

COMMERCIAL PROPERTY INSTRUCTIONS

Petition Filing Instructions and Board of Equalization Requirements

FOR A SUCCESSFUL APPEAL

Please thoroughly read all information provided, particularly in the section 'Evidence'.

REASONS NOT CONSIDERED:

- Assessment comparisons of other property
- Percentage of value increases
- Personal hardship
- Amount of tax
- Other matters not directly related to the market value; i.e., legal disputes or administrative decisions by other agencies, etc.

What is the Board of Equalization?

The Board of Equalization is an independent body organized to hear appeals of various determinations made by the Assessor. It is comprised of five citizen members appointed by the County Executive and approved by the Pierce County Council. The board is independent of the Assessor's office. **Our goal is to provide an impartial hearing that protects each party's due process rights and results in a fair decision.**

FORMS: The Pierce County Board of Equalization accepts only Department of Revenue approved petition forms. Letters or other forms of appeal will not be accepted. **Please be sure you are completing the correct form for the type of property you're contesting. The property type (Real or Personal) is located on the Notice of Value Change, or other notice received from the Assessor. If your appeal is not for Real property, please call the Board office for Personal Property or Senior/Disabled Exemption petitions.** Please **do not** distort **any** part of the form from its original format by using a smaller font; or any other alteration that would change the format.

ASSESSMENT YEAR: The **assessment year (stated on the green Value Change Notice, letter or other type notice)** begins January 1. Assessments are generally based on sales or data **PRIOR** to that date. (Example: January 1, 2019 assessment data is based on up to five years prior sales data (WAC 458-07-015) and sales occurring in the current assessment year. Taxpayer is then assessed in 2019 (green card or other notice), and billed in 2020 for taxes payable in 2020).

New construction/remodels will be valued as of July 31st of the assessment year.

Evidence

The issue before the Board is the *market value* of your property. **The Board will not do research to support an appeal.** You need to furnish evidence that demonstrates the Assessor's valuation exceeds or diminishes your property's fair market value. State law requires the Assessor to value all taxable property at 100 percent of its true and fair market value, according to its highest and best use.

Methods of Valuation: Commercial/Industrial and/or apartment buildings and condos can be assessed by using one or more of the following approaches to value.

Income Approach – This is requested (see section 4 of petition) to be provided with all petitions and must be supported with data such as:

Two years of income and expense statements of sufficient detail to enable separation of expenses by category, including expenses paid by tenants. Include lease/rental agreements or a tenant roster. Must include a spread sheet for the past two years indicating for each tenant, square foot rented, base rental amount, percentage rents and corresponding sales reports by tenants, date lease began, renewal dates and tenant contribution to expenses. Conditions which may cause the subject to be a typical should be identified.

If using the income approach, please mark the front page of the documents provided "Confidential".

Cost Approach - The generally accepted form is derived from the Marshal-Swift Manual. Documented actual construction costs may be considered.

Market Approach – Provide comparable market sales of similar properties. Sales not within the year prior to the January 1 assessment date must be trended to the Assessment year. (Refer to **Assessment Year** in previous paragraph).

Successful forms of evidence may include: comparable sales from the correct year; contractor estimates of costs to repair building or land defects; letters or documents describing easements that impact value; independent appraisals; photographs of feature and conditions that you believe diminish your properties market value; and maps showing proximity to high traffic areas, access limitations, etc.

WAC 458-07-030 True and fair value -- Defined -- Criteria -- Highest and best use -- Data from property owner. (1) **True and fair value -- Defined.** All property must be valued and assessed at one hundred percent of true and fair value unless otherwise provided by law. "True and fair value" means market value and is the amount of money a buyer of property willing but not obligated to buy would pay a seller of property willing but not obligated to sell, taking into consideration all uses to which the property is adapted and might in reason be applied.

