State Tax Form 128
Revised 7/2009

The Commonwealth of Massachusetts

_____
Name of City or Town

Assessors' Use only
Date Received
Application No.

APPLICATION FOR ABATEMENT OF ☐ REAL PROPERTY TAX ☐ PERSONAL PROPERTY TAX

FISCAL YEAR _____
General Laws Chapter 59, § 59

THIS APPLICATION IS NOT OPEN TO PUBLIC INSPECTION (See General Laws Chapter 59, § 60)

Return to: Board of Assessors
Must be filed with assessors not later than due date of first actual (**not** preliminary) tax payment for fiscal year.

INSTRUCTIONS: Complete **BOTH** sides of application. Please print or type.

A. TAXPAYER INFORMATION.

Name(s) of assessed owner: _____

Name(s) and status of applicant (if other than assessed owner) _____

☐ Subsequent owner (aquired title after January 1) on _____, _____

☐ Administrator/executor.

☐ Lessee.

☐ Mortgagee.

☐ Other. Specify.

Mailing address _____
No. Street City/Town Zip Code

Telephone No. ( ) _____

Amounts and dates of tax payments _____

B. PROPERTY IDENTIFICATION. Complete using information as it appears on tax bill.

Tax bill no. _____ Assessed valuation $ _____

Location _____
No. Street

Description _____

Real: _____ Parcel ID (map-block-lot) _____ Land area _____ Class _____

Personal: _____ Property type(s) _____

C. REASON(S) ABATEMENT SOUGHT. Check reason(s) an abatement is warranted and briefly explain why it applies. Continue explanation on attachment if necessary.

☐ Overvaluation

☐ Disproportionate assessment

☐ Incorrect usage classification

☐ Other. Specify.

Applicant's opinion of: Value $ _____ Class _____

Explanation _____

FILING THIS FORM DOES NOT STAY THE COLLECTION OF YOUR TAXES. TO AVOID LOSS OF APPEAL RIGHTS OR ADDITION OF INTEREST AND OTHER COLLECTION CHARGES, THE TAX SHOULD BE PAID AS ASSESSED.

THIS FORM APPROVED BY THE COMMISSIONER OF REVENUE

DEAR TAXPAYER:

IN ACCORDANCE WITH CHAPTER 59, SECTION 61A THE BOARD OF ASSESSORS REQUEST THAT YOU COMPLETE THE ENCLOSED PROPERTY VERFICATION FORM SO THAT THE PROPERTY RECORD CARD MAY BE REVIEWED FOR ANY INACCURACIES THAT MAY AFFECT THE VALUE.

1. HOUSE STYLE _____ (CAPE-RANCH-GARRISON-COLONIAL-OTHER)

   NUMBER OF STORIES _____ NUMBER OF APTS._____

   EXTERIOR: WOOD _____ BRICK _____ STONE _____ VINYL _____ ALUM _____

   AGE OF HOUSE: _____

2. HAS THE PROPERTY BEEN REMODELED IN THE LAST 10 YEARS? _____ IF YES, BRIEFLY EXPLAIN:

   _____

   _____

3. TOTAL NUMBER OF ROOMS (EXCLUSIVE OF BATHROOMS & BASEMENT ROOMS) _____

4. NUMBER OF BATHROOMS #FULL _____ #HALF BATHS _____

5. NUMBER OF BEDROOMS _____

6. DOES THE PROPERTY HAVE A FULL BASEMENT? _____ YES _____ NO

7. HOW MUCH OF THE BASEMENT IS FINISHED? _____% LVG AREA _____% REC ROOM _____% OTHER ____%

8. IS THERE A WALK IN ATTIC? _____ IF YES, IS ANY OF THE ATTIC FINISHED LIVING SPACE? _____YES _____NO

   _____% FINISHED

9. NUMBER OF FIREPLACES: _____

10. HEAT: TYPE _____ FUEL _____ CENTRAL AIR _____YES _____NO

11. GARAGE: ATTACHED _____ DETACHED _____ UNDER _____ SIZE _____

12. BREEZEWAY: _____SIZE _____ BARN _____ SIZE _____ CARPORT_____ SIZE _____

    SHED _____ SIZE _____

    PORCH: ENCLOSED _____SIZE _____ SCREEN _____SIZE _____ OPEN _____SIZE _____

    DECK: _____ SIZE _____

13. POOL; ABOVE GROUND _____ IN GROUND _____ SIZE _____

14. DOES YOUR LOT HAVE ANY FACTORS WHICH YOU FEEL AFFECT ITS VALUE?_____

    _____

    _____

15. A. DATE OF PURCHASE _____ SALE PRICE _____

    B. AT THE TIME OF PURCHASE DID ANY OF THE FOLLOWING APPLY? (CHECK ONE)

		YES	NO
1.	BUYING FROM A RELATIVE	____	____
2.	BUYING A PROPERTY WHICH WAS ON THE MARKET FOR MORE THAN 9 MONTHS	____	____
3.	BUYING A PROPERTY WHERE THE SELLER TOOK BACK A MORTGAGE	____	____
4.	FORCLOSURE OR PROPERTY BOUGHT AT AUCTION	____	____

