

Effectively Protest Your Property Value



The most immediate form of tax relief.

If you believe the value of your property as determined by a county appraisal district (CAD) is more than what you could sell it for or is out of line with comparable properties in your neighborhood, you have the right to appeal each year. Understanding the process will help you to be successful.

Getting Started

Appraisal notices are mailed by the appraisal district in March or April and include the previous year value, the proposed market value and an estimate of the taxes that will result using the prior year tax rates.

Market value (see actual definition on page 4) is the price your property would sell for in the open market assuming a willing buyer and seller. It is the value required by law for tax purposes.

The county tax assessor collector calculates your taxes from the market value provided by the CAD, applying exemptions and reductions such as the limitation resulting from the “10% homestead appraisal cap.”

When protesting your property value, it is important to know that **when a homesteaded property rises substantially, although the value for taxes is “capped” at 10% per year, a successful protest may not result in tax savings for several years.**

The Players

There are multiple agencies and governments involved with property taxation in Texas. The Texas Legislature adopts the laws which are overseen by the State Comptroller’s Office (through two audits of local CADs). Governments adopt tax rates and the county, cities and school districts cast votes for appraisal district directors. The Board hires the chief appraiser, taxpayer liaison and Appraisal Review Board.

The first stop during the protest process is to meet with a staff appraiser. Appraisers perform the year-round effort of inspecting properties and assist with conferences. If you are not satisfied with the value

arrived at during the conference, you may take your case to the Appraisal Review Board (ARB). The ARB is made up of county residents appointed by the CAD Board of Directors. Typically, the ARB breaks into three -person-panels to hear individual protests. If you are not satisfied with the outcome of an ARB hearing, you may request binding arbitration as an alternative to filing suit in District Court.

Arbitration is available for all real and business personal property up to \$1M in value. Homesteaded properties have no value limitation with regard to arbitration. The cost of expedited arbitration is \$250 and regular arbitration is \$500. Unequal valuation cases are not eligible for arbitration. The Comptroller maintains a registry of arbitrators who have completed State training.

The Process

You have 30 days from the date of the Notice of Appraised Value or until May 31st (whichever is later) to meet in an informal conference with an appraiser. Grayson CAD does not schedule appointments for the informal conferences – you need to go by in person before the deadline (first-come-first served).

If you mail the protest request form provided with the notice, the ARB hearing could be held the same day as the staff conference. CADs handle this differently so, before mailing the form, call and find out how this may affect your conference and hearing. **Grayson Central Appraisal District does not require you to go straight to the ARB if you mail in the notice.**

When mailing the hearing request or after receiving your formal hearing notification, request a copy of all sales used to determine your property value, the appraisal card/record (detailed information about your property) and a map of your neighborhood or other criteria that defines the properties you will be compared to. (There will likely be a charge for these documents.)

If you do not have the actual appraisal card and want to

prepare in advance for the information conference, go online to the Grayson CAD website. A great deal of information is available.

The conference is your first opportunity to reach agreement on a value for your property. Most cases are settled during this meeting. You will present your information and opinion of value to the appraiser and give him or her an opportunity to examine and consider it. The appraiser may compare your information against their comparable data to consider whether an adjustment is indicated.

If you reach an agreement, sign the papers right there and go home. If you are unable to reach an agreement with the appraiser, you have the right to take your case before the ARB panel for a formal hearing. If you sign a waiver agreeing to do so, the ARB hearing could take place the same day as the conference. It may be in your best interest to ask to be scheduled for another hearing date, particularly if you have not had time to review the information presented by the appraiser during the informal conference (this is the information that will be presented at the ARB by the CAD appraiser).

If the appraiser presented information during the informal that you wish to verify, it is wise to obtain a copy prior to the ARB hearing (and specifically of all information used to determine your value). Conduct your own research prior to the hearing.

Participants at formal hearings include you, a CAD appraiser, CAD clerk who records the hearing and handles the paperwork and a three-person panel of the ARB. The hearing will be conducted by the panel Chairman after protocols occur including introductions, a brief description of the process that will be followed, an introduction of the property that includes account number, address and legal description, exchange of information (at which time you will provide a copy of your information packet to each panel member and the CAD appraiser).

