

CLERK'S OFFICE
AMENDED AND APPROVED
Date: 12-16-03

Submitted by: Assemblymember Tremaine
Prepared by: Department of Assembly
For reading: December 16, 2003

ANCHORAGE, ALASKA
AO NO. 2003-159(S) As Amended

AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE CHAPTER 12.05 SECTIONS RELATING TO THE BOARD OF EQUALIZATION AND CERTAIN PROCESSES, PROCEDURES AND REQUIREMENTS APPLICABLE TO APPEALS OF ASSESSED VALUATIONS OF PROPERTY FOR TAX PURPOSES; PROVIDING FOR MULTIPLE PANELS OF THE BOARD CONSISTING OF A THREE MEMBER QUORUM; COMPENSATION OF THE BOARD MEMBERS; SUBMISSION OF EVIDENCE REQUIRED BY PROPERTY OWNERS; AND THE CONFIDENTIALITY OF CERTAIN EVIDENCE OF COMMERCIAL PROPERTY VALUES AFFECTING COMPETITION.

WHEREAS, it is necessary to streamline and make the processing of pending assessed valuation appeals more efficient before a total rewrite of Title 12 may be accomplished;

NOW THEREFORE, the Anchorage Assembly Ordains:

Section 1. Anchorage Municipal Code section 12.05.045 is amended to read:

There is established the division of property assessment within the department of finance headed by the assessor, under the direction of the chief fiscal officer. The assessor's [HIS] responsibility is to discharge the duties specified in state law and in this Code.

A. The assessor shall mail out notices of valuation to each property owner of record no later than January 15 of the tax year and shall comply with State law for supplementary assessment rolls.

B. The assessor shall review annually those properties that are exempt from taxation to determine whether such properties continue to qualify for an exemption.

Section 2. Anchorage Municipal Code section 12.05.050 is amended to read:

12.05.050 Board of equalization.

A. *Membership; duties; term of office.*

1. Membership. The board of equalization consists of a pool of no less than six and up to fifteen members [SHALL BE COMPOSED OF SEVEN], not assembly members, appointed by the assembly. There shall be up to five panels established each year. Each panel hearing appeals shall consist of three members. The Assessor, coordinating with the board chair, shall assign members to a specific panel and schedule the panels for a calendar of hearing dates. The assignment of members to panels and the establishment of a hearing calendar shall be done in consultation with the individual members. Additionally, members may be asked to take the place

of regular assigned panel members in the event an assigned panel member is unable to attend a scheduled meeting.

a. *Procedures.* The procedures governing publication of notice, inviting applications, public hearings and balloting and voting by the assembly contained in Subsection 2.70.020 shall apply to the appointment of members of the board of equalization.

2. ~~[ALTERNATE MEMBERS.~~ THE ASSEMBLY SHALL APPOINT ALTERNATE BOARD MEMBERS. THE ALTERNATE MEMBERS SHALL BE NAMED BY THE BOARD'S PRESIDING OFFICER, AS THE NEED ARISES, TO SERVE AS BOARD MEMBERS DURING THE ABSENCE OR DISABILITY OF REGULAR MEMBERS].

2. [3.] *Qualifications of members.* Members [AND ALTERNATE MEMBERS] shall be appointed on the basis of their general business expertise and their knowledge or experience with quasi-judicial proceedings. General business expertise may include. [IN] real and personal property appraisal, the real estate market, the personal property market, and other similar fields [RELATED TO THEIR FUNCTIONS AS BOARD MEMBERS].

3. [4.] *Duties.* The board shall only hear appeals for relief from an alleged error in valuation [MAY DETERMINE EQUALIZATION] on properties brought before the board by an appellant[s] [OR BY ONE OR MORE MEMBERS OF THE BOARD]. A panel hearing a case must first make a determination that an error in valuation has occurred. Following the determination of an error in valuation the panel [BOARD] may alter an assessment of property [A LOT ONLY PURSUANT TO AN APPEAL FILED AS TO THE PARTICULAR LOT.] only if there is sufficient evidence of value in the record. Lacking sufficient evidence on the record the case shall be remanded to the assessor for reconsideration. A hearing by the board may be conducted only pursuant to an appeal filed by the owner of the property as to the particular property [LOT].

