

New Castle County Property Reassessment

Formal Appeal Process - Frequently Asked Questions

1. What can I do if I believe my property's reassessed value is wrong?

Property owners may appeal the reassessed value of their property to the Board of Assessment Review by filing the appropriate appeal form by **4:00 pm on March 14, 2025**.*

**The New Castle County Council is holding special meetings to extend the appeal filing deadline from March 14 to March 31 to afford property owners additional time to process the information related to their assessments and take appropriate action with respect to the appeal process. Until an ordinance is approved by the County Council, the deadline remains March 14, 2025.*

2. What is the Board of Assessment Review (BOAR)?

The BOAR hears appeals by property owners who believe that the County's assessed value of their property is incorrect.

3. What is the "2025 annual assessed value"?

A property's 2025 annual assessed value is its fair market value as of July 1, 2024. This is the value set by the New Castle County Office of Finance at the end of the reassessment process.

4. Who can appeal their 2025 annual assessed value?

Every property owner in the County has the right to appeal their 2025 annual assessed value.

5. Is there a cost to file an appeal?

No, there is no cost to appeal your 2025 annual assessed value to the BOAR.

6. Do I have to hire an attorney or appraiser?

No. While you may hire an attorney to represent you in appeal proceedings before the BOAR, it is not necessary. If you do hire an attorney, they must be licensed to practice in Delaware (or, if licensed to practice out of state, they must formally request to practice law in Delaware pursuant to the Rules of the Supreme Court of the State of Delaware). It is not necessary to hire an appraiser for a residential appeal, but an appraisal can provide clear evidence of a property's market value.

7. I previously had a tax exemption (Elderly, Disability, Disabled Veteran). What happens to that?

You do not need to reapply if New Castle County previously approved a property tax exemption for you and you continue to maintain the property identified on your earlier application as your and/or your spouse's principal residence. If you did not previously have an approved property tax exemption but believe you qualify you can view the current exemption application forms on the Assessment Office's [Tax Exemptions webpage](#).

8. How do I appeal my property's 2025 annual assessed value?

You must complete the appropriate appeal form and submit the form and any attachments by **4:00 pm on March 14, 2025**. If an extension to this deadline is approved by the New Castle County Council, forms may be submitted by that extended deadline. Until any extension is approved, the deadline will remain **4:00 pm on March 14, 2025**.

9. What type of form do I need?

There are separate forms for residential and nonresidential parcels. Parcels with a property class of “residential” must use the [Residential Assessment Appeal Form](#), and parcels with a property class of “commercial” or “industrial” must use the [Nonresidential Assessment Appeal Form](#).

10. Where do I get an appeal form?

- Fillable forms are available on the BOAR’s website: <https://www.newcastlede.gov/390/Board-of-Assessment-Review>.
- Forms may be picked up in person at the New Castle County Government Center located at 87 Reads Way, New Castle, DE 19720.
- You can request a form be mailed to you by calling the Assessment Office at (302) 395-5520, but any delays caused by the United States Postal Service (USPS) will not extend the March 14, 2025 filing deadline.

11. How do I submit the appeal form?

- Forms may be sent via the USPS or delivery services such as FedEx or UPS, or hand delivered to:

New Castle County Assessment Office
87 Reads Way
New Castle, DE 19720
- Forms may be sent by email to BOARappeals@newcastlede.gov.
- Forms may be submitted online through the online appeal submission form. This option is available as a link on the BOAR website at: <https://www.newcastlede.gov/390/Board-of-Assessment-Review>. Please note that you will need to register an account to submit [your online-only appeal form](#).

12. What is the deadline to appeal my property’s 2025 annual assessed value?

The fully completed appeal form and attachments must be received by the Assessment Office by **4:00 pm on March 14, 2025**.

13. Who do I contact with questions about the appeal forms?

You may contact the Assessment Office at (302) 395-5520.

