

# Summer Newsletter

Aug 12, 2024

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## President's Message - Summer 2024

by Lisa Wright

Greetings all,

It has been a rewarding and interesting experience being your VALA President for the past five years. I think we've made great progress in building recognition of the professionalism of Listers and Assessors in Vermont. That is of course part of our mission.

This work needs to continue in promoting our qualifications and expertise. Work also needs to be continued towards Listers and Assessors having a voice in legislative changes and being consulted by legislators. Working together and sharing our knowledge and experience, we all are empowered to do better work as assessors. I look forward to continued informed discussions with all of you, as a continuing VALA member.

This will be my last VALA Conference as your President. We have not yet gotten a commitment from a VALA Member to step up to be the next President. If you value this organization, VALA needs you to serve on our Executive Board.

Lisa Wright  
Outgoing President, VALA



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# VALA 2024 Fall Conference at Lake Morey Resort



IAAO President, Rebecca Malmquist, CAE, will be the keynote speaker this year.

Rebecca served on the IAAO Board from 2018 – 2020, and was Vice President in 2022. She is a co-founder of the IAAO's Women's Initiative Network. She has been an IAAO instructor since 2015 and has won multiple IAAO awards as a contributor to the IAAO and assessing community.

Rebecca is a Certified Assessment Evaluator (CAE), and a Minnesota Senior Accredited Assessor. Outside of the IAAO, Rebecca is the City Assessor in Minneapolis Minnesota. She has been a member of the IAAO since 2000.

This year promises a wide array of breakout sessions and the opportunity to meet other Listers and Assessors from Vermont and beyond!

Also in the lineup is:

Brian Fogg - Certified General Appraiser, Valuation Consultant

John Vickery - Tyler Technologies

Chris Landin - Landin & Assoc Assessment Services

Bridgett Phillips - Vermont Agency of Natural Resources

Ryan Silvestri & Matt  
Krajeski - NEMC

Chaveli Miles - Vermont  
Land Survey

NEMRC User Group

Vision User Group

Catalis/Patriot User Group

[2024 Conference  
Schedule Link](#)





# “Tips for Listers” Department

by Christie Wright, PVR Field Director

Covenant Restricted Housing is not the same thing as Subsidized/Qualified Housing:

Covenant restricted housing is when the buyer receives a grant towards the purchase of the property which then limits the amount that they can recapture when they sell the property- the difference will go back to the grant program. These are typically single-family homes.

Covenant Restricted Housing- For owner-occupied housing that is subject to a housing subsidy covenant, as defined in 27 V.S.A. § 610, imposed by a governmental, quasi-governmental, or public purpose entity, that limits the price for which the property may be sold, the housing subsidy covenant shall be deemed to cause a material decrease in the value of the owner-occupied housing (refer to 32 V.S.A. § 3481(1)(C) for more information). This property type is to be entered in the grand list at a value that represents 60%-70% of the fair market value of the property that is subject to the restriction. This should be entered as a reduction on the cost sheet or property record card, and the percentage that was applied should be recorded for data purposes on the “parcel maintenance screen” in NEMRC. NEMRC has a document, Covenant Housing Statute Requirement, for more information. You may contact VHFA with questions about a property’s qualification status. The Department of Taxes has a fact sheet for property owners regarding Covenant Restricted Housing. Contact your District Advisor if you need further information about Covenant Restricted Housing

- Covenant restricted housing is different from subsidized or qualified housing.
- Covenant restricted housing means that there is a limit set in the deed on the resale value of the property in exchange for a grant received.
- The legislature determined that these properties should be afforded a reduction in their value (due to the restrictions) of 30-40%.
- This reduction occurs in your CAMA (appraisal/value system) and you will manually reduce the value there.
- There is also a recording box on the parcel menu in NEMRC to record the % you reduced the property (this is only a recording field and does not reduce the value- you must also go into your value/appraisal system to do this).
- [https://legislature.vermont.gov/statutes/section/32/121/03481\(c\)](https://legislature.vermont.gov/statutes/section/32/121/03481(c))

- PVR send a list of these properties to towns via Listserve for review and to confirm they are listed according to state if they qualify

Qualified or Subsidized housing unit are apartment buildings that allow for adjusted rent based on income. Below are the details on each and the differences for assessment/valuation purposes as defined by the legislature.

