

Frequently Asked Questions About Challenging Your Assessment

1. Where I can find my 2021 assessment?

In late November 2020 you will receive your 2021 assessment postcard which is sent annually by the Monmouth County Tax Board. The postcard will display your assessment for 2021. You can also find your assessment online at the Monmouth County Open Public Records Search System (OPRS) website as soon as the 2021 assessments are certified (Mid-November). Here is a link to that site: <https://oprs.co.monmouth.nj.us/oprs/External.aspx?iId=12>

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

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

Please be mindful that the assessment function is focused on the ***uniformity and accuracy of the assessments*** NOT the resulting tax responsibility. When the assessments are set to the same standard (market value) in a uniform way, the tax levy will be distributed fairly, municipal and countywide, in accordance with the NJ Constitution. The Tax Assessor does not have control of the tax levy. County, municipal and school budget costs determine the amount of property tax to be collected. A municipality's general tax rate is calculated by dividing the total dollar amount it needs to meet local budget expenses by the net valuation of all its taxable property. An individual's property taxes are directly correlated to that property's proportionate share ownership of the municipality.

To put it simply, if a property was worth 5% of the municipality, it would be assigned to pay 5% of the tax levy. The purpose of the assessment function is to value your house fairly based on market data so that the distribution of the tax levy is fair. You should always be aware of the market to be sure your assessment (and resulting apportionment of the tax levy) is fair. All property sales data is published on the OPRS site.

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

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

You should only give consideration to sale prices that were "bona fide arms-length transactions" between "willing" buyers and sellers. That means that no participant of the transaction was overly compelled to buy or sell. Generally speaking, short sales, estate sales, bank sales, sales between family members etc. are all excluded from a market value analysis. Houses that were openly listed (and the market had time to digest) are typically more credible transactions when compared to private deals where there was no actual market exposure. Remember- this is all about market value!

The age of the sale is another factor worth considering in your review. Keep in mind that the valuation date for the 2021 assessment is October 1st, 2020. Sales that occurred in 2020 would generally be given more credibility (all other factors being equal). It is reasonable to also look at sales from 2019 in your review, but just remember that the more recent sales would usually be given more weight (all other factors being equal).

3. What do I do if I feel my 2021 assessment DOES NOT reflect the fair market value?

If you believe the 2021 assessed value does not reflect the true market value of your property, you should contact the Assessor's office immediately to confirm that the physical characteristics on your Property Record Card (PRC) are accurate. After speaking to the assessor, if you still feel the assessment does not equal the fair market value of the property, you should file an appeal with the Monmouth County Tax Board before January 15th, 2021. Here is a link to the appeal site- <https://secure.njappealonline.com/prodappeals/login.aspx>

Please note that the site will not be open until the 2021 assessment postcards are sent out. If you miss the January 15th deadline, you will not be able to file an appeal at the County until the following year (2022).

If you choose to file an appeal on your 2021 assessment, you will be required to provide evidence to demonstrate your position. "Evidence" is typically recent sales of comparable properties. The County Appeal Website becomes the portal for communication between you and the assessor. You would input your sales data or other evidence into the portal for the assessor to review your case. The Assessor would also use the portal to communicate with you- publishing evidence for defense directly in the portal for you to review.

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

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

After confirming the accuracy of the physical characteristics of the house, the Assessor would review the sales you put into evidence through the Appeal website portal. He would then review other sales and establish a position- if the assessment modeling is setting your assessment at reasonable expectation of market value or if it is not. If the

Assessor agrees with you, a settlement would be offered through the online appeal portal. If the Assessor believes the assessment is defensible, you would be required to attend a hearing at the Hall of Records in Freehold where you would present your case to the County Tax Board. The Assessor would attend the hearing and present his defense as to why he believes the assessment is fair (based on the evidence already provided to you). The hearings are intended to be non-adversarial and simply viewed by the Assessor and the County Tax Board as a discussion of how the sales data already put into evidence relates to your home.

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

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

If your assessment is over One-Million (1,000,000), you would have the option to file an appeal directly to the State Tax Court before April 1st, 2021. That said, you still have the option to file the appeal at the County Tax Board instead. Keep in mind that the County Tax Board Appeal deadline is January 15th, 2021.

Filing an appeal at the County level is much easier and less formal of a process when compared to the State Tax Court. A County Tax Board Appeal can be done online and is a much faster process. State Tax Court cases will usually linger before a trial is scheduled for many years. All County Tax Board appeals will be heard and adjudicated prior to May of 2021.

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

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

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

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

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

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

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

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

If you file an appeal with the County Tax Board, they will mail you a letter with your hearing date sometime in late January or early February of 2021. The hearing date would be scheduled sometime between February 1st, 2021 and April 30th, 2021. All cases are heard at the Hall of Records located at 1 East Main St. in Freehold. If the case is settled prior to the appeal hearing date, your attendance would not be required at the hearing.

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

The Monmouth County Tax Board Appeal Website has an instructions handout that contains a lot of valuable information about the process:

https://secure.njappealonline.com/prodappeals/help/InstructionsHandbook_Mon.pdf

You can also contact the Assessor if you have any further questions or if you wish to obtain your Property Record Card (PRC). (eaguiar@dealborough.com)