14. Do I have to specify what I believe the correct assessed value to be on the appeal form?

Yes, you must state the value that you believe is the fair market value of your property as of July 1, 2024. The only exception to this rule is if you have hired an appraiser and your appraiser’s report will not be complete when the appeal form is filed. In this case, you may write “TBD” on the appeal form’s line requesting the dollar amount you consider to be your property’s fair market value as of July 1, 2024. **You will have until June 16, 2025 to submit your appraiser’s report**, which will set the value you believe to be correct.

15. What information must I use to support my appeal?

You must present “competent evidence of substantial overvaluation.” This requires you to show the fair market value of your property as of July 1, 2024 by using your property’s characteristics and applying at least one of the three approaches to value: comparable sales/market, cost, or income.*

For residential properties, the comparable sales approach is the approach most often used by appellants. Supporting documentation, or your “competent evidence,” for formal appeals includes:

- Comparable sales (that closed between January 1, 2022 – June 30, 2024).
 - Valid sales are known as “arm’s length” transactions that reflect market value.
 - The more recent closed sales are typically better indicators of value than older closed sales. Comparable sales can be obtained by consulting with real estate professionals as well as free websites such as: www.zillow.com | www.realtor.com | www.homes.com.
 - Do not cite sales that have been recorded using a nominal value (e.g., \$10.00); instead, consult with real estate professionals or the websites listed above to determine the property’s actual sale price.
 - To be “comparable,” the property you are comparing must be similar to your property with respect to many factors, including structure size, lot size, location, quality and age of construction, condition, number of bedrooms and bathrooms, garage, basement, etc.
 - You may submit up to 6 comparable sales.
- Active listings can be utilized as supporting evidence but **not** as direct evidence such as closed comparable sales. Further, active listings cannot be your only evidence of substantial overvaluation.
- Income & Expense statements may only be submitted with your appeal for income-producing properties.
- Appraisals performed by a Delaware-licensed appraiser dated after July 1, 2023. If the appraisal is prepared for the appeal, it must state the fair market value as of July 1, 2024.
- Photos, including recent images of your dwelling(s), outbuildings, land, etc., are a great way of illustrating quality or condition issues.

**Please note that for nonresidential property appeals, Delaware law provides that the income approach cannot “stand alone,” and must be combined with at least one other generally accepted approach to valuation in order to be considered competent evidence in support of your appeal.*

16. What information will not be accepted when appealing the assessed value of my property?

- Previous assessed value, established in the 1983 base year or the tentative assessed value previously stated as part of this reassessment process.
- Closed Sales that are not considered to be “arm’s-length.” Examples of typical invalid sales are distressed properties, bank owned, sheriff sales, foreclosures, short sales, family transactions, court order, and change after sale.
- Comparing properties which have not sold as an “arm’s-length” transaction. **You may not compare a neighboring property’s assessed value or building characteristics.**
- Tax Exemptions (Elderly, Disability, Disabled Veteran) are not taken into consideration when establishing fair market value. Exemptions will be applied to each parcel, as eligible and qualified, by New Castle County.
- Estimated values from free websites such as Redfin, Zillow, HomeLight, Realtor.com, etc.

- Appraisals performed by anyone other than a Delaware-licensed appraiser or appraisals dated before July 1, 2023.

17. Can I use the “assessed value” of a comparable parcel and compare it to the assessed value my parcel?

No. If you are using other similar properties to compare them to yours, you must use actual previous sales of those properties. The previous sales should be as close as possible to the assessment base year date of July 1, 2024.

18. What if I want to get an appraisal and the appraiser I have hired cannot complete the appraisal by the March 14, 2025 filing deadline?

If you have chosen to hire an appraiser to assist with your appeal, you must submit your appeal form by the March 14, 2025 deadline and check the box on the form indicating that you will be submitting an appraisal from a Delaware-licensed appraiser. The Assessment Office will docket your appeal form and any other submitted evidence but will hold the appeal without a scheduled hearing date until you submit your appraisal or until the June 16, 2025 deadline to submit the appraisal passes. When you submit your appraisal, you may not submit any additional documentation in support of your appeal other than the appraisal.

