

FILING A PROPERTY TAX APPEAL IN FAYETTE COUNTY MADE EASY

QUESTIONS AND ANSWERS

1. I'm unhappy with my taxes, what can I appeal?

Neither the Fayette County Appraisal District (FCAD) nor the Appraisal Review Board (ARB) controls the tax rate. You can, however, file an appeal if you think:

- a. The value of your property is too high.
- b. It has been compared unequally to other property in the district, or
- c. A special appraisal, such as an agriculture special valuation has been wrongly denied.

Remember, the FCAD must determine the value of the property as of January 1. While your property value may have greatly dropped since January, the FCAD must look at what it was worth on January 1.

2. What should I do first?

Be sure the FCAD has everything recorded correctly about your property. You can check this by getting a copy of your "Appraisal Card" from the district. Call FCAD at 979-968-8383 or email them at fcadinquiries@cvctx.com. Mistakes can happen. A building or mobile home may have been removed, for instance. Remember the district has four appraisers and they cannot possibly be aware of every change that happens. Also, the district is to measure the house based on its size around the outside of the house, not the inside.

Review the information. If it is incorrect contact the district to straighten out the issue. Even if it is correct you can make an appointment to discuss the situation informally. Many times you can resolve the issue this way.

3. What if my issue is not resolved?

You can file an appeal with the ARB by the required deadline. (June 21, 2010) The ARB is a group of citizens who are to resolve disputes between the taxpayer and FCAD. The ARB has to follow some strict guidelines from the State of Texas.

- They cannot discuss the issue ahead of time with either you or the appraisal district.
- They must judge the issue mostly based on the evidence presented. The evidence has to be relevant. If you live in Round Top, for instance, prices of property similar to your in Flatonia are not relevant.
- Bring evidence to show and share with the ARB members. There are five members and the FCAD will be represented by two individuals. You should bring 7 copies of evidence so they can examine it while you make your presentation.
- ARB members are, by law, not bound by values from prior years. They must consider each property and each year individually.

4. What makes good evidence?

Comparable properties – apples to apples; You can compare properties by using the information located on the website at www.fayettecad.org or by going to the FCAD office. The FCAD has a public computer you can use. Or, if you bring the addresses of the properties you wish to compare, FCAD employees will pull the information for you.

Properties are grouped by school district; then, in the towns, by subdivision. In rural areas, properties are grouped by the number of acres. You need to compare your price per acre to

other properties the same size. For instance, you cannot compare the price per acre of a 5 acre property to the price per acre of a 200 acre property. You need to compare it to other 5 acre properties in the same school district. Remember, in rural areas many properties have two or more accounts. The homestead may be in one account and rural lands in another. The price of the land included in your homestead will match the price of the land in your acreage account.

Sales Data – The FCAD is prohibited by law from giving you sale prices of any property until you have actually filed a protest. After you have filed, be sure to get sales data if you know some of the properties around you have sold – the closer to January 1st the better.

Bring Pictures – If a big tree fell on your barn and destroyed half of it, bring the picture. If erosion has left your land with big gullies, bring a picture. A picture speaks louder than words.

Bring a Witness – A witness should have first-hand knowledge. If you had your agricultural special valuation removed, a good witness will testify, “I saw cows on the property all during December.” A hearsay witness (my neighbor told me he saw cows on the property) is not a good one.

5. What are some tips to remember at the hearing?

- Be on time
- Stick to the facts
- Be organized
- Have copies of evidence to share with all present (7 copies)
- You may have someone else speak for you at the hearing, but you need to file an “agent form” ahead of time designating this person.
- The board is not required to postpone a hearing more than one time
- Expect to present your side of the evidence and for the FCAD to present its side of the evidence.
- By law you may record photograph, or videotape all or any part of this open meeting. The ARBV may impose reasonable restrictions so this activity does not interfere with the hearing. Members of the public may attend the hearing, but are not allowed to interfere with the proceedings.

6. What if I’m still not happy?

Other remedies are available, such as filing in court. Check with an attorney and be sure you watch for filing deadlines.

Visit http://www.fayettecad.org/tax_info.htm for further information on filing a protest.

For questions contact: fcadhelp@cvctx.com or (979) 966-8937

INFORMATIONAL SESSION TO HELP YOU DECIDE WHETHER YOU SHOULD APPEAL AND TO ANSWER YOUR QUESTIONS WILL BE HELD BY THE FAYETTE COUNTY APPRAISAL DISTRICT AND PRESENTED BY THE TAXPAYER LIAISON OFFICER – MARIE WATTS:

- June 4, 2010 Fayette County Ag Building 12:00 pm – 1:00pm