New Castle County Property Reassessment and Tax Billing
Frequently Asked Questions
Updated November 14, 2025

On August 12, 2025, the Delaware General Assembly passed legislation impacting New Castle County school and property taxes for the 2025-2026 tax year. Specifically, the local school districts were permitted to reset the tax rates they first set in July 2025 and "split" them into different residential and non-residential rates. Legislation passed at the August session also provided the County with the ability to create payment plans, extend tax deadlines, and issue refunds for overpayments.

A lawsuit put tax billing on hold temporarily, but things changed extensively during the week of November 10 as New Castle County received a final determination from the Delaware Supreme Court allowing the County to reissue school and property tax bills based on the school districts' use of "split" rates. Additionally, the Delaware General Assembly approved legislation to extend the school and property tax payment deadline for all New Castle County taxpayers to December 31, 2025.

As a result of these changes, New Castle County is issuing revised tax bills and extending the deadline to pay school and property taxes to **December 31, 2025**, pending the Governor's signature of Senate Bill 206.

Please see below for information regarding the next steps:

1. **When are my taxes due?**
   - As soon as the Governor signs Senate Bill 206, school and property taxes will now be due on December 31, 2025.

2. **When will I receive my revised tax bill?**
   - Now that the Delaware Supreme Court has issued a final determination in a case that challenged the school districts' ability to use different tax rates for residential and non-residential properties, New Castle County is able to reissue school and property tax bills accounting for that distinction. Revised bills will be mailed to property owners and mortgage companies beginning November 18-20, 2025. Please note: this is the date bills are mailed, not the date they will arrive in your mailbox. Revised tax amounts due will be available for view in Parcel Search (using the "View Tax and Sewer Bills" link at the top of each parcel's entry) by November 20, 2025.

3. **My mortgage company pays my school and property taxes. Do they know a new tax bill is coming?**
   - New Castle County has been in constant communication with mortgage companies since the General Assembly offered school districts the option of using different tax rates this tax year for residential and non-residential properties, and these companies are aware the County will be issuing revised school and property tax bills on November 18-20, 2025. The mortgage companies are also aware of the new December 31, 2025 due date for school and property tax payments. A mortgage company typically takes three weeks to pay a property owner's tax bill after receiving it. Questions on how a property owner's mortgage company may handle payments and escrow for each particular property is best directed to the mortgage company itself.

4. **Do taxpayers need to do anything to receive a new tax bill?**
   - No. A revised tax bill will be issued and mailed to all parcel owners once the bills have been generated and are available.
     i. The second bill will only reflect the amount of the adjustment created due to the new split school tax rate.
     ii. All allowable exemptions have already been calculated as part of the initial tax billing in July.
   - Please monitor your mail for correspondence from the County, as tax bills will <u>begin</u> to be sent between November 18-20, 2025.

5. **What do I do if I already paid my County school and property tax bill?**
   - The amount you previously paid will be credited against the second bill.
     i. If you have a credit, the amount will be posted to your account.
     ii. You may request a refund if the credit balance is $50 or more.
     iii. A link to request a refund will be available once revised bills are posted on Parcel Search. Please note that refunds are issued to the original payee.
     iv. **If your mortgage company pays your school and property taxes and is owed a refund**, we will refund the mortgage company directly. You do not need to request a refund if your mortgage company pays your taxes for you, as the County will be working directly with the mortgage companies to refund your previous overpayment.
     v. **In addition, if you pay your school and property taxes directly to New Castle County and are owed a refund**, you may request a refund if the balance of your previous overpayment is over $50. In the alternative, you may have your credit offset against your 2026 sewer bill. There will be a refund form available on the website to provide you with these options. If you choose not to request a refund or have your credit applied to your 2026 sewer bill, your previous overpayment will remain as a credit on your County account and offset future tax bills.

6. **I haven't paid my initial tax bill yet. What do I do?**
   - Your current tax obligation is the combination of both the initial July tax billing and the forthcoming revised November tax billing. Both bills should be read in conjunction with one another to determine your full tax obligation. Any balance outstanding from the first bill will carry over to the second bill, reflecting the total amount due.

7. **How can taxpayers learn more about payment plan options?**
   - New Castle County is committed to helping as many residents as possible. A link to request a payment plan will be available once revised bills are posted. Any residential taxpayer may enter into a payment plan for taxes due for their primary residence, and when the plan is completed as arranged will have all late penalties waived for the 2025-2026 annual tax bill.