19. Do I have to hire an appraiser?

- **Residential properties:** No, you do not need an appraisal. You may choose to hire an appraiser licensed in the State of Delaware to produce an appraisal or submit sales of comparable properties.
- **Nonresidential properties:** You must submit evidence consisting of techniques or methods which are generally considered acceptable in the financial or real property appraisal communities and otherwise admissible in court. Submitting an appraisal completed by an appraiser licensed in the State of Delaware is the best way to ensure that your evidence will be considered “competent” and to avoid receiving a notice advising that your appeal is deficient.

20. What will happen after I file my appeal form?

The Assessment Office will analyze the information submitted on your appeal form and then contact you regarding three possible paths:

- **If the Assessment Office believes that the County’s 2025 annual assessed value for your parcel is incorrect:** Assessment will contact you (usually by phone) to discuss what it believes to be the parcel’s correct value. This value may be the value indicated by you on your appeal form or another value in between your value and the current value established by Assessment. If you reach an agreement on a new assessed value with an Assessment representative, then both Assessment and you would sign a stipulation for that new, decreased value, and your appeal would be considered closed.
- **If the information or documents you submit with your appeal form do not meet the requirements established by the BOAR or under Delaware law:** You will receive a letter by mail or email (as you have indicated as your preference on your appeal form) stating that your appeal is deficient and informing you what additional or corrected information or documents you need to

produce to cure the identified deficiencies. You will be given 10 days to produce the required documents. You must include with your appeal form competent evidence of substantial overvaluation of your parcel's assessed value.

- **If the Assessment Office believes that the County's value for your parcel is correct:** You will receive a written notice of hearing stating the date, time, place, and manner of your hearing to present your evidence to the BOAR or an appeal referee designated to hold a hearing on behalf of and make a recommendation to the BOAR.

21. Who can represent the property owner at an assessment appeal hearing?

The people who may represent the owner at an appeal hearing are:

- If the owner is an individual, the owner; or
- If the owner is a business entity (e.g., a corporation or partnership), an employee of that entity; or
- An attorney licensed to practice in Delaware (or an out-of-state attorney who has formally requested to practice law in Delaware pursuant to the Rules of the Supreme Court of the State of Delaware).

APPEALS THAT PROCEED WITH A REFEREE HEARING:

22. What is an appeal "referee"?

Delaware law authorizes New Castle County to appoint individual referees to hear property assessment appeals. In order to process the anticipated volume of filed appeals, independent referees are being hired by the County to hold hearings and provide unbiased recommendations to the BOAR as to whether a particular assessment is correct or not. Referees will serve as neutral hearing officers and must have a legal background and/or demonstrated experience and knowledge of real estate valuation.

23. What does a referee do?

A referee hears your case and makes a recommendation to the BOAR as to the proper valuation of your property.

24. Do I have to appear at the hearing before a referee?

No. The BOAR Rules do not require you to attend a hearing before a referee. If you choose to not attend, the referee will base their recommendation only on your appeal form (including any evidence you submitted) and any materials submitted by the Assessment Office in support of the County's assessment.

25. What happens at the referee hearing if I attend?

You will have 15 minutes to present your evidence and argument in support of a lower assessment to the referee. An Assessment Office representative or the referee may, respectively, cross-examine or ask you questions about the evidence you have presented. You have the burden of presenting competent evidence of substantial overvaluation of your property's assessed value. If you satisfy that burden of proof, the Assessment Office also may present evidence and argument, but is not required to do so. If the representative presents evidence, you have the opportunity to cross-examine them about that evidence. Following the presentation of all evidence, the Assessment Office representative

and you may each make a short closing statement to the referee, who will consider and reach its recommendation in your presence. The referee will maintain a written summary record of your appeal, and the final recommendation the referee submits to the BOAR will be sent to you by mail or email, depending on your stated preference for receiving notice.

26. Can I submit new or different written evidence at my appeal hearing before a referee?

No. The only evidence you may present at your hearing is the evidence included with your original appeal form. Oral testimony is permitted at the hearing; however, you cannot discuss evidence that was not disclosed on your appeal form or a proper supplement (such as an appraisal report that was not complete when you filed your appeal but has since been prepared and submitted to the Assessment Office, as discussed above at Question 18).

