

RSA 79-E Community Revitalization Tax Relief Incentive



Step One: Local Authorization

Step Two: Application Process

Board of Selectmen places question on Special or Annual town meeting warrant; may also be placed on warrant by petition (RSA 39:3)

Town Meeting votes on question to allow RSA 79-E tax relief incentives

City or Town Council acts upon proposal to allow RSA 79-E tax relief incentives following procedures required by local charter; **or** the question may be placed on a municipal election ballot for voter approval

Governing Body (Selectmen or Council) authorized to grant tax relief incentives

Owner of qualifying structure intends to substantially rehabilitate it Owner applies to Governing Body for tax relief incentive Governing Body holds a *public hearing* within 60 days of application receipt. 3 Questions 1. Is it a qualifying structure? 2. Is the proposed rehabilitation 3. Is there a public benefit? Located in a district designated substantial? Rehab cost ≥ Downtown economic vitality; by zoning or master plan as a \$75,000 or 15% of structure's as-•Improves a culturally or hisdowntown; or if there is no dessessed valuation, whichever is less torically important structure; ignation, in an area determined Promotes downtown developby the local governing body to ment: or Governing Body decides within be a downtown, based on com- Increases downtown housing 45 days of the hearing. To grant pact development patterns the tax relief, it must find the following: (1) there is a specifically identified public benefit that will be preserved by a covenant, and (2) Approval: no tax increases atthe proposed use is *consistent* tributable to the rehabilitation of with the local master plan or develthe structure for a maximum of 5 **Denial** of application must be opment regulations years from completion of rehab; accompanied by written explamay be extended 2 years if new nation; Denial may be appealed housing units are created (4 to superior court or Board of Tax Covenant is recorded; may years if affordable); may be exand Land Appeals last 2X the term of tax relief; tended 4 years if the structure is may include a lien against historically important casualty insurance proceeds Covenant and lien are released at end of term

Termination: the tax relief provided by a municipality may be terminated if the property owner fails to maintain or utilize the property according to the terms of the covenant, or fails to restore, rebuild, or demolish the structure following damage or destruction. The Governing Body holds a public hearing to determine the extent of the diminution of the public benefit; the tax relief may be reduced or terminated; if it is terminated, the property owner is liable for back taxes.