

**OFFICIAL NOTICE
DECISION OF BOARD OF CIVIL AUTHORITY**

To:
C.A.B.I.N Realty Trust
PO Box 1488
Rutland, VT 05701

Appellant notified by certified mail on:
August 20, 2021

Your appeal to the Board of Civil Authority concerning the appraisal of your property, identified in the Grand List Book with school property account number (SPAN): 384-119-12460 has been given careful consideration, with the following results:

Result of Grievance:		Value(s) Set by BCA	
Total Listed Value*	\$58,600	Total Listed Value*	\$44,600
Nonresidential Allocation	\$58,600	Nonresidential Allocation	\$44,600
Homestead Allocation	\$0	Homestead Allocation	\$0
Housesite LV	\$0	Housesite LV	\$0

*If the parcel is enrolled in the use value appraisal program, the BCA must establish the contributory values as required by 32 V.S.A. section 3756. Use attachment U.

Date Appeal Filed: July 12, 2021 **BCA Hearing Notice Date:** July 16, 2021

Date, Time Place of BCA Hearing:
August 10, 2021, 5:45 p.m. – Mendon Town Office

BCA Members Present: Betsy Reddy, Jim Reddy, Dick Wilcox, Lindsey MacCuaig, Ann Singiser, Larry Courcelle, Nancy Gondella

Appearing for Listers: Spencer Potter – Vermont Municipal Assessor

Appearing for Appellant: Stephanie Sheehan

Summary of Testimony/Argument By:

Appellant: S. Sheehan presented an exhibit showing that her assessment had the highest increase among six units in the development. Ms. Sheehan gave some background on the Mendon Square Association which consists of a total of 8 units. Each homeowner is responsible for the upkeep of both the interior and exterior of their unit. Common land is shared as well as one water barrel for water. Ms. Sheehan believes there are no comparables for her property. In addition, her unit is sinking and has been since she purchased the property in 1997. Ms. Sheehan

purchased the property from Citibank in a foreclosure. When she purchased the property, a wall was missing and still remains open to the ground. She noticed that the sinking as getting worse because the floors were springy. She noted that the main support beams have split. She has worked on the unit over the years so she could rent it. In 2009, she accepted a cash offer of \$60,000 for her unit but the sale fell through as the bank wouldn't finance the sale. A description was given of the condition of each of the other units. Ms. Sheehan stated that none of them were anywhere near the value of \$50,000 - \$60,000. Ms. Sheehan distributed photos of the unit and stated that she believes the fair market value of the property is closer to \$15,000 - \$30,000. She stated that the unit is not currently rentable, but she will use it to ski if she needs to.

Listers: Mr. Potter presented a comp sale of Pondview Condo Unit C1 for \$65,000. He stated that Ms. Sheehan was correct in that there were no really good comps, but this was the best he could find. He does not know what floor the unit is on and has not been inside the unit.

A copy of the minutes have been attached.

Property Inspected By:

Jim Reddy
Betsy Reddy
Larry Courcelle

**Statute requires minimum
of three members.**

Date of inspection: August 12, 2021

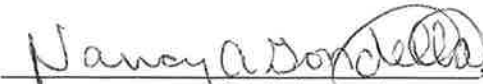
Report of Inspection Committee: See Attached Inspection Report

Board's Decision with Reasons: The subject property is approximately 50 years old and a part of the Mendon Square Condominium Association. Water for the unit is provided by a common dug well. The dwelling appears to be built on stilts. Some repairs have been done to re-support areas of the floor frame. On the right side of the unit, some skirting was missing which exposed a section of framing in need of repair. Cabins on either side of the of the subject property are in very poor condition which would affect the value of the property. There is no driveway, just a parking spot off the road. The interior of the property appears to be in average condition. It is a one floor structure consisting of a living room, two bedrooms with closets, a bathroom, and small kitchen. There is a small covered porch at the front of the structure.

The comparable offered by the assessor was located at Pond View Condo Unit C1. This property sold for \$65,000 in January 2020. The assessor admitted this was not a great comp, but the closest comp he could find.

The board believes the appropriate assessment for the subject property is \$44,600 which is a \$14,000 decrease from the current assessment.

Certificate: I hereby certify that this is a true record of the action taken on this appeal by the Board of Civil Authority of the Town of Mendon.


Board of Civil Authority, Chair

Filed in the town clerk's office on 8/20, 2021 at 11:00 am.
To be recorded in the Grand List Book of April 1, 2021.

Attest: 
Asst. Town Clerk

32, V.S.A. § 4461. Time and manner of proposal.

If you are aggrieved by this decision you may appeal either to the Director of the Division of Property Valuation and Review or to the Superior Court of the county in which the property is situated. The appeal to either the director or the superior court is governed by Rule 74 of the Vermont Rules of Civil Procedure and is commenced by filing a notice of appeal with the town clerk within 30 days of the day this decision was mailed to you by the town clerk (date of entry noted on first page). The town clerk transmits a copy of the notice to the director or to the superior court as indicated in the notice and shall record or attach a copy of the notice in the grand list book.