(2) **True and fair value--Criteria.** In determining true and fair value, the assessor may use the sales (market data) approach, the cost approach, or the income approach, or a combination of the three approaches to value. The provisions of (b) and (c) of this subsection, the cost and income approaches, respectively, shall be the dominant factors considered in determining true and fair value in cases of property of a complex nature, or property being used under terms of a franchise granted by a public agency, or property being operated as a public utility, or property not having a record of sale within five years and not having a significant number of sales of comparable property in the general area. When the cost or income approach is used, the assessor shall provide the property owner, upon request, with the factors used in arriving at the value determined, subject to any lawful restrictions on the disclosure of confidential or privileged tax information.

WAC 458-14-066 (4) Providing Additional Information. A taxpayer who lists comparable sales on the petition, or who provides the Board with comparable sales or valuation evidence after filing the petition must not thereafter change or add other comparable sales, valuation evidence, or other documentary evidence without mailing or submitting the evidence to the Board at least **twenty-one** business days, excluding legal holidays, prior to the Board hearing.

Presumption of Correctness

When gathering evidence and formulating your arguments, it is important to keep in mind that, by law, the Assessor is presumed to be correct. The burden of proof is on you to show that the Assessor's determination is incorrect. Evidence must be "clear, cogent and convincing".

Section 4 of the Taxpayer Petition has limited space for comments. Additional paper with documentary information may be attached to the form. **DO NOT submit any document larger than 8 1/2" x 14"** (document meaning, paper of any sort, including maps and photos). **DO NOT submit photos with notations written on the back.** If notations are needed, tape the photos to 8 1/2"x 11" or 8 1/2" x 14" sheets of paper and make notations on the paper.

FILING DEADLINES: The deadline for filing an appeal is July 1 or sixty (60) days after the mailing of the notice of value change. If filing after the deadline, it is required to include a copy of the notice you received from the Assessor for a valuation change or other determination to verify the postmark date.

ACCURACY CHECKS: Double check the tax parcel number you enter on the petition. Be sure it contains 10 digits and that it is the correct parcel for the address/location you are appealing.

MULTIPLE APPEALS: Only 1 parcel number is allowed on a petition. If you have other parcels you wish to appeal, you must submit each of them on a separate petition.

POWER OF ATTORNEY: If you are not the owner but have been authorized to file a petition, the owner must either sign the POWER OF ATTORNEY area, or sign a letter of authorization that states the property name and/or parcel number, states the company or name of the authorized party, states for which year the party is authorized to petition and it must be dated.

FILING AN APPEAL PETITION: The petition and all supporting documents **must** be filed single sided at the Pierce County Board of Equalization. You may download the petition at www.co.pierce.wa.us/boe or obtain a hard copy at the address listed below. **DO NOT** mail or hand-deliver any information to the Assessor unless instructed to do so.

OFFICE HOURS: The office of the Pierce County Board of Equalization is open weekdays, 8:30AM – 12:00 PM and 1:00 PM – 4:30 PM.

HELPFUL CONTACTS:

A. Pierce County Assessor's office: www.co.pierce.wa.us/atr or 253-798-6111)

B. Board of Equalization www.co.pierce.wa.us/boe or 253-798-7415).

BOARD OF EQUALIZATION
2401 S 35TH ST #176
TACOMA WA 98409

(May 17, 2019)

Office Use Only
RW # _____

Do not staple in Office Use Only area

TAXPAYER PETITION TO THE PIERCE COUNTY BOARD OF EQUALIZATION FOR REVIEW OF REAL PROPERTY VALUATION DETERMINATION

This petition must be filed or postmarked by July 1 of the current assessment year or 60 days after the date of mailing of the change of value or other determination notice. A copy of the Assessor's determination notice must be attached to this petition.

The undersigned petitions the Board of Equalization to change the valuation of the property described below as shown on the Assessment Roll * **2019** for taxes payable in * **2020** to the amount shown in Item No. 3(b) on this form.

