

From

The Board of Assessors  
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Dear Property Taxpayer:

This booklet is designed to give the Belmont, Massachusetts taxpayer a brief overview of the duties and responsibilities of your Assessors' Office and some information which might be of interest to the taxpayer. It has always been our belief that the taxpayer should be fully aware of how the assessing operations are performed so that they can reassure themselves that they are being treated fairly.

The first booklet was sent to the Belmont Taxpayers in Spring 1996. Several changes have taken effect since then, especially with the qualifications of a couple of exemptions (Clauses 22 and 41C). There has been a major change to the asset and income limitations (Cl. 41C) and major changes to the amount of reduction for the veteran exemptions (Cl. 22). Also, the income limitation for the deferral (Cl. 41A) increased for FY2012 to the amount of \$51,845., versus the \$40,000 in previous years. Please see the chart near the bottom of this manual, and the description of the deferral, for additional information..

The Town of Belmont changed to a quarterly real estate and personal property tax billing system in FY2005. This system has changed the filing dates for exemption and abatement applications. Further information will be found inside this manual.

Effective FY2012, as a result of the November 2, 2010 town elections, the Town of Belmont issued the Community Preservation Act (CPA) surcharge on the real estate tax bills.

Should you ever need or want additional information concerning your assessment or exemptions, or the laws governing them, please contact your Assessors' Office. We are here to help and serve you.

Sincerely,  
*Board of Assessors*  
Robert P. Reardon, CAE, *Chairman*  
Charles R. Lavery, Jr., CAE, CMA, CAS  
Martin B. Millane, Jr.

## 1. WHAT DOES THE ASSESSOR DO?

The Assessor is required by Massachusetts Law to list and value all real and personal property. Valuation is subject to ad valorem taxation on an assessment roll each year. The "ad valorem" basis for taxation means that all property should be taxed "according to value", which is the definition of ad valorem. Assessed values, in Massachusetts, are based on "full and fair cash value", or 100 percent of the fair market value.

Assessors are required to submit these values to the State Department of Revenue for certification every three years. In the years between certification, Assessors must also maintain the values. The Town of Belmont reassesses each and every year, subject to a Massachusetts Department of Revenue statistical review. This is done so that the property taxpayer pays his or her fair share of the cost of local government, in proportion to the amount of money the property is worth, on a yearly basis rather than every three years.

The Belmont Assessors Office must appraise and assess approximately 8,000 parcels of property.

## **2. WHAT THE ASSESSOR DOES NOT DO.**

The Assessor does not raise or lower taxes. The Assessor does not make the laws which affect property owners. The Massachusetts Constitution requires that direct taxes on persons and property be proportionately and reasonably imposed. In addition, the Declaration of Rights, Part I, Article 10, requires each individual to bear his fair share of the public expenses.

The Board of Assessors is required to annually assess taxes in an amount sufficient to cover the state and local appropriations chargeable to the Town. These taxes assessed will include state taxes which have been duly certified to the Board, Town taxes voted by the Town (including Proposition 2 1/2), and all taxes voted and certified by the Fire, Water, Light, Improvement and Health Districts.

The Assessors' Office has nothing to do with the total amount of taxes collected. The Assessor's primary responsibility is to find the "full and fair cash value" of your property, so that you may pay only your fair share of the taxes. The tax rate is determined by all the taxing agencies within the Town, and is the basis for the budget needed or demanded by the voters to provide for services, such as schools, roads, law enforcement, etc. Tax rates are simply those rates which will provide funds to pay for those services.

## **3. WHAT IS PROPOSITION 2 1/2?**

Proposition 2 1/2 places constraints on the amount of the levy raised by a city or town and on how much the levy can be increased from year to year. The property tax levy is the revenue a community can raise through real and personal property taxes. The property tax levy is sometimes referred to as the levy. In Massachusetts, municipal revenues to support local spending for schools, public safety and other public services are raised through the property tax levy, state aid, local receipts and other sources. The property tax levy is the largest source of revenue for most cities and towns.

A levy limit is a restriction on the amount of property taxes a community can levy. Proposition 2 1/2 established two types of levy limits:

First, a community cannot levy more than 2.5 percent of the total full and fair cash value of all taxable real estate and personal property in the community. Full and fair cash value limit is sometimes referred to as the levy ceiling.

