

Frequently Asked Questions about Challenging your Assessment

1) Where can I find my 2022 assessment?

In November 2021, you received your 2022 notification of assessment postcard which is mailed annually by the Monmouth County Tax Board. The postcard will display your assessment for 2022. You can also find your assessment online at the Monmouth County Open Public Records Search System (OPRS) website as soon as values are certified by using the following link: <https://oprs.co.monmouth.nj.us/Oprs/External.aspx?ild=12>

You may also contact the Borough's Tax Assessor for additional information or to request a copy of your property record card (PRC) which contains the physical characteristics of your home.

2) How do I know if I am being assessed fairly?

Please be mindful that the assessment function is focused on the uniformity and accuracy of assessments and not the resulting tax responsibility. When assessments are set to the same standard (market value) in a uniform way, the tax levy will be distributed fairly municipal and county-wide in accordance with the NJ Constitution. The Tax Assessor does not have control of the tax levy. County, municipal and school levies determine the amount of property tax to be collected. The tax rate is then calculated by dividing the total amount to be raised through taxation, (i.e. the total levy), by the aggregate value of the municipality. An individual's property taxes are directly correlated to that property's share ownership of the municipality. To put it simply, if a property is worth 3% of the overall value of the municipality it will be responsible for 3% of the tax levy. The purpose of the assessment function is to value property uniformly and accurately based upon market data so that the distribution of the tax levy is fair and equitable. You should always be aware of the market to be sure your assessment (and resulting apportionment of the tax levy) is fair and accurate. Property sales data is also available on the OPRS website.

It is not appropriate to compare assessments. Homes and neighborhoods have many variables. You should compare your home to recent sales of "like" homes in your neighborhood if possible. Age, style, size, condition and amenities are some of the characteristics that are analyzed and represented on your property record card. Remember, your assessment is intended to be a reasonable representation of the market value of your home and the modelling attempts to account for the same factors that buyers and sellers would consider when transacting on the real estate market. It should also be noted that only "arms-length" transactions should be used when comparing sales. Generally speaking, short sales, foreclosures, estate sales, sales between family members etc., may not be considered arms-length and may not fairly represent market value.

3) What do I do if I feel that my assessment does not reflect fair market value?

If you believe that your 2022 assessment does not reflect the true market value of your property you may first contact your tax assessor and review your PRC and recent comparable sales. The next step would be to file an appeal with the Monmouth County Tax Board. The deadline to do so is January 15, 2022. The link to the Monmouth County Appeal Filing System is: <https://secure.njappealonline.com/ProdAppeals/Home.aspx>

Please note that the site will not be open until the 2022 assessment postcards are mailed. If you miss the appeal deadline, the next opportunity for appeal will be the following year.

If you decide to file an appeal you will be required to provide evidence that demonstrates your position. Evidence is typically recent comparable sales and interior and exterior photographs of the home.

4) What can I expect after I file an appeal?

Typically, the tax assessor will contact you via the email used to register the appeal, and request interior and exterior photos of the home. The photos will be used to aid the assessor in determining the quality and condition

of your home and how the home compares to other recent market sales. A physical in-person inspection may also be requested. After confirming that the physical characteristics of your home are correct the tax assessor would review the sales that you entered into evidence through the appeal portal. Additional sales would also be analyzed to establish a position on whether or not a reasonable expectation of market value has been represented by the assessment. If the tax assessor determines that the value of the property is not in-line with market value, a settlement agreement may be offered through the portal. If the settlement is accepted, your attendance is **not required** on your scheduled hearing date. Hearing dates are assigned automatically for all filed appeals. If the assessment is considered accurate, you **will be required** to attend either an in-person or virtual appeal hearing. Hearings are held at the Hall of Records at 1 East Main Street in Freehold. The tax assessor and the legal representation for the municipality will attend all hearings. Hearings are intended to be non-adversarial and are viewed simply as semi-formal discussions centered around your home, comparable sales, and any additional evidence that may have been submitted. All evidence must be submitted at least 7 days prior to the hearing date. Hearings that are adjourned are bound to the original hearing date for all evidentiary submissions.

The County Tax Board will render judgment within 4-6 weeks after the hearing date. Notification will be sent via standard mail. Should you disagree with your Tax Board judgment you may file an appeal to the NJ State Tax Court within 45 days of your judgment.

5) Should I file an appeal with the State Tax Court or the County Tax Board?

If your assessment is over one million dollars (\$1,000,000), you will have the option to file an appeal directly with the State Tax Court before April 1, 2022. That said, you still have the option to file the appeal with the County Tax Board instead. Keep in mind that the County Tax Board Appeal deadline is January 15, 2022. Filing an appeal at the County level is an easier, less formal process that can be done online. All County Tax Board appeals will be heard and adjudicated prior to May 2022, where State Tax Court cases often take several years before trial dates are finalized. Most importantly, if you disagree with a judgement from the County Tax Board, you will still have the ability to challenge the judgement at the State Tax Court (within 45 days of the judgement) regardless.

6) Do I need an attorney to file an appeal?

You have the right to be represented by legal counsel though the entire process, but it is not required for **non-business entities**. Generally, property owners are most knowledgeable of their neighborhood dynamics and understand the factors that affect market value. The tax assessor welcomes dialogue with property owners whether an appeal is filed or not. It is in everyone's best interest that the assessment process is fair and transparent, therefore communication is encouraged.

An appeal by a **business entity** whose prior year's taxes for the subject property were greater than \$25,000 **must be represented by an Attorney-At-Law admitted to practice in the State of New Jersey.**

7) Do I need to have an appraisal done on my house to present my case?

Submission of an appraisal report to the County Tax Board is not required. However, you have the right to hire an independent appraiser to produce an appraisal report and testify at the appeal hearing. County Tax Board hearings are non-adversarial and informal; therefore, the Tax Board does not require a professional appraisal as evidence. Sales data is publicly available and the expectation is that comparable sales will be uploaded into the appeal portal for discussion.

8) Is it possible for my assessment to increase from filing an appeal?

The purpose of the assessment function is to fairly distribute taxes amongst the properties within a municipality. When a property is over or under assessed, fair distribution is compromised. When an assessment is higher than it should be, that property is inappropriately paying taxes that others should be paying. Conversely, when an assessment is lower than it should be, others in the municipality are inappropriately paying taxes which that property should be paying. Higher or lower assessed values do not change the amount of taxes collected. The amount collected is dictated by the tax levy. Assessments are used for the proportionate and fair distribution of taxes. That said, it is the tax assessor's responsibility to be sure that the tax distribution within a municipality is fair, therefore if a property is assessed too high, it should be reduced and if a property is assessed too low, it should be increased. In an appeal setting, these same concepts hold true.

9) Will I have to go to court? If so, where is it?

If you file an appeal with the County Tax Board, a letter will be mailed in late January or early February confirming your in-person or virtual hearing. The hearing date would be scheduled sometime between February 1, 2022 and April 30, 2022. All cases are heard at the Hall of Records located at 1 East Main Street in Freehold. If the case is settled prior to the appeal hearing date, your attendance would not be required at the hearing.

10) Where can I find more information on filing an appeal?

The Monmouth County Tax Board Appeal Website has an instruction handbook that contains valuable information about the process: https://secure.njappealonline.com/prodappeals/help/InstructionsHandbook_Mon.pdf

You can also contact the Borough Tax Assessor if you have further questions or if you wish to obtain a copy of your Property Record Card (PRC) at 908-675-5776 or taxassessor@unionbeachnj.gov