Be sure your appeal indicates which avenue of appeal you wish to pursue (court or director), clearly identifies the property under appeal, and is accompanied by the correct filing fee. The appeal to the Superior Court shall be accompanied by a \$295 fee for each parcel being appealed; the fee is \$70 per parcel on appeal to the Director. If the property under appeal is enrolled in the use value appraisal program, please indicate that in your appeal. If the property under appeal contains a homestead, please include that information.

BCA Hearing Cabin Realty

Date: 08/10/2021

Hearing time: 5:45 p.m.

Present: Betsy Reddy, Jim Reddy, Dick Wilcox, Lindsey MacCuaig, Ann Singiser, Larry Courcelle – BCA members, Spencer Potter – assessor, Nancy Gondella – Chair/Town Clerk, Jesse Bridge – Secretary/Assistant Town Clerk, Stephanie Sheehan - Appellant

Call to Order: Nancy called the meeting to order at 5:35p.m.

Appellant Info: Cabin Realty Trust, owned by Steph Sheehan, 28 Cabin Row Unit 4, 04-02-74.004

Spencer Potter and Steph are sworn in. Nancy asked if anyone needs to excuse themselves from the hearing due to conflicts of interest or ex parte communication, no one does.

Case Introduction: Spencer introduced the subject property as Mendon Square Unit 4, located at 28 Cabin Row, assessed at \$58,600. He hands out the lister card (marked Cabin/Sheehan T-1)

Appellant Testimony: Steph handed out an exhibit (marked Cabin/Sheehan A-1) Steph stated that her assessment is the highest among the 6 units. She is curious why. During the reassessment process she believes the assessor has not provided any information as to why. Her place is a 95.3% increase in assessment from the 2015 assessment that was done for no reason. Steph gives a background of Mendon Square Association which consists of 8 residences, they share common land and the upkeep and they share a barrel of water. Each unit is its own entity and is responsible for the upkeep of the interior and exterior of their unit. There are six small houses, hers is one of them and on the outside there are two larger houses. She said since there are no sales she took the six units and compared them to the 2015 assessment. Scott unit is renovated within the last 10 years, it's on a slab. Isaiah unit sold at tax sale for \$2000 recently, it's on stilts. He inherited it from his father. It's got broken windows and a hole in the roof. Her unit is sinking, it's been sinking since she purchased in 1997. She purchased from CitiBank on foreclosure. The wall when she purchased the unit was missing and still remains open to the ground. She used the unit to ski out until she purchased her home. Now she uses it as a ski rental. In 2009 she accepted a cash offer of \$60,000 for her unit but it fell through because the buyer wanted to finance and you can't finance that unit. Cote unit he bought at foreclosure, he renovated the unit, a pipe froze and then he trashed the unit and got an insurance payout. Then he stripped the unit and took the money and bought something somewhere else. The unit has an obnoxious porch. The next unit Josh Ellison owns, he also inherited from his father, the side is ripped out and it's unclear to her whether there is a real floor in the living space. She thinks it used to be a hole. Mary Spanos unit is second unit built on slab. She has renovated and put in a washer and dryer as well as the two bigger homes have washer and dryer which depletes the barrel water supply. Steph is the oldest owner. The condition of these shacks is nowhere near 50—60k. She noticed

in 18-19 that the sinking unit was getting bad because the floors were springy. She was nervous about renting it. She also noticed the main support beams has split. Most of the units are supports by boards and blocks. Over the years she has worked on the unit and supported it so she could rent it. She shows a picture of what the unit looks like underneath. The other picture shows repairs in progress. It shows how it is held up by a jack and concrete blocks. In doing the work she has discovered that all sides need support repair. She believes the FMV is closer to 15-30K.

Evidence Presented: Cabin/Sheehan A-1

Assessor's Response: none

BCA Questions: Lindsey asked if she is renting. Steph replied no it's not rentable. She will use it to ski if she needs to.

Assessor's Testimony: Spencer presented a comp of a sale in January 2020 of Pondview Unit C1, for \$65,000 (marked Cabin/Sheehan T-2).

Evidence Presented: Cabin/Sheehan T-2

BCA Questions: Ann asked what floor this unit is on. Spencer does not know.

Appellant response: Steph said her unit is stand alone and not the same sf. Also the owner is not responsible for exterior maintenance. She asks Spencer what does the quality 2 mean. He replied it's the quality of construction as new. She asked Spencer if he has viewed it. Spencer said he has not been inside.

Follow up:

Inspection Committee Members: Jim, Betsy, Larry


Date of Inspection: Thursday August 12, 2021 at 10am

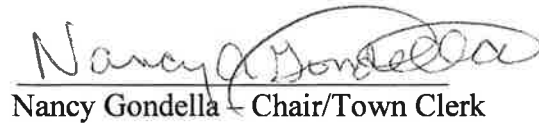
There being no further business, the hearing was recessed at 6:10p.m. and will reconvene on Tuesday August 17, 2021, the board will call Stephanie on the phone so she can hear the report.