Second, a community's levy is also constrained in that it can only increase by a certain amount from year to year. The maximum amount a community can levy in a given year is sometimes referred to as the levy limit. The levy limit will always be below, or at most, equal to the levy ceiling. The levy limit may not exceed the levy ceiling.

Proposition 2 1/2 does provide communities with some flexibility. It is possible for a community to levy above its levy limit or its levy ceiling on a temporary basis (debt exclusion), as well as to increase its levy limit on a permanent basis (override).

New growth becomes part of the levy limit base, and thus increases at the rate 2.5 percent each year as the levy limit increases. Reporting of new growth provides a community with an opportunity to increase its levy limit, which can provide for added budget flexibility in the future. The Board of Assessors is required to report new growth each year as part of setting the tax rate.

This information was taken from the selection "Municipal Finance Knowledgebase" off the Massachusetts Department of Revenue website, referring to "Levy Limits: A Primer on Proposition 2 1/2".

#### 4. HOW IS YOUR ASSESSMENT DETERMINED?

To arrive at "full and fair cash value" for your property, the Assessors must know what "willing sellers" and "willing buyers" are doing in the marketplace. The Assessor also must collect, record and analyze a great deal of information about property and market characteristics in order to estimate the fair market value, including keeping current on cost of construction in the area and any changes in zoning, financing and economic conditions which may affect property values. The Assessor uses the three nationally recognized appraisal approaches to value: cost, income and market. This data is then correlated into a final value.

The object of the valuation program is to estimate "full and fair cash value" as of January 1 (known as the "assessment date") prior to the fiscal year. For example, the assessment date for Fiscal Year 2014 is January 1, 2012.

#### 5. HOW CAN MY TAXES INCREASE?

When additional taxes are voted by the people, an individual's property tax bill will increase. Also, when market value increases, naturally, so does the assessed value. If you were to make improvements to your existing property, for instance: add a garage, add an additional room, the "full and fair cash value" and, therefore, the assessed value would also increase. The Assessor has not created the value. People make the value by their transactions in the marketplace. The Assessor simply has the legal and moral responsibility to study those transactions and appraise your property accordingly.

#### 6. WHAT IF I DISAGREE WITH THE ASSESSMENT VALUE OF MY PROPERTY?

If your opinion of the value of your property differs from the assessment value, by all means go to the office and discuss the matter. The staff will be glad to answer your questions about the reassessment procedures. When questioning the assessment value, ask yourself three questions:

- Is my data correct?
- Is my value in line with others on the street?
- Is my value in line with recent sale prices in my neighborhood?

Keep in mind what's important: recent sale prices, condition, neighborhood, building area and lot area are the most critical factors in the valuation process. There is a variety of information available to help you determine whether your assessment is fair and equitable. The staff will be happy to assist you, and no appointment is necessary.

If after discussing the matter with the staff, and researching the assessments of comparable properties within your area (see question 7 of this manual for internet access information), a difference of opinion still exists, you may appeal your assessment to the Board of Assessors by filing an abatement application.

**THE APPEAL WINDOW IS ONLY 30 DAYS.** You must file an application for an abatement in writing on an approved form with the Board of Assessors. To retrieve an abatement application, [click here](#). Your application must be filed with the Board of Assessors on or before the date the first installment payment of the actual tax bill mailed for the fiscal year is due. Applications for omitted, revised or reassessed taxes must be filed within 3 months of the date the bill for those taxes was mailed. **THESE DEADLINES CANNOT BE EXTENDED OR WAIVED BY THE ASSESSORS FOR ANY REASON. IF YOUR APPLICATION IS NOT TIMELY FILED, YOU LOSE ALL RIGHTS TO AN ABATEMENT AND THE ASSESSORS CANNOT BY LAW GRANT YOU ONE. TO BE TIMELY FILED, YOUR APPLICATION MUST BE (1) RECEIVED BY THE ASSESSORS ON OR BEFORE THE FILING DEADLINE OR (2) MAILED BY THE UNITED STATES MAIL, FIRST CLASS POSTAGE PREPAID, TO THE PROPER ADDRESS OF THE ASSESSORS ON OR BEFORE THE FILING DEADLINE AS SHOWN BY A POSTMARK MADE BY THE UNITED STATES POSTAL SERVICE.**

You are appealing your assessment, not your taxes.

