

**SPECIAL ASSESSMENT FOR SUBSTANTIAL REHABILITATION
OF OWNER-OCCUPIED RESIDENTIAL PROPERTY LISTED ON THE
STATE REGISTER OF HISTORIC PLACES**

Section 1. Creation of Special Property Tax Assessment

The purpose of this bylaw is to adopt a policy with respect to phased property tax assessments for substantial rehabilitation of owner-occupied residential property listed on the State Register of Historic Places as authorized by M.G.L. c. 59, Section 5J.

A special property tax assessment is created for substantial rehabilitation of owner-occupied residential property listed on the State Register of Historic Places (State Register). The increase in assessed value resulting from substantial rehabilitation of eligible properties shall be phased in one-fifth increments over a period of five (5) years to the full assessed value of the property. The special assessment shall extend only to the building(s) or structure(s) that are rehabilitated.

Section 2. Eligible Properties

In order to be eligible for the special assessment, property must meet the following criteria:

- (a) The property to be rehabilitated must be occupied by the owner exclusively for residential purposes and be listed on the State Register which is maintained by the Massachusetts Historical Commission (MHC) pursuant to M.G.L. c. 9, Section 26C, either individually or as a contributing element within an historic district.
- (b) The cost of rehabilitation, as that term is defined in 950 C.M.R. 72.04, must be no less than 25% of the assessed value of the property prior to rehabilitation. Not less than 10% of the cost of rehabilitation shall be dedicated to rehabilitation of the exterior of the historic building.
- (c) The property owner must obtain a certificate from the MHC stating that the proposed rehabilitation meets the Secretary of the Interior's Standards.

Section 3. Application Process

- (1) A property owner must submit an application, on a form provided by the Board of Assessors, which shall include the following information:
 - (a) certification from the MHC that the rehabilitation as proposed meets the Secretary of the Interior's Standards;
 - (b) proof of the applicant's ownership and occupancy of the subject property;
 - (c) the total cost of rehabilitation; and
 - (d) the property's assessed value prior to rehabilitation.
- (2) Within 60 days of receipt of a completed application, the Board of Assessors shall determine whether the proposed rehabilitation meets the eligibility criteria set forth in Section 2, and will notify the owner of its decision in writing. The Board of Assessors will grant final approval of the special assessment upon receipt of the certification described in subsection (3) of Section

- (3) After completion of the rehabilitation, the property owner shall provide to the Board of Assessor's a certification that the completed work conforms with the proposed rehabilitation and meets the Secretary of the Interior's Standards. The owner shall obtain such certification from the MHC, or from the appropriate local preservation commission if the property is in an historic district, or is a designated landmark, or is otherwise subject to a preservation restriction or bylaw.

Section 4. Effective Date of Special Assessment

The special assessment will take effect on the first day of the next fiscal year after the assessment is approved by the Board of Assessors.

Section 5. Time Limits

- (1) An owner shall apply for the special assessment no later than two (2) years after completion of the rehabilitation certified by the MHC.
- (2) In order to be included in the total cost of rehabilitation as defined in 950 C.M.R. 72.04, all expenditures contributing to the cost of rehabilitation work must be incurred within a three (3) year period.

Section 6. General

- (1) An owner who applies for the special assessment shall agree in writing to maintain the subject property in accordance with the Secretary of the Interior's Standards for the duration of the special assessment. Failure to maintain the property in accordance with the Secretary of the Interior's Standards for the agreed period of time shall result in revocation of the special assessment. In the event that the local preservation commission informs the Board of Assessors that the owner has failed to maintain the subject property in accordance with the Secretary of the Interior's Standards, the Board of Assessors shall notify the owner in writing and the owner shall have 30 days in which to demonstrate that the property has been maintained in accordance with the Secretary of the Interior's Standards or, if not, to remedy such failure.
- (2) An owner who receives the special assessment shall annually, for the duration of the special assessment, provide the Board of Assessors with written certification that he or she still owns and occupies the property which is the subject of the special assessment, and that the subject property is still listed on the State Register.
- (3) The date of any of the following occurrences shall be considered the date of the end of the special assessment:
 - (a) written notice from the owner to the Board of Assessors requesting removal of the special assessment;
 - (b) sale or transfer of ownership during the five (5) year period, except in the course of probate proceedings; or
 - (c) removal of the property from the State Register.