Subsidized Housing/Qualified Housing- For residential rental property that is subject to a housing subsidy covenant or other legal restriction, imposed by a governmental, quasi-governmental, or public purpose entity, on rents that may be charged, fair market value must be determined by the income approach. 32 V.S.A. § 3481 (1)(A) – B(iv). The following elements must be used in that approach: (A) market rents with utility allowance adjustments for the geographic area in which the property is located, as determined by the federal office of Housing and Urban Development; (B) actual expenses incurred with respect to the property as provided by the property owner and certified by an independent third party; (C) a vacancy rate that is 50 percent of the market vacancy rate as determined by the United States Census Bureau with local review by the Vermont Housing Finance Agency (VHFA); (D) a capitalization rate that is typical for the geographic area - determined and published annually prior to April 1 by the division of Property Valuation & Review after consultation with the Vermont Housing Finance Agency; (E) Qualified rental unit parcels are entitled to an exemption of up to 10%, based upon the number of qualifying units. This must be certified by VHFA in the form of a certificate that states the percentage they are entitled to. Refer to the statute 32 V.S.A. § 5404a (6). There is a spreadsheet/calculator available on the Department of Taxes' website that can be used to facilitate appraisals of subsidized housing.

See our Guide to Valuation of Subsidized Housing Worksheet for instructions (link above). You may contact VHFA with questions about a property's qualification status.

Additionally, an exemption of up to 10% for qualified housing is entered in NEMRC as a Special Exemption. (Value/Exempt Tab/ Special Exemption Code 6-Qualified Housing.) The (up to) 10% special exemption amount (box below special exemption code) should be filled in. Refer to the statute 32 V.S.A. § 5404a (6) for calculation details. This exemption applies only to the education grand list, not the municipality. If you have questions or need assistance, contact your PVR District Advisor.

- Subsidized/Qualified housing is different from covenant restricted housing.

- Subsidized/Qualified housing means that rents are adjusted for income and the difference is subsidized by the federal government.
- The legislature determined that these properties should be calculated using an income approach to value and additional allowed up to 10% exemption for units used for this purpose.
- PVR develops a spreadsheet each year with HUD rents, vacancy allowances and cap rates for use by the towns in valuing these properties. The owner of the property must supply an independently audited income and expense report upon request.
- These should only be revalued at reappraisal time or if there is a major improvement or change. They may also grieve which may require a new analysis.
- The valuation occurs outside of CAMA so you will likely have to force the value into your system.
- There is also a drop down in NEMRC/parcel maintenance under valuation tab in the subject parcel under special exemptions for the exemption they receive of up to 10% of the total value (from education tax only). They must supply a valid certificate from VHFA to receive this (use the percentage indicated on their certificate for the exemption on that property).
- [Statute 32 V.S.A. §3481\(1\)](#)
- [GB-1183.pdf \(vermont.gov\)](#)





# New Parcel Viewer Announced May 2024

The Vermont Center for Geographic Information (VCGI) is excited to announce the release of an updated statewide [Parcel Viewer](#) to assist with the spatial and visual representation of parcel data. This update combines the functionality of the former Parcel Viewer, the [Town Mapping Status App](#), and the [Land Survey Library](#). The new Viewer also references the recently published [Property Transfer layer](#). This point-based layer is updated weekly and reflects locations and associated public information collected by the Department of Taxes for all property transferred by deed in Vermont from January 2019 through present. More details about property transfers can be found in the [data release notice](#).

Within the new Parcel Viewer, users can now answer questions like:

- When was parcel geometry last updated for my town, and who made the updates?
- Who is the new owner of the parcel in my neighborhood that sold last month?
- Where are the new boundaries for a subdivided parcel according to the official survey?
- How many times has a parcel transferred ownership in the last five years?
- What are the average, minimum, and maximum listed real values for all parcels in my town?
- How closely does the acreage of my parcel in the Grand List match the acreage of my parcel's extent on the map (GIS/calculated acreage)?
- And more!

