

**Lincoln County
Board of Equalization
PO Box 28
Davenport, WA 99122
509-215-1088**

PROCEDURES FOR FILING A PETITION

Prior to filing a petition for a hearing, it may be useful to check with the Assessor's office to have your property re-inspected. If you need assistance in completing the petition, the Assessor's Office has the information available and will assist you.

A petition for review shall be filed with the Board of Equalization Clerk by July 1st or within 30 days from the date the Change of Value notice was mailed.

The Board's role is to review the facts presented by both parties and determine the market value of the property on January 1st of the assessment year, which is the legal requirement for assessment decisions. To appeal a valuation to the County Board of Equalization, you must show the Assessor has erred in the appraisal. You must clearly show the assessed value does not reflect the market value. Your evidence should consist of:

- Sales of comparable property in your area.
- Any other items of evidence, including maps or photographs which support value.

The burden of proof is with you to provide convincing evidence that the set value is incorrect. A hearing is held for each petition before a non-partial Board, who have attended State training for the purpose of hearing the cases brought before them. You are given the opportunity to present your case and evidence; although all evidence must be received at least 21 working days before the hearing. The Board will also be presented with the evidence of the Assessor, and the Board is bound by State law to find in favor of the appraised value unless you provide clear and convincing evidence that your estimate of value is closer to market value than that of the Assessor. Any evidence presented at the hearing becomes a part of the record and cannot be returned. Bring copies to support your petition, not the originals. Assessment of other properties, percentage of assessment increase, personal hardship, amount of tax and other matters unrelated to the market value CANNOT be considered.

After all testimony and evidence has been presented, you will have the opportunity to make a final statement to the Board summarizing your case.

Because of the Board's time frame as regulated by law, notification of your hearing date and time is usually mailed 21 days in advance of your hearing date.

The Board's decision will be mailed to you, usually within two weeks.

Dale Vaughan
Clerk of the Board
509-215-1088

Appealing Your Property Assessment to the County Board of Equalization

JULY 2021

If you disagree with the assessor's valuation of your property, you have the right to appeal. This publication provides an overview of the board of equalization's property assessment appeal process.

Property valuation methods

State law requires assessors to value all taxable property at **100 percent of its true and fair market value in money** according to the highest and best use of the property. Market value is the amount of money that a willing and unobligated buyer is willing to pay a willing and unobligated seller.

The county assessor values real property using one or more acceptable appraisal methods:

- Market or sales comparison.
- Cost approach.
- Income capitalization approach for income producing property.
- Combination of the three approaches above.

Settling disagreements on property value

You can contact your county assessor's office to review your valuation whenever you have questions about your property value. Property owners can often settle disagreements at this level without continuing the appeal process. However, you still need to preserve your appeal rights by timely filing your appeal form with the *Board of Equalization*.

Assessor determines assessed value

The county assessor determines the assessed value of your property. A *Change of Value Notice* is sent to you when the assessed value of your property changes. The notice indicates the assessed value of your land and improvements. Real property must be reassessed on a yearly basis with physical inspections at least every six years.

Appraised vs. assessed value

Appraised value is the true and fair market value or the amount of money a buyer is willing to pay a seller for a property.

Assessed value is the value on which your property taxes are based. This amount may be less than the appraised value if you are receiving any type of exemption or reduction.





Filing an appeal

To file an appeal against an assessor's property valuation, you must complete a Taxpayer Petition for Review of *Property Valuation Determination* form in the county where the property is located. A letter or phone call will not be accepted as a substitute for the appeal form.

Only the taxpayer or entity whose name and address shows on the assessment roll, or their duly authorized agent, or the property owner may file an appeal.

Appeal forms

Appeal forms are available at:

- Department of Revenue's website dor.wa.gov.
- Local county board of equalization office where property is located.
- Local county assessor's office.

Filing deadline

The deadline for filing an appeal is the latter of:

- July 1 of the assessment year; or
- Within 30 days* of when the *Change of Value Notice* was issued by the assessor's office.

For example: The *Change of Value Notice* you received was postmarked July 20. The deadline for filing an appeal would be August 19.

