes of paragraph I, excluding the value of the person's actual residence and the land upon which it is located up to the greater of 2 acres or the minimum single family residential lot size specified in the local zoning ordinance. The amount determined by the city or town shall not be less than \$35,000 or, if married, combined net assets in such greater amount as may be determined by the town or city. "Net assets" means the value of all assets, tangible and intangible, minus the value of any good faith encumbrances. "Residence" means the housing unit, and related structures such as an unattached garage or woodshed, which is the person's principal home, and which the person in good faith regards as home to the exclusion of any other places where the person may temporarily live. "Residence" shall exclude attached dwelling units and unattached structures used or intended for commercial or other nonresidential purposes.

IV. Additional requirements for an exemption under paragraph I shall be that the property is:

- (a) Owned by the resident;
- (b) Owned by a resident jointly or in common with the resident's spouse, either of whom meets the requirements for the exemption claimed;
- (c) Owned by a resident jointly or in common with a person not the resident's spouse, if the resident meets the applicable requirements for the exemption claimed;
- (d) Owned by a resident, or the resident's spouse, either of whom meets the requirements for the exemption claimed, and when they have been married to each other for at least 5 consecutive years.

RSA 72:38-b (continued)

V. In addition to the exemption provided in this section, a person may claim an exemption for improvements to assist persons who are deaf or severely hearing impaired as follows:

(a) Every owner of residential real estate upon which he or she resides, and to which he or she has made improvements for the purpose of assisting a person who is deaf or severely hearing impaired who also resides on such real estate, is each year entitled to an exemption from the assessed value, for property tax purposes, upon such residential real estate determined by deducting the value of such improvements from the assessed value of the residential real estate before determining the taxes upon such real estate.

(b) The exemption under this paragraph shall apply only in taxable years during which the person who is deaf or severely hearing impaired resided on the residential real estate for which the exemption is claimed on April 1 in any given year.

VI. Any town or city may adopt, modify, or rescind the provisions of this section in the manner provided in RSA 72:27-a.

VII. The vote shall specify the provisions of the exemptions provided in RSA 72:38-b. The exemption shall take effect in the tax year beginning April 1 following its adoption.

VIII. A municipality may rescind the exemptions provided by this section in the manner described in paragraph VI.

72:28 Standard and Optional Veterans' Tax Credit

I. The standard veterans' tax credit shall be \$50.

II. The optional veterans' tax credit, upon adoption by a city or town pursuant to RSA 72:27-a, shall be an amount from \$51 up to \$750. The optional veterans' tax credit shall replace the standard veterans' tax credit in its entirety and shall not be in addition thereto.

III. Either the standard veterans' tax credit or the optional veterans' tax credit shall be subtracted each year from the property tax on the veteran's residential property. However, the surviving spouse of a resident who suffered a service-connected death may have the amount subtracted from the property tax on any real property in the same municipality where the surviving spouse is a resident.

RSA 72:28 (continued)

IV. The following persons shall qualify for the standard veterans' tax credit or the optional veterans' tax credit:

- (a) Every resident of this state who served not less than 90 days on active service in the armed forces of the United States in any qualifying war or armed conflict listed in this section and was honorably discharged or an officer honorably separated from service; or the spouse or surviving spouse of such resident, provided that Title 10 training for active duty by a member of a national guard or reserve shall be included as service under this subparagraph;
- (b) Every resident of this state who was terminated from the armed forces because of service-connected disability; or the surviving spouse of such resident; and
- (c) The surviving spouse of any resident who suffered a service-connected death.

RSA 72:28 (continued)

V. Service in a qualifying war or armed conflict shall be as follows:

- (a) "World War I" between April 6, 1917 and November 11, 1918, extended to April 1, 1920 for service in Russia; provided that military or naval service on or after November 12, 1918 and before July 2, 1921, where there was prior service between April 6, 1917 and November 11, 1918 shall be considered as World War I service;
- (b) "World War II" between December 7, 1941 and December 31, 1946;
- (c) "Korean Conflict" between June 25, 1950 and January 31, 1955;
- (d) "Vietnam Conflict" between December 22, 1961 and May 7, 1975;
- (e) "Vietnam Conflict" between July 1, 1958 and December 22, 1961, if the resident earned the Vietnam service medal or the armed forces expeditionary medal;
- (f) "Persian Gulf War" between August 2, 1990 and the date thereafter prescribed by Presidential proclamation or by law; and
- (g) Any other war or armed conflict that has occurred since May 8, 1975, and in which the resident earned an armed forces expeditionary medal or theater of operations service medal.

72:28-b All Veterans' Tax Credit

I. A town or city may adopt or rescind the all veterans' property tax credit granted under this section by the procedure in RSA 72:27-a.

II. The credit granted under this section shall be the same as the amount of the standard or optional veterans' tax credit in effect in the town or city under RSA 72:28. A town or city with an existing standard or optional veterans' tax credit under RSA 72:28 prior to August 18, 2016, adopting the credit under this section, may phase in the amount of the all veterans' tax credit over a 3-year period to match the standard or optional veterans' tax credit.

III. The all veterans' tax credit shall be subtracted each year from the property tax on the veteran's residential property.

