STATE OF COLORADO

John W. Hickenlooper, Governor

Department of Local Affairs
Reeves Brown, Executive Director

Division of Property Taxation
JoAnn Groff, Property Tax Administrator

TO: County Assessors

FROM: JoAnn Groff
Property Tax Administrator

SUBJECT: 2012 Media Releases

DATE: January 4, 2012

DISTRIBUTION: Review with appropriate staff
Release to media during suggested release dates
File in Public Relations file

MEMORANDUM

Enclosed is a sample public notice along with sample media releases for 2012. The notice and media releases may be used as written by filling in the blanks with the appropriate information, or they may be customized to meet your needs. Adjustments have been made for the 2012 statutory dates that fall on a weekend or holiday. The dates for real property are set assuming that the Real Property Notices of Valuation will be mailed on Tuesday, May 1. If the notices are mailed earlier than May 1, the date real property protests begin must be adjusted accordingly. Section 39-5-122, C.R.S. states that the assessor will sit to hear real property protests **beginning on the first working day after Notices of Valuation are mailed.**

All counties have the option to use the alternate protest and appeal procedures. The alternate protest and appeal procedures must be requested by the assessor and approved by the governing body of the county on or before May 1 of each year pursuant to § 39-5-122.7(1), C.R.S. The alternate protest and appeal procedures extend the time period assessors have to respond to protests. For real property, the deadline is extended from the last regular working day in June to the last regular working day in August. For personal property, the deadline is extended from July 10 to the last regular working day in August. If a county elects to use the alternate protest and appeal procedures, the dates shown in the **Real Property Taxpayer Remedies** and **Personal Property Taxpayer Remedies** media releases must be modified accordingly.

1313 Sherman, Room 419, Denver, CO 80203, (303) 866-2371
http://dola.colorado.gov FAX (303) 866-4000

PUBLIC NOTICE

Pursuant to § 39-5-122(1), C.R.S., public notice shall be given that the assessor will sit to hear all objections and protests concerning the classification and valuation of taxable real and personal property as determined by the assessor for the current year. The notice must be published in at least one issue of a newspaper published in the county. Or, if there is no newspaper, the notice must be posted in the offices of the assessor, the treasurer, the county clerk and recorder, and in at least two other public places in the county seat. Also, the notice must be sent to radio stations, television stations, and newspapers of general circulation in the county. Retaining proof of payment for publication is recommended.

Subject Title	Release
Real and Personal Property Protest Deadlines	Required on or before May 1

MEDIA RELEASES

The following media releases and suggested release dates are listed below. The releases may be amended and/or personalized to meet your needs.

Subject Title	Suggested Release
Senior Citizen and Disabled Veteran Property Tax Exemptions	January 1 through July 1 July 1, 2012 falls on a Sunday
Personal Property Declaration Schedule	January, after declarations are mailed
Personal Property Declaration Filing Reminder	**March 15 through April 15** April 15, 2012 falls on a Sunday
Real Property Taxpayer Remedies	**April 1 through May 31** April 1, 2012 falls on a Sunday
Personal Property Taxpayer Remedies	June 10 through June 30 June 10, 2012 falls on a Sunday June 30, 2012 falls on a Saturday

Electronic copies of the attached documents in Microsoft Word format are available upon request. Please direct questions regarding the public notice and media releases to Joe Gomez at 303-866-2135 or joseph.gomez@state.co.us.

REAL PROPERTY AND PERSONAL PROPERTY PROTEST DEADLINES
(Public Notice)

NAME AND ADDRESS OF CONTACT:

_____

_____

_____

TELEPHONE NUMBER: _____

RELEASE: <u>Required on or before May 1</u>

PUBLIC NOTICE

Colorado law requires the county assessor to hear objections to real property classifications and valuations beginning no later than May 2, 2012. Objections to the valuation or classification of real property must be postmarked, delivered, or presented in person to the county assessor's office no later than June 1, 2012.