4. [5.] *Compensation of members.* Compensation for members shall be \$50.00 per daily session.

5. [6.] *Term of office.* Terms of office shall be for three years and shall be staggered so that approximately [AS NEARLY AS POSSIBLE] one-third of the terms [FOR MEMBERS AND ALTERNATES] shall expire each year on January 15 [MARCH 16].

B. *Chair[MAN].* The board annually shall elect a member to serve as its chair [CHAIRMAN]. The chair [CHAIRMAN] shall coordinate all board activities with the Assessor including assignment of panel members, scheduling of meetings, and other such board activities. [MAY CALL MEETINGS OF THE BOARD AND SHALL EXERCISE SUCH CONTROL OVER MEETINGS AS TO ENSURE THE FAIR AND ORDERLY RESOLUTION OF APPEALS].

C. *Presiding Officer.* Each panel shall elect its own presiding officer to act as the chair for the panel and shall exercise such control over meetings as to ensure the fair and orderly resolution of appeals. In the absence of the elected presiding officer the panel shall appoint a temporary presiding officer at the beginning of a regular meeting. The presiding officer shall make rulings on the admissibility of evidence and shall conduct

the proceedings of the panel in conformity with this chapter and with other applicable federal, state and municipal law.

D. Report to the Assembly. The board, through its chair, shall submit an independent report to the Assembly each year by September 15 identifying, at a minimum, the number of cases appealed, the number of cases scheduled to be heard by the board, the number of cases actually heard, the percentage of cases where an error of valuation was determined to exist, the number of cases remanded to the assessor for reconsideration, the number of cases resulting in the board altering a property assessment, and the net change to taxable property caused by board action. The report shall also include any comments and recommendations the board wishes to offer concerning changes to property assessment and appeals processes.

(AO No. 49-75; AO No. 78-69; AO No. 86-30; AO No. 86-211(S-1); AO No. 87-44; AO No. 92-109; AO No. 94-26, § 1, 3-24-94; AO No. 95-148, § 3, 7-25-95)

Editor's note: Former subsection 12.05.050.C. was recodified as 12.05.055. Former subsections 12.05.050.C.--F. was recodified as § 12.05.053.

Section 3. Anchorage Municipal Code section 12.05.053 is hereby amended to read as follows:

12.05.053 Procedures.

A. Preparation of appeal packet. [DUTIES OF MUNICIPAL ASSESSOR]. The municipal assessor shall furnish a panel of the board of equalization with copies of the appellants appeal and a summary of assessment data relating to the appeal [SHORT NARRATIVE OF THE ASSESSOR'S POSITION]. [THE ASSESSOR SHALL CERTIFY THAT MATERIAL FURNISHED TO THE BOARD UNDER SECTION 12.05.053 IS TRUE AND CORRECT, AND] Such material shall be considered as part of the official testimony the board may hear. The assessor or his representative may supplement the record by additional testimony, documentation and exhibits in accordance with subsection C.7 of this section.

B. Quorum and voting.

1. Quorum. A quorum for hearing appeals shall consist of three [FIVE] panel members.
2. Voting. The granting of any appeal or part thereof shall require the concurring vote of two members of the panel. [AT LEAST FOUR BOARD MEMBERS]. Any appeal or part thereof which is not granted by the panel shall be considered denied.

C. Conduct of hearings; decisions. Except as otherwise provided in this chapter, hearings shall be conducted by [THE BOARD] each panel in accordance with the following rules [ROBERT'S RULES OF ORDER, NEWLY REVISED, SUBJECT TO THE FOLLOWING STANDARDS]:

1. Record. The assessor [MUNICIPAL CLERK] shall keep verbatim stenographic records or electronic recordings of the board's proceedings, showing the vote of each member on every question and all of the evidence presented. The assessor [MUNICIPAL CLERK] shall prepare written minutes

for all board proceedings and such minutes shall be signed by the presiding officer of the panel [CHAIRMAN OF THE BOARD AND THE MUNICIPAL CLERK].

