



La Plata County
Colorado

PROPERTY VALUATION

REVIEW • PROTEST
&
APPEAL

HANDBOOK

JANUARY 2012

Property Valuation • Review • Protest & Appeal Handbook

This handbook has been created to help La Plata County Taxpayers understand what to do if they have questions or concerns regarding the property value or classification that the County Assessor's Office has listed for their property, and how to navigate the process of reviewing that value with the Assessor's Office, filing a Protest with the Assessor's Office or an Appeal to the County Board of Equalization. La Plata County staff and elected officials are committed to assigning fair and equitable values to all properties in the County.

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*Always feel free to contact the
La Plata County Assessor's Office at:*

970-382-6221

*Other information is available on the
La Plata County Web Site:*

www.co.laplata.co.us



How do I know the actual value the Assessor has placed on property I own?

In May, a Notice of Valuation (NOV) is mailed to property owners. This is NOT a tax bill! The purpose of the NOV is to notify you of any change in your property valuation and inform you of your right to protest the new value.

You will receive a Notice of Valuation (NOV) for each property you own in La Plata County. That value is based on an appraisal date of June 30, 2010, and will be used to calculate property taxes for 2011 & 2012 which are payable in 2012 & 2013.

The actual value shown on your NOV is the market value as of June 30, 2010. This value is based on sales which occurred from July 1, 2008 – June 30, 2010 in compliance with Colorado Revised Statute (CRS). Only properties having sold within this 24-month time frame may be used as comparables when estimating market value.

CRS § 39-1-104(12.3)(a) provides that the data-gathering period used to estimate the value of property for 2011 & 2012 taxes shall be the 18-month period from January 1, 2009 through June 30, 2010. This time period may be extended in 6-month increments to gain sufficient sales for accurate valuation. The La Plata County Assessor's Office may use a 24-month period from July 1, 2008 through June 30, 2010 to eliminate seasonal bias in the data.

Colorado Assessor's Offices use a "Mass Appraisal" process, and minor irregularities may not be reflected in the valuation of your property.

2011 is a reappraisal year in Colorado. Changes in market values between 2008 and 2010 will be reflected in the Notice of Valuation sent in May, 2011.

My NOV is divided into Land Value and Improvement Value, even though I didn't make any improvements to my property. Why?

"Improvement" is the terminology used by the Colorado Department of Property Taxation to identify any existing structure or improvement on the land, such as buildings. If you have made no changes to an existing structure but you still have an increase, this would reflect the market showing an increase in value.

LAND AND IMPROVEMENTS: COLORADO STATUTES DEFINE "IMPROVEMENTS" AS: ALL STRUCTURES, BUILDINGS, FIXTURES, FENCES, AND WATER RIGHTS ERECTED UPON OR AFFIXED TO LAND, WHETHER OR NOT TITLE TO SUCH LAND HAS BEEN ACQUIRED." CRS § 39-1-102(7).

What if I disagree with the total actual value of my property?

If you disagree with the valuation of your property and have evidence of a discrepancy in the Assessor's records of your property, its valuation or classification, please let the Assessor's Office know. Correct and complete assessment records are the first step in assuring that the value placed on your property is correct. If the Assessor's records don't reflect the correct inventory, a fair value cannot be estimated.

Except during the formal protest period in May, you may request a review without having to protest your property value. This can help you avoid a protest or further appeal.

Should you wish to speak directly with a member of the Assessor's appraisal staff regarding your value, please feel free to phone the Assessor's Office at (970) 382-6221. Every attempt will be made to answer calls in a timely fashion, and each call received is given as much time as necessary to answer all questions.

The purpose of a review should be:

- to verify the information on your property record;
- to discover whether the information that the Assessor's Office has is correct;
- to ensure your understanding of how your value was estimated;
- to discover whether you qualify for any exemptions; and
- to be sure you understand how to file a protest or appeal.

The Assessor's Office staff will review your property records with you and may give you information about comparable properties. You may present any information you have gathered.

A commitment to a change in value or classification may not be made at this time, even though you may have uncovered an error. It is possible that a staff appraiser needs to visit your property to ascertain whether discrepancies or changes to the property warrant a value or classification change. It is also possible that a decision regarding a change may require further research, or documentation may be requested (formal appraisals, etc.)

