October 4, 2021 Tax Abatement Committee Hearing - IN PERSON- 4:45 p.m. Sharon Bushor Conference Rm 1st Floor- City Hall 10/4/2021

Tax Abatement Committee

Minutes

Monday October 4, 2021, 4:45 p.m. Sharon Bushor Conference Rm

Committee Members: Councilors Sarah Carpenter (SC) Chair, Mark Barlow (MB).

Committee Member not Present: Perri Freeman (PF)

Others Present: Jared Pellerin (JP), City Attorney's Office; John Vickery (JV), City Assessor; Kenneth Nosek (KN), Committee Administrator-City Assessor's Office;

Petitioners Present: None

No Show: William B. Spencer III

At 4:56 p.m. Chair Sarah Carpenter commenced the meeting.

Agenda:

Motion to adopt by MB

Second by SC passed

Minutes Adopted:

Motion to adopt by MB

Second by SC

William B. Spencer III, 045-2-117-000, 108 Buell Street

PREVIOUS INFORMATION FROM SEPT 20, 2021:

ACH transfer city attempted on June 14, 2021. Spencer's ACH returned for insufficient funds. Only ACH returned out of 1,581 other ACH payments. Petitioner's testifies there was sufficient money in the account and that it was open to use. Petitioner did not support statements with any evidence from the financial institution his account is held within. Committee has requested evidence from petitioner for future hearing/meeting set for September 20, 2021.

Request Mr Spencer and City Treasurer provide more info. Bank statements submitted by petitioner that shows a withdrawal of $6,890.41 in ACH June 14. Also the $6,890.41 is not a multiple of a quarterly payment.

ACH city withdrawel does not appear to be related to tax payment due which was $1,831.11 for 4th quarter.

ACH debit attempt appears to be large enough to cause Mr. Spencer to go below his balance in that account. Why is debited ACH higher than the amount owed for quarter?

Mr. Spencer has provided letter about an account different from one that withdrawal did not occur.

Motion by MB: do not honor the request because the petitioner had not met the burden of production of evidence and proved that the account ending in 308 had sufficient funds in it at time of ACH withdrawal. In other words, the charges made by City Treasurer were not illegal, uncollectible or manifestly unjust.

Second SC

Vote: Unanimous

Agenda item 1.02 Review "financial hardship" criteria

Will tax abatement require there to be a Covid element to the financial hardship claim for tax abatement?

The requirements for city program – will they be same as tax abatement?

Is committee process different, meeting a unique circumstance that other programs will not meet.

MB – Kathryn Schad needs to add to the edit of the document.

SC – will the city want BTA to abate the penalties and taxes.

JV – sees us in city be it C/T or Assessor as guiding the taxpayer into the correct step.

SC - make the VHFA and Burlington Homestead Relief the most important for FY2022 – place this language at the top.

JV – read generally eligibility requirements of VHFA criteria for hardship in FY2022 from the VHFA website https://vermonthap.vhfa.org/

The C/T office or Assessor should give VHFA information immediately for hardship and NOT suggest Tax Abatement as first step!

Should we require a hardship affidavit to signed.

Deliberative session committee entered deliberative at 6:04 p.m.

Out of deliberative session 6:06 p.m.

PREVIOUS INFORMATION FROM SEPT 20, 2021:

Whether State payment tax credit “valuation” lag proves hardship in itself?

JV - thinks it is important to show payment CANNOT be made.

SC - when we look at abatement are we looking at one time circumstances?

JV - Only abating what is due now – NOT usually the future.

SC - does committee make recommendations for payment plan?

JV - usually in past treasurer’s department works out payment plan with petitioner- penalties and interest frozen and payment plan worked out.

SC - should city send them to a different organization before Tax Abatement Committee

JV - thinks it should come through BTA

JP - believes the taxpayer should make effort to attempt to reduce their own burden. What steps?

Newer city program yet to be set up. Petitioner should prove no relief from that first.

VHFA program to help pay taxes is coming but not started yet.

SC - wants to see that petitioner apply to and be denied by the other programs.

In Tax Abatement committee we can look at assets.

MB - states in conversation with Mayor the city $250,000 is supposed to be used if state funds or VHFA $ is not sufficient.

If applying for a program – should be a need for Treasurer's office to freeze any interest or penalties as program exterior to city reviews.

Treasurer's office should be putting info out about these programs.

SC - stated VHFA program petitioner needs PROOF that they are past due

JV - making someone whole just because increase in value is not the intent of Tax

Abatement. In JV's opinion it is to keep people from losing their home.

Proof of income, collecting unemployment insurance. No assets.

JV- the property equity as an asset but not in all cases is equity easy to tap into. In past, city might place lien on property, get owner into payment plan and that is a help to owner and city.

MB - wants to see the IN-111 Household Income for submitted.

Extraordinary circumstance demonstrated if need relief – JV likes this statement from VLCT Dec 2011 Abatement Requests article.

SC – 1. proof of equity in property (do you have mortgage still?); 2. HS-122 to prove income; 3. Evidence of all other assets.

Place info on website for C/T office to use before they provide taxpayer with any abatement request information.

JP - committee cannot require all listed documents be provided.

In general, Tax Abatement Committee does not need to recommend to provide relief regardless of the documents provided and regardless of circumstances.

Public Forum open – no one present

ADJOURNMENT

Public meeting adjourned at 6:10 p.m.

Motion to Adjourn by MB

Second by SC

Unanimous