Any dispute about the property (incorrect square footage, etc.), which should have been resolved during the conference, may be resolved at this point. If the parties are unable to resolve a dispute that significantly affects market value, the Chairman has the option of recessing the hearing for a field check by the CAD. In this event, the hearing would be continued after the field check is completed.

The formal hearing will continue with you presenting your case or information. The ARB panel members may ask questions. The appraiser will then present on behalf of the CAD citing information in support of its opinion of value. You may then make rebuttal statements. The ARB may ask questions to clarify any issues raised by the appraiser.

After final comments, the Chairman will close the record and the panel will reach a decision on the market value. The ARB determination will be read into the record and the hearing adjourns. The entire process takes about 20 minutes.

Note: The ARB is not bound by offers made by the CAD during the informal conference. ARB members are independent and reach their own conclusion. The ARB panel may: 1) increase the value, 2) leave the value alone, or 3) decrease it. Although increasing the value does not happen often, it DOES happen.

The ARB finding may be appealed to arbitration or you may file suit in District Court. Arbitration is available for all real and business personal property up to \$1M in value except homesteads are eligible regardless of the value. The cost of expedited arbitration is \$250 and regular arbitration is \$500. Unequal valuation cases are not eligible for arbitration.

The State Comptroller of Public Accounts maintains a registry of qualified arbitrators who have completed State approved training. An arbitrator is required to be a licensed real estate broker, sales person or appraiser.

Preparation

Following are hints for a successful protest. Preparation is the key.



1. Assemble your packet. The following are excellent items to consider including in your packet
 - ⇒ Summary sheet of your property
 - ⇒ Appraisal notice from CAD
 - ⇒ CAD appraisal card/record
 - ⇒ Photos
 - ⇒ Comparable sales analysis
 - ⇒ Analysis of the values of properties on your street
 - ⇒ A map and listing of the comparable properties used by you and the CAD (maps available from CAD website)
 - ⇒ Estimates of repair if appropriate
2. The summary sheet should include a brief description of the property, date purchased and amount (if within the past 10 years), the proposed market value, your opinion of value, the reason for your protest and a listing of the packet contents.
3. Photos should be recent (within the last year), including a front view from the street, and perhaps a back yard view. The purpose of the photos is to quickly satisfy the ARB's need to understand "what the property looks like?" (ARB members appreciate photos.)

If you intend to argue that there is significant

maintenance or structural problems, photos clearly showing the deterioration, structural problems due to foundation problems, termites, or other damage are suggested. It is a good idea to label the photos.

4. In most cases, the analysis of comparable sales is the most important part of your package. It should be concise and orderly and include comparable sales in your neighborhood no more than two years old. You need to show that your property is appraised too high on a price per square foot basis when compared to sales of similar properties in your area. You may want to separate land and improvement value for the comparables (use the CAD website to obtain information about the properties). Adjust for improvement differences. Keep in mind that you have the advantage of being able to out-prepare the CAD. CADs use **mass appraisal techniques** to value properties for taxes and this technique does not adjust for unique features. You need to provide unique information about your property.
5. If your property has serious problems, the comparable sales analysis should show what the market value would be if it were in good condition. Present evidence (photos) along with estimates of repairs. Documentation is important. If your house has a foundation problem, have at least one estimate from a reliable firm for the cost to repair. Likewise for termite or structural damage. Don't try to nickel and dime deferred maintenance such as painting, an aging roof, bad fence or cracked driveway. Unless unusual for the area, these items do not have much impact on value. Also, the CAD does not increase values when a roof is replaced or cracked driveway repaired.
The date of value is January 1. If the property had a significant problem on that date that has since been repaired, present the actual cost as a basis for adjusting the value downward. You need to be aware that if significant storm or other damage occurs after January 1, you will be taxed based on the January 1 value. Notify the Appraisal District so it can make an appropriate adjustment to value for the following year.
6. An "unequal appraisal" analysis is also a basis for protesting your market value but is a bit more complicated and shows that your property is out of line on a price/square foot basis compared to the value of similar properties in your neighborhood. Use the Property Comparison Worksheet. ARB members are more likely to be influenced by this comparison than the CAD staff.