Colorado law requires the county assessor to begin hearing objections to personal property valuations no later than June 15, 2012. Objections to personal property valuations must be postmarked, delivered, or presented in person to the county assessor's office no later than July 2, 2012.
For additional information, contact the county assessor's office at _____***(telephone number).***

PROPERTY TAX EXEMPTION
FOR QUALIFYING SENIOR CITIZENS AND DISABLED VETERANS
(Media Release)

NAME AND ADDRESS OF CONTACT:

_____

_____

_____

TELEPHONE NUMBER: _____

SUGGESTED RELEASE: January 1 through July 1

The Colorado Constitution establishes a property tax exemption for senior citizens and disabled veterans. For those who qualify, 50 percent of the first $200,000 in actual value of the primary residence is exempted from property tax. The State of Colorado pays the property taxes on the exempted value. For tax years 2009 through 2011, the General Assembly eliminated funding for the senior citizen exemption (but not the disabled veteran exemption).At this time, the exemption is scheduled to return in 2012, payable in 2013. Qualifying seniors are urged to submit applications if they have not yet done so.

SENIOR CITIZEN EXEMPTION:

Basic Qualifications - Generally, each of the following statements must be true to qualify for the senior citizen exemption. The qualifying senior:

- Must be at least 65 years old on January 1 of the year the application is filed; and
- Must be the current owner of record, and listed as the owner of record for at least 10 consecutive years prior to January 1; and
- Must occupy the property as his/her primary residence, and must have done so for at least 10 consecutive years prior to January 1.

Exceptions to Basic Qualifications - The applicant may still qualify if one or more of the following statements are true:

- Ownership is in the spouse's name, and the spouse also occupies the property;
- Ownership has been transferred to or purchased by a trust, corporate partnership or other legal entity solely for estate planning purposes;
- The qualifying senior or his/her spouse was or is confined to a health care facility;
- The applicant was forced to move when the prior residence was condemned in an eminent domain proceeding;
- The applicant is the surviving spouse of a senior who met the requirements on January 1, 2002, or on any January 1 thereafter.

How to Apply - To apply, you must complete the appropriate application form and return it to the assessor by July 16. The assessor may accept late applications until September 17 if the applicant can show good cause for missing the July 16 deadline. The "Short Form" application may be used by qualifying senior citizens who meet each of the basic qualifications. The "Long Form" application must be used by applicants who satisfy one or more of the exceptions to the basic qualifications. If you would like to receive an application form or a brochure that explains the senior citizen exemption in greater detail, or if you have any questions regarding the exemption, please call the assessor's office at _____ ***(telephone number)***.

DISABLED VETERAN EXEMPTION:

Basic Qualifications – Generally, each of the following statements must be true to qualify:

- The applicant must be a veteran who sustained a service-connected disability while serving on active duty in the Armed Forces of the United States. This includes members of the National Guard and Reserves who sustained injuries while serving on active duty;
- The applicant must have been honorably-discharged;
- The United States Department of Veterans Affairs has rated the applicant's service-connected disability as 100 percent permanent and total. VA unemployability awards do not meet the requirement for determining an applicant's eligibility;
- The applicant must be the owner of record and must have been the owner of record since January 1 of the current year; and
- The applicant must have occupied the property as his/her primary residence since January 1 of the current year.

Exceptions to Basic Qualifications – The applicant may still qualify if one or more of the following statements are true:

- Ownership is in the spouse's name, and the spouse also occupies the property;
- Ownership has been transferred to or purchased by a trust, corporate partnership or other legal entity solely for estate planning purposes;
- The qualifying disabled veteran or his/her spouse was or is confined to a health care facility.
- The applicant was forced to move when the prior residence was condemned in an eminent domain proceeding.

How to Apply - To apply, you must file a completed application with the Colorado Division of Veterans Affairs by July 2. The Division of Veterans Affairs may accept late applications until September 3 if the applicant can show good cause for missing the July 2 deadline. If you would like to receive an application form or a brochure that explains the disabled veteran exemption in greater detail, or if you have any questions regarding the exemption, please call the assessor's office at _____ ***(telephone number)***.

