

This is a printer friendly version of an article from www.heraldtribune.com
To print this article open the file menu and choose Print.

Article published Jun 21, 2007

As assessed land values increase so will appeals

By MICHAEL BRAGA and PATRICK WHITTLE

michael.braga@heraldtribune.com

patrick.whittle@heraldtribune.com

STAFF WRITERS

With real estate values plunging across Southwest Florida, many taxpayers believe their tax bills will go down in 2007.

But that is not going to happen.

County property appraisers say it is far more likely that residents will see an increase, something not likely to make the majority of them happy.

A rise in taxes at a time when values are dropping in the post-boom world could prompt thousands of Southwest Florida homeowners to protest in the only process available: by appearing before county value adjustment boards to argue for lower assessments.

Value adjustment boards, local tribunals appointed to determine the worth of a disputed property, saw a record number of cases in 2006, nearly doubling in Sarasota County to 1,185.

In Charlotte County, the bump was even more pronounced. Challenges rose from less than 400 to about 900. In Manatee County, the totals rose from 324 to 430.

Economists, property appraisers and homeowners expect those numbers to rise even higher this year.

"We'll see quite a lot more appeals than we typically do and more cases going to court to resolve these perceived over-assessments," said David Ling, a real estate economist with the University of Florida.

The complaints, which sometimes result in lengthy court disputes between property owners and governments, threaten to overburden county workers, said Frank Desguin, Charlotte County's property appraiser.

But some residents are more concerned with their tax bills than with overworked public officials.

"We are going to file an appeal," said Terri Noyes, a Massachusetts resident who owns two rental properties on Bradenton Beach. "This is ridiculous. I feel like we're being pickpocketed and can't do anything about it."

Appraisers' hands are tied



NINIA GREIPEL

Ken Gerry, co-owner of White Sands Beach Resort on Anna Maria Island, has seen his tax bill increase from \$12,000 to \$70,000 over the past five years. He plans to protest his assessment.

WHEN AND HOW TO APPEAL

Hundreds of owners of homes and businesses appeal their property values every year.

The majority are concerned about dramatic increases to their tax bills, said Charlotte County Appraiser Frank Desguin.

Others believe the property appraiser has incorrectly assessed the value of their home. Such concerns often arise when a home is valued at a level much higher than surrounding properties in the same neighborhood.

Before appealing, property appraisers suggest home-owners check the status of their homestead exemption. Non-homesteaded property almost always carries a much higher assessment than neighboring homesteaded properties, even if the properties are very similar.

Value adjustment boards typically begin receiving petitions in August after tax notices go out. Property owners usually have 25 days to file a petition, after which the case often goes to a hearing in front of a special magistrate. The magistrate makes a recommendation to the Value Adjustment Board, which makes a ruling.

Most cases are resolved by January or February. Some continue in civil court.

Sometimes it pays off. Charlotte County reduced its taxable value by more than \$50 million in 2006 because of petitions to the value adjustment board.

-- Patrick Whittle

CONTACT INFORMATION

■ SARASOTA COUNTY

Sarasota County

Property Appraiser

County property appraisers say the reason taxes are likely to go up this year is that taxes are based on 2006 prices, a time when values were still rising in Southwest Florida.

They rose by 11 percent to 12 percent in Manatee County, 5 percent in Sarasota County and 6 percent in Charlotte County, property appraisers reported.

Homeowners might be dropping the prices right and left, but until there are concrete sales, it will be hard for appraisers to make downward determinations, said Charlie Hackney, Manatee County's property appraiser.

"As appraisers, we approached the state Department of Revenue to see if 2007 sales numbers could be used this year," Hackney said. "But the answer was no."

Snowbirds, landlords and owners of barrier-island businesses -- already angered by the fact that, in their view, the Florida Legislature ignored them in its recent tax reform package -- are the most like to appeal their 2007 valuations this fall.