In short, if an analysis of all the properties on your street creates a case, use it as a back-up position but not as the leading argument. **Do not use the phrase "unequal appraisal"** unless you have done the

homework necessary to support this method. The laws are real specific.

7. Practice your presentation and keep it simple. Be able to state your case in 4 minutes or less. The ARB panels are very good at reviewing the written information and listening to you at the same time. A well-prepared, concise presentation is preferred.
8. Never lie. You will be under oath. If a panel member suspects you are lying or avoiding a direct question, you may lose credibility and your case.
9. Do not expect the ARB to change things that are a matter of law. For example, if you believe the 10% cap should be reduced, you must work to change the law. You as an individual can have an impact. See our website for legislative information (Taxing Legislation).

Protest ABCs for Savvy Property Owners

Don't miss the May 31st deadline to schedule your informal conference or ARB hearing.



- ⇒ If you have not received an appraisal notice before May 31, look online or contact the CAD. Appraisal values are typically posted online within a couple of days of being placed in the mail.
- ⇒ If your value increased, your neighbors likely did as well. Talk to your neighbors.
- ⇒ Obtain the appraisal card from the CAD and verify that the information is accurate (square footages, improvements, etc.). Measure the house!
- ⇒ If a property is well maintained, the effective age is < the actual age. If a property is not well maintained, the effective age is > the actual age.
- ⇒ Take photographs, obtain legitimate repair estimates
- ⇒ Contact the buyers, sellers or real estate companies involved in the comparable sales. Was personal property included in the sale? Was the purchaser highly motivated? Do your homework!
- ⇒ When in your meetings, forget politics and stick to the facts. If you think your taxes are too high, do something about it but not at the CAD.
- ⇒ The CAD and ARB are not interested in buying your home, don't suggest it.
- ⇒ Explain the differences between your home and the comparables (location, natural influences, etc.)
- ⇒ Smile, be positive, and concise. Crying doesn't seem to help. Be polite and do not get angry.
- ⇒ Avoid name calling (YOU PEOPLE).

Other Options?

Hire a Property Tax Agent. There are many and all are different. We are sorry but we cannot advise you in the selection of an agent.

Sample – Online Version of Property Record

Grayson CAD

Property Search Results > 158812 HOMEOWNER JOHN for Year 2010

Property

Account

Property ID: 158812 Legal Description: BELAIRE 2ND ADDN, BLOCK A, LOT 1, IRR LOT 120 X 30 X 30 X 150 X 79
 Geographic ID: S028 2007001 Agent Code:
 Type: Real

Location

Address: 652 DENTON DR Mapsco:
 SHERMAN, TX 75092
 Neighborhood: SHS028CLASS Map ID: S028
 Neighborhood CD: SHS028

Owner

Name: HOMEOWNER JOHN Owner ID: 301693
 Mailing Address: 652 DENTON DR % Ownership: 100.000000000000%
 SHERMAN, TX 75092
 Exemptions: HS

Values

(+) Improvement Homesite Value:	+	\$98,108	
(+) Improvement Non-Homesite Value:	+	\$0	
(+) Land Homesite Value:	+	\$4,150	
(+) Land Non-Homesite Value:	+	\$0	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0

(=) Market Value:	=	\$102,258	
(-) Ag or Timber Use Value Reduction:	-	\$0	

(=) Appraised Value:	=	\$102,258	
(-) HS Cap:	-	\$419	

(=) Assessed Value:	=	\$101,839	

Taxing Jurisdiction

Owner: HOMEOWNER JOHN
 % Ownership: 100.000000000000%
 Total Value: \$102,258

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD	Central Appraisal District	0.000000	\$102,258	\$101,839	\$0.00
CSH	City of Sherman	0.320000	\$102,258	\$101,839	\$325.88
GRA	Grayson County	0.490900	\$102,258	\$81,387	\$399.53
JRC	Jr College	0.181800	\$102,258	\$101,839	\$185.15
SSH	Sherman School District	1.440000	\$102,258	\$86,839	\$1,250.49
Total Tax Rate:		2.432700			
Taxes w/Current Exemptions:					\$2,161.05
Taxes w/o Exemptions:					\$2,477.44