You must pay your taxes pending your appeal

Wish to appeal? The application is easy, but...Make a case...Give reasons. We do respond to your specific concerns and comparisons.

Have you refinanced or purchased the property within the last year? It may help quicken the abatement process to submit a copy of the appraisal report, usually done through the bank or mortgage company.

Once the application is time-stamped by the Assessor's Office, it cannot be added to or changed or withdrawn - it is accepted as is, once it is stamped with the date, time and "Received by the Board of Assessors".

Please contact the Assessors Office as soon as you receive your bill; applications are not available until after the tax bills are mailed.

#### Abatement Denied

- You will receive a notice indicating your application was denied.
- You may appeal to the State Appellate Tax Board (ATB) within 90 days of the Assessor's decision.

#### Abatement Approved

- You will receive a letter indicating the amount of the abatement.
- How much was your assessment reduced? Divide the tax abatement by the tax rate.

Example:

Original Value:	710,000.00	(	8,441.90	÷	.01189	)
Abatement Allowed:	20,000.00	(	237.80	÷	.01189	)
Adjusted Value:	690,000.00	(	8,204.10	÷	.01189	)
Original Tax:	8,441.90	(	710,000.00	x	.01189	)
Abatement Allowed:	237.80	(	20,000.00	x	.01189	)
Adjusted Tax:	8,204.10	(	690,000.00	x	.01189	)

(.01189 equals \$11.89 per \$1,000 value)

- Your abatement will normally be credited toward your next tax bill. If your abatement is granted after your 4th quarter bill is paid and there remains a credit on your tax bill, please contact the Treasurer's Office directly for a refund check.
- Your abatement is permanent. No need to apply each year.

## 7. IS ASSESSMENT INFORMATION AVAILABLE ON THE INTERNET?

There is assessing information currently available on the Town's website. To access the assessing information and database directly, please [click here](#). Directions for finding the database: starting from the Town's website (which is [www.belmont-ma.gov](http://www.belmont-ma.gov)), on the first page select Town Government, then select Town Departments, then select Assessor, then select Fiscal Year 2014 Assessing Information (or select the picture of the house).

A visitor to the website can access property information either with the owner's last name, property address, or map and parcel. Map and parcel is the identifier (a unique number) of the property.

In November 2002, the Board of Assessors announced the availability of assessment information on the Town's website, although limited to only a dozen or so fields of information. A year later, there were sale information fields added to the database. In November 2004, the entire property record information became available. Examples of information available are: style of house, number of rooms, full baths, half baths, fireplaces, type of heating system, type of fuel, condition, lot size, living area, etc. The Board of Assessors has endeavored to present this information in a clear and easy to understand manner, which may be viewed or printed, and with easy access.

This access would be most helpful to taxpayers, especially during the abatement period in which applicants may view, or print, information of comparable properties.

Other websites which may be helpful:

·for up-to-date sale information, the Massachusetts Registry of Deeds has a website, [www.masslandrecords.com](http://www.masslandrecords.com). The Town of Belmont is in South Middlesex County.

·for more detailed information on assessing practices, such as valuation procedures and setting the tax rate, as well as publications, brochures and forms, etc., the Massachusetts Department of Revenue has a website, [www.mass.gov/dls](http://www.mass.gov/dls).

## **8. WHAT TYPES OF TAX RELIEF (EXEMPTION) PROGRAMS DOES THE TOWN OFFER?**

A variety of exemptions are available to reduce property tax obligations for certain qualifying taxpayers: elderly persons, blind persons, disabled veterans, surviving spouse or orphaned minor child, widow or orphaned minor of police officer or fire fighter, and extreme hardship.

The qualifying date is July 1, the first day of the fiscal year. Applications are due 3 months after the first actual tax bill postmark date.

Because of the number and complexity of exemptions, the following table is intended only to give you a general idea of what is available. If you have the slightest suspicion you may be eligible or have any questions, call the Assessor's Office to discuss details! Note that certain income limits include deductions (Clause 41C) and asset limits do not include the value of owner occupied condominiums, and 1, 2, 3 family houses (all, excluding Clause 18). Certain exemption applications will require a copy of the tax forms filed in the last calendar year, or a statement indicating that the applicant(s) does not file tax forms. The number of owners of the property also falls into the review of qualification, which may mean non-eligibility of the exemption, a pro-rated exemption, or a full exemption.

