

Dear City of Salem Property Owner:

On March 14, 1996, the Salem City Council voted to accept the provisions of MGL c. 59, §57D requiring an affidavit of address (mailing address) from all property owners excepting those subject to MGL c. 183A (relating to condominiums) within the City of Salem. Please complete the following affidavit and return to the **Assessor's Office, 93 Washington Street, Salem, MA 01970** within 30 days, as required by law. Information provided by taxpayers pursuant to this section shall not be a public record and shall be used by the City only for the mailing of legal notices or to contact property owners for other municipal purposes. In no event shall any information provided pursuant to this section be sold, distributed or copied to any individual or organization in any form. If you have any questions, please call (978) 619-5638. Business hours are: 8:00 a.m. - 4:00 p.m., Mondays, Tuesdays and Wednesdays; 8:00 a.m. - 7:00 p.m. on Thursdays and 8:00 a.m. - 12:00 p.m. on Fridays. Thank you.

CITY OF SALEM

AFFIDAVIT PURSUANT TO
MASS. GENERAL LAWS, CHAPTER 59, SECTION 57D

TO: City of Salem Board of Assessors

RE: _____
(Address of Assessed Property)

The record title owner(s) of the above-referenced assessed property submit this Affidavit, under the pains and penalties of perjury, with the following information:

1. Name of record owner(s) of above-referenced assessed property: _____
2. Complete address of record owner(s) (**NOT POST OFFICE BOX**)

No.	Street	City/Town	State	Zip
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3. Mailing address of record owner(s), if different from street address provided above:

No.	Street	City/Town	State	Zip
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4. If residence of record owner(s), is located outside the Commonwealth of Massachusetts the following Massachusetts resident is appointed as resident agent:

Name: _____ Telephone No. () _____ or () _____

Address: _____

No.	Street	City/Town	State	Zip
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I/We, the record owner(s) of the above referenced assessed property understand the following:

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| A Post Office address of record owner(s) and/or resident agent shall not be given or accepted in compliance with c. 59, §57D. | E Said section (MGL c. 59, §57D) was accepted by Vote of the City Council of the City of Salem on March 14, 1996. |
| B Any change of address of record owner(s) or resident agent requires a new affidavit to be filed immediately with the Board of Assessors. | F If the record owner is a trust, the full name of the trust, date of the Trust, name(s) of the trustees and street address (NOT PO BOX) of trustees shall be set forth in this affidavit in Paragraph 1 & 2 above. |
| C Failure to comply with said section shall result in a fine as provided in said section. | G This affidavit shall be signed by the record owner(s) under the pains and penalties of perjury in accordance with MGL c. 268A, §1A. |
| D A copy of MGL c. 59, §57D is available for inspection in the Office of the Board of Assessors. | H This affidavit shall be mailed to or filed with the Board of Assessors of the City of Salem forthwith. |

This affidavit is signed under the pains and penalties of perjury this _____ day of _____, 20__

Record Owner

Record Owner

Telephone number of record owner(s): **OPTIONAL/NOT REQUIRED** Home () _____ Cell () _____

WHAT IS THE BENEFIT OF AN AFFIDAVIT OF ADDRESS?

Any legal notice mailed to the address listed in the affidavit, whether the address of the owner of record or his agent, shall be presumed to be good and sufficient service for the purpose of instituting any legal action relating to the property. Having the Affidavit of Address on file will help our Building and Health Department inspectors and public safety officials in those cases where owners and property managers disclaim responsibility for code and other ordinance violations.

WHAT IF AN OWNER FAILS TO FILE AN AFFIDAVIT OF ADDRESS?

If an owner fails to comply with Section 57D, the municipality would then notify the owner of that noncompliance. The owner shall have an additional 30 days from the date of service of the notice of noncompliance within which to file an affidavit or otherwise comply with the requirements of Section 57D. If an owner failed to file the affidavit within this additional 30-day period then the municipality may impose a fine of \$100.00 per preliminary tax bill on the owner. If an owner fails to pay any fine imposed under Section 57D, the municipality would then collect the fine as part of the outstanding real estate taxes.

For good cause shown, a municipality may abate any part or all of a fine that was imposed under this section, if the Affidavit of Address is filed with the municipality.

QUESTIONS?

Please feel free to call the City's Legal Department at 978 619 5638.

WHAT MUST AN AFFIDAVIT OF ADDRESS INCLUDE & WHO IS EXEMPTED FROM FILING AN AFFIDAVIT OF ADDRESS?

Section 57D provides that a: "notice of preliminary, estimated or actual tax for real estate and personal property shall include an affidavit of address, to be signed and sworn to by the owner of record of such property." The affidavit shall include the following information:

1. Name of the owner; and
2. Street number, street name, city or town, state and zip code.

The City has also requested telephone contact information in order to have an easy way to reach out if questions arise. The requirement that owner occupiers of property within the Commonwealth provide telephone contact numbers, however, is optional and only those who reside out of state are mandated by statute to include a telephone number.

Affidavits of Address are not required from:

1. A property owner for any parcel that was granted a residential exemption under Chapter 59, Section 5C for the previous fiscal year ; or
2. Owners of parcels subject to chapter 183A (condominiums).

WHAT IF THE OWNER OF RECORD RESIDES OUTSIDE THE COMMONWEALTH?

The use of Affidavits of Address are especially helpful if the owner of record of a parcel resides outside the Commonwealth. Section 57D requires that if an owner of record resides outside the Commonwealth, then the owner must appoint an agent located within the Commonwealth. In such instances the Affidavit of Address must include:

1. The agent's full name;
2. The agent's street number, street address, city or town, zip code; and
3. The agent's telephone number

Neither the owner of record nor the agent can list a post office box as their address.

WHAT IF THE OWNER OF RECORD'S INFORMATION CHANGES?

Section 57D also provides that if there is any change in the information provided on the affidavit for the owner of record or the agent, the owner shall immediately notify the local board of assessors by mailing a new affidavit. A change in phone number will not require a new affidavit.

IS THE INFORMATION PROVIDED ON AN AFFIDAVIT OF ADDRESS A PUBLIC RECORD?

Information provided by a taxpayer pursuant to an Affidavit of Address is not a public record and shall be used by the municipality for either the mailing of legal notices or to contact property owners for other municipal purposes. In no event shall any information provided pursuant to an Affidavit of Address be sold, distributed or copied to any individual or organization in any form.