Improvement / Building

Improvement #1: Residential **State Code:** A1 **Living Area:** 1436.0 sqft **Value:** \$92,613

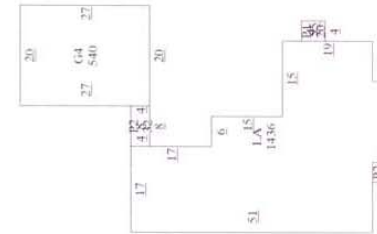
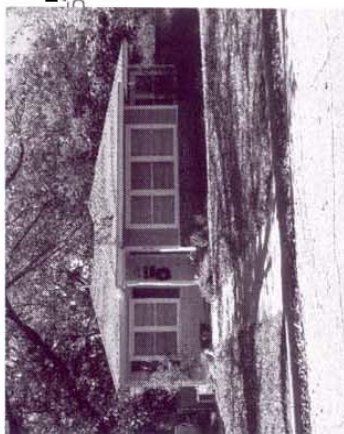
Type	Description	Class CD	Exterior Wall	Year Built	SQFT
LA	LIVING AREA	RF45	Wood & Sheathing	1950	1436.0
P2	OPEN PORCHES - FLOOR,ROOF,POSTS	*		1950	20.0
P1	OPEN PORCHES - STOOP,FLOOR,ROOF,NO POSTS	*		1950	20.0
P2	OPEN PORCHES - FLOOR,ROOF,POSTS	*		1950	32.0
G4	ATTACHED GARAGE - FINISHED INTERIOR,FLOOR,DOOR	*		1950	540.0

Improvement #2: Residential **State Code:** A1 **Living Area:** sqft **Value:** \$5,495

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	RESID	Residential	0.2154	9382.50	69.50	135.00	\$4,150	\$0

Sample – GCAD Property Record

<p>Grayson Central Appraisal District PROPERTY 158812 R Legal Description BELAIRE 2ND ADDN, BLOCK A, LOT 1, IRR LOT 120 X 30 X 30 X 150 X 79</p>	<p>OWNER ID 301693 OWNERSHIP 100.00%</p>	<p>PROPERTY APPRAISAL INFORMATION 2010 652 DENTON DR SHERMAN, TX 75092 US</p>	<p>Values IMPROVEMENTS 98,108 LAND MARKET + 4,150 MARKET VALUE = 102,258 PRODUCTIVITY LOSS - 0 APPRAISED VALUE = 102,258 HS CAP LOSS - 419 ASSESSED VALUE = 101,839</p>																																																																																																																
<p>S028 2007001 Ref ID: 2007001 Map ID S028</p>	<p>ACRES: EFF. ACRES:</p>	<p>ENTITIES CAD 100% CSH 100% GRA 100% JRC 100% SSH 100%</p>	<p>EXEMPTIONS HS HOMESTEAD</p>																																																																																																																
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<p>Foundation: Concrete Blocks Exterior Wall: Wood & Sheathing Roof Style: Hip br Gable Roof Covering: 1 Asphalt Flooring: Carpet & Underlay Interior Finish: 1 Drywall Plumbing: 1 Bath Heating/Cooling: Central Heat & Air</p>																																																																																																																			
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<p>SUBD: G-2007 100.00% NBHD:SHS028 157.00% DIMENSIONS: 0.2154 AC IRR Wells: 0 Capacity: 0 ADJ. MASS ADJ. VAL SRC: 1.00 F MKT VAL: 4,150 NO OIL Wells: 0 AG CLASS: AG TABLE AG UNIT PRC AG VALUE: 0.00 0</p>																																																																																																																			

Grayson Central Appraisal District
 205 North Travis, Sherman, TX 75090
 Phone: (903)-893-9673 Fax: (903)-892-3835
 www.graysonappraisal.org

Provided courtesy of: Cheryl E. Johnson, RTA, Galveston County Tax Assessor/Collector

Disclaimer: The information and suggestions presented herein are intended to be useful and relevant for protecting values in most Appraisal Districts. Procedures may value slightly from one CAD to another. No warranties or claims regarding the accuracy or usefulness of the information presented above is made. Use of this information is no substitute for professional or legal advice, or for your own common sense.

