



City of Portland
Board of Assessment Review Meeting
Stephen Bither, Chair, and Barbara Brewer
Friday, September 30, 2022 at 9:00 AM By Zoom technology

REMOTE ACCESS INFORMATION:

Please click the link below to join the webinar:

<https://portlandmaine-gov.zoom.us/j/84270715138?pwd=eU80UkxUQmlVK3pwbFZES1NvQXlXZz09>

Passcode: 677513

Or One tap mobile :

US: +13126266799,,84270715138#,,,,*677513# or +16469313860,,84270715138#,,,,*677513#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 646 931 3860 or +1 929 205 6099 or +1 301 715 8592 or +1 309 205 3325 or +1 719 359 4580 or +1 253 215 8782 or +1 346 248 7799 or +1 386 347 5053 or +1 564 217 2000 or +1 669 444 9171 or +1 669 900 6833

Webinar ID: 842 7071 5138

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1. Approve the minutes of the September 16, 2022 Board of Assessment Review Meeting
 - a. Draft minutes attached.
2. Approve written decision for Appeal from Liv Chase, for Investment Core LLC, 5 Monument Street
 - a. Draft decision attached.
3. Accept Request from Attorney David Silk re: postponement of Albany Road-Portland LLC appeal for 100 Middle Street
 - a. Letter Attached. Set a new hearing date.
4. Adjournment



Board of Assessment Review

**Friday, September 16, 2022, 9:00 AM
Meeting Minutes**

Stephen Bither
Barbara Brewer

The remote meeting convened at 9:00 a.m. on September 16, 2022 by Zoom technology.

Attendees: Board members Stephen Bither and Barbara Brewer, Attorney Jim Katsiaficas representing the Board, attorney for the city Michael Goldman, and board secretary Nancy English.

Board Chair Bither asked for a motion to approve the minutes of the September 9, 2022 Board of Assessment Review hearing. Board Member Brewer moved to approve and Chair Bither seconded the motion, which was approved by a roll call vote of 2-0.

Written Decision for Appeal from Patricia Bleech, 24 Willis Street

Barbara Brewer asked that the draft written decision be corrected to show the assessed value of the property at 24 Willis Street was \$370,700. Chair Bither agreed.

Board member Brewer moved that the written decision as corrected be approved and Chair Bither seconded the motion, which was approved by a roll call vote of 2-0. The final decision was signed via DocuSign following the meeting.

Written Decision for Appeal from Karen Snyder, 72 Waterville Street

Barbara Brewer asked that the draft written decision be corrected in the fourth paragraph to show the name of the applicant as Karen Snyder. Chair Bither agreed.

Board member Brewer moved that the written decision as corrected be approved and Chair Bither seconded the motion, which was approved by a roll call vote of 2-0. The final decision was signed via DocuSign following the meeting.

Adjourn

Board Member Brewer moved and Chair Bither seconded the motion to adjourn, passed by a roll call vote of 2-0. Meeting adjourned at 9:14 a.m.

CITY OF PORTLAND, MAINE
BOARD OF ASSESSMENT REVIEW
DECISION ON APPEAL OF INVESTMENT CORE LLC
5 MONUMENT STREET

On August 19, 2022, the Portland Board of Assessment held a hearing on the Appeal of Investment Core, LLC, for property located at 5 Monument Street.

Liv Chase, principal of the Appellant testified and presented exhibits. The Assistant Assessor, Mr. Martin, also testified and presented exhibits.

The timing of the hearing after the appeal was within statutory guidelines.

The City Assessor placed an assessed value on the property of \$721,900.
The Appellant's estimate of value was \$410,248 (Stated on Application for Abatement)
Prior to the hearing, the Assessor had adjusted the assessed value to \$628,200.

It is the burden of the Taxpayer to prove that the determination by the Assessor is "manifestly wrong." *Terfloth v. Town of Scarborough*, 2014 ME 57; 90 A.3d 1131.

Ms. Chase did not present an appraisal or opinion of value from a real estate professional to support her appeal. However, she did present evidence that materials used in this newly constructed residence were "average" and not "superior." The Assistant City Assessor agreed.

Upon a motion by Board Member Brewer, seconded by the Chair, the Board voted to GRANT an abatement in value of the subject property to \$590,000.

DATE:

BOARD OF ASSESSMENT REVIEW

By: _____
Stephen Bither, Chair

By: _____
Barbara Brewer, Member

NOTICE OF APPEAL RIGHTS

A party may appeal this decision to the Superior Court of Cumberland County in accordance with 36 MRS §843 and Rule 80B of the Maine Rules of Civil Procedure.

David P. Silk, Esq.
dsilk@curtisthaxter.com

September 20, 2022

nle@portlandmaine.gov
City of Portland
Board of Assessment Review
c/o Nancy English, Board Secretary
389 Congress Street, Room 115
Portland, Maine 04101

RE: Applicant: Albany Road-Portland LLC
Property: 100 Middle Street A
Chart/Block/Lot Number: 029 E006001

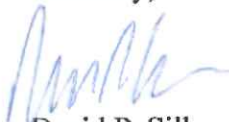
Applicant: Albany Road-Portland LLC
Property: 100 Middle Street B
Chart/Block/Lot Number: 029 E026001

Dear Nancy:

In receipt of the September 13, 2022, email notice of hearing, please accept this letter as a request to reset the October 21, 2022, hearing relating to the above referenced appeals. Albany Road-Portland LLC, the applicant, agrees to extend the period of time for the Board to act and issue a written decision until December 31, 2022. Counsel has a conflict that day with another matter.

If you have any questions regarding this request, please feel free to call me.

Sincerely,



David P. Silk

DPS/jvw
Copy to: Mark Murphy, Esq. (mmurphy@markmurphylaw.com)