IV. A person shall qualify for the all veterans' tax credit if the person is a resident of this state who served not less than 90 days on active service in the armed forces of the United States and was honorably discharged or an officer honorably separated from service; or the spouse or surviving spouse of such resident, provided that Title 10 training for active duty by a member of a national guard or reserve shall be included as service under this paragraph; provided however that the person is not eligible for and is not receiving a credit under RSA 72:28 or RSA 72:35.

72:28-c Optional Tax Credit for Combat Service

I. A town or city may adopt or rescind an optional tax credit for combat service pursuant to the procedure provided in RSA 72:27-a.

II. The optional tax credit for combat service, upon adoption by a city or town pursuant to RSA 72:27-a, shall be an amount from \$50 up to \$500. The tax credit for combat service shall be subtracted each year from the property tax on the qualifying service member's residential real estate, as defined in RSA 72:29, II.

RSA 72:28-c (continued)

III. To qualify for the tax credit for combat service, a person shall be a resident of this state engaged at any point during the taxable period in combat service as a member of the New Hampshire national guard or a reserve component of the United States armed forces, called to active duty. For purposes of this section, and in accordance with Internal Revenue Service Publication 3, Armed Forces Tax Guide, "combat service" shall mean military service in one of the following areas:

- (a) An active combat area as designated by the President in an Executive Order, for which the service member receives special pay for duty subject to hostile fire or imminent danger as certified by the Department of Defense.
- (b) A support area as designated by the Department of Defense in direct sustainment of military operations in the combat zone, for which the service member receives special pay for duty subject to hostile fire or imminent danger as certified by the Department of Defense.
- (c) Service in a contingency operation as designated by the Department of Defense, for which the service member receives special pay for duty subject to hostile fire or imminent danger as certified by the Department of Defense.

RSA 72:28-c (continued)

IV. The application for the tax credit under this section shall be accompanied by the service member's military orders, and shall include such information as may be required for the assessor's office to verify the dates of combat service.

V. A tax credit for combat service shall be in lieu of, and not in addition to, the optional veteran's tax credit under RSA 72:28 or the all veterans' tax credit under RSA 72:28-b. The service member shall be eligible for the credit in each tax year in which the combat service occurs, but the credit may be prorated in the second tax year based on the duration of combat service.

72:29-a Surviving Spouse

I. The surviving spouse of any person who was killed or died while on active duty in the armed forces of the United States or any of the armed forces of any of the governments associated with the United States in the wars, conflicts or armed conflicts, or combat zones set forth in RSA 72:28, shall receive a tax credit in the amount of \$700 for the taxes due upon the surviving spouse's real and personal property, whether residential or not, in the same municipality where the surviving spouse is a resident.

RSA 72:29-a (continued)

II. Upon the adoption of this paragraph by a city or town as provided in RSA 72:27-a, the surviving spouse of any person who was killed or died while on active duty in the armed forces of the United States or any of the armed forces of any of the governments associated with the United States in the wars, conflicts or armed conflicts, or combat zones set forth in RSA 72:28, shall receive a tax credit in the amount from \$701 up to \$2,000 for the taxes due upon the surviving spouse's real and personal property, whether residential or not, in the same municipality where the surviving spouse is a resident.

72:35 Tax Credit for Service-Connected Total Disability

I. Any person who has been honorably discharged or an officer honorably separated from the military service of the United States and who has total and permanent service-connected disability, or who is a double amputee or paraplegic because of service-connected injury, or the surviving spouse of such a person, shall receive a standard yearly tax credit in the amount of \$700 of property taxes on the person's residential property.

I-a. The optional tax credit for service-connected total disability, upon adoption by a city or town pursuant to RSA 72:27-a, shall be an amount from \$701 up to \$4,000. The optional tax credit for service-connected total disability shall replace the standard tax credit in its entirety and shall not be in addition thereto.

RSA 72:35 (continued)

I-b. Either the standard tax credit for service-connected total disability or the optional tax credit for service-connected total disability shall be subtracted each year from the property tax on the person's residential property.

II. The standard or optional tax credit under this section may be applied only to property which is occupied as the principal place of abode by the disabled person or the surviving spouse. The tax credit may be applied to any land or buildings appurtenant to the residence or to manufactured housing if that is the principal place of abode.

III. (a) Any person applying for the standard or optional tax credit under this section shall furnish to the assessors or selectmen certification from the United States Department of Veterans' Affairs that the applicant is rated totally and permanently disabled from service connection. The assessors or selectmen shall accept such certification as conclusive on the question of disability unless they have specific contrary evidence and the applicant, or the applicant's representative, has had a reasonable opportunity to review and rebut that evidence. The applicant shall also be afforded a reasonable opportunity to submit additional evidence on the question of disability.

(b) Any decision to deny an application shall identify the evidence upon which the decision relied and shall be made within the time period provided by law.

(c) Any tax credit shall be divided evenly among the number of tax payments required annually by the town or city so that a portion of the tax credit shall apply to each tax payment to be made.

72:36-a Certain Disabled Veterans (total exemption)

Any person, who is discharged from military service of the United States under conditions other than dishonorable, or an officer who is honorably separated from military service, who owns a specially adapted homestead which has been acquired with the assistance of the Veterans Administration or which has been acquired using proceeds from the sale of any previous homestead which was acquired with the assistance of the Veterans Administration, the person or person's surviving spouse, shall be exempt from all taxation on said homestead, provided that:

I. The person or officer:

- (a) Is 100 percent permanently and totally disabled as prescribed in 38 C.F.R. 3.340, total and permanent total ratings and unemployability; or
- (b) Is a double amputee of the upper or lower extremities or any combination thereof, or paraplegic, as the result of service connection; or
- (c) Has blindness of both eyes with visual acuity of 5/200 or less, as the result of service connection.