2. *Counsel.* All parties may be represented by counsel during hearings before the board. On procedural matters the municipal attorney may offer legal counsel to the board in the course of its proceedings. Upon the recommendation of the Municipal Attorney, the board may retain independent legal counsel for a particular matter.
3. *Case number.* Every appeal shall be assigned a case number which shall be read into the record along with the name of the appellant and the tax identification number, at the commencement of [BEFORE] the hearing on that appeal [COMMENCES].
4. *Burden of proof.* The burden of proof rests with the appellant. The only grounds for adjustment of an assessment are unequal, excessive, improper or under valuation based on the facts [THAT ARE] stated in a valid written appeal or proven [PROVIDED] at the appeal hearing in accordance with subsection 7 of this [SUB]section. If the valuation is found to be too low, the board may raise the assessment. The municipality shall make available to the appellant all reasonably pertinent documents requested for presentation of the appeal.
5. *Rules of evidence.* Evidence shall only be presented by the appellant and the assessor or their authorized representative. The board shall not be restricted by the formal rules of evidence; however, the presiding officer [CHAIRMAN] may exclude evidence irrelevant to the issues appealed. Hearsay evidence may be considered provided that there are adequate guarantees of its trustworthiness and that it is more probative on the point for which it is offered than any other evidence which the proponent can procure by reasonable efforts. The appellant must submit to the assessor's office all documentary evidence in their possession which they wish to be considered and which is relevant to the resolution of the appeal. This evidence includes but is not limited to purchase and closing documents, appraisal reports, brokers opinion of value, engineers reports, estimates to repair, rent rolls, leases, and income and expense information. The panel hearing the case must sustain the original assessed value if the relevant evidence is not submitted to the assessor's office within 15 days from the close of the appeal period. The appellant and assessor may agree to an extension of time for the production of evidence.
6. *Order of presentation.* The appellant shall present [HIS] evidence and argument first. Following the appellant, the assessor or his representative shall present the municipality's evidence and argument. Each party shall be allowed a total of five minutes to present evidence, and make oral argument unless additional time is permitted by the presiding officer. The appellant may, at the discretion of the presiding officer [CHAIRMAN], make a rebuttal presentation, not to exceed five minutes, directed solely to the issues raised by the assessor. The municipal attorney may question the appellant or the assessor on matters relating to the appeal. The members of the board may

ask questions, through the presiding officer [CHAIRMAN], of either the appellant or the assessor at any time during the hearing. After both the appellant and the assessor have made their presentations [presented their arguments], each may question the other through the presiding officer [CHAIRMAN]. The presiding officer may end the questioning and call for a motion from the other panel members.

7. *Witnesses, exhibits and other evidence.* The appellant and the assessor may offer oral testimony of witnesses and documentary evidence during the hearing. [ANY DOCUMENTS PRESENTED TO THE BOARD BY EITHER PARTY MUST BE PROVIDED TO THE OPPOSING PARTY AT LEAST SEVEN DAYS BEFORE THE HEARING]. Documents to be submitted as evidence by the appellant [TO THE BOARD] must be filed with the assessor [MUNICIPAL CLERK] no later than 15 days from the close of the appeal period unless the appellant and assessor agree to an extension. If an appellant has refused or failed to provide the assessor or assessor's agent full access to property or records, the appellant shall be precluded from offering evidence on the issue or issues affected by that access and those issues shall be decided in favor of the assessor. [SEVEN DAYS BEFORE THE BOARD HEARING TO BE ADMITTED]. All testimony before the board shall be under oath.

a. At the request of the appellant, evidence submitted pursuant to subsection C.5 or C.7 of this section relating to the assessed valuation of property used in an income-producing commercial enterprise shall be confidential. The assessor and the appellant may stipulate to facts to be presented to the board provided the assessor has received credible and reliable evidence to establish the facts.

[THE BOARD MAY OBTAIN OR ACCESS OTHER CURRENT ASSESSMENT ROLL AND RELATED ASSESSMENT INFORMATION ON FILE WITH THE ASSESSOR'S OFFICE RELEVANT TO THE APPEAL PROVIDED THE BOARD SHALL GIVE THE APPELLANT AND THE ASSESSOR COPIES OF SUCH INFORMATION AND A REASONABLE OPPORTUNITY TO RESPOND OR COMMENT ON SUCH INFORMATION PRIOR TO THE BOARD'S DECISION.]