Common GCAD Codes

<u>Exemption Codes:</u>		DS	Duplex Steel	G10	Det. garage (W or CB)
HS	Homestead	DV	Duplex Veneer	LA	Living Area
DP	Disability	RC	Residential Cedar	P0	Closed Porch
HS OV65	Over 65	RF	Residential Frame	P2	Open Porch
OV65S	Over 65 Surviving Spouse	RL	Residential Log	S1	Upper floors, 1 1/2
FZ	Freeze Only	RM	Residential ?	W1	Wood deck (no cover)
DV1-DV4	Veterans	RS	Residential Steel/Metal	X1	Utility Rm (rear of crpt)
Q	Deferral	RV	Residential Veneer	X4A	Det. utility bldg, avg
T	Residential Abatement	M	Mobile Home		
EX	Exempt Property	B	Basement	1-10	Construction Quality or condition
<u>Improvement Codes:</u>		C	Carport		
DC	Duplex Cedar	CS	Detached carport		Additional codes may be found online including taxing entity and state codes.
DF	Duplex Frame	G1	Attached garage (unf)		

Property Tax Code Citations

Sec. 1.04(7) "Market value" means the price at which a property would transfer for cash or its equivalent under prevailing market conditions if: (A) exposed for sale in the open market with a reasonable time for the seller to find a purchaser; (B) both the seller and the purchaser know of all the uses and purposes to which the property is adapted and for which it is capable of being used and of the enforceable restrictions on its use; and (C) both the seller and purchaser seek to maximize their gains and neither is in a position to take advantage of the exigencies of the other.

Sec. 23.01. APPRAISALS GENERALLY. (a) Except as otherwise provided by this chapter, all taxable property is appraised at its market value as of January 1.

(b) The market value of property shall be determined by the application of generally accepted appraisal methods and techniques. If the appraisal district determines the appraised value of a property using mass appraisal standards, the mass appraisal standards must comply with the Uniform Standards of Professional Appraisal Practice. The same or similar appraisal methods and techniques shall be used in appraising the same or similar kinds of property. However, each property shall be appraised based upon the individual characteristics that affect the property's market value, and all available evidence that is specific to the value of the property shall be taken into account in determining the property's market value.

(c) Notwithstanding Section 1.04(7)(C), in determining the market value of a residence homestead, the chief appraiser may not exclude from consideration the value of other residential property that is in the same neighborhood as the residence homestead being appraised and would otherwise be considered in appraising the residence homestead because the other residential property:

(1) was sold at a foreclosure sale conducted in any of the three years preceding the tax year in which the residence homestead is being appraised and was comparable at the time of sale based on relevant characteristics with other residence homesteads in the same neighborhood; or

(2) has a market value that has declined because of a declining economy.

Sec. 23.013. MARKET DATA COMPARISON METHOD OF APPRAISAL. (a) If the chief appraiser uses the market data comparison method of appraisal to determine the market value of real property, the chief appraiser shall use comparable sales data and shall adjust the comparable sales to the subject property.

(b) A sale is not considered to be a comparable sale unless the sale occurred within 24 months of the date as of which the market value of the subject property is to be determined, except that a sale that did not occur during that period may be considered to be a comparable sale if enough comparable properties were not sold during that period to constitute a representative sample.

(c) A sale of a comparable property must be appropriately adjusted for any change in the market value of the comparable property during the period between the date of the sale of the comparable property and the date as of which the market value of the subject property is to be determined.

(d) Whether a property is comparable to the subject property shall be determined based on similarities with regard to location, square footage of the lot and improvements, property age, property condition, property access, amenities, views, income, operating expenses, occupancy, and the existence of easements, deed restrictions, or other legal burdens affecting marketability.