II. Satisfactory proof of such service connection disability is furnished to the assessors.



MISCELLANEOUS PROVISIONS

72:29 Definitions

- I. The word "resident" as used in RSA 72:28 , RSA 72:28-b, and RSA 72:28-c shall mean a person who has resided in this state for at least one year preceding April 1, in the year in which the tax credit is claimed.
- II. The term "residential real estate" for the purposes of RSA 72:28-34, inclusive, shall mean the real estate which the person qualified for an exemption or a tax credit thereunder occupies as his principal place of abode together with any land or buildings appurtenant thereto and shall include manufactured housing if used for said purpose.
- III. "Exemption" as used in RSA 72 shall mean the amount of money to be deducted from the assessed valuation, for property tax purposes, of real property.
- IV. The term "tax credit" as used in RSA 72 shall mean the amount of money to be deducted from the person's tax bill.
- V. The term "surviving spouse" as used in RSA 72 shall not include a surviving spouse that has remarried, but if the surviving spouse is later divorced, his or her status as the surviving spouse of a veteran is regained. If the surviving spouse remarries and the new husband or wife dies, he or she shall be deemed the widow or widower of the latest spouse and shall not revert to the status of a surviving spouse of a veteran.
- VI. For purposes of RSA 72:28, 28-b, 28-c, 29-a, 30, 31, 32, 33, 35, 36-a, 37, 37-a, 37-b, 38-a, 39-a, 62, 66, and 70, the ownership of real estate, as expressed by such words as "owner," "owned" or "own," shall include those who have placed their property in a grantor/revocable trust or who have equitable title or the beneficial interest for life in the subject property.
- VII. The term "theater of operations service medal" for the purposes of RSA 72:28-34 shall mean any medal, ribbon, or badge awarded to a member of the armed forces which establishes that the member served in a theater of war or armed conflict, as determined by the director of the division of veterans services with written notification to the department of revenue administration.

72:30 Proration of Tax Credit

If any entitled person or persons shall own a fractional interest in residential real estate, each such entitled person shall be granted a tax credit in proportion to his or her interest therein with other persons so entitled, but in no case shall the total tax credit exceed the tax credit allowed under RSA 72:28, I or II, or RSA 72:28-b, except as provided in RSA 72:31.

72:31 Husband and Wife

A husband and wife, each qualifying for a tax credit, shall each be granted a tax credit upon their residential real estate as provided under RSA 72:28, I or II, or RSA 72:28-b.

72:32 Veterans of Allied Forces

Any person otherwise entitled under the provisions of RSA 72:28, 28-b, 30 and 31 who being a citizen of the United States, or being a resident of New Hampshire, at the time of his or her entry therein, served on active duty in the armed forces of any of the governments associated with the United States in the wars, conflicts, or armed conflicts set forth in RSA 72:28, shall be entitled to the tax credit authorized by RSA 72:28 or RSA 72:28-b.

72:33 Application for Exemption or Tax Credit

I. No person shall be entitled to the exemptions or tax credits provided by RSA 72:28, 28-b, 28-c, 29-a, 30, 31, 32, 35, 36-a, 37, 37-a, 37-b, 38-b, 39-b, 62, 66, and 70 unless the person has filed with the selectmen or assessors, by April 15 preceding the setting of the tax rate, a permanent application therefor, signed under penalty of perjury, on a form approved and provided by the commissioner of revenue administration, showing that the applicant is the true and lawful owner of the property on which the exemption or tax credit is claimed and that the applicant was duly qualified upon April 1 of the year in which the exemption or tax credit is first claimed, or, in the case of financial qualifications, that the applicant is duly qualified at the time of application. The form shall include the following and such other information deemed necessary by the commissioner:

- (a) Instructions on completing and filing the form, including an explanation of the grounds for requesting tax exemptions and credits pursuant to RSA 72.
- (b) Sections for information concerning the applicant, the property for which the relief is sought, and other properties owned by the person applying.
- (c) A section explaining the appeal procedure and stating the appeal deadline in the event the municipality denies the tax relief request in whole or in part.
- (d) A place for the applicant's signature with a certification by the person applying that the application has a good faith basis and the facts in the application are true.

RSA 72:33 (continued)

I-a. If any person, otherwise qualified to receive an exemption or credit, shall satisfy the selectmen or assessors that he or she was prevented by accident, mistake, or misfortune from filing a permanent application or amended permanent application on or before April 15 of the year in which he or she desires the exemption to begin, said officials may receive the application at a later date and grant an exemption or credit for that year; but no such application shall be received or exemption or credit granted after the local tax rate has been approved for that year.

I-b. Notwithstanding the April 15 application deadline in paragraph I, a person may apply for the tax credit for combat service under RSA 72:28-c at any point during the tax year in which the person is engaged in combat service. If the application is received and granted after the tax rate for the city or town is set, the credit shall be applied to the balance of tax payments due for that year. If a person is deemed eligible for the tax credit after taxes have been billed and paid for the tax year in which the person served, the credit shall be applied in the following year.