8. *Decisions.* At the conclusion of the hearing the panel [board] shall determine, based solely on the evidence submitted, whether the assessment is unequal, excessive, improper or under valued [PROPER]. The panel [board] shall issue findings of fact and conclusions of law clearly stating the grounds upon which the panel [board] relied to reach its decision and advising all parties of their right to appeal the decision to superior court.

9. *Certification.* The presiding officer [BOARD] shall certify the decision of the panel regarding [FOR] an appeal to the assessor within seven days following its issuance. The presiding officer shall review and give final board certification to all such decisions.

10. *Termination of appeal upon agreement between appellant and assessor.* [ON APPROVAL OF AGREED UPON ASSESSED VALUE]. After an appeal to the board of equalization has been filed, [THE ASSESSOR WILL

PREPARE A MEMORANDUM TO THE CHIEF FISCAL OFFICER FOR] any [NEW] value which has been [TENTATIVELY] agreed to by the assessor and the appellant, [REQUESTING THE APPROVAL OF THE NEW VALUE. IF THE CHIEF FISCAL OFFICER DOES NOT APPROVE THE VALUE, THE ASSESSOR SHALL SCHEDULE THE APPEAL FOR A HEARING AND THE MUNICIPAL CLERK SHALL PROPERLY NOTIFY THE APPELLANT. IF THE ASSESSED VALUE AGREED UPON BETWEEN THE ASSESSOR AND THE APPELLANT IS APPROVED BY THE CHIEF FISCAL OFFICER, THE APPROVED AGREEMENT] shall [AUTOMATICALLY] constitute a withdrawal and termination of the appeal by the appellant and the agreed upon valuation shall become the assessed value.

D. *Appeal to superior court.* The appellant or the assessor may appeal a decision of the board to the superior court within 30 days in accordance with the rules of appellate procedure of the state.

(AO No. 97-41, § 1, 3-4-97; AO No. 99-129, § 1, 9-28-99)

Editor's note: Former subsections 12.05.050.C.--F. were recodified as a new Section 12.05.053. Refer to the history note for Section 12.05.050.

Section 4. Anchorage Municipal Code subsection 12.05.055. is hereby amended as follows:

12.05.055 Appeals to board of equalization.

- A. A person whose name appears on the assessment roll as the owner of record or the [HIS] agent or assigns of that person may appeal to the board of equalization for relief from an alleged error in valuation.
- B. No appeal may be taken unless the applicant files with the assessor [MUNICIPAL CLERK] written notice of appeal specifying grounds for such appeal within 30 days from the date the assessment notice was mailed. [THE BOARD SHALL PRESCRIBE THE FORM IN WHICH WRITTEN NOTICES OF APPEAL SHALL BE MADE.] An appeal application must be complete and presented on the form prescribed by the board. No appeal application may be accepted unless a filing fee of \$30 for a property whose assessed value is less than \$100,000, \$100 for property whose total assessed value is at least \$100,000 but less than \$500,000, \$200 for property whose total assessed value is at least \$500,000 and less than two million dollars, and \$1,000 for property whose total value is two million dollars or greater, is received by the assessor at the time of filing. If the appeal results in a reduction from the original assessed value the filing fee shall be refunded. The assessor shall assign a case number to the appeal within one week of filing and payment of the filing fee.
- C. The assessor shall schedule a calendar of hearing dates no later than March 15 or as soon thereafter as practical. The assessor [MUNICIPAL CLERK] shall notify the appellant by mail of the time and place for the hearing before the board [AND ASSIGN A CASE NUMBER TO THE APPEAL].
- D. A property owner [TAXPAYER] who seeks [REQUESTS] to appeal the assessor's [HIS] valuation after the 30-day filing period has closed shall file a letter with the

1 assessor [MUNICIPAL CLERK] within 30 days from the date of the close of the
2 applicable appeal period of that tax year stating the reasons why the property owner
3 [TAXPAYER] was unable to appeal [COMPLY] within the 30-day period. A panel of
4 the board [THE BOARD OF EQUALIZATION] shall consider each letter. The panel
5 shall only consider reasons the appellant was unable to comply within the thirty day
6 period and shall not consider evidence regarding property valuation. The panel's
7 [BOARD'S] determination shall be based on the letter and [ANY] supporting
8 documents. A taxpayer may not make an oral presentation at this hearing. The
9 panel [BOARD] shall interpret the term "unable to comply" as meaning that a
10 property owner [TAXPAYER] must demonstrate compelling reasons or
11 circumstances which would prevent a reasonable person under the circumstances
12 from filing an appeal. If the request is granted, the property owner [TAXPAYER]
13 shall have 30 days from the date of notification by the assessor [MUNICIPAL
14 CLERK] to file an appeal and submit all evidence required by AMC 12.05.053.C.5
15 and C.7. If the request is denied, the assessor [MUNICIPAL CLERK] shall notify the
16 property owner [TAXPAYER] of the board's decision.