Grayson County Tax Rate Information 2005 – 2010

Entity	2005	2006	2007	2008	2009	2010	Inc (Dec)	% Inc(Dec)
GRAYSON COUNTY	0.4909	0.4909	0.4909	0.4909	0.4909	0.4909	0.00000	0.0%
BELLS ISD	1.56	1.56	1.3	1.48	1.46	1.45	-0.11000	-7.1%
COLLINSVILLE ISD	1.537	1.397	1.11	1.2443	1.24	1.2443	-0.29270	-19.0%
DENISON ISD	1.5971	1.4671	1.1471	1.2771	1.2771	1.2712	-0.32590	-20.4%
GUNTER ISD	1.79	1.7168	1.44	1.44	1.47	1.58	-0.21000	-11.7%
HOWE ISD	1.7732	1.67505	1.345	1.33	1.35	1.33	-0.44320	-25.0%
POTTSBORO ISD	1.67	1.476	1.24	1.22	1.22	1.21	-0.46000	-27.5%
SADLER/SOUTHMAYD CISD	1.6554	1.50525	1.2297	1.235	1.235	1.33	-0.32540	-19.7%
SHERMAN ISD	1.68	1.63	1.37	1.44	1.44	1.44	-0.24000	-14.3%
TIOGA ISD	1.8645	1.69057	1.42	1.45921	1.39808	1.39	-0.47450	-25.4%
TOM BEAN ISD	1.5232	1.4167	1.1887	1.1745	1.1795	1.13	-0.39320	-25.8%
VAN ALSTYNE ISD	1.79	1.69	1.35	1.52	1.52	1.52	-0.27000	-15.1%
WHITESBORO ISD	1.696	1.537	1.337	1.377	1.377	1.4	-0.29600	-17.5%
WHITEWRIGHT ISD	1.7	1.7	1.38	1.38	1.38	1.45	-0.25000	-14.7%
CELINA ISD	NA	NA	NA	1.54	1.54	1.64	0.10000	6.5%*
PILOT POINT ISD	NA	NA	NA	1.39	1.37	1.37	-0.02000	-1.4%*
TRENTON ISD	NA	NA	NA	1.64	1.284	1.334	-0.30600	-18.7%*
BELLS CITY	0.41508	0.41508	0.42378	0.44064	0.451841	0.471149	0.05607	13.5%
COLLINSVILLE CITY	0.203898	0.213144	0.223577	0.235377	0.265771	0.29049	0.08659	42.5%
DENISON CITY	0.58037	0.58037	0.56255	0.594072	0.594072	0.594072	0.01370	2.4%
DORCHESTER CITY	NA	NA	NA	NA	NA	NA		
GORDONVILLE CITY	NA	NA	NA	NA	NA	NA		
GUNTER CITY	0.52	0.55	0.5163	0.45	0.4684	0.53118	0.01118	2.1%
HOWE CITY	0.48254	0.485	0.437041	0.455808	0.530452	0.5561	0.07356	15.2%
KNOLLWOOD CITY	NA	NA	NA	0.15	0.174112	0.18804	0.03804	25.4%*
POTTSBORO CITY	0.44572	0.465255	0.465255	0.465255	0.465255	0.48884	0.04312	9.7%
SADLER CITY	NA	NA	NA	NA	NA	NA		
SOUTHMAYD CITY	0.408196	0.377605	0.409006	0.460257	0.514391	0.531202	0.12301	30.1%
SHERMAN CITY	0.4	0.4	0.4	0.32	0.32	0.32	-0.08000	-20.0%
TIOGA CITY	0.432226	0.425496	0.428685	0.4434	0.4434	0.450542	0.01832	4.2%
TOM BEAN CITY	0.49117	0.49998	0.49998	0.49998	0.49998	0.49998	0.00881	1.8%
VAN ALSTYNE CITY	0.479721	0.501623	0.64999	0.64999	0.64999	0.67999	0.20027	41.7%
WHITESBORO CITY	0.46114	0.46114	0.427651	0.427651	0.420369	0.414148	-0.04699	-10.2%
WHITEWRIGHT CITY	0.5	0.523659	0.5562	0.56835	0.595	0.6395	0.13950	27.9%
PILOT POINT CITY	NA	NA	NA	0.64	0.64	0.68	0.04000	6.3%*
GRAYSON CO. JR. COLLEGE	0.14002	0.147739	0.139739	0.184356	0.183715	0.1818	0.04178	29.8%
CHOCTAW WATERSHED	0.008184	0.00777	0.007462	0.007011	0.00692	0.006249	-0.00194	-23.6%

* Comparison is for number of years tax rate in place