RSA 72:33 (continued)

II. Any person who changes residence after filing such a permanent application shall file an amended permanent application on or before December 1 immediately following the change of residence. The filing of the permanent application shall be sufficient for said persons to receive these exemptions or tax credits on an annual basis so long as the applicant does not change residence.

III. If the selectmen or assessors are satisfied that the applicant has willfully made any false statement in the application to obtain an exemption or tax credit, they may refuse to grant the exemption or tax credit.

IV. [Repealed.]

V. In addition to the above requirements, applicants for exemption who claim ownership pursuant to RSA 72:29, VI shall file with their application an additional statement signed under penalty of perjury, on a form approved and provided by the commissioner of revenue administration, showing they meet the requirements of RSA 72:29, VI.

VI. The assessing officials may require applicants for any exemption or tax credit to file the information listed in RSA 72:34, or the statement required by RSA 72:33, V periodically but no more frequently than annually. Failure to file such periodic statements may, at the discretion of the assessing officials, result in a loss of the exemption or tax credit for that year.

72:27-a Procedure for Adoption, Modification, or Rescission

I. Any town or city may adopt the provisions of RSA 72:28, RSA 72:28-b, RSA 72:29-a, RSA 72:35, RSA 72:37, RSA 72:37-b, RSA 72:38-b, RSA 72:39-a, RSA 72:62, RSA 72:66, RSA 72:70, RSA 72:76, RSA 72:82, or RSA 72:85 in the following manner:

(a) In a town, other than a town that has adopted a charter pursuant to RSA 49-D, the question shall be placed on the warrant of a special or annual town meeting, by the governing body or by petition pursuant to RSA 39:3.

(b) In a city or town that has adopted a charter pursuant to RSA 49-C or RSA 49-D, the legislative body may consider and act upon the question in accordance with its normal procedures for passage of resolutions, ordinances, and other legislation. In the alternative, the legislative body of such municipality may vote to place the question on the official ballot for any regular municipal election.

II. The vote shall specify the provisions of the property tax exemption or credit, the amount of such exemption or credit, and the manner of its determination, as listed in paragraph I. If a majority of those voting on the question vote "yes," the exemption or credit shall take effect within the town or city, on the date set by the governing body, or in the tax year beginning April 1 following its adoption, whichever shall occur first.

III. A municipality may modify, if applicable, or rescind the exemption or credits provided in paragraph I in the manner described in this section.

IV. An amendment to a statutory provision listed in paragraph I related to an exemption or credit amount or to the eligibility or application of an exemption or credit, shall apply in a municipality which previously adopted the provision only after the municipality complies with the procedure in this section, unless otherwise expressly required by law.

72:34 Investigation of Application and Decision by Town Officials

I. On receipt of an application provided for in RSA 72:33 or RSA 72:38-a, the selectmen or assessors shall examine it as to the right to the tax exemption, tax deferral or tax credit, the ownership of the property listed, and, if necessary, the encumbrances reported.

II. For those exemptions having income or asset limitations, the assessing officials may request true copies of any documents as needed to verify eligibility. Unless otherwise provided for by law, all documents submitted with an application or as requested, as provided for in paragraphs I and II, and any copies shall be considered confidential, handled so as to protect the privacy of the individual, and not used for any purpose other than the specific statutory purposes for which the information was originally obtained. All documents and copies of such documents submitted by the applicant shall be returned to the applicant after a decision is made on the application.

RSA 72:34 (continued)

III. The assessing officials shall grant the exemption, deferral, or tax credit if:

(a) They are satisfied that the applicant has not willfully made any false statement in the application for the purpose of obtaining the exemption, deferral, or tax credit; and

(b) The applicant cooperated with their requests under paragraph II, if it applies.

IV. On or before July 1 prior to the date of notice of tax under RSA 72:1-d, the selectmen or assessors shall send by first class mail a written decision to any taxpayer who timely requests an exemption or tax credit. On or before July 1 following the date of notice of tax under RSA 72:1-d, the selectmen or assessors shall send by first class mail a written decision to any taxpayer who timely requests a deferral. This decision shall be sent on a form to be prepared by the department of revenue administration. The decision shall advise the taxpayer of the municipality's decision and shall inform the taxpayer of the appeal procedure set forth in RSA 72:34-a. Failure to respond shall constitute denial. Municipalities may, at their option, require the taxpayer to furnish a self-addressed envelope with sufficient postage for the mailing of this written decision.

72:34-a Appeal From Refusal to Grant Exemption, Deferral, or Tax Credit

Whenever the selectmen or assessors refuse to grant an applicant an exemption, deferral, or tax credit to which the applicant may be entitled under the provisions of RSA 72:23, 23-d, 23-e, 23-f, 23-g, 23-h, 23-i, 23-j, 23-k, 28, 28-b, 28-c, 29-a, 30, 31, 32, 35, 36-a, 37, 37-a, 37-b, 38-a, 38-b, 39-a, 39-b, 41, 42, 62, 66, or 70 the applicant may appeal in writing, on or before September 1 following the date of notice of tax under RSA 72:1-d, to the board of tax and land appeals or the superior court, which may order an exemption, deferral, or tax credit, or an abatement if a tax has been assessed.



ABATEMENTS

ABATEMENT

76:16-c Abatement of Resident Taxes

Selectmen or assessors may for good cause shown abate any resident tax assessed by them or their predecessors.