17 (AO No. 49-75; AO No. 78-69; AO No. 86-30; AO No. 86-211(S-1); AO No. 87-
18 44; AO No. 92-109; AO No. 2000-58, § 1, 3-21-00)

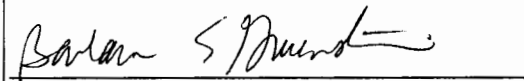
19 **Editor's note:** This section was formerly codified in the 1977 Code as Section
20 12.05.050.C.
21

22 **Section 5.** This ordinance shall become effective immediately upon passage and approval by
23 the Assembly.
24

25 PASSED AND APPROVED by the Assembly the 16th day of December, 2003.
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30 Chair of the Assembly

31 ATTEST:
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33 
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35 Municipal Clerk
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MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

AM No. 934-2003

Meeting Date: November 18, 2003

From: Mayor

Subject: Fees for Assessment Services

AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE TITLE 12 SECTIONS RELATING TO THE BOARD OF EQUALIZATION AND CERTAIN PROCESSES, PROCEDURES AND REQUIREMENTS APPLICABLE TO APPEALS OF ASSESSED VALUATIONS OF PROPERTY FOR TAX PURPOSES; TO PROVIDE FOR MULTIPLE PANELS OF THE BOARD OF EQUALIZATION CONSISTING OF A THREE MEMBER QUORUM, COMPENSATION OF THE MEMBERS OF THE BOARD OF EQUALIZATION, SUBMISSION OF EVIDENCE REQUIRED BY PROPERTY OWNERS AND THE CONFIDENTIALITY OF CERTAIN EVIDENCE OF COMMERCIAL PROPERTY VALUES AFFECTING COMPETITION.

The property assessment appeal process must change to accommodate a decision of the Alaska court. A recent Superior Court decision indicates that the appeal process should be substantially completed by June 1 of the assessment year. A process which has become a year round activity must now be accomplished in a four month period of time. This can be accomplished by changes to the administrative process of handling appeals, the requirement of timely production of relevant information, and to the composition and structure of the appeal board. Many of the changes included in the accompanying ordinance bring municipal code into alignment with decisions from Alaskan courts.

In the current system between 2% and 3% of all property assessed for tax is appealed to a Board of Equalization. In 2003 the municipal assessment staff spent eight months researching and writing responses to those appeals. Eight months after the close of the appeal filing period appellants are still requesting additional time to prepare their cases or refusing to provide requested documentation related to their case. Approximately half of the appeals are closed administratively and half of the appeals are closed by action of the board. The result of this work to date is that the total value appealed was reduced by five percent. The Assessors Office is responsible for approximately 99% of the value revision. The Board of Equalization is responsible for less than one percent of the value revision. Appeal hearings are poorly attended. More than 90% of the appellants scheduled for hearing make no appearance before the board.

It is clear that the current system is contributing to governmental inefficiency and is creating an unnecessary burden on all taxpayers. With the proposed changes in place the cost of processing appeals can be reduced by half without a reduction in service



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In the current system between 2% and 3% of all property assessed for tax is appealed to a Board of Equalization. In 2003 the municipal assessment staff spent eight months researching and writing responses to those appeals. Eight months after the close of the appeal filing period appellants are still requesting additional time to prepare their cases or refusing to provide requested documentation related to their case. Approximately half of the appeals are closed administratively and half of the appeals are closed by action of the board. The result of this work to date is that the total value appealed was reduced by five percent. The Assessors Office is responsible for approximately 99% of the value revision. The Board of Equalization is responsible for less than one percent of the value revision. Appeal hearings are poorly attended. More than 90% of the appellants scheduled for hearing make no appearance before the board.