We hope that users find the integration of these tools helpful, and we are happy to hear feedback or suggestions. Parcel data is VCGI's most-used and requested dataset, and we strive to keep it as accurate and complete as possible. For more information on the Parcel Viewer please see the [User Guide](#) and [Release Notes](#), which include more details on new features, quick demos, and known issues. Additional questions about the [Parcel Program](#) can be directed to Dylan Broderick ([dylan.broderick@vermont.gov](mailto:dylan.broderick@vermont.gov)) or Chaveli Miles ([chaveli.miles@vermont.gov](mailto:chaveli.miles@vermont.gov)).



# VALA Membership Announcement

by Mimi Burstein, VALA Education and Membership

It's that time of year again!

VALA membership renewal or registration is now open. Being a member of VALA provides a great platform to stay connected and engaged with fellow Listers, Assessors, and peers in our industry. In this profession, the use of all available tools is essential, and VALA can help. By becoming a member, you can benefit with:

- Discounted educational opportunities
- Peer support and networking
- The latest information about new legislative initiatives and how they affect the VALA community

Please consider renewing or becoming a member. Membership provides an opportunity to join a community of like-minded individuals who are dedicated to growth and learning. Members are able to register on the VALA website by filling out our [online data-entry form](#), after submission of this form, you will be billed via email. There is also a paper mail-in option using the [paper membership form](#). Whichever form you choose please take a moment to review and update your information, and note there is a new address for mailing in your form and check:

VALA Membership  
PO Box 373  
Randolph, Vermont 05060

I look forward to another wonderful membership year filled with opportunities for growth and connection. And don't forget to save the date for our 2024 Annual Conference, where we will come together to learn, share, and network with one another at the beautiful Lake Morey Resort.

Ed Note: Please use the [online data entry form](#) when filling out membership information (even if you fill out a paper form - don't worry, we won't bill you twice).

WHY? - to have fresh, accurate records, we need to capture the town, county, email and other information you provide. When you use the form, that saves us manually having to type it in.



# Why IAAO Courses Are Important to Me

by Mimi Burstein, VALA Education and Membership

When I first entered the assessing and listing world without a background in real estate or appraising, my Lister Chair taught me the significance of seeking guidance and clarity to become a proficient lister by taking courses with knowledgeable instructors. Attending the 101 course in person proved to be highly beneficial, as the interactions with fellow students and the chance to discuss shared experiences during breaks and after class were essential for a comprehensive understanding of the material. David Cornell is excellent at connecting these concepts to Vermont and our small municipalities. For those undergoing a reappraisal, enrolling in the 300 course with Jason Frost can provide valuable insight into the fundamental principles of mass appraisal and help in understanding the ratio studies and summaries of values at the end of the reappraisal.

Having gained valuable experience after successfully completing all the IAAO courses for the PVR certification, I am eagerly looking forward to expanding my knowledge of highest and best use by taking the 158 Highest and Best Use workshop. Specifically, I am excited to explore the intricacies of this concept as it pertains to the unique parcels of land in my town following the completion of our most recent reappraisal process. I am enthusiastic about delving into the complexities that can arise in conducting a highest and best use analysis and engaging in discussions about how to effectively address unique situations.

## **For 2024 VALA is offering these IAAO classes for the PVR certification program:**

The International Association of Assessing Officers (IAAO), offer education, technical standards, consulting services and many other resources to the property valuation and tax policy community.