If you mail your appeal form, it must be postmarked by midnight of the deadline. You may hand deliver the appeal form to your county board of equalization and have it date stamped.

* Certain counties extend the filing deadline to 60 days. Please check with your county board of equalization for your filing deadline.

Exception to filing deadline

Following are reasons why the filing deadline may be waived:

- Death or serious illness of the taxpayer or member of the taxpayer's immediate family.
- The taxpayer was absent from his or her home where the change of value notice is mailed.
- The taxpayer relied on incorrect written advise from a board member, board staff, assessor, assessor staff or property tax advisor.
- The loss or delay of the petition by the postal service.
- The taxpayer is a business, and the employee responsible for dealing with property taxes was unavailable due to an illness or unavoidable absence.
- Boards of equalization must waive the filing deadline when the assessor did not issue a revaluation notice and the assessment did not change compared to the prior assessment year.

The request to waive the filing deadline must be made within a reasonable amount of time of the deadline. The board's decision to waive the filing deadline is not appealable.

The following are reasons why the board may be reconvened:

- If you did not receive a change of value notice at least 15 days prior to the filing deadline, and you can show proof that the value was changed for the current assessment year.*

- The assessor submits an affidavit to the board stating that he or she was unaware of facts that were discoverable at the time of appraisal and the lack of that information impacted the assessment.*
- The property was purchased after July 1, but on or before December 31 of the assessment year and the sale price was less than 90% of the assessed value, and the sale was between a willing and unobligated buyer and seller (an arm's-length transaction).*
- You received a change of value notice for property that existed but was not included in your previous assessment (omitted property).**
- You may request the board to reconvene if all of the following conditions apply:
 - A timely appeal was pending before the board of equalization when the property was revalued for an intervening year and the assessed value did not change;
 - No appeal was filed for the intervening year; and
 - The reconvening request is filed within 30 days of the board of equalizations decision.
- The property was overvalued by at least 100 percent.***

*Appeal must be submitted by April 30 following the year being appealed.

**Appeal must be submitted within 3 years of the discovery of the omission.

***Appeal must be submitted within 3 years of the board's regular convened session.

Note: The county assessor is required to issue the *Change of Value Notice* to the taxpayer whose name and address appears on the assessment roll. The taxpayer is responsible for:

- Notifying the county assessor of any address change.
- Requesting copies of the notices from the assessor, mortgage or lending company.

Information required in appeal

An appeal form must include specific market reasons why you believe the assessor's valuation is incorrect. Statements that the assessor's valuation is too high or property taxes are excessive are not sufficient. You must be specific as to why the assessed value does not reflect market value.

Examples might include:

- Recent appraisal of your property.
- Excessive deterioration of your property.
- Sales of similar properties reflecting a lower value for your property.

Comparing the assessment, percentage of increase or other uniformity issue alone is not sufficient to win your case. You must provide market evidence demonstrating the comparison properties are valued at 100% true & fair market value, while your parcel is not valued at 100% true and fair market value.

Your appeal must include the following information:

- Parcel number of the property you are appealing.
- County assessor's determination of value.
- Your estimate of value.
- Comparable sales or other supporting evidence you wish to include.
- Indication if you intend to submit additional evidence prior to the hearing.

Information must be provided at least twenty-one business days prior to your hearing date with the board of equalization and assessor.

Listing comparable sales

You can get comparable sales information from records at the county assessor's office, realtors or title companies. You should use property sales that are most comparable to your property, and which sold closest to the assessment or appraisal of your property. The best sales comparisons are sales of your property or similar properties in your area or neighborhood. For each comparable sale you use, make sure to include the parcel or account number, property address, date of sale, sale price and comparable property characteristics.

Comparable characteristics to consider are:

Land

- Location (sales in the same subdivision or neighborhood).
- Unit of comparison (lot size, acreage, square feet and front feet).
- Desirable features such as a view or waterfront.
- Sewer/septic systems.
- Undesirable features such as an access problem.
- Wetlands.
- Water systems.
- Zoning.

