

Board of Selectmen  
Town of Enfield, New Hampshire

## **Property Tax Hardship Abatement Requests**

### **Guidelines**

1. The Board of Selectmen should refrain from attempting to respond to a request for abatement at a meeting where a party shows up to request it. It should refer the requesting party to staff to provide the relevant information and circumstances to be provided to the Board of Selectmen at a later date. The attached form shall be completed in two parts: the first being the Narrative Statement which by itself should convince or not convince the Board of the uniqueness of the situation (if this first part does not convince the Board, then the Board should deny the request); the second part being the detailed financial information which would only be requested if the Board was so convinced by the first part.
2. Political arguments about the effectiveness of the schools or how many children a person has in the schools, or what Town services a person receives or does not receive should have no bearing on an abatement decision. There is nothing in the law that contemplates this and the courts have ruled that out as reason for abatements.
3. The granting of tax abatements based on hardship or inability to pay should not be a common or regular occurrence and should, when granted, generally be a one-time abatement granted because of a rare set of circumstances usually accompanied by some type of tragic or unforeseen event happening to the petitioner. This unique set of circumstances should be fairly self evident and should not require a great deal of background investigation by the Town. This is why the first part of the form which asks for a narrative statement by the petitioner is so important. One example of the type of situation that has been cited is an incident where the head of household lost their job and then contracted cancer. The municipality in that case granted an abatement because the person was recuperating from the disease and the Board of Assessors felt that granting a one-time abatement would in fact get this person back on their feet to a point where they would be able to hold onto their home and pay taxes in the future. Another situation which occurred here in Enfield was a very elderly lady who was also working her way back from cancer recuperation and was trying to hang onto her home, and the Town granted an abatement which allowed her to do that.

The key issue the Board of Selectmen shall be considering is the unique set of circumstances that have put a petitioner in a hardship position where it makes sense for the Town to grant some type of abatement to assist them in getting back on their feet. This issue shall be considered in view of the fact that the law clearly contemplates that property taxes are at the top of the list, not the bottom, that a person must pay when they are considering how to allocate their resources to their creditors. The fact that the law actually requires Towns to take property by tax deed is proof of that.

Accordingly, the Board shall be looking to see that a person has a history of paying their property taxes first, and that any abatement granted will hopefully be at most a one-time action that helps to get them by some particular hardship circumstances.

People who simply are having a hard time making ends meet and have a history of using non-payment of their property taxes as a means of paying off other creditors or continuing their life style should not receive property tax abatements. While perhaps having a sympathetic situation, these people should be paying their property taxes first and then working out arrangements with other creditors who are lower on the priority list of creditors.

**TOWN OF ENFIELD**

New Hampshire

**HARDSHIP ABATEMENT REQUEST**

**PART I**

Name: \_\_\_\_\_ Address: \_\_\_\_\_

Number of Family Members In Household: \_\_\_\_\_ Ages: \_\_\_\_\_

Is mortgage current? \_\_\_\_\_ Mortgage Amount: \_\_\_\_\_

Mortgage Holder: \_\_\_\_\_

Foreclosure Pending or in Process: \_\_\_\_\_ Bankruptcy Pending or in Process? \_\_\_\_\_

Property Tax Bill Current? \_\_\_\_\_ If no, in what year were they first not current and also provide the years and amount currently outstanding: \_\_\_\_\_

**STATEMENT OF HARDSHIP** (attach additional sheets as necessary)

Please describe in your words with dates and time periods the set of circumstances and events that have led to your current hardship situation. Also please describe how you feel the granting of an abatement by the Town at this time will resolve that situation so that it is unlikely you will request such an abatement again in the future.

I/WE HEREBY CERTIFY THAT THE ABOVE INFORMATION IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Spouse's Signature (if applicable): \_\_\_\_\_

Witness: \_\_\_\_\_

Date: \_\_\_\_\_

**TOWN OF ENFIELD**

New Hampshire

**HARDSHIP ABATEMENT REQUEST**

**PART II**

Provide current and previous year's complete tax returns with W-2's, 1099's and required attached schedules.

If self-employed, provide Business Income Statement and Business Balance Sheet for current and previous year. Provide listing of Business Assets and depreciation schedule.

**INCOME:** (Monthly)

Employment (include current pay stubs)	_____
Social Security Disability	_____
Social Security	_____
APTD (NH disability)	_____
Veteran's Pension/Disability	_____
Pension/Retirement	_____
Rental	_____
Child Support	_____
Other Income (Please Specify)	_____

\_\_\_\_\_

Other Assistance (Please Specify) \_\_\_\_\_

\_\_\_\_\_ (eg. State or Town welfare, food stamps, Medicare/Medicaid)

Total: \_\_\_\_\_

**EXPENSES:** (Monthly)

Mortgage	_____
Taxes	_____
Food	_____
Electric	_____
Heat	_____
Gas	_____
Water/Sewer	_____
Phone	_____
Cable	_____
Car	_____
Car Repairs	_____
Gasoline for Car	_____

(continued on next page)

**TOWN OF ENFIELD**

New Hampshire

**HARDSHIP ABATEMENT REQUEST**

**PART II (cont)**

**EXPENSES (cont):**

Insurance:

House

\_\_\_\_\_

Life

\_\_\_\_\_

Auto

\_\_\_\_\_

Medical

\_\_\_\_\_

Credit Cards

\_\_\_\_\_

Medical/Pharmacy

\_\_\_\_\_

Clothing

\_\_\_\_\_

Other

\_\_\_\_\_

\_\_\_\_\_  
(Please Specify)

Total:

\_\_\_\_\_

**ASSETS:** (attach additional sheets as necessary)

LIST ALL CURRENT ASSETS: eg. cash on hand, cash in checking & savings accounts, credit unions, CD's, IRA's, annuities, insurance policies or other investments.

Description

Bank/Company

Amt/Value

LIST ALL OTHER ASSETS: eg. real estate, vehicles, motor homes, campers, boats, motorcycles, OHRV's, collections.

Description

Bank/Company

Amt/Value

**TOWN OF ENFIELD**

New Hampshire

## HARDSHIP ABATEMENT REQUEST

### PART II (cont)

LIST CURRENT AND LONG TERM LIABILITIES:

Payee

Payment Amount

Balance Due

### VERACITY CERTIFICATION AND RELEASE OF INFORMATION

I/WE HEREBY CERTIFY THAT THE ABOVE INFORMATION IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

I/WE HEREBY REQUEST AND AUTHORIZE THE RELEASE TO THE TOWN OF ENFIELD AND ITS AGENTS THE FOLLOWING:

Any and all information they may request through their agents concerning my medical or financial status.

This authorization is specifically intended to include any and all information of a confidential or privileged nature as well as photo copies of such documents, if requested. The information will be used in conjunction with my request for consideration for tax abatement based on inability to pay.

I hereby release the Town of Enfield, NH and persons providing such information from any liability which may or could result from furnishing the information requested above or from any subsequent use of such information in considering my tax abatement request.

This release will expire 90 days after the date signed.

Print Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Spouse's Signature (if applicable): \_\_\_\_\_

Witness: \_\_\_\_\_ Date: \_\_\_\_\_