PERSONAL PROPERTY DECLARATION SCHEDULE
(Media Release)

NAME AND ADDRESS OF CONTACT:

_____

_____

_____

TELEPHONE NUMBER: _____

SUGGESTED RELEASE: <u>January, after the declaration schedules are mailed</u>

All persons owning, possessing, or controlling taxable personal property with a total actual value greater than $5,500 (per owner, per county) on January 1, 2012, are required to report the personal property to the assessor by April 16, 2012. Personal Property Declaration Schedules have been mailed to every person, business, or company known to own, possess, or control taxable personal property in the county. Non-receipt of a declaration schedule DOES NOT excuse taxpayers from declaring taxable personal property to the assessor. If you have not received a declaration schedule and own personal property with a value greater than $5,500, contact the assessor at _____ ***(telephone number)***.

All personal property with a total actual value in excess of $5,500 (per owner, per county) is taxable unless specifically exempt by law.

Taxable personal property includes:

- All residential household furnishings used to produce income
- Equipment, furniture, and machinery used by commercial, industrial, and natural resource operations
- Property used in an agribusiness that does not qualify as agricultural pursuant to § 39-1-102(1.6)(a), C.R.S.
- Expensed assets with a life greater than one year
- Fully depreciated assets still in use
- Personal property in storage that is subject to IRS depreciation
- Leasehold improvements

Equipment that is licensed as a motor vehicle (SMM plate or Z-Tab) is not reported on the Personal Property Declaration Schedule.

Completed declaration schedules are due April 16, 2012. You may extend the deadline if, prior to April 16, the assessor receives your written request for an extension along with $20 for a 10-day extension, or $40 for a 20-day extension. If you do not meet the April 16 deadline and do not request an extension, a penalty in the amount of $50 or 15% of the taxes due (whichever is less) will be applied to your account.

If you fail to file a declaration schedule, the assessor will establish a taxable value based on the "best information available" and add a penalty of up to 25% of assessed value for any omitted property that is subsequently discovered.

PERSONAL PROPERTY DECLARATION FILING REMINDER
(Media Release)

NAME AND ADDRESS OF CONTACT:

_____

_____

_____

TELEPHONE NUMBER: _____

SUGGESTED RELEASE: <u>March 15 through April 15</u>

The _____ County Assessor reminds all persons owning, possessing, or controlling taxable personal property (furnishings, equipment and other movable personal property) that the deadline for filing a Personal Property Declaration Schedule is April 16. All persons who own, possess, or control taxable personal property with a total actual value greater than $5,500 per owner, per county, are required to report the personal property to the county assessor. Failure to declare your personal property each year by the deadline will result in the assessor valuing your property using the "best information available" and attaching a penalty to your tax bill. If you did not receive a declaration schedule, please contact the county assessor at _____ ***(telephone number)***.

All personal property with a total actual value in excess of $5,500 (per owner, per county) is taxable unless specifically exempt by law.

Taxable personal property includes:

- All residential household furnishings used to produce income
- Equipment, furniture, and machinery used by commercial, industrial, and natural resource operations
- Property used in an agribusiness that does not qualify as agricultural pursuant to § 39-1-102(1.6)(a), C.R.S.
- Expensed assets with a life greater than one year
- Fully depreciated assets still in use
- Personal property in storage that is subject to IRS depreciation
- Leasehold improvements

Equipment that is licensed as a motor vehicle (SMM plate or Z-Tab) is not reported on the Personal Property Declaration Schedule.

If you have questions about the Personal Property Declaration Schedule, please contact the assessor's office at _____ ***(telephone number)***.

REAL PROPERTY TAXPAYER REMEDIES
(Media Release)

Assessors, please note: ***If you are using the standard protest and appeal procedures, please delete dates for the alternate protest and appeal procedures before submitting this document for publication.***

If your county has elected to use the alternate protest and appeal procedures, please replace the standard dates below with the alternate dates shown in parentheses.

If your county is using an extended base period, please adjust the January 1, 2009 through June 30, 2010 dates accordingly.