Ansara v. City of Nashua, 118 N.H. 879 (1978)

“We hold that plaintiffs who claim that they are entitled to an abatement because of poverty and inability to pay, and who have some equity in their homes, must show that it is not reasonable for them to relocate, refinance or otherwise obtain additional public assistance.”

76:16 By Selectmen or Assessors

I. (a) Selectmen or assessors, for good cause shown, may abate any tax, including prior years' taxes, assessed by them or by their predecessors, including any portion of interest accrued on such tax; or

(b) Any person aggrieved by the assessment of a tax by the selectmen or assessors and who has complied with the requirements of RSA 74, may, by March 1, following the date of notice of tax under RSA 76:1-a, and not afterwards, apply in writing on the form set out in paragraph III to the selectmen or assessors for an abatement of the tax. The municipality may charge the taxpayer a fee to cover the costs of the form required by paragraph III.

II. Upon receipt of an application under paragraph I(b), the selectmen or assessors shall review the application and shall grant, for good cause shown, or deny the application in writing by July 1 after notice of tax date under RSA 76:1-a. The failure to respond shall constitute denial. All such written decisions shall be sent by first class mail to the taxpayer and shall include a notice of the appeal procedure under RSA 76:16-a and RSA 76:17 and of the deadline for such an appeal. The board of tax and land appeals shall prepare a form for this purpose. Municipalities may, at their option, require the taxpayer to furnish a self-addressed envelope with sufficient postage for the mailing of this written decision.

RSA 76:16 (continued)

III. The abatement application form shall be prescribed by the board of tax and land appeals. The form shall include the following and such other information deemed necessary by the board:

- (a) Instructions on completing and filing the form, including an explanation of the grounds for requesting tax abatements, including abatements for poverty and inability to pay pursuant to RSA 76.
- (b) Sections for information concerning the person applying, the property for which the abatement is sought and other properties in the municipality owned by the person applying.
- (c) A section concerning compliance with the RSA 74 inventory requirement.
- (d) A section explaining the appeal procedure and stating the appeal deadline in the event the municipality denies the tax relief request in whole or part.
- (e) A section requiring the applicant to state with specificity the reasons supporting the abatement request with an explanation of what specificity means.
- (f) A section for the applicant to list any comparable properties supporting an abatement request.
- (g) A place for the applicant's signature with a certification by the person applying that the application has a good faith basis and the facts in the application are true.
- (h) The statement: "If an abatement is granted and taxes have been paid, interest on the abatement shall be paid in accordance with RSA 76:17-a. Any interest paid to the applicant must be reported by the municipality to the United States Internal Revenue Service, in accordance with federal law. Prior to the payment of an abatement with interest, the taxpayer shall provide the municipality with the applicant's social security number or federal tax identification number. Municipalities shall treat the social security or federal tax identification information as confidential and exempt from a public information request under RSA 91-A."

IV. Failure to use the form prescribed in paragraph III shall not affect the right to seek tax relief.

76:16-a By Board of Tax and Land Appeals

I. If the selectmen neglect or refuse to so abate, in accordance with RSA 76:16, I(b), any person aggrieved, having complied with the requirements of RSA 74, upon payment of a \$65 filing fee, may apply in writing to the board of tax and land appeals. The appeal shall be filed on or before September 1 after the date of notice of tax under RSA 76:1-a, and not afterwards. The board, after inquiry and investigation, shall hold a hearing if requested as provided in this section and shall make such order thereon as justice requires; and such order shall be enforceable as provided hereafter. If the appeal is filed before July 1 the person aggrieved shall state in the appeal to the board the date of the municipality's decision on the RSA 76:16, I(b) application.

II. Upon receipt of an application under the provisions of paragraph I, the board of tax and land appeals shall give notice in writing to the affected town or city of the receipt of the application by mailing such notice to the town or city clerk thereof by certified mail. Such town or city may request in writing a hearing on such application within 30 days after the mailing of such notice and not thereafter. If a hearing is requested by a town or city, the board of tax and land appeals shall, not less than 30 days prior to the date of hearing upon such application, give notice of the time and place of such hearing to the applicant and to the town or city in writing. Nothing contained in this paragraph shall be construed to limit the rights of taxpayers to a hearing before the board of tax and land appeals.

RSA 76:16-a (continued)

III. The applicant and the town or city shall be entitled to appear by counsel, may present evidence to the board of tax and land appeals and may subpoena witnesses. Either party may request that a stenographic record be kept of the hearing. Any investigative report filed by the staff of the board of tax and land appeals shall be made a part of such record.

IV. In such hearing, the board of tax and land appeals shall not be bound by the technical rules of evidence.

V. Either party aggrieved by the decision of the board of tax and land appeals may appeal pursuant to RSA 71-B:12. For the purposes of such appeal, the findings of fact by the board shall be final. Any such appeal shall be limited to questions of law.

VI. A copy of an order of abatement ordered by the board of tax and land appeals, attested as such by the chairman of the board, if no appeal is taken hereunder, may be filed in the superior court for the county or in the Merrimack county superior court at the option of the board; and, thereafter, such order may be enforced as any final judgment of the superior court.

VII. (a) The board may establish, by rules adopted under RSA 541-A, a small claims procedure to hear property tax appeals under this section as an alternative to full hearings. The rules may modify the procedural, hearing, and decision requirements of RSA 71-B, RSA 541-A, and paragraphs I-VI of this section.