PLEASE COMPLETE ALL ITEMS

1.	*Parcel #: _____ Parcel Address: _____
2.	*Owner: <u>(Print)</u> _____
	*Mailing Address for All Correspondence Relating to Appeal: <u>(Print)</u>
	Street Address: _____
	City, State, Zip Code: _____
	May we contact you by email? <input type="checkbox"/> Yes <input type="checkbox"/> No E-mail address: _____
	Daytime Phone No: _____ Fax No: _____
	*Name of Petitioner or Authorized Agent: <u>(Print)</u> _____

3.	* (a) Assessor's determination of true and fair value:	* (b) Your estimate of true and fair value:
	Land..... \$ _____	Land \$ _____
	Improvement/Bldgs. \$ _____	Improvement/Bldgs..... \$ _____
	TOTAL \$ _____	TOTAL \$ _____
	Date the Assessor's "Change of Value Notice" or other determination notice was mailed: _____	
	I request the information the assessor used in valuing my property. <input type="checkbox"/> Yes <input type="checkbox"/> No	
	Assessment information can be found at http://www.piercecountywa.org/appeals or by calling 253.798.6111	

4.	*Specific reasons why you believe the assessor's value does not reflect the true and fair market value.

	Use additional paper to complete section 4, when necessary.
	<small>NOTE: Under Washington law, you must prove that the assessor's value is not the true and fair market value (RCW 84.40.0301). Assessments of other properties, the percentage of assessment increase, personal hardship, the amount of tax, and other matters unrelated to the market value may not be relevant or sufficient evidence to prove market value. If this petition concerns income property, please attach a statement of income and expenses for the past two years and copies of leases or rental agreements.</small>

5.	Power of Attorney: If power of attorney has been given, the taxpayer must so indicate by signing the statement below or attaching a signed power of attorney.
	The authorized agent (named in section 2) has full authority to act on my behalf on all matter pertaining to this appeal.
	Signature of Petitioner (Taxpayer) _____

I hereby certify I have read this Petition and that it is true and correct to the best of my knowledge.

*Signed this ____ day of _____, _____ (year).

6. The property which is the subject of this petition is (check all which apply):

- | | |
|--|---|
| <input type="checkbox"/> Farm/Agricultural Land | <input type="checkbox"/> Residential Building |
| <input type="checkbox"/> Residential Land | <input type="checkbox"/> Commercial Building |
| <input type="checkbox"/> Commercial Land | <input type="checkbox"/> Industrial Building |
| <input type="checkbox"/> Industrial Land | <input type="checkbox"/> Mobile Home |
| <input type="checkbox"/> Designated Forest Land | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Open Space/Current Use Land | |

7. General description of property:

- a. Address/location: _____
- b. Lot size (acres): _____
- c. Zoning or permitted use: _____
- d. Description of building: _____
- e. View? Yes No
- f. Waterfront? Yes No

8. Purchase price of property: _____ (If purchased within last 5 years)

Date of purchase: _____

9. Remodeled or improved since purchase? Yes No Cost \$ _____

10. Has the property been appraised by other than the County Assessor? Yes No

If yes, what date (please submit copy): _____ By whom? _____

Appraised value: \$ _____ Purpose of appraisal: _____

Please complete all of the above items (if applicable). Information in boxes 1 – 5 must be provided to be considered a complete petition.

You may submit **additional** information, either with this Petition or twenty-one business days prior to the hearing, to support your claim. The area below may be used for this purpose.

11. Check the following statements that apply.

- I intend to submit **additional** documentary evidence to the Board of Equalization and the assessor **no later** than twenty-one business days prior to my scheduled hearing.
- My petition is complete. I have provided all the documentary evidence that I intend to submit and I request a hearing before the Board of Equalization as soon as possible.
- I DO NOT** want to appear for the hearing. **I WANT** to appear for the hearing.

DOCUMENTARY EVIDENCE WORKSHEET

Most recent sales of comparable property (within the past 5 years):

	Parcel No.	Address	Residential Sq. Ft.	Land Size	Sale Price	Date of Sale
a.	_____	_____	_____	_____	_____	_____
b.	_____	_____	_____	_____	_____	_____
c.	_____	_____	_____	_____	_____	_____
d.	_____	_____	_____	_____	_____	_____

Information regarding sales of comparable properties may be obtained through personal research, local realtors, appraisers, or at the county assessor's office.

Submit Completed Petition To: Pierce County Board of Equalization, 2401 S. 35th St., Room 176, Tacoma, WA 98409

For tax assistance, visit <http://dor.wa.gov> or call (360) 534-1400. To inquire about the availability of this document in an alternate format for the visually impaired, please call (360) 705-6715. Teletype (TTY) users may call (360) 705-6718.