### **Level 2:**

- 101 Fundamentals of Real Property Appraisal: September 30 – October 4  
**In-person:** West Rutland Town Hall – Instructor: David Cornell

This course is designed to provide students with an understanding and working knowledge of the procedures and techniques required to estimate the market value of vacant and improved properties. This course concentrates on the skills you need to estimate the market value of properties using two approaches to value: the cost approach and the sales comparison approach

### Level 3:

- 155 Depreciation Analysis: November 6 – 7 **In-person**: West Rutland Town Hall – Instructor: David Cornell

This workshop provides a comprehensive, advanced treatment of the techniques of estimating depreciation of residential property. Through a series of market oriented case studies and demonstration problems, types of depreciation and generally recognized methods for measuring depreciation are covered, with emphasis on the observed condition method. Depreciation measurements are applied to a single subject property, providing experience in analyzing the advantages and limitations of each method.

- 300 Fundamentals of Mass Appraisal: September 16 – 19 **Webinar** – Instructor: Jason Frost

This course provides an introduction to mass appraisal and is a prerequisite for the IAAO 300-level course series. Topics covered include single-property appraisal versus mass appraisal, components of a mass appraisal system, data requirements and analysis, introduction to statistics, use of assessment ratio studies in mass appraisal, modeling of the three approaches to value, and selection of a mass appraisal system.

### Level 4:

- 311 Real Property Modeling Concepts: October 21 – 25 **Webinar** – Instructor: Jason Frost

The Real Property Modeling Concepts course presents a detailed study of the mass appraisal process as applied to residential and income-producing properties. Topics covered include a comparison of single-property appraisal and mass appraisal, the major steps in the mass appraisal process, data requirements, market analysis, use of sales ratio studies, cost approach, sales comparison approach, gross and net income analysis, capitalization rate development, model specification and calibration, valuation review techniques and maintenance. Please note: former 311 (Residential Modeling Concepts) and 312 (Commercial/Industrial Modeling Concepts) have been redesigned into this one 5-day course.

### For continuing education and professional development VALA is offering:

- 158 Highest and Best Use: September 9-10 **Webinar** – Instructor: Christopher Landin

Highest and best use is a concept in real estate appraisal in which market value is achieved by the reasonable and probable legal land use that results in the highest value and is an essential step in the mass appraisal process that is required before the creation of market value estimates. Local law may mandate preferential assessments according to specific land uses such as agricultural, historic and so forth rather than the highest and best use. This workshop is designed to provide students with a more in-depth study and understanding of the role and purpose of highest and best use in the appraisal process. Finally, this course will feature discussions of the unique situations that sometimes arise in a highest and best use analysis.

Registration information and forms can be found at: [valavt.org/education/training](http://valavt.org/education/training)

Or by contacting:

Mimi Burstein

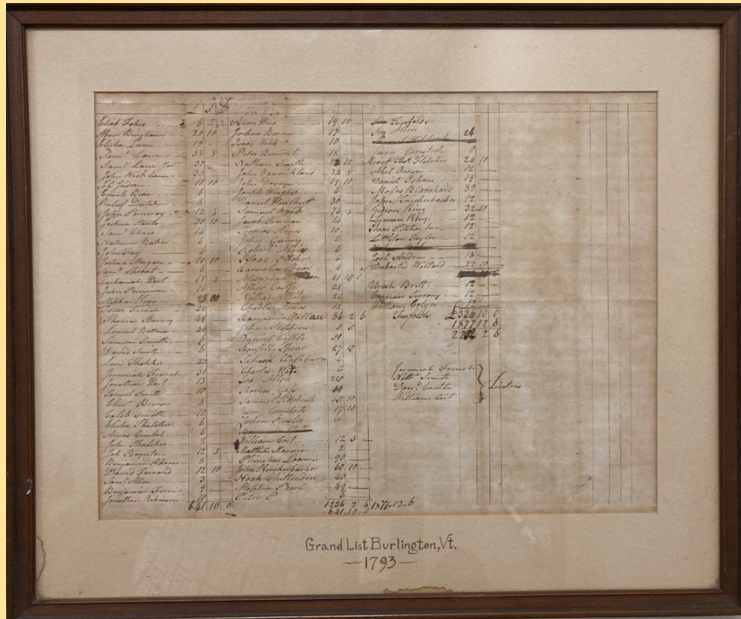
VALA Education and Membership - [vtassessorsandlisters@gmail.com](mailto:vtassessorsandlisters@gmail.com)