NAME AND ADDRESS OF CONTACT:

_____

_____

_____

TELEPHONE NUMBER: _____

TELEPHONE NUMBER: _____

SUGGESTED RELEASE: April 1 through May 31

For tax years 2011 and 2012, the county assessor is required by law to appraise all real property at a June 30, 2010 level of value. Notices of Valuation reflecting the 2012 values may have been sent in January with the 2011 tax bill or will be sent to owners of real property by May 1. The information used by the assessor to value your property is available for your review.

From May 2through June 1, owners of real property may protest the value or the classification established by the assessor. This protest period provides an opportunity for taxpayers to inform the assessor of errors in classification, property description, or other discrepancies that may result in a reduction in value or a change in classification.

Protests to the assessor must be postmarked or presented in person on or before June 1. The assessor must make a decision concerning your protest and mail you a written Notice of Determination on or before the last working day in June ***(August – for alternate protest and appeal procedures)***. If you are satisfied with the assessor's determination, the tax bill you receive next January will be based on the value and classification reflected on the Notice of Determination.

If you disagree with the assessor's decision, you may file an appeal with the county board of equalization. An appeal to the county board of equalization must be postmarked or hand-delivered no later than July 16 ***(September 17 – for alternate protest and appeal procedures)***. The county board will notify you by mail of the hearing date, time, and place where you may present evidence to substantiate your case. Evidence includes documentation such as the sale prices of properties similar to yours that sold between January 1, 2009 and June 30, 2010 ***(Adjust dates accordingly)***. The county board will conclude hearings and render decisions by the close of business on August 3 ***(November 1 – for alternate protest and appeal procedures)***. The county board must mail you a decision within five business days of the date of its decision. If you are satisfied with the county board's decision, the tax bill you receive next January will be based on the valuation and classification reflected in the county board's decision.

If you disagree with the action of the county board, you may file an appeal with the State Board of Assessment Appeals or the district court, or you may request a binding arbitration hearing. Your appeal must be made within 30 days of the date of the county board's decision.

For additional information regarding the protest and appeal process, contact your county assessor at **_____*(telephone number)***.

PERSONAL PROPERTY TAXPAYER REMEDIES
(Media Release)

Assessors, please note: ***If you are using the standard protest and appeal procedures, please delete the dates for the alternate protest and appeal procedures before submitting this document for publication.***

If your county has elected to use the alternate protest and appeal procedures, please replace the standard dates below with the alternate dates shown in parentheses.

NAME AND ADDRESS OF CONTACT:

_____

_____

_____

TELEPHONE NUMBER: _____

SUGGESTED RELEASE: June 10 through June 30

From June 15 to July 2, 2012, owners of taxable personal property (e.g., business furnishings, equipment, etc.) may challenge the county assessor's valuation of their property. The value determined by the assessor is based on information submitted on your Personal Property Declaration Schedule. If you failed to file a declaration schedule, the value was determined using the "best information available."

Taxpayers who disagree with their personal property valuations may object by mail or in person by July 2. Once an objection has been filed, the assessor will review your account and mail you a Notice of Determination by July 10 ***(August 31 – for alternate protest and appeal procedures)***. A taxpayer's exclusive remedy for a "best information available" (BIA) valuation is the protest procedure described herein.

If you disagree with the assessor's decision, you may file an appeal with the county board of equalization. The appeal to the county board of equalization must be postmarked or hand-delivered by July 20 ***(September 17 – for alternate protest and appeal procedures)***. The county board will notify you by mail of the hearing date, time, and place where you may present evidence in support of your case. The county board will conclude hearings and render decisions by the close of business on August 3 ***(November 1– for alternate protest and appeal procedures)***. The county board must mail you a decision within five business days of the date of its decision. If the county board adjusts the value of your property, the tax bill you receive next January will be based on the adjusted value.

If you disagree with the county board's decision, you may file an appeal with the State Board of Assessment Appeals or the district court, or you may request a binding arbitration hearing within 30 days of the county board's decision.

For additional information regarding the protest and appeal process, contact your county assessor at _____ (***telephone number***).