

Pawlet Board for the Abatement of Taxes

Virtually Hosted Via Zoom

Town Hall, 122 School St., Pawlet, VT 05761

Tuesday, February 1, 2022

Stanley Peterson

4599 Route 30 North

Parcel ID #0130-4599

Members Present: Ray Duquette, Beth Duquette, John Malcolm, Julie Mach, Mike Beecher, Jessica Van Oort, Bob Jones, Susan LaPorte, Leon Corey, Rich Hulett, Deb Hawkins-Town Clerk, Lisa Wright-Assessor

Others: Stanley Peterson, Marc D. Nemeth PLC

7:05 convened

Mr. Peterson presented to the board, taken with the rental ban. Mr. Hadeka was in the home as a tenant and was in the process of being evicted then covid happened. Mr. Peterson was reported for not fixing an air conditioner and was arrested. Could not come to Pawlet. Got COVID. House was destroyed by tenant. Septic runover. Took lots of trash out. All windows were shot out. Cut hole in safe and stole from him. Asks board not to ask him to carry the burden due to COVID and not able to evict the tenants. Doesn't feel that he should be expected to pay taxes for a town that he wasn't allowed in. Tenant shot out the barn. Cannot afford the taxes right now due to the current situation.

Mr. Nemeth: I appreciate that Stanley has a perspective on his experience with a bad tenant. The 3 things that he thinks that he thinks apply to this.

V.S.A. §1535 (A)(2) taxes of a person removed from the state. Falsely accused of a crime and asked to leave the town of Pawlet and the State. Could not return to state once pandemic came in. Showed a screen with the reasons of abatement. Presented a Notice of Tenancy Termination in July of 2020. Judge issued an emergency order that told Mr. Hadeka to stop breaking into a shed and taking tools. Shared some photos of damage done to the property. Two buildings on property, Hadeka had the house. Bullet hole in a window. Bullet holes in wall. Broke in through door. Photo of damage to lamp as a result of gunfire. Photo of Stanley's items that were taken out of the garage. Stanley wasn't able to go back to house due to the conditions of his release. It wasn't until Mr. Hadeka was arrested that the Writ of Possession was enforced. Basement flooded, heating system damaged, interior of the property was destroyed. Window damage alone could cost upwards of \$20K. Mr. Peterson maintained items in a safe that was destroyed and assets were removed. He would have used the assets to pay

taxes. Insurance would have also been an avenue of recovery but he could not get it insured. Hadeka was already damaging the property in 2019. March 4 of 2020, breach of tenant obligations. Because Mr. Peterson was not permitted into the town and the state due to his conditions. Conditions have recently been changed allowing him to return to his property. He can start looking at the prospect of returning to work. He is a person who does not have the ability to pay and also needs to figure out how to fix his house.

Mr. Peterson invites the board to come up and see the property. Has no money to replace his tools. Wants to feel a part of the community. Looking for a fresh start. Didn't have anywhere to go so he ended up going to California. Government took his property and allowed someone to destroy it. Borrowing more money than he can afford.

John Malcolm: How many years before COVID were you delinquent?

Stanley Peterson: one year

John Malcolm: How many times did you contact the delinquent tax collector, Kim Ayers?

Stanley Peterson: I had to go to California so I didn't check in with Vermont much. Lawyer has been shouldering all the stress with all this upheaval.

John Malcolm: Taxes Due of \$18,408.01?

Stanley Peterson: Yes, anything you could do.

Ray Duquette: Why did you leave the state?

Stanley Peterson: Hadeka called the cops and in the middle of the night the cops came and arrested him and put him on the news. I left the state to go to Springfield jail for a month and then another Newport jail for two months waiting for the judge. There was no evidence so they let him out. There were many conditions on his release including not coming to Pawlet. Could not retrieve tools.

Ray Duquette to Lisa Wright: had an incidence years ago where an incarcerated person had to pay taxes. Is that still the case? What is the HS-122 status?

Lisa Wright: Don't have an answer with regard to incarceration needing grounds for abatement. Hs-122 status can be looked up but don't have in front of me.

Mr. Nemeth: Don't want to assert authority on anything to do with taxes. HS—122 only available to someone living in the state and living in the house. Removed from the state by the state. This was his home. Program called VRAP, would have provided some money. Mr. Hadeka would not cooperate.

#5 Taxes upon which real property has been lost or destroyed. Asking that taxes be abated based on #5.

Mr. Peterson is asking for full abatement but realizes the board has authority to abate any.

John Malcolm: Any questions?

Julie Mach: VRAP could not apply for. Was any attempt to find a way around it and apply?

Marc Nemeth: The VRAP program has been incredibly difficult to work with. Has a case where the money didn't make it back to the landlord. Cannot tap into it unless the tenant applies.

Julie Mach: Couldn't get insurance because he didn't live there.

Stanley Peterson: They wouldn't insure him because it lapsed and local knowledge was too much. Confused as to how this could happen. Tried to communicate with insurance company in Rutland.

Jessica Van Oort: Is this a request for three years?

Stanley Peterson: Yes, please.

Jessica Van Oort wanted some clarification on the process of Abatement and timeline.

Deb explained the process of Abatement.

Lisa Wright: Damages were not brought to the assessor's attention. Should look at for 2022. Does not feel that she can help with the assessment piece for the past.

Ray Duquette: Item #6.

7:58: Deliberative session

8:35: Out of deliberative session

Beth Duquette motioned; Ray Duquette seconded adjourning meeting at 8:37 Motion carried.

Decision of board will be provided in writing.

Respectfully Submitted,

Debra Hawkins

John Malcolm, Board Chair