Improvements

- Type of construction (wood frame, brick or other).
- Square footage of total finished living area.
- Year built.
- Number of stories.
- Improvement type and grade.
- Building condition.
- Number of bedrooms and bathrooms.
- Fireplace.
- Garage/carport.



Other supporting evidence

- A map showing the location of your property and comparable sales properties.
- Appraisals prepared by others.
- Documentation by others concerning problems.
- Written estimates of the cost to repair problems.
- Photographs.

True and fair value

The county board of equalization determines if all properties are assessed at their true and fair value. Equalization issues brought before the county board of equalization may result in changes in value of all properties involved.

Hearing process

The clerk of the board of equalization will notify you about the date, location and time of your scheduled hearing.

The hearing is an informal review that allows property owners to represent themselves without an attorney. Both you and the assessor will give oral testimony and written evidence to support the value. Both parties may rebut evidence provided to the board of equalization.

Keep in mind the assessor, by law, is presumed to be correct. The burden of proof is on you, the taxpayer, to show that the assessed value is not correct. You must present clear and convincing evidence to support your estimate of market value.

Board of Equalization decision

Boards of Equalization must issue a written decision within 45 days of the hearing.

Appealing the county board's decision

You may appeal the board of equalization's decision to the state Board of Tax Appeals (BTA). Your appeal must be filed with the BTA within 30 calendar days of the postmarked date of the board of equalization's decision. You may also pay your taxes under protest and petition the Superior Court for a refund by filing a lawsuit (Revised Code of Washington (RCW) Chapter 84.68).

Frequently Asked Questions

Q. If I don't file my appeal by the deadline, will the county board of equalization consider my appeal?

A. There are limited reasons the board would reconvene to consider an appeal if the appeal was not filed by the deadline.

For example: A new purchaser bought property after July 1 and before December 31 of the assessment year, and the sale price was less than 90 percent of the assessed value. The deadline for requesting the board to reconvene is April 30 following the assessment year. Or, in the event of 100 percent over valuation, a board may reconvene up to three years after their regular session. Contact your county board of equalization for more information.

Q. When should I pay my property taxes, before or after the hearing?

A. You should pay your property taxes when they are due. After your hearing, when the board of equalization has made their decision, the treasurer will notify you of any adjustment to your taxes.

Laws and rules

Revised Code of Washington (RCW)
Chapter 84.08 — General Powers and Duties of Department of Revenue

RCW Chapter 84.48 — Equalization of Assessments

WAC Chapter 458-14 — County Boards of Equalization

Need more information?

If you have questions about the appeal process or need help in completing the appeal form, contact the assessor or county board of equalization where your property is located.

For general information contact:

- **Department of Revenue,
Telephone Information Center
360-705-6705.**

**Visit our website at
dor.wa.gov**

For tax assistance or to request this document in an alternate format, visit dor.wa.gov or call 360-705-6705. Teletype (TTY) users may use the Washington Relay Service by calling 711.



Homeowner's Guide to Property Tax

JUNE 2021

In Washington State, all real and personal property is subject to tax unless specifically exempted by law.

Property tax was the first tax levied in the state of Washington. Today, property tax accounts for about 30 percent of total state and local taxes. It continues to be the most important revenue source for public schools, fire protection, libraries, and parks and recreation.

The information contained in this publication is current at the time of production. However, state tax laws, their interpretation, and their application can change because of legislative action, reviews, or court decisions. This publication will not reflect these changes.

Property values

State law requires that assessors appraise property at 100 percent of its true and fair market value in money, according to the highest and best use of the property. Fair market value, or true value, is the amount of money that a willing and unobligated buyer is willing to pay a willing and unobligated seller.

Real property

Real property includes land, improvements to land, structures, and certain equipment affixed to structures. Characteristics of real property that influence the value include but are not limited to zoning, location, view, geographic features, easements, covenants, and the condition of surrounding properties.

The assessor values real property using one or more of the following appraisal methods:

- Market or sales comparison approach to value is determined, or estimated, based on multiple sales of similar properties. Most residential property is valued using this method.
- Cost approach to value is determined based on the cost of replacing an existing structure with a similar one that serves the same purpose. This method is commonly used to value new construction.
- Income approach to value is determined based on the income producing potential of the property. This method is used primarily to value business property.