It is clear that the current system is contributing to governmental inefficiency and is creating an unnecessary burden on all taxpayers. With the proposed changes in place the cost of processing appeals can be reduced by half without a reduction in service

1 provided to taxpayers. The assessment budget can be redirected inspecting property
2 and estimating value, thereby improving the tax roll and reducing the need for appeal
3 and valuation adjustment. These efficiencies can be accomplished with the forced
4 production of evidence and elimination of frivolous appeals as well as streamlining of
5 the hearing process.

6 Changing the structure of the board to smaller independent panels provides the
7 capacity to hear the anticipated number of appeal cases in a timely manner. The
8 smaller board size allows roughly the same number of people to conduct the meetings
9 without undue burden on individual board members. The assignment of members to
10 specific panels helps in scheduling of hearings and should enhance the working
11 relationship of panel members. Continuity of decisions will be accomplished by at least
12 two annual work sessions including all members of all panels.

13 A primary purpose of the ordinance is to build a framework which requires the board to
14 act in a review capacity, insuring that the assessor consider the facts, perform the
15 appraisal, and correct errors according to accepted appraisal practice and consistent
16 with the law. The issue of paramount importance to the board is the determination of
17 unequal, excessive, improper, or under valuation. This determination must be based
18 on the high standards set by the court and state law which state that it is the duty of the
19 appellant to prove the case. In order for that to be possible all information relevant to a
20 requested change in value must be submitted to the assessment office shortly after the
21 notice of valuation is mailed. A specific time deadline is required for production of
22 evidence and the hearing of appeals.

23 The appeal process is intended to be a safety valve to prevent abusive, illegal, and
24 improper assessment practices. It is not intended to be the forum for taxpayers to
25 protest the fact that they have to pay a tax or that property tax is unfair relative to other
26 forms of taxation. These types of protests account for a large share of the current
27 municipal assessment effort under the current appeal process.

28 Legal decisions from the Alaska Supreme Court indicate that the function of the Board
29 of Equalization, established under AS 29.45.200, is to act as an appeal review board. It
30 is not intended that the board act as a board of directors established to review and
31 comment on all assessment practices or have a role in the creation or certification of
32 the tax roll. Those duties are clearly give to the Office of the Assessor by AS
33 29.45.160.

34 Property tax assessment is an annual process. The framers of this process intended
35 that each year's tax cycle be concluded with finality and certainty within a one year time
36 frame. Improvement to the accuracy of assessment is intended to be continuous and
37 ongoing. To improve the fairness of the tax system property information needs to be
38 exchanged with the assessment office year round, outside of the appeal process.

39 The Municipality is taking steps to improve communication. Taxpayers will be able to
40 review the description of their property and convey corrections, via the Municipal
41 Website, year round. Confidentiality with regard to income and expense information on
42 commercial property will remove a barrier to the disclosure of that information and is
43 consistent with already enacted public records laws. Similarly, sales and appraisal
44 information can be exchanged year round which will improve the accuracy of assessed
45 values and reduce the need to appeal.

1 The law envisions a system where assessments are set on a certain date and tax billing
2 and collections follow. The opportunity to improve the accuracy occurs annually outside
3 of the appeal process. The appeal of assessed values carries a high standard to
4 prevent a constantly changing tax base. If a change in value is allowed under protest,
5 substantial fact, provided by the property owner to the assessor, must be the basis for
6 the change. The proposed changes to the appeal process require the production of
7 evidence required to justify changes in valuation. With evidence, values can and are
8 adjusted in a timely manner without the requirement of a hearing by the board.
9 Currently more than 99% of the value changes are accomplished prior to a formal
10 hearing. In the absence of evidence to justify a change, the original value stands for
11 each year. As information is submitted through the course of the year assessed value
12 in future years will change to reflect general market trends and other conditions.

13 The proposed ordinance changes the whole dynamic of the interaction between the
14 public, the assessor and the board. Currently, the board is attempting to replace the
15 assessor by reappraising each assessment appealed. The public seeks relief from the
16 board while refusing to provide relevant information to the assessor. With the proposed
17 change, taxpayers would be encouraged to seek relief from the assessor throughout
18 the year. Timely production of evidence would be required and relief would be based
19 on information provided to the assessor. The board would review the process to see
20 that legitimate issues of unequal, excessive, or improper assessment practices are not
21 overlooked and that fair and consistent treatment is give to all taxpayers. This should
22 greatly reduce the work of the board and provide timely information to improve the
23 accuracy of assessment.