IF YES TO ANY OF THE ABOVE, PLEASE EXPLAIN BELOW:

_____

_____

16. WERE THERE ANY OTHER SPECIAL CIRCUMSTANCES WHICH AFFECTED THE PRICE? _____YES _____NO

IF YES, PLEASE EXPLAIN BELOW:

_____

_____

OVERVALUATION CLAIMS ARE BASED ON 1 OF 2 REASONS

A. OVERVALUATION BASED ON SALES MARKET ACTIVITIES.

B. OVERVALUATION BASED ON ASSESSED VALUES OF SIMILAR PROPERTIES.

UPON FILING EITHER (OR BOTH) CLAIMS 3 PROPERTIES OF COMPARISON SHOULD BE SUBMITTED.

A. SALES MARKET COMPARABLE PROPERTIES.

	1ST SALE	2ND SALE	3RD SALE
BUYER			
SELLER			
LOCATION			
MAP(PLOT)/LOT			
SALES PRICE			
SALES DATE			
BOOK/PAGE			

B. SIMILAR PROPERTIES COMPARED BY VALUE

LOCATION/ADDRESS	MAP(PLOT)/LOT	ASSESSED VALUE	OWNER

D. SIGNATURES.

Subscribed this_____ day of_____ , _____ Under penalties of perjury.

Signature of applicant_____

If not an individual, signature of authorized officer _____

Title

( )

(print or type) Name Address Telephone

If signed by agent, attach copy of written authorization to sign on behalf of taxpayer.

TAXPAYER INFORMATION ABOUT ABATEMENT PROCEDURE

REASONS FOR AN ABATEMENT. An abatement is a reduction in the tax assessed on your property for the fiscal year. To dispute your valuation or assessment or to correct any other billing problem or error that caused your tax bill to be higher than it should be, you must apply for an abatement.

You may apply for an abatement if your property is: 1) overvalued (assessed value is more than fair cash value on January 1 for any reason, including clerical and data processing errors or assessment of property that is non-existent or not taxable to you), 2) disproportionately assessed in comparison with other properties, 3) classified incorrectly as residential, open space, commercial or industrial real property, or 4) partially or fully exempt.

WHO MAY FILE AN APPLICATION. You may file an application if you are:

- the assessed or subsequent (acquiring title after January 1) owner of the property,
- the owner's administrator or executor,
- a tenant paying rent who is obligated to pay more than one-half of the tax,
- a person owning or having an interest or possession of the property, or
- a mortgagee if the assessed owner has not applied.

In some cases, you must pay all or a portion of the tax before you can file.

WHEN AND WHERE APPLICATION MUST BE FILED. 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, unless you are a mortgagee. If so, your application must be filed between September 20 and October 1. Actual tax bills are those issued after the tax rate is set. Applications filed 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 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.

PAYMENT OF TAX. Filing an application does not stay the collection of your taxes. In some cases, you must pay the tax when due to appeal the assessors' disposition of your application. Failure to pay the tax assessed when due may also subject you to interest charges and collection action. To avoid any loss of rights or additional charges, you should pay the tax as assessed. If an abatement is granted and you have already paid the entire year's tax as abated, you will receive a refund of any overpayment.

ASSESSORS DISPOSITION. Upon applying for an abatement, you may be asked to provide the assessors with written information about the property and permit them to inspect it. Failure to provide the information or permit an inspection within 30 days of the request may result in the loss of your appeal rights.

The assessors have 3 months from the date your application is filed to act on it unless you agree in writing before that period expires to extend it for a specific time. If the assessors do not act on your application within the original or extended period, it is deemed denied. You will be notified in writing whether an abatement has been granted or denied.

APPEAL. You may appeal the disposition of your application to the Appellate Tax Board, or if applicable, the County Commissioners. The appeal must be filed within 3 months of the date the assessors acted on your application, or the date your application was deemed denied, whichever is applicable. The disposition notice will provide you with further information about the appeal procedure and deadline.

DISPOSITION OF APPLICATION (ASSESSORS' USE ONLY)

Ch 59, § 61A return	GRANTED ☐	Assessed value	_____
Date sent _____	DENIED ☐	Abated value	_____
Date returned _____	DEEMED DENIED ☐	Adjusted value	_____
On-site inspection		Assessed tax	_____
Date_____		Abated tax	_____
By _____	Date voted/Deemed denied _____	Adjusted tax	_____
	Certificate No. _____		
	Date Cert./Notice sent _____	Board of Assessors	
Data changed _____	Appeal _____	_____	
	Date filed _____	_____	
Valuation _____	Decision _____	_____	
	Settlement _____	Date:_____	