I agree with the total actual value placed on my property, but I'm afraid my taxes will go up accordingly. Should I appeal?

NO!!! The Assessor's Office has no control over tax rates! The assessment rate is set by the State Legislature. Mill levies are set each year by taxing authorities. Each mill levy represents how much of the tax bill goes to schools, fire districts, water and sanitation districts, library districts, governmental agencies, and other special districts that provide services to the area in which your property is located. Each tax district differs.

To Protest or Not To Protest...

What are grounds for a Protest?

After reviewing your inventory, comparing like-properties and reviewing sales data from the specified time period, if you still feel that your property value or classification is incorrect, a Protest may be in order.

To file a Protest in writing, complete the Protest form on the back of your Notice of Valuation (NOV) and mail it to the Assessor's Office. You may also file a Protest in person at the County Assessor's Office.

Please be as clear as possible in stating the reasons you feel your property value or classification is incorrect.

IMPORTANT: Copies of ALL documentation must be submitted to the Assessor's office at the time you file your Protest!

**If you are protesting multiple parcels, they should be submitted individually.*

- Real Property Protest Period: Begins on May 1 and concludes on June 1.
- Mailed Protests MUST be postmarked by June 1. Protests made by phone, fax, or walk-in MUST be received by June 1. A written follow-up document will be required if Protests are made by phone.

After Your Protest Has Been Received

There is no presumption in favor of the Assessor's value being correct; therefore, the Assessor and taxpayer are on an equal footing.

The Assessor will review your Protest, research comparable properties, make a decision as to whether your property value and classification are correct, and mail a Notice of Determination (NOD) to you by the last regular working day in August for real and personal property. If you are content with the value and classification listed on the NOD, the Protest process ends here.

The Assessor must consider any information presented by the taxpayer before deciding whether an adjustment in value is warranted.

If, however, you are not satisfied with the Assessor's decision, you may Appeal to the County Board of Equalization (CBOE).

Property Other Than Residential

For classifications other than residential, such as: Agriculture, Commercial, Industrial, or Vacant Land, the three approaches to value can be used. They are Income, Cost, and Market. Please feel free to contact the Assessor's Office for more clarification and assistance on how to research values on these types of properties.

Assessor's Office



January 1
Assessment date for all taxable property.

By January 10
Tax warrant (listing of property owners, assessments and taxes due) delivered to the Treasurer with authority to collect taxes for previous year.



By May 1
Taxpayer is notified of real estate valuations. (Valuations are reassessed every other year and are based on actual market value of property during the 18 months prior to the June 30 assessment date.)



By June 15
Personal Property Notice of Valuations (NOV) are mailed to taxpayers.



June 30
Real property Notices of Determination (NOD) mailed (this is the Assessor's determination of protested value; taxpayer has until July 15th to appeal.)

July 10

Personal Property Notice of Determination (NOD) mailed. (This is the Assessor's determination of protested value; taxpayer has until July 20th to appeal.)



July 15 - August 5
The Independent Referees hear evidence in support of appeals from taxpayers regarding property valuation and/or classification.

By August 5
Board of County Commissioners, acting as the County Board of Equalization hold a special meeting to receive and vote on the recommendations of the Independent Referees.

Taxpayer has 30 days to appeal the County Board of Equalization decision to an arbitrator, district court, or the State Board of Assessment Appeals.



Taxpayer



May 1 - June 1
Assessor entertains questions about real property valuations and receives protests.



June 1
Real property protest period to Assessor ends.

June 15
Assessor accepts protests to personal property valuations.

June 30

Personal Property protest period to Assessor ends.



July 15
Last day to appeal the Assessor's Notice of Determination (NOD) on Real Property valuation to the County Board of Equalization (CBOE).

July 20

Last day to appeal the Assessor's Notice of Determination (NOD) on Personal Property valuation to the County Board of Equalization (CBOE).

To Appeal or not to Appeal to the County Board of Equalization...

What are grounds to file an Appeal?