24
25 Prepared by: Don "Marty" McGee, Assessor, Appraisal Division

26 Concur: Jeffrey E. Sinz, Chief Fiscal Officer

27 Concur: Fred H. Boness, Municipal Attorney

28 Concur: Denis C. LeBlanc, Municipal Manager

29 Respectfully submitted: Mark Begich, Mayor

Content Information

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Initiating Dept: Finance

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AllOrdinanceWorkflow	11/12/03 4:04 PM	Reject	sinzje	Public	001299	0
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AllOrdinanceWorkflow	11/13/03 1:06 PM	Checkin	pruittns	Public	001299	0
Finance_SubWorkflow	11/13/03 3:05 PM	Approve	sinzje	Public	001299	0
AllOrdinanceWorkflow	11/13/03 4:43 PM	Reject	foutzrs	Public	001299	0
AllOrdinanceWorkflow	11/13/03 5:40 PM	Checkin	pruittns	Public	001299	0
OMB_SubWorkflow	11/14/03 7:51 AM	Approve	foutzrs	Public	001299	0
Legal_SubWorkflow	11/14/03 9:11 AM	Approve	bonessfh	Public	001299	0
MuniManager_SubWorkflow	11/14/03 12:59 PM	Approve	leblancdc	Public	001299	0
MuniMgrCoord_SubWorkflow	11/14/03 1:02 PM	Approve	katkusja	Public	001299	0

MUNICIPALITY OF ANCHORAGE

Summary of Economic Effects -- General Government

AO Number: 2003-159	Title:	AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE TITLE 12 SECTIONS RELATING TO THE BOARD OF EQUALIZATION AND SPECIFIED PROCESSES, PROCEDURES AND REQUIREMENTS APPLICABLE TO APPEALS OF ASSESSED VALUATIONS OF PROPERTY FOR TAX PURPOSES TO PROVIDE FOR MULTIPLE PANELS OF THE BOARD OF EQUALIZATION CONSISTING OF A THREE MEMBER QUORUM; COMPENSATION OF THE MEMBERS OF THE BOARD OF EQUALIZATION; THE REQUIRED SUBMISSION OF EVIDENCE BY PROPERTY OWNERS AND THE CONFIDENTIALITY OF CERTAIN EVIDENCE OF COMMERCIAL PROPERTY VALUES AFFECTING COMPETITION.
Sponsor:	Mayor	
Preparing Agency:	Finance	
Others Impacted:	None	

CHANGES IN EXPENDITURES AND REVENUES:

	FY03	FY04	FY05	FY06
Operating Expenditures				
1000 Personal Services	\$ -	\$ -	\$ -	\$ -
2000 Non-Labor	3	3	3	3
3000 Contributions	-	-		
4000 Debt Service	-	-		
TOTAL DIRECT COSTS:	\$ 3	\$ 3	\$ 3	\$ 3
Add: 6000 Charges from Others	0	0	0	0
Less: 7000 Charges to Others	0	0	0	0
FUNCTION COST:	\$ 3	\$ 3	\$ 3	\$ 3
REVENUES:	\$ -	\$ 189	\$ 170	\$ 153
CAPITAL:	0	0	0	0
POSITIONS: FT/PT and Temp	0	0	0	0

PUBLIC SECTOR ECONOMIC EFFECTS:

In response to a recent court decision, the MOA must substantially complete the assessment appeal process in the first half of the year. The financial impact of failure to comply with this requirement could be as much as ten million dollars per year in lost tax revenue. This ordinance will help avoid this severe financial impact, speed up the appeal process and provide fair treatment of all taxpayers. The change will result in a reduction of labor expended to handle appeals. Expand compensation to board members and provide an offsetting revenue from appeal filing fees. **Saved labor cost will be redirected to improvement of the tax roll thereby reducing the number of assessments appealed.**

PRIVATE SECTOR ECONOMIC EFFECTS:

Taxpayers must pay a fee when a tax appeal is filed. If the appeal results in an adjustment to the original assessed value the fee will be refunded. Tax payers must provide evidence to support the filed appeal within 45 days of the notice of valuation.