Also, in certain conditions, if two or more persons, whether or not related or married, own a single parcel and each qualifies for a different exemption, each would be entitled to receive the exemption for which he or she qualifies.

An additional qualification for most exemptions is the ownership and occupancy of the property. In most cases, the applicant must have owned and occupied real estate property in Massachusetts for five years (and owned and occupied the present property on July 1 in the year of application), and Massachusetts must have been the applicant's place of domicile for the preceding ten years.

CLAUSE	BASIC QUALIFICATIONS AS OF JULY 1, 2013	MAXIMUM INCOME <sup>1</sup>	MAXIMUM
<b>EXEMPTIONS FROM REAL ESTATE TAX:</b>			
<b>ELDERLY</b>			
17D	Age 70 or older	None	\$40
41C	Age 70 or older – single	\$24,381	\$40
41C	Age 70 or older – married	\$36,572	\$55
<b>VETERAN</b>			
22	10% Disability or Purple Heart	None	Nor
22A	Loss of foot, hand or eye	None	Nor
22B	Loss of two limbs or eyes	None	Nor
22E	100% Disability/100% service	None	Nor
22(F)	Paraplegic due to war injury	None	Nor
<b>OTHER</b>			
17D	Surviving spouse or orphaned minor child	None	\$40
37A	Legally blind	None	Nor
42	Surviving spouse or orphaned minor of Police Officer or Fire Fighter killed in the line of duty	None	Nor
18	Extreme Hardship	None <sup>4</sup>	Nor
<b>EXEMPTIONS FROM CPA SURCHARGE TAX:<sup>5</sup></b>			
	Low Income Persons	Varies	Var
	Low/Moderate Income Seniors (60+)	Varies	Var

<sup>1</sup>Income: Salary, wages, interest, dividends, rental income, IRA distributions, pensions a

<sup>2</sup>Assets: Stocks, bonds, securities, IRAs, bank accounts, and real estate holdings other

<sup>3</sup>In May 2001, Town Meeting voted to accept Chapter 73 of the Acts of 1986. Chapter 73 increase the exemption amounts by up to 100 percent, provided that no taxpayer would taxes. This increase became effective FY2002.

<sup>4</sup>There are several different qualifications.

<sup>5</sup>In November 2010, the CPA was adopted by Belmont voters, and the act began funding exemption, certain income thresholds must be met.

The Tax Deferral Program:

Many retired homeowners feel "house-rich and income-poor". Property taxes constitute a serious financial burden which can even force the sale of the home. Belmont offers a Tax Deferral Program which enables owners to defer payment of up to 100% of annual property taxes. Deferred taxes accumulate, with simple interest at 8%, as a lien on the property until it is sold or the owner(s) has deceased. Applicants must be 65 on July 1, with a maximum income of \$54,000.00 for FY2014. If you are interested, please contact the Assessors' Office. When requesting to pay off taxes which have been deferred, please allow 7-10 days in order for the Assessors' Office to calculate the amount due, including interest. Please submit a letter with the pay-off date to the attention of the Board of Assessors.

## 9. WHAT IS THE CPA SURCHARGE AND DOES THE TOWN OFFER AN EXEMPTION FROM IT?

Effective FY2012, as a result of the November 2, 2010 town elections, the Town of Belmont is issuing the **Community Preservation Act (CPA) surcharge** on the real estate tax bills.

Below are some frequently asked questions.

### ***What is the purpose of the Community Preservation Act?***

The purpose of the CPA is to give communities a dedicated funding source to expand certain community assets: open space, historic resources, recreational land and community housing. Fund monies may be spent to undertake the following community preservation purposes: a) the acquisition, creation and preservation of open space; b) the acquisition, preservation, rehabilitation and restoration of historic resources; c) the acquisition, creation and preservation of land for recreational use; d) the creation, preservation and support of community housing; and e) the rehabilitation and restoration of open space and land for recreational use and community housing, that is acquired or created using monies from the fund. For each fiscal year, the community must spend or reserve at least 10% of the annual revenues in the fund for each of the act's community preservation purposes: open space, historic resources and affordable housing. The primary source of revenue for the local Community Preservation Fund (CPF) is a property tax surcharge of up to three percent (Belmont voted on 11/2/2010 for 1.5 percent) that will be assessed on each parcel of taxable real estate within the community. A second source of revenue for the fund will be annual distributions received from the state "Massachusetts Community Preservation Trust Fund".