WORKSHEET FOR PIERCE COUNTY RESIDENTIAL APPEALS

COMPARABLE SALES ANALYSIS

Parcel and sale searches can be found on the Pierce County Assessor's website at www.co.pierce.wa.us/atr

Petitioner Name: _____

	SUBJECT PROPERTY	COMPARABLE #1	COMPARABLE #2	COMPARABLE #3
PARCEL #				
SITE ADDRESS				
SALES:				
SALE DATE				
SALE PRICE				
LAND:				
LOCATION: LEA				
TOTAL ACRES				
VIEW QUALITY				
WATERFRONT FRONT FEET				
UTILITIES: ELECTRIC, WATER, SEWER, SEPTIC				
BUILDING:				
YEAR BUILT				
ADJUSTED YEAR BUILT				
CONDITION				
QUALITY				
BEDROOMS				
BATHS				
RESIDENTIAL SQ. FT.				
BASEMENT FINISHED SF				
BASEMENT UNFINISHED SF				
ATTIC SQ. FT.				
GARAGE SQ. FT.				
OUT BUILDING SQ. FT.				

Note: Provide comparable sales that are most similar to your property and are arm's length transactions. The Board gives most weight to sales occurring closest to the January 1 assessment date.

INSTRUCTIONS FOR PETITION TO THE PIERCE COUNTY BOARD OF EQUALIZATION FOR REVIEW OF REAL PROPERTY VALUATION DETERMINATION

All information in boxes 1 -5 must be completed (if applicable). The petition must be signed and dated. Without this information, your petition for review **will not be considered completed.** All documents submitted must be single sided only. You must attach a copy of the value change notice with the petition.

1. Your account or parcel number appears on your determination notice, value change notice and tax statements. Please also list the address of the parcel. If you are appealing multiple parcels, you must submit a separate petition for each separate parcel.
2. Self-explanatory.
3. You may appeal the **assessed** value of the property. The assessed value is based on the true and fair value of the property. Part (a) is the value that is listed on your value change notice. Part (b) is your estimate of the true and fair value.

Appeal of Assessed Value

To successfully appeal the assessed value of the property, you must show by clear, cogent and convincing evidence the value established by the assessor is incorrect. In section 4, you must list the reasons why you believe the assessed value is incorrect.

4. List the specific reasons for the appeal. Statements that simply indicate the assessor's valuation is too high or the amount of tax is excessive are not sufficient (WAC 458-14-156). The reasons must specifically indicate why you believe the assessed value does not represent the value of the property. Note any other issues you believe are relevant to the value of your property. If your appeal concerns a comparison of your assessment of other properties, the Board may determine if all the properties are assessed at their true and fair value. The Board is limited to determining the market value of the property. Therefore, any adjustment to the assessed value of your property or other properties must be based on evidence of the true and fair value of the property.
5. Indicate if you are acting under a written Power of Attorney. This section need not be completed if the agent is an attorney.

Sign and date the petition

6. – 10. Self-explanatory.
11. If you choose the box that you **DO NOT** want to appear for the hearing, the Board will conduct an Administrative Hearing. The Board will review the documentation submitted by you and the assessor and issue a written decision within 45 days of the Administrative Hearing date. If you choose that you **WANT TO APPEAR** for the hearing, you will be sent a written hearing notice with a scheduled date and time to appear before the Pierce County Board of Equalization. The Board will review the documents submitted and the testimony given at the hearing and issue a written decision within 45 days of the hearing date.

Additional information to support your estimate of value may be provided either with this petition or at least 21 business days prior to your scheduled hearing date (excluding weekends and holidays).

The petition must be filed or postmarked by July 1 of the current assessment year or 60 days after the date of the mailing of the change of value or other determination notice. **The signed petition and copy of the value change notice should be filed with:**

Pierce County Board of Equalization
2401 S. 35th St., #176
Tacoma, WA 98409
(253)798-7415

Hours: 8:00 am – 12:00 pm and 1:00 pm to 4:30 pm.