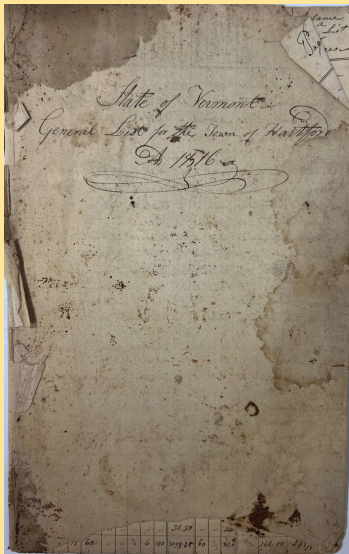


## “The Times Gone By” Department

I found the original Burlington Grand List from 1793. It just reminded me that the show must go on, and has gone on for a very long time. It also reminded me that what we do is critical to the towns and cities that we call home. It looks like Burlington raised \$2,202 in tax revenue in 1793. By my calculations that equates to roughly 6.7 million in today's dollars. We have grown a bit since then but it is nice to have a clear picture of the roots. I am wondering if this is the oldest, original grand list in the State? Does anyone have anything older?



Joseph Turner, Burlington, VT



The oldest document I was able to find in Hartford is dated 1816 and it's a 10 page list of owners and possessions (polls, land, homes, oxen, caws, etc.).

Cristina Tardie, Hartford, VT

# RealPage: A Cautionary Tale

By Christopher M. Landin, CAE, RES, MAS, CPRPA, GSI, VMPA

The inspiration for this article came from court cases against RealPage currently filed by the Federal Trade Commission, and Attorneys General for District of Columbia, North Carolina, and Arizona. The Department of Justice has opened an investigation vs. RealPage and its clients. RealPage uses an algorithm in their “YieldStar® Investment Analytics Powered by MPF Research®” with claims of “5 Year Accurate Forecasting.” This product is marketed to medium to large apartment complexes. According to their “Market Coverage Map” they are in 200 markets and 1,000 submarkets in the United States. The graphic shows that Vermont is not one of the markets. Eric Garner from More Perfect Union stated, “how algorithms, these black boxes of data, are shaping our markets and giving an incredible amount of power to the few.” They stated that rents are up by 20% in the U.S. since 2020, and RealPage and their clients are acting like a “Housing Cartel”. According to District of Columbia's Attorney General Brian L. Schwalb, RealPage was advertising to increase revenue 2% to 7% for their clients.

Depending on the investor's position, whether they want to maximize a short-term or a long-term gain, vacancy can be an indicator of market rent. If an investment property has no vacancy, they may be under market rent. If vacancies are high, rents may be higher than market rent. Market positioning is a factor on income producing properties and is a delicate dance. This is supported by the Economic Principles of Value: Substitution, Anticipation, and Supply & Demand. Using an algorithm, with proprietary data from their clients that they would not normally share with their competition, to control how much turnover within your investment property. This could be used to maximize cash flow with an unfair advantage. The issue is the proposed control RealPage influenced over the market. Real Estate Investment Trusts (REITs) and Private Equity firms dominate some rental markets. They are motivated to provide a return on the investment to their shareholders and/or stakeholders. RealPage dominated the rental markets in Arizona, according to Attorney General Kris Mayes. In the Phoenix metro area, rent has increased by 76% since 2016 and RealPage controls the pricing for 70% of the apartments. In D.C., 90% of the apartments are controlled by RealPage according to Attorney General Brian L. Schwalb.

Within the RealPage's agreements, the landlord was required to rent their units at the determined rate. In the Federal Trade Commission findings that RealPage were not pretending that the prices were “suggestions.” If the landlord wanted to rent a unit at less than the determined rate, they would have to justify it to RealPage. A RealPage's enforcement agent would come and inspect the property to confirm the rationale for the rate. Where collusion comes into play is when multiple apartment

complexes in the same area use RealPage, which could take competition out of the market. The FTC stated, “Price fixing by algorithm is still price fixing.”