8. **Who qualifies for the payment plan due to economic hardship following the reassessment?**
   - Owners of residential property who occupy the home. A taxpayer who is in good standing with New Castle County (i.e., they are not delinquent on any other payment(s) owed to the County) that experienced an increase in residential property tax liability of no less than $50 when compared to the amount invoiced by the County in the prior tax year may qualify for a written installment payment plan. In addition, per state legislation passed in

August 2025, a residential property taxpayer may enter into a payment arrangement for school taxes if their school tax liability increased by $300 or more compared to the prior tax year's school tax bill.

9. **Are there any late fees or penalties to the payment plan?**
   - No late fees, interest, or penalties may be assessed against a residential taxpayer who enters into and complies with a school tax payment plan. Recent state legislation also reduces late payment penalties for school taxes in New Castle County to 1% per month.

10. **I think my property was classified for tax purposes incorrectly. How can I change this?**
    - New Castle County classifies all properties as residential or non-residential for tax billing purposes. Within each of these classifications, properties can be classified as residential, farmland, except residential and exempt farmland if residential. Properties can be classified as apartment, commercial, exempt commercial, industrial or utility if non-residential. If you believe your property has been classified incorrectly, there are two ways to formally request a classification change:
      i. A property owner can complete this form and return by email to TaxClassificationChallenge@newcastlede.gov; or
      ii. A property owner can email TaxClassificationChallenge@newcastlede.gov with the property's parcel number or postal address, the reason why the challenged classification is factually erroneous, and a requested remedy. A certified assessor will review the information and provide a response within 60 days.

11. **Are appeals officially closed to challenge assessments? Is there a possibility they will reopen?**
    - The appeal window to challenge a property's assessment for the 2025-2026 tax year is closed.
    - The next opportunity to file a formal appeal challenging a property's assessed value will be after January 1, 2026, and the deadline to file will be March 14, 2026.
    - But, if any taxpayer (residential or non-residential) believes that their property's tax classification is incorrect due to a factual error regarding the physical characteristics of the taxpayer's property (such as square footage, number of bedrooms, condition, etc.), they may seek a correction to that error by contacting the County's Assessment Office at assessment@newcastlede.gov or 302-395-5520 regardless of whether that taxpayer previously filed a timely appeal for the 2025-2026 tax year.

12. **Shouldn't we just revert back to prior assessed values (which were effective as of July 1, 1983) since this assessment is so inaccurate?**
    - Returning to calculate taxes on 1983 assessed values in New Castle County would repeat the unconstitutional actions that prompted all three of Delaware's counties to reassess property in the first place. In addition to violating the Court of Chancery's *In re Delaware Public Schools Litigation* decision and the subsequent resolutions reached between the County and the plaintiffs in that case, returning to 1983 values would likely cause valuation disparities and violate the Uniformity Clause of the Delaware Constitution. It would also conflict with several

sections of Titles 9 and 14 of the Delaware Code. Operationally, it would destabilize the County's and the local school districts' budgets and operations.

- Delaware law aims to correct errors in assessed value, offering multiple avenues for taxpayers to contest valuations and classifications. Taxpayers were offered to participate in an informal appeal process in November and December 2024 (administered by the County's third-party reassessment vendor) and can utilize the statutory assessment appeal process (which includes the right to appeal a decision to the Delaware Superior Court). Taxpayers can also request corrections or challenge classifications through available administrative remedies.
- Reverting to 1983 values is legally unsupportable and ignores the substantial administrative remedies available to address property owners' concerns about assessed values or tax liabilities.

ASSESSMENT APPEALS

1. **I did not file an appeal form before the March 2025 deadline. Can I still appeal my property's assessed value for the 2025-2026 tax bill?**
   - No. If you did not file an appeal with the New Castle County Board of Assessment Review ("BOAR") by March 31, 2025, you may not challenge your property's assessment for this year's annual tax bill. You may file an appeal of the property's assessment in future years by submitting the appropriate appeal form to the County by March 14th of each year. (The County made a one-time extension of the usual March 14th deadline until March 31st for the 2025-2026 tax year. Please do not consider March 31st as the assessment appeal deadline for future years.)
   - Further, as discussed above at the previous section's Question 10, if you believe that New Castle County has incorrectly classified your property for tax purposes (i.e., it is classified as residential but should be classified as non-residential, or vice-versa), the County has a process available to formally challenge your property's classification. Please email TaxClassificationChallenge@newcastlede.gov for more information, or visit New Castle County's website (including the separate webpages for the Assessment and Treasury Divisions).