Inspection Report: Nancy called Steph on the phone so she could hear the report. The hearing reconvened at 4:40pm on August 17, 2021. Present at the hearing were Dick Wilcox, Lindsey MacCuaig, Ann Singiser, Larry Courcelle, Betsy Reddy, Jim Reddy – BCA members, Nancy Gondella – Chair/Town Clerk, Jesse Bridge, Secretary/Assistant Town Clerk. Larry read the site inspection committees report which is attached to the minutes.

Discussion: Betsy added to the report that the cabins on either side of the subject property are in poor condition which will affect the value as well the neighborhood is not in a good proximity. She said the deck and wood trim are both in need of scraping and

painting. She also noted that the site improvement assessment is the driveway, water source and septic and Steph has no real driveway, just one or two parking spaces and there is a shared dug well and septic. Steph asked who concluded her property is a business/rental? Betsy replied they did because of its small size, proximity to Pico and Killington and the history of the rental. It was also noted that the lister card also classified it as a business/rental. Steph doesn't believe the assessment the board came to is still accurate. The hearing was adjourned at 4:45pm.


Jesse Bridge – Secretary/Asst. Clerk


Nancy Gondella – Chair/Town Clerk

Town of Mendon
2282 US Route 4
Mendon, Vt. 05701

To: Board of Civil Authority
Mendon, Vt.

From: Betsy Reddy, Jim Reddy, Larry Courcelle; Inspection Committee
August 15, 2021

RE: Inspection of Unit #28 Cabin Row, Mendon, Vt. owned by C.A.B.I.N Realty Trust,
Stephanie D. Sheehan Trustee

We conducted an inspection of the property on August 12, 2021 at 10:00 a.m. Stephanie Sheehan was present and accompanied the inspection committee. The structure is located at Mendon Square, Cabin Row Unit #28. Information provided by Stephanie Sheehan states that the cabin unit is approximately 50 years old and Mendon Square Condominium Association is an association under the Vt. Condominium Act that shares the land, its upkeep, and water provided via a common dug well. Each unit is its own entity. Further information provided by Stephanie Sheehan indicated this unit is built on stilts, and that some repairs have been done to re-support areas of the floor frame.

The dwelling appears to be in average condition for a 483 square foot cabin of this age. The one floor structure consists of a living room with a propane wall heater, two bedrooms with closets, a full bath and a small kitchen. There is a small covered porch at the front of the structure.

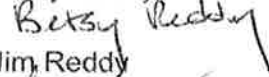
The outside of the dwelling has vinyl siding and a three tab asphalt shingle roof. On the right side, a section of aluminum skirting was missing, exposing a section of framing in need of repair.

The highest and best use of this property is a business/rental. The assessor offered a comparable property at Pond View Condo U C1 which sold for \$65,000.00 on 01/10/20 and is now assessed at \$72,400.00.

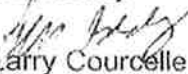
The inspection committee is recommending the property value be set at \$44,600.00

Respectfully submitted,

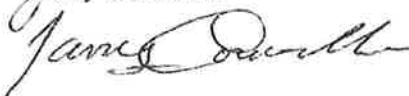
Betsy Reddy


Betsy Reddy

Jim Reddy


Jim Reddy

Larry Courcelle


Larry Courcelle

Cabin/Sheehan
A-1

Name: CABIN Realty Trust, Stephanie Sheehan Trustee

Property Location: 28 Cabin Row, off of US Route 4 toward Rutland from Pico on the right side after Fannels and before Killington Gateway.

Tax Map ID: 040274004

Current Assessment: \$58,600

My Opinion of Fair Market Value: \$15,000-30,000.

My unit #28 Cabin Row has the highest 2021 assessed value of the six similar surrounding units. Why?

Throughout the reassessment and grieving process, the Assessor has not provided me with any information as to how he determined my property's 'market value'. There are no comparable sales. My excessive assessment is \$58,600: a 95.3% increase from 2015 reassessment.

Mendon Square Condominium Association (MSCA) is an association of 8 residences under the VT Condominium Act that share the land, its upkeep, and water provided via a common dug well. Each unit is its own entity. Both interior and exterior maintenance of each unit is its owners responsibility. In the center of the property there are 6 similar structures, all small square huts. The 2 larger residences are built at the perimeter of the property.

All 6 similar structures are about 50 years old and run down. Word of mouth is the property was at one time logging cabins, a former 'motel', ...etc.

#	name	2015 assessment	2021 assessment	comments	acquired
16	J Scott	34.61	56.7	slab, renovated after pipe freeze	purchased
22	Isaiah E	25	53.8	tax sale, broken windows, hole in roof	inherited, tax sale
28	S Sheehan	30	58.6	sinking, clean, 95.3% increase	purchased 1997
32	J Cote	28.1	46.8	renovated, pipe freeze, ins recovery, stripped, porch	condo foreclosure
36	Josh E	28.3	45.6	side ripped out, no floor?	inherited
46	M Spanos	35.3	58.1	slab, w/d, porch	purchase