After you have filed your Protest with the County Assessor's Office and worked through the process with the appraisal staff, if you are not satisfied with the Assessor's Notice of Determination regarding the valuation or classification of your property, you may file an Appeal to the County Board of Equalization.

The Assessor's Office will mail their decision on your protested value and/or classification (Notice of Determination or NOD) to you by June 30 for real property and by July 15 for personal property. The Appeal form is on the back of your NOD.

How to Appeal your property valuation to the County Board of Equalization

If you are dissatisfied with the Assessor's determination: You may appeal to the County Board of Equalization (CBOE). Complete the appeal form included with the Notice of Determination and return it to the County before July 15 for real property or July 20 personal property. (This timeline is set at the state level, and the County has no control over these dates.)

The Board of County Commissioners appoints a panel of Independent Referees to conduct the Board of Equalization hearings. The Independent Referees hear Protests on July 15 - August 5. You may participate in person, or by phone.

Please come to this hearing prepared to give the Independent Referees actual, factual reasons why you believe that the value or classification that the Assessor's Office has assigned to your property is not correct. You must state what you believe the value and classification should be, and provide supporting information and documentation. Please remember that only comparable sales during the allowable 24-month period between July 1, 2008 and June 30, 2010 may be used to value the property for tax years 2011 and 2012. You can ask a lawyer or other real estate professionals to join you, but this is not necessary. You must bring 7 copies of all of your documentation with you to this hearing.

Prepare for the Hearing with the Independent Referees!

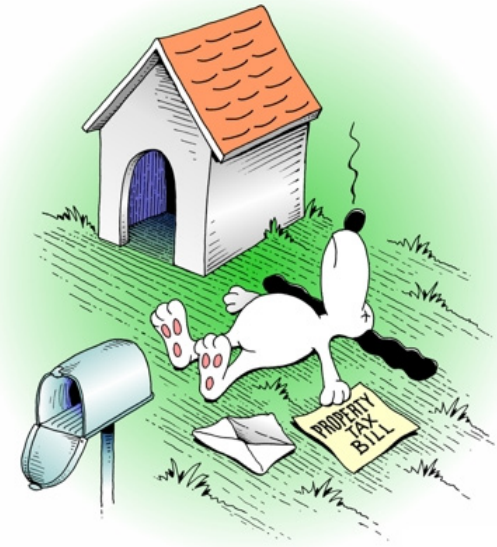
- *Be prepared to give evidence supporting what you believe to be the correct value or classification.*
- *Research other like properties that sold between July 1, 2008 and June 30, 2010.*
- *Bring seven copies of the evidence that you have gathered to the hearing (or send them to the County if you will be participating by phone).*

Board of County Commissioners acting as the County Board of Equalization

The Board of County Commissioners will hold a special meeting by August 5, 2012 to review and decide on the recommendations from the hearings. After this meeting, taxpayers will receive a written document explaining the final decision of the Board.

*An assessment Appeal isn't a complaint about higher taxes...
It is an attempt to prove that the estimated market value and classification
of your property is either inaccurate or unfair.*

You will not win an appeal because you think your taxes are too high!



Some Tax Facts:

La Plata County has the 6th lowest mill levy assessed by a county in Colorado.

In Colorado, property tax is used to support school districts, local government, special taxing districts such as fire, insect control, library, etc. You can look on your specific tax bill to see where your tax dollars are going.

Colorado is listed in the lowest 30% in the nation for property tax.

How to do research on your property values and classifications...

Where do I find comparable properties?

All property sales are recorded with the Clerk & Recorder's Office. Access to these property sales is then given to the Assessor's Office. This is "public information" and your Assessor's Office will assist you in locating comparable property sales data. A real estate office is another good source for information on sold properties.

You can also visit the La Plata County Web Site www.co.laplata.co.us to find information regarding your property and other properties that may compare to yours. You can view the Assessor's page by opening the La Plata County Web Site, looking under "Departments and Elected Officials" on the right top drop down menu, then choosing "Assessor". You can access all La Plata County property information on the La Plata County Eagleweb page found on the main section of the Assessor's page and search for other sales by price, type of property, etc.

