

BoPTA Information

Under Oregon Law, you have the right to appeal the Real Market Value (RMV) of your property to the Assessor or to the Board of Property Tax Appeals (BOPTA). BOPTA is limited to the current tax year values. In some cases you may be able to appeal the Maximum Assessed Value (MAV), Specially Assessed Value (SAV) and Assessed Value (AV) of your property.

PLEASE NOTE: A reduction in the Real Market Value MAY not change your tax bill. It depends on if:

1. The RMV is reduced below the Assessed Value on your tax statement, or
2. If the RMV is reduced enough to reflect the lesser of tax between the Measure 5 calculation and the Measure 50 calculation.

Frequently Asked Questions (FAQ's)

Q. What is the date of the Appraisal?

- A. By statute, the Real Market Value of your property is as of January 1st of each year. For this appeal, all supporting documentation should be as of **January 1, 2015**. This means 2014 sales and appraisals would be appropriate.

Q. What is Real Market Value (RMV)?

- A. RMV is defined as being exposed to the market for a reasonable amount of time and the amount in cash that could reasonably be expected to be paid by an informed buyer to an informed seller; each acting without compulsion, occurring as of the assessment date for the tax year. The Assessment Date is January 1st of each year.

You have to prove the Assessor's RMV of your property is incorrect. By law, the burden of proof is on the taxpayer, and you must present persuasive evidence to support your opinion of your property's value.

Q. What is Evidence for the Assessor and BOPTA?

- A. A key factor to remember throughout this process is the difference between what IS and what is NOT supporting documentation.
1. **Supporting documentation IS:**
 - a. Sales of similar homes close to the January 1st Assessment Date.
 - b. A fee appraisal report or research that you have completed that compares your property with sales of similar properties as of the January 1st Assessment Date.
 - c. A detailed market analysis from a licensed real estate agent/broker showing sales of similar properties as of the January 1st Assessment Date.
 - d. Report from a licensed contractor on the cost to fix major repairs.
 2. **Supporting Documentation is NOT:**
 - a. Statistical analysis reports from either state, county, magazine, newspapers, universities or organizations associated with the real estate industry.
 - b. Old listings.
 - c. Sales from outside your market area.
 - d. A comparison of your Real Market Value to your neighbors.
 - e. A comparison of your Assessed Value to your neighbors.
 - f. A comparison of your taxes to your neighbors.

Q. If you reduce my RMV, will my taxes be reduced?

- A. With the enactment of Measure 50 in 1997, there is no link or connection between the RMV and the MAV, except for the first year "new property" is placed on the tax rolls. RMV is adjusted up or down each year based on market conditions. The Maximum Assessed Value generally increases by 3% per year (per statute) unless changes are made to the property. You pay taxes on the LOWER of the two values and this is called the Assessed Value.

Q. If I file an Appeal, do I still pay my property taxes?

- A. YES!! If you choose not to pay your taxes as they become due you will not receive any applicable discount and if you are unsuccessful in your appeal to the Board of Property Tax Appeals, you will be charged interest on the past due tax at 1 1/3% per month as required by statute.

If you pay your taxes and are successful in your appeal to the Board of Property Tax Appeals, you will receive a refund plus interest of 1% per month from the date of payment.

If you are successful in your appeal, the Tax Collector will issue a refund or adjust your taxes based upon the Board order – no action is necessary on your part. Allow approximately 6 weeks from the date of the order for this adjustment.

Q. What happens after I file an Appeal?

- A. You will be contacted by a representative of the Assessor's Office prior to the hearing, as part of the normal process of reviewing the property's value, and addressing any issues expressed on your appeal form. (First contact is the letter with this informational brochure).

You may appear at your hearing to present your evidence, but you're not required to do so. The Board will make a decision whether or not you are there. If you do want to appear, you will be given at least five days written notice of the hearing (date and time) by the Clerk of the Board.

Hearings are informal. You can represent yourself, or ask a relative to represent you. An attorney, real estate broker, CPA, or appraiser can also represent you.

When your property is under appeal, the Assessor becomes a party of the value dispute, and because of this will try to render a fair and impartial review of the value.

BE PATIENT. All appeals to the Board of Property Tax Appeals will be heard within the required period allowed by law.

Q. What if both parties come to an agreement of value before the Board meets?

- A. This is called a stipulation. This stipulation can then be forwarded to the Board of Property Tax Appeals for consideration. This is intended to speed up the process for all parties involved, and you may not need to appear at the hearing.

Q. What if both parties still disagree as to the value of the property?

- A. Then your appeal will proceed forward and be decided by the Board of Property Tax Appeals.

Q. Can I appeal Board decisions?

- A. You can appeal decisions made by the Board of Property Tax Appeals. The next step is to appeal to the Magistrate Division of the Oregon Tax Court. Instructions on how to appeal will be provided with your copy of the Board ordered value. The Assessor may appeal a decision only if your value has been lowered by BoPTA.

**IF YOU HAVE ADDITIONAL QUESTIONS, PLEASE CALL THE
ASSESSOR'S OFFICE AT (503) 623-8391.**