(b) After filing the appeal pursuant to RSA 76:16-a, the taxpayer shall have the option of electing the small claims procedure. If the taxpayer elects the small claims procedure, the appeal shall be heard as a small claim unless the municipality, within 30 days of the board's notice of the taxpayer's election, requests a full hearing.

(c) The quorum for small claims hearings, decisions, and rehearing orders shall be one board member.

(d) The board retains the authority to require small claims to be heard by full hearing.

76:17 By Court

If the selectmen neglect or refuse so to abate in accordance with RSA 76:16, I(b), any person aggrieved, having complied with the requirements of RSA 74, may, in lieu of appealing pursuant to RSA 76:16-a, apply by petition to the superior court in the county, which shall make such order thereon as justice requires. The appeal shall be filed on or before September 1 following the date of notice of tax under RSA 76:1-a, and not afterwards. If the appeal is filed before July 1 following the date of notice of tax, the person aggrieved shall state in the appeal to the court the date of the municipality's decision on the RSA 76:16, I(b) application.

76:17-a Interest

Whenever, after taxes have been paid, the selectmen, the board of tax and land appeals, or the superior court, as the case may be, grant an abatement of taxes, they shall award interest on the amount of taxes abated at the rate of 6 percent per annum from the date the taxes were paid to the date of refund.



PROMINENT
and
LEGIBLE

76:11-a Information

... II. The tax bill shall also contain a statement informing the taxpayer of the types of tax relief for which the taxpayer has the right to apply. The following statement shall be considered adequate:

"If you are elderly, disabled, blind, a veteran, or veteran's spouse, or are unable to pay taxes due to poverty or other good cause, you may be eligible for a tax exemption, credit, abatement, or deferral. For details and application information, contact (insert title of local assessing officials or office to which application should be made)."

This statement shall be prominent and legible, and may either be printed on the tax bill itself, or on a separate sheet of paper enclosed with the tax bill. A municipality may in its discretion choose to include more detailed information about the eligibility criteria for different forms of tax relief, provided, however, that the information in the above statement shall be considered a minimum.

III. A town or city may, by majority vote of its governing body, include information additional to that required under paragraphs I and II on the tax bill as a means of further educating the public relative to the laws regarding property taxes.

TOWN OF , NH
TAX COLLECTOR
P.O. BOX 222
NH

HOURS
MONDAY - FRIDAY:
9:00 AM - NOON & M - 4:30 PM
(603) 8

SECOND BILL REAL ESTATE TAX BILL

TAX YEAR	BILL NUMBER	BILLING DATE	INTEREST RATE	DUE DATE
2009	2009P02014601	11/25/2009	12	12/30/2009

MAP/PARCEL	LOCATION OF PROPERTY	AREA
000R13-000016-000000		2.250

OWNER OF RECORD		1/2 TAX CALCULATION AT 2008 RATE	
333		MUNICIPAL AMOUNT	418.21
		SCHOOL AMOUNT	506.60
		STATE AMOUNT	95.15
		COUNTY AMOUNT	56.04
		TOTAL TAX	1,076.00
		FIRST BILL	725.00
		AMOUNT DUE	351.00
		PAST DUE	4,501.87
		AMOUNT TO PAY	4,852.87

TAX CALCULATION		ASSESSED VALUATION	
MUNICIPAL	11.12	LAND	39,100
SCHOOL	13.47	BUILDINGS	19,500
STATE	2.53	CURR USE	0
COUNTY	1.49	ELD	20,000
			0
			0
TOTAL	28.61	NET VALUE	37,600

INFORMATION TO TAXPAYERS

THE TAXPAYER MAY, BY MARCH 1 FOLLOWING THE DATE OF NOTICE OF THE TAX AND NOT AFTERWARDS, APPLY IN WRITING TO THE BOARD OF ASSESSORS FOR A TAX EXEMPTION, CREDIT, ABATEMENT OR DEFERRAL.

IF YOU ARE ELDERLY, DISABLED, BLIND, A VETERAN OR VETERAN'S SPOUSE, OR ARE UNABLE TO PAY TAXES DUE TO POVERTY OR OTHER GOOD CAUSE, YOU MAY BE ELIGIBLE FOR A TAX EXEMPTION, CREDIT, ABATEMENT OR DEFERRAL. FOR DETAILS AND APPLICATION INFORMATION, CONTACT THE BOARD OF ASSESSORS.

REAL ESTATE TAX PAYMENTS WILL BE APPLIED FIRST TO THE OLDEST DELINQUENT REAL ESTATE TAXES (IF ANY) FOR THE INDICATED PROPERTY.

TAXPAYERS DESIRING ANY INFORMATION IN REGARD TO TAXATION, ASSESSMENTS, EXEMPTIONS, OR CHANGE OF ADDRESS MUST REFER ALL INQUIRIES TO THE BOARD OF SELECTMEN NOT TO TAX COLLECTOR.

ALL TAXES ARE ASSESSED ON APRIL 1ST OF EACH YEAR. TAX BILLS ARE MAILED TO THE LAST KNOWN ADDRESS.

PAYMENT POLICIES

POST DATED CHECKS CANNOT BE ACCEPTED, AND WILL BE RETURNED TO TAXPAYER.