The reader may not be concerned with RealPage and their YieldStar® product since it may not apply to your town, since market conditions may not support this service in Vermont’s apartment rental market. Julia Bunch of RealPage authored an article in April 2022 regarding the student housing sector in which Vermont was mentioned. The company has 28 other articles regarding Vermont’s rental markets, primarily focused on the student housing sector.

RealPage has Propertyware® which is targeted for the single family residential long-term rental (LTR) market. I could not confirm whether they do or do not operate in Vermont. This is primarily focused on long-term rentals. For short-term rentals (STR) AirDNA is an industry leader in market analytics. Propertyware® is proprietary and you have to pay to see the data, but AirDNA does publish data. According to Chamber and Partners STR makes up 3% housing stock in Vermont SFR market and the legislature is trying to limit the growth of STR through Act 250 and 17 municipalities regulate STR in some way.

Here are some sources for market data. These are not the only sources, but these allow a statewide and the ability to drill down to specific areas. I am not endorsing these sources and take them at face value. Your due diligence is required. Links are located in the Appendix.

- Vermont Housing Finance Agency (HousingData.org), has several demographics that can be drilled down to specific towns in Vermont. They have a Short-term Rental of state and local data. According to AirDNA, in mid-2016 there were 2,000 STR and in 2024 it is approaching 13,000 STR. Appendix Figure A
- You can sign up for high level information for free at AirDNA for the STR market. They tend to be updated quarterly.
- For LTR Zillow has Rental Manager – Market Trends. You can examine it only for one year’s time and it has to be listed on Zillow. Appendix Figure B

There are always at least two sides to any transaction. As of 2019 one-third of Vermont’s renter households were either cost-burdened or severely cost-burdened according to Benjamin Harrold of the Vermont Housing Finance Agency. He stated renters would need an additional 10% over the median salary to afford median rent plus utilities. In this document it talks about the long-term effects of unaffordable housing and the possible erosion of the property tax base.

The motivation to enter the SFR rental market for investors is summed up by Moody’s Analytics:

“This confluence of factors has been an absolute boon for SFRs, increasingly drawing institutional investor attention. Currently, the vast majority of SFR



properties come from the existing housing stock. However, this is likely to change in coming years as many institutional operators enter into joint ventures with banks, homebuilders, and private equity firms to expand their horizontal multifamily positions.”

This is reinforced by Green Street:

“Household formations are a key measure of housing demand. Over the next five years, we anticipate demand for approximately 7.5 million additional housing units, 10% above the average annual growth observed over the last ten years. Approximately 810,000 new households are expected to sign leases for single-family rentals, 1.5 times higher than the number of new apartment renters. Population growth among millennials aged 34 to 44, one of the primary renter cohorts of single-family homes, is slated to nearly double over the next five years. Sun Belt metros – where a disproportionate share of U.S. SFR portfolios is located – should see better-than-average growth... Green Street’s 2022 U.S. SFR Outlook details which metro areas are primed for growth and offer the highest returns for investors.”

As Listers/Assessors we do not make the market. But we need to track the market to see if there is a shift in use so they can be taxed appropriately. As an issue with the real property markets, our information can suffer from lagging indicators. You especially want to pay attention is prior and during a townwide reappraisal. It is important to understand impacts to the US economy and other US real property markets. They can bleed into adjoining markets. RealPage and their clients are presumed innocent till proven guilty. But the actions of a few can affect society as a whole.