Personal property

The primary characteristic of personal property is mobility. Personal property includes furnishings, machinery and equipment, fixtures, supplies, and tools.

Most personal property owned by individuals is specifically exempt. However, if these items are used in a business, personal property tax applies. For detailed information about personal property tax, please refer to the Personal Property Tax publication.

Changes to property values

All counties revalue properties each year and are required to do physical inspections at least once every six years.

If your appraised property value changes, you will receive a change of value notice that lists the old and new appraised value of land and improvements. By comparing the two values, you can determine if your appraised property value has increased or decreased.

The assessed value of your property may be less than the appraised value if you are receiving any type of property tax exemption or reduction.

Valuation notices are not tax bills. An increase in value does not necessarily mean that next year's property taxes will increase at a proportionate rate.



Property tax rates and limitations

Property tax rates are expressed in dollars per thousand dollars of assessed property value. Assessors set the levy rate based on the taxing district's budget request, the total assessed value of the taxing district, and any applicable levy limitations.

Property tax levy limitations restrict or limit increases to property tax rates. Two such limitations include the One-Percent Constitutional Limit and the Levy Limit.

The one-percent constitutional limit

Washington State's Constitution limits the regular (non-voted) combined property tax rate that applies to an individual's property to one percent of market value (\$10 per \$1,000). Voter approved special levies, such as special levies for schools, are in addition to this amount.

The levy limit

The Levy Limit applies to a taxing district's levy amount, and not to increases in the assessed value of individual properties. The limit is based on the population of the district as well as the district's need to increase revenue. The law restricts taxing districts from levying, in any year, more than a one-percent increase in its regular, non-voted levy over the highest amount that could have been levied since 1985.

A taxing district with a population below 10,000 must adopt a resolution/ordinance to be able to increase its levy up to the one-percent limit.

Taxing districts with a population of 10,000 or more are limited to the lesser of one percent or the rate of inflation with the adoption of a resolution/ordinance. If the rate of inflation is less than one percent, the district could increase its levy

up to the one percent limit if it can show substantial need for additional funds and its governing board passes a second resolution/ordinance.

Because the Levy Limit does not include new construction, annexations, and voter approved excess levies, a taxing district's actual revenue increase may be greater than one percent.

Appeal of true and fair market value

If you do not agree with the assessed value of your property, you are encouraged to contact your local county assessor's office. You can find a full list here: dor.wa.gov/CountyContacts

Disagreements of property values are often settled at this level. You may request copies of the comparable sales information the assessor used to value your property.

If you are unable to reach an agreement, you may file an appeal with the county board of equalization (BOE) in the county where the property is located. Appeal forms are available at the assessor's office, BOE office or dor.wa.gov/content/getaformorpublication/formbysubject/forms_prop.aspx#Appeals

The completed petition must be filed with the BOE by July 1 of the assessment year you are appealing or within 30 days of the date the change of value notice was mailed, whichever date is later. Some counties have extended the filing deadline up to 60 days. Please check with the Board of Equalization in the county where the property is located to determine your filing deadline.

You must provide market evidence that the assessed value does not reflect true and fair market value.

If you or the assessor disagrees with the BOE determination, their decision can be appealed to the State Board of Tax Appeals (BTA). If the appeal at the BTA is a "formal" appeal compared to an "informal" appeal, the decision made by the BTA can be appealed in Superior Court.

Information needed to appeal

The appeal form must include specific reasons why you believe the assessor's valuation is incorrect. Examples may include an appraisal of your property as of the assessment date in question, excessive deterioration of your property or sales of similar properties reflecting a lower value for your property. Statements that the assessor's valuation is too high or property taxes are excessive are not sufficient reasons.

For a successful appeal, you must provide market evidence that clearly shows the assessor's valuation is incorrect. This evidence may include information on sales of comparable properties in your area or documentation about conditions of the property that the assessor may not have known. For example, the land is not suitable for a septic system or is not suitable for a building site.

If you have any questions about appeal procedures, please contact your local BOE or the assessor's office. The telephone numbers are listed in the county government section of the telephone directory.