A \$25.00 FEE PLUS ALL ADDITIONAL DELINQUENCY PENALTIES AND COLLECTION COSTS WILL BE CHARGED FOR ANY CHECK RETURNED BY THE BANK FOR ANY REASON.

PAYMENT OF THIS BILL DOES NOT PREVENT THE COLLECTION OF PREVIOUS UNPAID TAXES, NOR DOES AN ERROR IN THE NAME OF THE PERSON(S) TAXED PREVENT COLLECTION.

IF YOU ARE NOT THE PRESENT OWNER OF THIS PROPERTY, PLEASE FORWARD TO THE PROPER OWNER. THE TAX COLLECTOR IS NOT RESPONSIBLE FOR PAYMENT ON THE WRONG TAX BILL.

IF THIS BILL IS PAID BY CHECK OR MONEY ORDER, IT IS NOT CONSIDERED PAID UNTIL THE CHECK OR MONEY ORDER IS CLEARED BY THE BANK.

PLEASE MAKE CHECK PAYABLE TO TOWN OF LISBON.

WHEN PAYING IN PERSON, BRING ENTIRE BILL.

TAX CALCULATION		ASSESSED VALUATION	
MUNICIPAL	11.12	LAND	38,100
SCHOOL	13.47	BUILDINGS	19,500
STATE	2.53	CURR USE	0
COUNTY	1.49	ELD	20,000
			0
			0
TOTAL	28.61	NET VALUE	37,600

SCHOOL AMOUNT	506.60
STATE AMOUNT	95.15
COUNTY AMOUNT	56.04
TOTAL TAX	1,076.00
FIRST BILL	725.00
AMOUNT DUE	351.00
PAST DUE	4,501.87
AMOUNT TO PAY	4,852.87

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REAL ESTATE TAX PAYMENTS WILL BE APPLIED FIRST TO THE OLDEST DELINQUENT REAL ESTATE TAXES (IF ANY) FOR THE INDICATED PROPERTY.

TAXPAYERS DESIRING ANY INFORMATION IN REGARD TO TAXATION, ASSESSMENTS, EXEMPTIONS, OR CHANGE OF ADDRESS MUST REFER ALL INQUIRIES TO THE BOARD OF SELECTMEN NOT TO TAX COLLECTOR.

ALL TAXES ARE ASSESSED ON APRIL 1ST OF EACH YEAR. TAX BILLS ARE MAILED TO THE LAST KNOWN ADDRESS.

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IF YOU ARE NOT THE PRESENT OWNER OF THIS PROPERTY, PLEASE FORWARD TO THE PROPER OWNER. THE TAX COLLECTOR IS NOT RESPONSIBLE FOR PAYMENT ON THE WRONG TAX BILL.

IF THIS BILL IS PAID BY CHECK OR MONEY ORDER, IT IS NOT CONSIDERED PAID UNTIL THE CHECK OR MONEY ORDER IS CLEARED BY THE BANK.

PLEASE MAKE CHECK PAYABLE TO TOWN OF LISBON.

WHEN PAYING IN PERSON, BRING ENTIRE BILL.

DETACH HERE

TO ENSURE PROPER CREDIT, PLEASE RETURN ENTIRE BOTTOM PORTION OF BILL

DETACH HERE

RSA 76:11-a governs what information must be included on the tax bill which is sent to every person taxed as provided in RSA 76:11 (Supp. 2012). RSA 76:11-a, I. RSA 76:11-a, II states specifically that “[t]he tax bill shall also contain a statement informing the taxpayer of the types of tax relief for which the taxpayer has the right to apply.” The provision then gives an example statement that establishes a floor for adequate notice. *Id.* Finally, the section states that the aforementioned statement “shall be *prominent and legible*, and may either be printed on the tax bill itself, or on a separate sheet of paper enclosed with the tax bill.” *Id.* (emphasis added). The parties agree that the required minimum language appears on the tax bill, but disagree about whether the notice is “prominent and legible.”

The contextual statutory language does not illuminate the meaning of “prominent and legible” nor does Chapter 76 define “prominent” or “legible.” *See* RSA 76:1-a; *cf.* RSA 479-B:11 II (c) (3) (Supp. 2012) (governing notice requirements in foreclosure consultant relationships and pre-foreclosure conveyances, the statute requires that a notice of short-sale “[c]ontain a *prominent* statement, *printed in at least 16-point type and in boldface . . .*”) (emphasis added); RSA 479-B:10 (requiring all mandatory notices under the chapter to be printed in at least 14-point type). Therefore, in the absence of a statutory definition of the terms or previous judicial guidance defining the terms, the Court must rely on the plain meaning of “prominent and legible.” *See Frost*, 163 N.H. at 374.

Webster's defines "prominent" as "1. Jutting out; projecting; protuberant. 2. Conspicuous." Webster's Pocket Dictionary of the English Language 412 (1998); see also, Oxford Dictionaries Online, www.oxforddictionaries.com (defining prominent as "projecting from something; protuberant" and "situated so as to catch the attention; noticeable"). Webster's defines "legible" as "[c]apable of being deciphered or read with ease." Id. at 286; see also Oxford Dictionaries Online, www.oxforddictionaries.com (defining "legible" as "clear enough to read").