2. **What happens after an appeal is filed?**
   - The New Castle County Assessment Office will analyze the information submitted on your appeal form and then contact you regarding three possible paths:
     - **i.** **If the Assessment Office believes that the County's assessed value for your parcel is incorrect**: The Assessment Office 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 the Assessment Office and you would sign a stipulation for that new, decreased value, and your appeal would be considered closed.
     - **ii.** **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 information or documents. You must include with your appeal form competent evidence of substantial overvaluation of your parcel's assessed value.
     - **iii.** **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.

3. **Who can represent the property owner at an assessment appeal hearing?**
   - The people who may represent the owner at an appeal hearing are:
     i. If the owner is an individual, the owner; or
     ii. If the owner is a business entity (e.g., a corporation or partnership), an employee of that entity; or
     iii. 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:

1. **What is an appeal "referee"?**
   - Delaware law authorizes New Castle County to appoint individual referees to hear property assessment appeals. To process the anticipated volume of filed appeals, independent referees have been 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.

2. **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.

3. **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 not to 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. While you do not need to attend the referee hearing, please be aware that an Assessment Office representative may appear at the hearing to provide evidence, including expert testimony, on the County's behalf.

4. **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. 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.

5. **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).

6. **What happens after the referee hearing?**
   - You will receive the referee's written recommendation to the BOAR by mail or email and you will be provided with the date and time when the BOAR will consider the recommendation and decide your appeal. In some cases, where the referee issues a written decision recommending a reduction to the current assessed value to either (i) the appellant's requested value or (ii) a value that is lower than the current assessed value but higher than the appellant's request, the Assessment Office may offer a stipulation in an amount equal to the assessed value recommended in the referee's written decision. In those cases, if the appellant agrees to enter into the stipulation with the County, the appeal will be closed and it will not proceed to a hearing before the BOAR for further consideration.

7. **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 <u>will not consider any further evidence or testimony from you or the Assessment Office at that hearing</u>. 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.

8. **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):

1. **Why would my appeal be heard by the full BOAR rather than by a referee first?**
   - The Assessment Office anticipates scheduling all non-residential (i.e., commercial and industrial) appeals in a hearing before the full BOAR and not before an appeal referee using the procedures outlined above under the "APPEALS THAT PROCEED WITH A REFEREE HEARING" heading. This is because non-residential 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.

2. **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.

3. **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).

4. **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 it 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.

5. **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:

1. **How long will it take for my appeal to be heard?**
   - Over 5,200 appeals were filed by New Castle County property owners for the 2025-2026 tax year. Appeals are currently underway and actively being reviewed and scheduled. It will take several months for the BOAR to resolve all appeals.

2. **What if the appeal of my 2025 annual assessment isn't resolved by the December 31, 2025 deadline for paying my 2025-2026 tax bill?**
   - You may pay the tax due on your property's current assessment, and if your assessment appeal reduces the assessed value of your property, your tax overpayment may be refunded if the total overpayment (County and school taxes) is $50 or more. If the total overpayment is less than $50, New Castle County may elect to refund the overpayment or apply it as a credit to offset any subsequent tax or sewer service obligation billed to 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 school tax due by the deadline, you will be assessed a penalty of 1% 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.

   - 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.

3. **How do I know the results of my formal appeal?**
   - New Castle County is currently in the formal appeal process. If it is determined that your appeal is going to a hearing, hearing notices for formal appeals received by the County prior to the deadline will continue to be sent out over the coming months. You will be notified directly of the results afterwards.
   - Formal appeals may also result in the following:
     - The appeal is deemed deficient, and the appellant will receive a deficiency notice informing them what the deficiency is and a date by which they must remedy it.
     - The Assessment Office believes that the actual value is lower than the current assessed value and the appellant will be contacted with an offer to stipulate to that value. If the appellant agrees, the appeal is resolved by a signed stipulation. If the appellant does not agree, then a hearing is scheduled.

What do I do if I have questions that are not answered by this FAQ?
If you have additional questions that are not answered in this update, please call our Constituent Affairs Office at **(302) 395-5114** or call the specific school district if this is regarding the amount of your school taxes.

The contact information for each school district is below:

Appoquinimink School District, 302-376-4120
Brandywine School District, 302-793-5000
Christina School District, 302-552-2600
Colonial School District, 302-323-2700
New Castle County Vocational Technical School District, 302-995-8020
Polytech School District, 302-697-2170
Red Clay Consolidated School District, 302-552-3725
Smyrna School District, 302-653-8585