But Realtors and market watchers believe that those who bought homes at the height of the boom might feel compelled to appeal.

"If they purchased homes at the peak of the bubble, then their houses have been appraised for more than their just value," said John Allaman, a Michael Saunders & Co. real estate agent. "That means they are paying more in taxes than they should."

Those who are successful in lowering their assessments will also will be more inclined to keep their Save Our Homes protection than to switch over to the plan that was recently pushed through the state lawmakers.

Property owners, however, are not convinced that going through the appeals process will result in a lower tax bill.

Ken Gerry, owner of the White Sands and Tropical Beach motels on Holmes Beach, believes the system is skewed in favor of the appraisers. But he is still going to protest the fact that the taxes on his 21 hotel rooms have gone up from \$12,000 to \$70,000 per year during the past five years.

"It's expensive to protest," Gerry said. "But you have to show them that you're unhappy and that you won't just be pushed aside."

Winnie Nelon, one of the leaders of the Coalition Against Runaway Taxes, feels the same way.

She went through the appeals process in 2005 after taxes skyrocketed on her Longboat Key house.

Nelon first attempted to persuade the Manatee County property appraiser to adjust the taxes on the home that has been in her family for three generations, but he declined. So she made a three-minute plea at a public meeting and was rejected again.

On her third try, she presented legal arguments to the value adjustment board, which, at that time, was

Terrace Building

2001 Adams Lane

Sarasota, FL 34237

Phone: (941) 861-8200

Fax: (941) 861-8260

www.sarasotaproperty.net/

■MANATEE COUNTY

Clerk of the Circuit Court

Attn: Value Adjustment Board

P.O. Box 25400

Bradenton, Florida 34206

Phone: (941) 741-4018

Fax: (941) 741-4089

e-mail:

susan.romine@manateeclerk.com

Manatee County

Property Appraiser

P.O. Box 1338

Bradenton, Florida, 34206

Phone: (941) 748-8208

Fax: (941) 742-5664

www.manateeclerk.com/news

■CHARLOTTE COUNTY

Property Appraiser's Office

Murdock Administration Center 18500
Murdock Circle

Port Charlotte, FL 33948

Phone: (941) 743-1498

www.ccappraiser.com/real.htm

headed by County Commissioner Jane von Hahmann.

Once again, her appeal was thrown out.

"To a person, the board members said they were not lawyers and could not possibly provide a legal opinion," Nelon said. "But the county lawyer was sitting right there. It was a complete farce."

Von Hahmann said that as a business owner who has seen her tax escalate along with everyone else, she understands Nelon's plight.

But the fact of the matter is that values rose sharply on the barrier islands during the boom, and taxes will not come down until appraisers see falling values of comparable properties, she said.

"If things around her home start selling for \$250,000 less, she will have a case."

Falling value, rising anger

All the rationale in the world is not going to make landlords and business owners feel warm and fuzzy about paying more taxes at a time when property values are falling.

Al Noyes, for example, is livid about the fact that his two rental properties on Bradenton Beach have an assessed value of \$1.2 million.

"I would like to tell the appraiser that if he thinks they are worth \$1.2 million, then he can buy them from me for \$900,000, resell them for \$1.2 million and keep the \$300,000 profit," said Noyes, now trying to sell the two rentals for \$695,000.

Not expecting Hackney to take him up on his offer, Noyes and his wife are going to do the next best thing: file an appeal.

The same goes for Clayton Sponseller, who used to live in four-bedroom house in Sarasota's gentrified West of the Trail neighborhood.

Sponseller bought the house for \$79,000 in 1987. But when he moved to Ellenton two years ago and the property was reappraised at \$736,800, he suddenly became intimately interested in the appeal process.

Sponseller, whose tax bill was \$14,000 in 2006, said there is no question that he will appeal to the Sarasota County Value Adjustment Board.

"The house next door just sold for \$450,000," he said. "My assessment needs to get knocked back to that amount."