The Court applies these meanings of the statutory terms to the notice provided on R's tax bills from 2009 and 2010.² (Pet'r's Ex. 1 at 3-4.) First, both parties and the Court agree that the notice provided was at least legible, that is, it can be read. Second, examining the appearance of the notice on the tax bill, the Court concludes that the notice is something less than "conspicuous" or "noticeable." The language required by RSA 76:11-a is printed in all capital letters, and is located on the bill about halfway down the front of the page inside a box entitled "INFORMATION TO TAXPAYERS." The box contains a significant amount of text in a small space, with the notice language comprising one of the five sentences in the box. Furthermore, all of the text inside the box is printed in smaller type or font than *any other* information on the tax bill. The fact that the information is printed in *smaller* font than the other information on the bill serves to deemphasize the information, rather than causing it to be conspicuous or "situated so as to catch the attention." Additionally, the effect of the language being printed in all capital letters is diminished by the small size of the print and its placement among several other sentences also printed in capital letters. The Court finds that the notice does not satisfy the plain meaning of "prominent" in RSA 76:11-a II.

Town of Pittsfield
 85 Main Street
 Pittsfield, NH 03263



2019 PITTSFIELD PROPERTY TAX -- BILL 2 OF 2

PITTSFIELD, NH 03263

Invoice: 2019P0
 Billing Date: 10/30/2019
 Payment Due Date: 12/06/2019
 Amount Due: \$ 745.00

8% APR Charged After 12/06/2019

If you are elderly, disabled, blind, a veteran, or veteran's spouse, or are unable to pay taxes due to poverty or other good cause, you may be eligible for a tax exemption, credit abatement, or deferral. For details and application information please see the back of this invoice or contact the Selectmen's Office.

Opt for paperless bill notification or pay property tax and sewer invoices online at: pittsfield.nhtaxkiosk.com

Property Owner		Property Description	
Owner:		Map: 000F	Lot: 000004 Sub: 000002
		Location:	Acres: 2.510
Tax Rates		Summary Of Taxes	
County:	\$ 2.86	Total Tax:	\$ 1,512.00
School:	\$ 18.61	- First Bill:	\$ 767.00
Town:	\$ 9.20	- Abated/Paid:	\$ 0.00
State Education:	\$ 2.19	- Veteran Credits:	\$ 0.00
	Taxable Land: 54,800		
	Buildings: 131,200		
	Total: 186,000		
	ELD 125,000		
	BLND 15,000		
		Amount Due By 12/06/2019:	\$ 745.00

INFORMATION TO TAXPAYER

IF YOU BELIEVE THAT YOUR TAXES ARE NOT IN ACCORDANCE WITH THE PROPERTY VALUE OF YOUR HOME, THAT YOUR ASSESSMENT MAY CONTAIN AN ERROR OR OMISSION, OR YOU ARE UNABLE TO PAY TAXES DUE TO POVERTY OR OTHER GOOD CAUSE, YOU HAVE THE RIGHT TO APPLY FOR AN ABATEMENT OR DEFERRAL IN WRITING BY MARCH 1ST FOLLOWING THE DATE OF NOTICE OF TAX & NOT AFTERWARD. FOR DETAILS, PLEASE CONTACT THE ASSESSOR'S OR SELECTMEN'S OFFICE, NOT THE TAX COLLECTOR.

IF YOU ARE ELDERLY, DISABLED, BLIND, A VETERAN OR VETERAN'S SPOUSE, YOU MAY BE ELIGIBLE FOR A TAX EXEMPTION OR CREDIT. FOR DETAILS AND APPLICATION INFORMATION, PLEASE CONTACT THE ASSESSOR'S OR SELECTMEN'S OFFICE. YOU MUST APPLY ON OR BEFORE APRIL 15TH.

BILLS IN ALL CASES ARE MAILED TO THE CURRENT OWNER OF RECORD. PAYMENT OF THIS BILL DOES NOT PREVENT THE COLLECTION OF PREVIOUS UNPAID TAXES, NOR DOES AN ERROR IN THE NAME OF THE PERSON TAXED PREVENT COLLECTION.

IF PAYMENT OF THIS BILL IS MADE BY MAIL:

1. RETURN ONE COPY OF TAX BILL.
2. ENCLOSE A STAMPED SELF-ADDRESSED ENVELOPE & THE ENTIRE TAX BILL FOR RETURN OF RECEIPTED BILL.

IF THIS BILL IS PAID BY CHECK OR MONEY ORDER, IT IS NOT CONSIDERED PAID UNTIL THE CHECK OR MONEY ORDER HAS CLEARED.

Duty to provide meaningful assistance

Under Part 1, Article 1, of the New Hampshire Constitution, Town officials are required to provide meaningful assistance to all citizens who seek their help in resolving municipal-related issues. See Carbonneau v. Town of Rye, 120 NH 96 (1980) and Savage v. Town of Rye, 120 NH 409 (1980).

ADDITIONAL RESOURCES

NEW HAMPSHIRE LEGAL ASSISTANCE HAS THE FOLLOWING AVAILABLE:

- An 8-page pamphlet about property tax relief (created by our Justice in Aging Project but the information is comprehensive).
- A 2-page information flyer (intended to be printed double-sided).
- An 11” by 17” poster (printed in color).

Contact officemanager@nhla.org or call (603) 206-2231.

APPLY FOR FREE LEGAL HELP
ON-LINE www.603LegalAid.org

or call 603 LEGAL AID at 224-3333
Monday to Friday, 9 a.m. to 1 p.m.