

# Presenting Your Case at the Board of Revision Hearing

## Understanding the Hearing Process

- The Board of Revision is a quasi-judicial (court-like) body that follows Ohio's *Rules of Evidence*, and the Board's *Rules of Practice and Procedure*. The hearing is recorded by audio, video, or court stenographer.
- The Board is composed of the President of the County Commissioners, the County Treasurer, and the County Auditor (who is officially the Secretary of the Board).
- The purpose of the Board of Revision is to hear complaints regarding the market value of real property as of the tax lien date. The Board does not hear complaints about the property's taxes.
- An average residential hearing is 10-15 minutes. For the record, an opening statement is read introducing the Board, the case number, the parcel number, the name of the complainant, etc.
- Each person who will testify at the hearing is sworn-in, and asked to give their name, and relationship to the property for the Board's record.
- The Board will then ask you to present your case giving testimony and evidence supporting your opinion of the property's market value.
- If your request for reduction in value is greater than \$50,000 market value, the school was notified (as required by Ohio law). The school has the right to file a complaint opposing your request for reduction. If they file a counter-complaint, they have the right to attend the hearing, ask questions of any witnesses, and present their evidence.
- If the school files the original complaint, the property owner will be notified, whether a counter-complaint is filed or not, the property owner becomes a party to the complaint, and will receive a copy of any notice sent.
- After the conclusion of the hearing(s), the Board will examine the evidence and find value. The decision letter will be sent by certified mail within 30-60 days.

## Facts and Evidence Tips

- The person who gives testimony at the hearing, and presents evidence must be the person who has actual knowledge of the material presented.
- The Board cannot make an informed decision based on opinions, hearsay, and non-verifiable information.
- Acceptable sales are arm's length transactions like the property under complaint, from the same area or neighborhood, and sold within the last 24 months for residential and agricultural, and 36 months for commercial.
- Market value is the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the

buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus.

- Property Appraisals Created for the Board of Revision Hearing Must Illustrate the Property's Market Value as of the Tax Lien Date.
  - Appraiser should be by an Ohio Certified Appraiser or an Ohio Licensed Appraiser.
  - Appraiser must appear at the hearing to testify about the facts in the appraisal submitted.
  - Appraisal must be submitted to the County Auditor at least 5 days before the hearing.
  - Appraisal must meet the appraisal industry's USPAP appraisal standards.
  - Appraisal must contain descriptions and valuations of comparable properties in same area as the property under complaint and sold in an arm's length transaction during the last 24 months for residential and agricultural, and 36 months for commercial.
- Not Acceptable Evidence of Value
  - Newspaper, magazine, and Internet articles.
  - Letter giving an opinion of the property's value.
  - One-page appraisal letters.
  - Real estate listings of property being offered for sale.
  - Sales of property sold by foreclosure, sheriff, auction, bank or mortgage company, REO sale, property trade, or sale between relatives.
  - Appraisals created for financial reasons, such as bank loan mortgage or refinance.
- Any document submitted to the Board of Revision becomes a public record.

## Different Kinds of Appraisals

The appraised value of a property varies depending on the purpose for which an appraisal was prepared.

- Mortgage Appraisal is prepared for a bank loan that has underwriting requirements; and may not reflect fair market value as defined in Ohio's laws.
- Insurance Appraisal is done for an insurance company which typically includes only the home's replacement value of the structure(s), and not the value of the land.
- Home Equity Appraisal is for a home equity loan based on the bank being able to recoup the money they will be lending if the loan goes into default.
- Board of Revision Market Value Appraisal is prepared specifically to illustrate the property's market value on January 1 of the tax year which is the date the County Auditor must use.