### ***Who pays the surcharge?***

The owners of residential and commercial property pay the Community Preservation Act (CPA) surcharge.

### ***How is the Community Preservation Act surcharge calculated?***

The surcharge is levied against the tax amount, not the value of the property. For example, a CPA surcharge of 1.5 percent on a real property tax bill of \$1,000 would be \$15.00, or 1.5 percent of \$1,000 per year.

Property Type	Value	CPA Residential Exemption	Tax Rate Per \$1,000	CPA Surcharge	Formula
Residential	\$645,000	\$100,000	\$13.24	\$108.24	(Value – CPA Residential Exemption) x Tax Rate x 1.5%
Mixed Use*	\$200,000 (R) \$100,000 (C)	\$100,000	\$13.24	\$39.72	(Value – CPA Residential Exemption) x Tax Rate x 1.5%
Commercial	\$900,000	N/A	\$13.24	\$178.74	Value x Tax Rate x 1.5%

\*The \$100,000 CPA residential exemption applies on the first \$100,000 of the portion of the assessed valuation classified as Class One, Residential, property on a property classified as a multiple use.

An example of a tax bill and surcharge calculation is shown below using Belmont's Fiscal Year 2011 median single family home assessed value and the FY2011 tax rate. The FY2012 tax bill and surcharge will be based on FY2012 tax rate and FY2012 values.

<b>Tax Bill Calculation Example</b>		
(a)	FY2011 sample single family home assessed value	<b>\$645,000</b>
(b)	FY2011 tax rate (per \$1,000 of assessed value)	<b>\$13.24</b>
(c)	FY2011 property tax (a) x (b)/1,000	<b>\$8,539.80</b>
<b>CPA Surcharge Calculation Example</b>		
(d)	CPA Residential Exemption	<b>\$100,000</b>
(e)	CPA Taxable Value (a) – (d)	<b>\$545,000</b>

(f)	CPA Tax Basis (e) x (b)/1,000	\$7,215.80
(g)	CPA Surcharge Percentage	1.5%
(h)	CPA Surcharge (f) x (g)	\$108.24
<b>Total Tax Bill with CPA (c) + (h)</b>		<b>\$8,648.04</b>

**How long will the CPA remain in effect?**

CPA remains in effect for a minimum of five years from the date of voter approval in a municipality. After five years, it can be revoked in the same manner to approve the CPA originally – a majority vote of the legislative body and by referendum. The surcharge continues to be assessed, however, until all obligations incurred and funded by the city/town from CPF revenues are paid.

**Can the level of the CPA surcharge be amended?**

A city/town may amend the surcharge percentage and exemptions. Amendment is by majority vote of legislative body and by referendum.

**Who determines how the funds raised through the CPA will be spent?**

A Community Preservation Committee, consisting of five to nine members and composed of representatives from the conservation commission, historical commission, planning board, board of park commissioners, and the housing authority, is responsible for evaluating the community preservation needs of the city or town and making recommendations to the community’s legislative body as part of the annual budget process. A recommendation by the Community Preservation Committee and an appropriation by the legislative body of the city or town are both required to spend any monies belonging to the fund for particular community preservation purposes.

**When will the surcharge be ordinarily billed and due?**

For FY2012, the surcharge was imposed on the actual tax bills, and it was displayed as a separate item on the last two (actual) tax bills, with due dates of February 1 and May 1, respectively.

**Since the CPA Surcharge became effective FY2012, the surcharge appeared for the first time on the 3<sup>rd</sup> quarter tax bill. The amount shown on each of the 3<sup>rd</sup> and 4<sup>th</sup> quarter tax bills (issued 12/2011 and 03/2012, respectively) reflected the actual surcharge. The actual was based on the FY2012 tax rate and FY2012 assessed values established in the fall of 2011.**

Subsequently (effective FY2013), the surcharge will be imposed on all preliminary and actual tax bills. The 1<sup>st</sup> and 2<sup>nd</sup> quarter tax bills will be based on 50% of the previous year’s CPA surcharge (for FY2013, this will be FY2012). The 3<sup>rd</sup> and 4<sup>th</sup> quarter tax bills will reflect the actual surcharge net of estimated 1<sup>st</sup> and 2<sup>nd</sup> quarter payments. For FY2013, the actual surcharge will be based on the FY2013 tax rate and the FY2013 assessed values to be established in the fall of 2012.