## Appendix

Figure A - [Vermont Housing Finance Agency](#)

### Short-term rentals

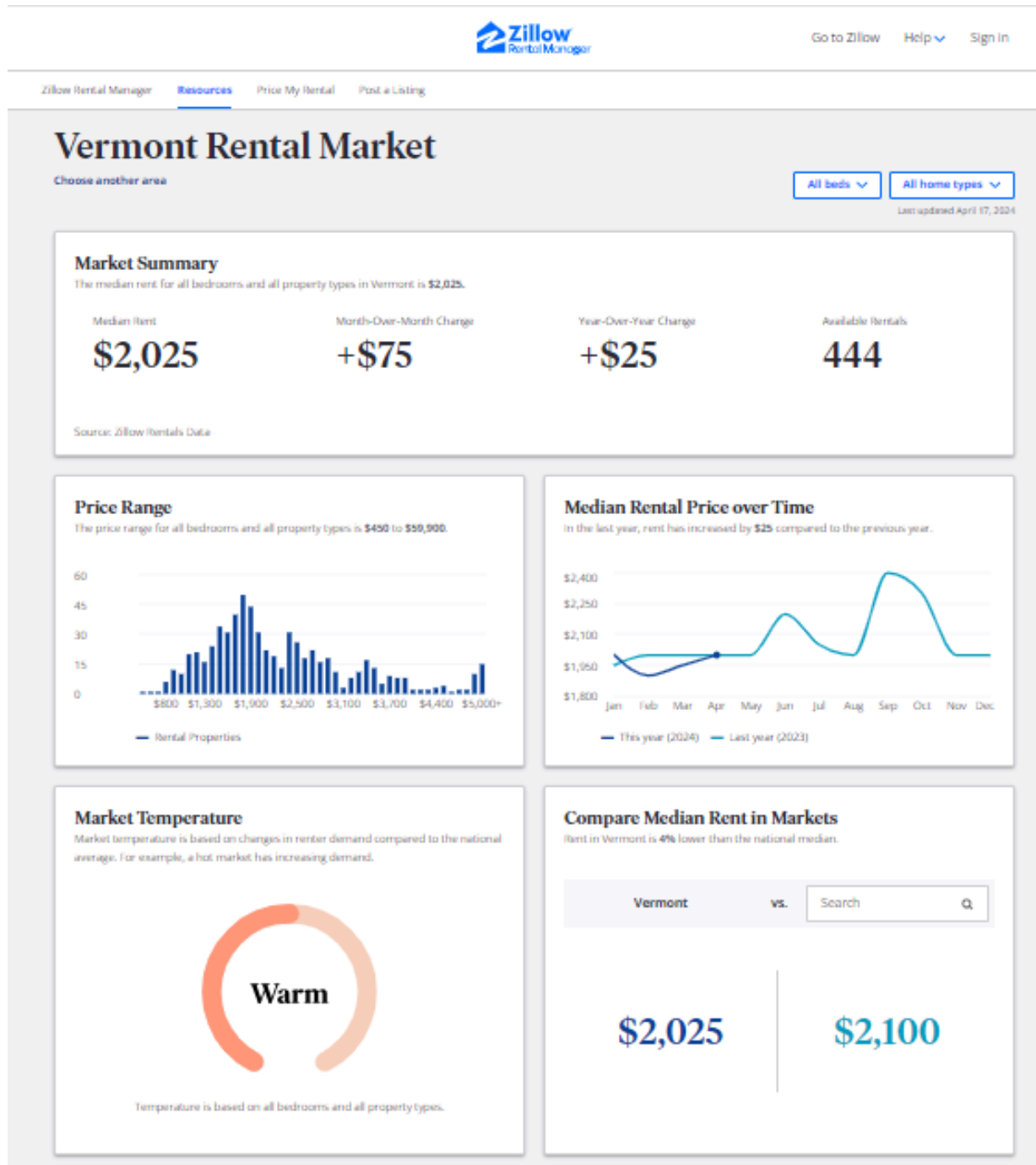
Entire homes listed as short term rentals



Source:  
AirDNA short-term rental listings

Month:	February 2024
Town Name:	*
County:	*
Active STR Homes:	12,719
Total Reservations	58,724
Avg Listed Days per property:	25
Avg Reserved Days per property:	11
Avg. Occupancy Rate:	0.48
Avg. Reservations per property:	4
Avg Daily Rate:	\$324
Avg Monthly Revenue per home:	\$3,680

Figure B – [Zillow Rental Manager](#)





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Ed Note: Thanks all for your contributions and comments! Enjoy the rest of the summer and see you at the conference!

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