27. What happens after the referee hearing?

You will receive the referee's written recommendation to the BOAR and be provided with the date and time when the BOAR will consider the recommendation and decide your appeal.

28. What happens at the BOAR hearing if I had a referee hearing?

The BOAR will consider the referee's recommendation regarding your appeal during a public hearing and will not consider any further evidence or testimony from you or the Assessment Office. You may, but are not required to, attend this hearing in person. The BOAR will determine if your assessment is correct on the basis of the record of the appeal hearing and the referee's written recommendation, and will issue a written decision that will be mailed to you.

29. What do I do if I don't agree with the BOAR's decision?

You may appeal the BOAR's decision to the Delaware Superior Court within 30 days of the date the written decision is mailed to you.

**APPEALS THAT PROCEED DIRECTLY TO THE BOAR
(WITHOUT A REFEREE HEARING AND RECOMMENDATION):**

30. Why would my appeal be heard by the full BOAR rather than by a referee first?

The Assessment Office anticipates scheduling all nonresidential (i.e., commercial and industrial) appeals in a hearing before the full BOAR and not before an appeal referee using the procedures outlined above at Questions 22-29. This is because nonresidential appeals are generally more sophisticated and involve greater volumes of written evidence and oral testimony by both parties to the hearing. It is also within the Assessment Office's discretion to schedule more complex residential appeals before the full BOAR rather than before a referee first.

31. Do I have to appear at the hearing before the BOAR?

Yes. If you do not appear at the hearing, your appeal is considered abandoned. The BOAR will deny your appeal.

32. Can I submit new or different written evidence at my appeal hearing?

No. The only evidence you may present at your hearing before the BOAR is the evidence included with your original appeal form. Oral testimony is permitted at the hearing; however, you cannot discuss evidence that was not disclosed on your appeal form or a proper supplement (such as an appraisal report that was not yet complete when you filed your appeal but has since been prepared and submitted to the Assessment Office, as discussed above at Question 18).

33. What happens at the BOAR hearing?

The BOAR will hear evidence and argument from you and from the Assessment Office. You have the burden of proving substantial overvaluation of your property's assessed value. You will present your evidence and argument. The Assessment Office also may present evidence and argument but is not required to do so. If Assessment presents evidence, you will be able to cross-examine any witness presented by Assessment. In most cases, the BOAR will vote on your appeal at the conclusion of the hearing and then will issue a written decision.

34. What do I do if I don't agree with the BOAR's decision?

You may appeal the BOAR's decision to the Delaware Superior Court within 30 days of the date the written decision is mailed to you.

ALL APPEALS:

35. How long will it take for my appeal to be heard?

We do not have a time estimate yet, as we don't know how many appeals will be filed. However, based on the number of appeals that we expect to be filed, it may take several months for the BOAR to resolve all appeals.

36. What if the appeal of my 2025 annual assessment isn't resolved by the September 30, 2025 deadline for paying my July 1, 2025 - June 30, 2026 tax bill?

- You may pay the tax due on your property's entire assessment, and if your assessment appeal reduces the assessed value of your property, your tax overpayment will be credited to your account and will offset any subsequent tax or sewer service obligation billed on your property. You will be credited with interest on the overpayment at the rate of 1% per year (beginning on the date which New Castle County received your tax payment).
- If you choose not to pay any of the tax due, you will be assessed a penalty of 6% of the charge, plus an additional 1% penalty on the first of every month thereafter. If your appeal is successful, the penalty associated with the amount of the reduction will be removed. However, you will have to pay the accrued penalty amount based on your property's revised assessed value.
- You may pay the tax due on the portion of your property's assessment that you do not dispute. If your appeal reduces the assessed value to that value, there will be no penalties and no credit. If you need assistance in determining the amount to pay associated with the undisputed value, please contact the Treasury Division at (302) 395-5340 or Treasury@newcastlede.gov.

37. What do I do if I have questions that are not answered by this FAQ?

Additional resources that you can consult include: the [BOAR Rules of Procedure](#), the [appeal forms](#) (located near the top of the BOAR's webpage), and the [County's Reassessment Project Information webpage](#). You also may call the Assessment Office at (302) 395-5520.