**Are there any exemptions to the CPA surcharge?**

1. All property classified as residential: \$100,000 of the value of the property (the CPA residential exemption).
2. Mixed use properties: \$100,000 of the residential value of the property or the total residential value of the property if it is lower than \$100,000.
3. Commercial/Industrial properties: there are no exemptions.
4. Property owned and occupied by person(s) who qualify for the low/moderate income CPA exemption: a full exemption from the surcharge. To receive this exemption, a taxpayer must submit the CPA Low/Moderate Income Exemption Application and must meet the income guidelines established by the State for the size and type of household.

**What are the requirements for the low/moderate income CPA exemption?**

To qualify for this exemption in FY2014, you must meet certain income thresholds as prescribed by state law. The thresholds for FY2014 are based on 2012 income. An application must be completed and filed with the Assessor’s Office. Just like all other exemption programs that the Town of Belmont offers, the earliest a CPA low/moderate income exemption application can be filed is July 1 of the fiscal year; for FY2014, that means July 1, 2013.

Supporting documentation is required which will help the Board of Assessors make a determination of your eligibility for this exemption. A birth certificate or current driver’s license must be included with your application. Copies of your 2012 federal and state income tax returns may be requested to verify income for each household member.

For FY2014, age and residence requirements must be met as of **January 1, 2013**. The income limits for those 60 years and older and those under 60 years are shown below.

Household Size	Annual Income Limit	
	Senior Household Type:	Non-Senior Household Type:
	Property Owned by Senior (60+)	Property Owned by Non-Senior (<
1	\$66,100	\$52,900
2	\$75,550	\$60,450
3	\$85,000	\$68,000
4	\$94,400	\$75,550
5	\$102,000	\$81,600
6	\$109,550	\$87,650
7	\$117,100	\$93,650
8	\$124,650	\$99,700

Income limits will be revised each year based on the Area-Wide Median Income determined by the U.S. Department of Housing and Urban Development (HUD). The figures above in both charts are based on the median income amount issued by HUD in December 2012.. The Annual Income Limits are subject to change once the new median income is issued in December 2013, to be used for FY2015 filing.

Exemption Amount: A qualified taxpayer receives an exemption of the entire surcharge attributable to the real estate tax assessed on the Class One, Residential, assessed valuation of the parcel, regardless of ownership share or number of residential dwellings.

**ATTENTION: OWNERS OF PROPERTY IN TRUST!!**

Trust ownership arrangements may affect qualification for a statutory exemption. As a general rule, an applicant must be a trustee and a beneficiary and submit:

1. A copy of a recorded trust instrument, including amendments;
2. A copy of the schedule of beneficiaries.

Consult your attorney if these requirements affect you!

**AN ADDITIONAL ALTERNATIVE: THE PROPERTY TAX WORK-OFF PROGRAM**

The Council on Aging began a program in Fiscal Year 1996 called Property Tax Work-Off Program, a program to permit older residents to reduce property taxes by up to \$1,000 per year, amount derived from Massachusetts General Laws with local adoption, by volunteering for the Town. Please contact the Council on Aging directly for additional information at (617) 993-2970.

**ATTENTION: NEW HOMEOWNERS!**

Keep in mind the assessment date (January 1) as it affects your ownership status: The property is legally "assessed" to the previous owner, but make sure you get a bill!

**SUBDIVISIONS OR NEWLY CONVERTED CONDOMINIUMS**

If you purchase a property which was subdivided or converted to condominiums after January 1, the tax bills will reflect the property's prior status. Thus, several new owners may be responsible for one tax bill. An apportionment of the tax bill may be requested from the Board of Assessors. A letter must be submitted by the taxpayer to initiate the process; a form is available on the Assessors' Office page of the Town's website, or you can [click here](#). Call the Assessors' Office should you have any questions.