Sales Search or Account Search

On the top left of the Eagleweb page, you will see "Account Search" and "Sales Search" listed as options. You can enter information here to see all properties or sales that are comparable to your property.

The value used to estimate 2011 & 2012 taxes (due in 2012 & 2013) is based on sales that occurred between July 1, 2008 through June 30, 2010.

Only properties having sold within this 24-month time frame may be used as comparables when estimating market value.

If you would like more information about how your property is currently valued, enter your particular information on Eagleweb and look at the account detail.

Check the information listed for your property carefully. Check the living area of your home, the number of bathrooms, the presence or absence of a garage or finished basement, the property shown in the photo and so on. Note any discrepancies, and bring them to the attention of the Assessor's Office.

Please feel free to contact the Assessor's office to work in partnership on this process. The Assessor's Office welcomes inquiries and the opportunity to make corrections. They are committed to assigning fair and equitable values to all properties.

For more information, please contact the La Plata County Assessor's Office at (970) 382-6221.

Find All Assessor Information on the La Plata County Web Site;

www.co.laplata.co.us/departments_officials/assessor

The County Assessor is responsible for valuing all real and personal property, including mobile homes, residential and commercial properties and agricultural land for property tax purposes. The Assessor's Office determines the equitable value of property to ensure that each taxpayer pays only his or her fair share of the taxes. The Assessor's Office strives to ensure property ownership and land configurations are current and correct, and that the proper person receives Notices of Valuation and the property tax bill.

The following links are available on the Assessor's Office web page to help you find information regarding the value of your property and all like properties.

1. La Plata County Eagleweb
Database of all properties in La Plata County
2. Personal Property
3. Abstracts
A detailed look at annual valuation reports
4. Valuation Protest Process
5. Calendar
Colorado Assessment Calendar
6. Important Forms
Applications and Declaration forms

Visit E- Services to find the ArcIMS
Interactive Map with Aerial photos and
parcel information

← visit Eagleweb to view like property

← visit the Colorado Assessment Calendar to see official state deadlines and processes

← visit ArcIMS to view maps with links to property value, acres, land use etc
www.co.laplata.co.us
E-Services

At a Glance...

Do you believe the value or classification that the Assessor has placed on your property is not correct?

Step 1 – Fill out the protest form on the back of your Notice of Valuation (NOV) form and return it to the Assessor’s Office in person or by mail. This must be done (by state law) by June 1.

Step 2 – Work with the La Plata County Assessor’s Office staff to resolve the issue. If you reach an agreement with the Assessor’s Office staff, the process stops here. If not, go on to steps 3 and 4.

Step 3 – The Assessor’s Office will send the Notice of Determination (NOD) to you by June 30 for real property & July 10, 2012 for personal property, with their decision regarding value and classification.

After working with the Assessor’s Office on your Protest, do you believe the value or classification placed on your property is still not correct?

Step 4 - If you are not satisfied with the outcome from your protest to the Assessor’s Office, you may appeal to the County Board of Equalization by July 15, 2012 for real property, and July 20 for personal property. A staff person will contact you to arrange your hearing date.

Step 5 – You will be given a hearing date, and your case will be heard before the Independent Referees between July 15, 2012 and August 5, 2012.

Step 6 – ***PREPARE FOR THE HEARING.*** Please see information regarding how to research your property values and classification. You will be expected to offer evidence at this hearing showing factual information that supports your claim that the valuation or classification for your property from the Assessor’s Office is not correct, and what you believe it should be.

Step 7 – The Independent Referees will make their recommendations of the valuation or classification at this hearing, and will send this information to the County Board of Equalization. (In La Plata County, this is our Board of County Commissioners.)

Step 8 – The Board of County Commissioners, acting as the County Board of Equalization, will hold a special meeting to receive the recommendations from the Independent Referees, and make final decisions. This meeting will be held during the first week of August.

Step 9 – If you are dissatisfied with the County Board of Equalization’s decision, you may appeal this decision to an arbitrator, District Court, or the State Board of Assessment Appeals within 30 days of the date of the County decision.

For more information, please contact the La Plata County Assessor's Office at (970) 382-6221.