Property tax rates vary

Many factors determine property tax rates, the amount of property tax due on comparable properties will vary throughout a county. The three main factors that determine the tax rate include:

- various combinations of taxing districts in different areas of the county
- budget amounts for each taxing district, and
- voter-approved special levies and bonds.

Calculating your taxes

If you know the assessed value of your property and the tax levy rate, you can calculate the amount of tax. For example, if the assessed value of your property is \$150,000 and the levy rate is \$9.41 per thousand dollars of value, your tax will be \$1,411.50.

$$\begin{array}{r}
 \$150,000 \\
 \times .00941 \text{ (\$9.41 per \$1,000)} \\
 \hline
 \$1,411.50 \text{ tax liability}
 \end{array}$$

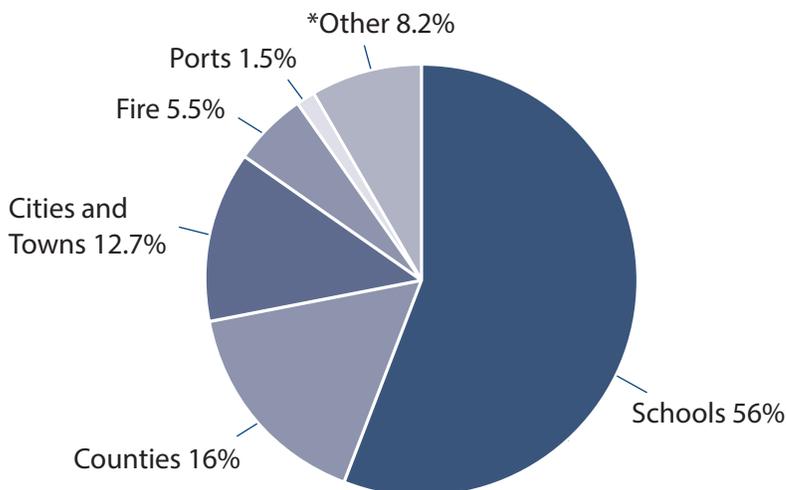
How to pay your property taxes

Property tax statements are mailed by the county treasurer in February of each year. To avoid interest and penalties, at least half of the amount due must be paid by April 30 (if the tax is less than \$50 it must be paid in full by April 30) and the balance by October 31. You can pay your property tax in person or by mail. Some counties are now accepting electronic payments via the county treasurer website. Check with your county treasurer to see if this option is available to you. When paying by mail, be sure to write the tax parcel or account number on your check and include the tax statement payment stub.

Many lending companies pay the property tax for the homeowner from a property tax reserve account. In this case, tax statements are sent directly to the lending company. If your lending company pays the tax directly and you would like to receive information, please contact your local county treasurer's office.

Questions: If you have questions about paying your property taxes, please contact your local county treasurer's office.

Where your property tax money goes



* Other includes regional libraries, parks and recreation, emergency medical, and hospital districts. (Distribution of 2015 tax year)

Reductions, exemptions, deferrals and assistance

Reductions

Destroyed Property: Any real or personal property that has been destroyed in whole or part, or is in an area that has been declared a disaster area by the governor or the county legislative authority and has been reduced in value by more than 20 percent may be eligible for a property assessment reduction and or abatement of property taxes. Destroyed property form applications are available at your assessor's office or on line at dor.wa.gov/docs/forms/proptx/forms/taxpclaimreducassmtdestryrealpersprop_e.xls

Current use program and designated forest land: Owners of agricultural, open space, timber land, or designated forest land may qualify for a reduced assessment under the current use program or as designated forest land. However, additional tax, interest, and penalties or compensating tax may apply when property is removed from classification.

Applications must be received by Dec. 31 for a reduction in assessment the following year. Application forms are available through the assessor's office.

Exemptions

Property tax exemption for senior citizens and disabled persons: This program freezes the value of your residence (as of January 1 of the initial year of application), exempts all excess levies, and may exempt a portion of regular levies, thereby reducing the amount of property tax due. Senior citizens, veterans with a 100 percent service-connected disability, and disabled persons may qualify. Household income determines eligibility and level of exemption. The county assessor approves or denies applications for this program.

