

1/3/24

Frequently Asked Questions about the National Register of Historic Places

1. What is the National Register of Historic Places?

Administered by the National Park Service, the National Register is the official Federal list of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, engineering, and culture. National Register properties have significance to the history of their community state, or the nation. Nominations for listing historic properties come from State Historic Preservation Officers, from Federal Preservation Officers for properties owned or controlled by the United States Government, and from Tribal Historic Preservation Officers for properties on Tribal lands. Private individuals and organizations, local governments, and American Indian tribes often initiate this process and prepare the necessary documentation. A professional review board in each state considers each property proposed for listing and makes a recommendation on its eligibility. The National Register program in Vermont is administered by the Vermont Division for Historic Preservation.

2. What are the results of listing?

In addition to honorific recognition, listing in the National Register has the following results for historic properties:

- Consideration in planning for Federal, Federally licensed, and Federally assisted projects: Section 106 of the National Historic Preservation Act of 1966 requires that Federal agencies allow the Advisory Council on Historic Preservation an opportunity to comment on all projects affecting historic properties either listed in or determined eligible for listing in the National Register. The Advisory Council oversees and ensures the consideration of historic properties in the Federal Planning process.
- Eligibility for certain tax provisions: Owners of properties listed in the National Register may be eligible for a 20% investment tax credit for the certified rehabilitation of income-producing certified historic structures such as commercial, industrial, or rental residential buildings. This credit can be combined with a straight-line depreciation period of 27.5 years for residential property and 31.5 years for nonresidential property for the depreciable basis of the rehabilitated building reduced by the amount of the tax credit claimed. Federal tax deductions are also available for charitable contributions for conservation purposes of partial interests in historically important land areas or structures.
- Qualification for Federal grants for historic preservation, when funds are available. Owners of private property listed in the National Register are free to maintain, manage, or dispose of their property as they choose provided that no Federal monies are involved.

3. How does the National Register of Historic Places protect my property?

Inclusion in the National Register of Historic Places is, first and foremost, an honorific designation that documents and celebrates the historic significance of your property. Listing provides a degree of protection from Federally assisted, licensed and/or permitted undertakings that might adversely affect a listed property or jeopardize the property's environment. Being listed does not, in and of itself, protect a historic property.

4. What are the restrictions, rules, and regulations for historic property owners?

From the Federal perspective (the National Register of Historic Places is part of the National Park Service), a property owner can do whatever they want with their property as long as there are no Federal monies attached to the property. Before this occurs, however, you should contact the Vermont Division for Historic Preservation (VDHP). The VDHP is the state agency that oversees historic preservation efforts in Vermont. There may be state or local preservation laws that you should be aware of before undertaking a project involving a historic property.

5. Can I modify, remodel, or renovate my historic house?

Yes. From the Federal perspective (the National Register of Historic Places is part of the National Park Service), a property owner can do whatever they want with their property as long as there are no Federal monies attached to the property. Before this occurs, however, you should contact the Vermont Division for Historic Preservation (VDHP). The VDHP is the state agency that oversees historic preservation efforts in Vermont. There may be state or local preservation laws that you should be aware of before undertaking a project involving a historic property.

6. Does National Register listing restrict the use of my property or place any legal restrictions on the property?

No. Listing in the National Register is not a regulatory action, and you are free to make alterations to your property with private funds. National Register listing only regulates the use of Federal funds that may affect the property and does not impose any legal requirements on the property owner.

7. How do I apply for grant money or tax credits?

The National Register of Historic Places itself does not have a grant program. However, Technical Preservation Services (a division of the National Park Service) has a Tax Incentive Program that may be of assistance to owners of historic properties. The website for the Tax Incentive Program is: <http://www.nps.gov/tps/tax-incentives.htm>.

Additionally, Vermont has tax credit and grant programs for owners of historic properties. The website for state grants and financial incentives is: <http://accd.vermont.gov/historic-preservation/funding/tax-credits>.

8. Must I open my property to the public if it is listed in the National Register?

No. There are no public visitation or access requirements associated with National Register listing.

9. Does National Register listing mean that the State or Federal Government wants to buy my property?

No. Inclusion in the National Register of Historic Places is, first and foremost, an honorific designation that documents and celebrates the historic significance of your property. Listing provides a degree of protection from Federally assisted, licensed and/or permitted undertakings that might adversely affect a listed property or jeopardize the property's environment.

10. What is a National Register Historic District?

A historic district possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development. A district can range in size from a small complex of farm buildings to a large downtown commercial area.

11. If there is a National Register Historic District in a town, are there restrictions on what the town can do with its local tax money?

No. As is the case with a private owner of a listed property, the National Register has no control over actions taken with local tax revenue or private funds.

12. Will listing in the National Register affect local property taxes, zoning, or the ability of local government to control these matters?

No. The National Register has no bearing on any of these strictly local concerns.

13. How do I get a plaque?

Many sites listed in the National Register arrange for a commemorative plaque. Neither the National Register of Historic Places nor the Vermont Division for Historic Preservation provide plaques as a result of listing; rather, it is up to individual property owners to order and install a plaque if they are interested in having one. For a list of companies that sell plaques, please visit: <https://www.nps.gov/subjects/nationalregister/faqs.htm>.

14. How do I get a copy of an existing National Register documentation form?

Electronic versions of all National Register documentation forms for properties in Vermont can be viewed in Vermont Division for Historic Preservation's Online Research Center (O.R.C.) The O.R.C. also contains

information about local history, the State Register of Historic Places, Project Review files and Vermont Archaeological Inventory files for every municipality in the state. Visit the O.R.C. at: www.orc.vermont.gov.

15. I want to list a property in the National Register. Where do I start?

Please contact the Vermont Division for Historic Preservation for guidance on how to start the nomination process. Most nominations take approximately eight to nine months from initial inquiry to formal listing in the National Register of Historic Places.

16. Are there insurance regulation implications of a house being listed in the National Register?

Listing in the National Register places neither restrictions nor requirements on a private property owner. You may do with the property as you wish, within the framework of local laws or ordinances. You are not required to maintain the property in any specific way; you may demolish the property without federal permission. Should the property be demolished through accident (fire, storm, or other cause), you are not required to have insurance that mandates “replications” of the historic property; in fact, this would be discouraged. A replacement copy of the historic house is not historic—it is merely a new house that looks like a historic house. The historic property should be treated like any other house for insurance purposes.

We have also directed property owners to contact their state’s insurance commissioners for any policy or position paper regarding insuring National Register-listed properties. We have seen nothing from any state insurance commission that indicates refusal to underwrite properties listed in the National Register.

For more information, please contact:

Devin Colman, State Architectural Historian
802-585-8246 or devin.colman@vermont.gov

Vermont Division for Historic Preservation website:
<http://accd.vermont.gov/historic-preservation>

National Park Service website:
<https://www.nps.gov/subjects/nationalregister/index.htm>