Three-year tax exemption on value of remodel: If you improve your single family residence such as adding a new room, deck, or patio, you may qualify for a three-year tax exemption on the value of the improvements. Normal maintenance does not qualify. To receive the exemption, you must apply through your local county assessor's office prior to beginning your remodeling project.

Other exemption: Churches, government entities, and many nonprofit agencies are exempt from property tax if they use property for a tax-exempt purpose. The department of Revenue determines which properties are entitled to the exemption based on laws enacted by the Legislature.

Deferrals

Under these programs, the State of Washington pays all, or a portion, of your property taxes on your behalf. Unlike the tax exemptions, deferred taxes are a lien on the property. The lien becomes payable, together with interest, upon sale, transfer, or inheritance of the property, or when the home is no longer your primary residence. The county assessor approves or denies applications for the deferral programs.

Property tax deferral program for senior citizens and disabled persons: If qualified, you can defer your property taxes and special assessments in an amount up to 80 percent of the equity in your home. Senior citizens and disabled persons may qualify. Household income and equity determine eligibility. The current interest rate is set in statute and is 5 percent.

Property tax deferral program for homeowners with limited income:

If qualified, you can defer your second half property taxes, due in October, in an amount up to 40 percent of the equity in your home. There is no age or disability requirement but you must have owned your home for at least 5 years. Household income and equity determine eligibility. The interest rate varies annually, as provided in statute, and is based on an average of the federal short-term rate, plus 2 percent.

Assistance

Property tax assistance for widows or widowers of veterans:

This program is a grant assistance program to help you pay property taxes. Senior citizens and disabled persons who are widows or widowers of a veteran may qualify. Age or disability, household income, and your spouse's veteran status at the time of his/her death determine eligibility for this program. The Department of Revenue administers this program and approves or denies claims for assistance.



Important dates to remember

January 1

Real and personal property is valued for taxes due next year

March 31

Applications due for Senior/ Disabled Deferral and Widow/ Widower Assistance

April 30

First half of property taxes due.

Personal Property listing forms due to assessor.

May 1

One percent per month (12 percent per annum) assessed on delinquent taxes.

June 1

Three percent penalty assessed on current year's delinquent taxes.

July 1

Deadline for appeals to the County Board of Equalization on current year's assessment; or 30 days from date of notification, whichever is later.

August 31

New construction placed on current assessment roll at the valuation assessed July 31.

September 1

Limited Income Deferral applications due.

October 31

Second half of property taxes due.

December 1

Eight percent penalty assessed on current year's delinquent tax.

December 31

Current Use Program and Designated Forest Land applications due.

Property tax exemption applications for senior citizens and disabled persons due.

Need more information?

The following publications are available from your local county assessor's office. You may also obtain a copy from the Department of Revenue online at dor.wa.gov or by calling 360-534-1400.

- Personal Property Tax.
- Nonprofit Organizations.
- Property Tax Deferrals for Senior Citizens and People with Disabilities.
- Property Tax Deferrals for Homeowners With Limited Income.
- Property Tax Exemptions for Senior Citizens and People with Disabilities.
- Assistance Program for Widows or Widowers of Veterans.
- Open Space Taxation Act.
- Appealing your Property Tax Valuation to the County Board of Equalization.

Questions

Your local county **assessor's office** can answer questions regarding:

- Assessed values.
- Appeals.
- Personal property.
- Current Use Program and Designated Forest Land.
- Property Tax Deferrals for Senior Citizens and People with Disabilities.
- Property Tax Deferrals for Homeowners With Limited Income.
- Property Tax Exemptions for Senior Citizens and People with Disabilities.

Your local county **treasurer's office** can answer questions regarding:

- Tax statements.
- Paying property tax.

For general information contact:
Department of Revenue

▪ **Telephone Information Center**
360-705-6705

▪ **dor.wa.gov**

▪ For tax assistance or to request this document in an alternate format, visit dor.wa.gov or call 360-705-6705. Teletype (TTY) users may use the Washington Relay Service by calling 711.



dor.wa.gov