## **Damaged Property Case and a Favor If It Does Not Match O’Conner & Associates**

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## Property Information about 2 Co-Owners for 1914 Klauke Court; Rosenberg, TX 77471

1. Connie Martin Bibus R65365 – Daughter and POA – 713-446-7933 – cjb\_classes@yahoo.com
2. Juanita Teresa Martin R399455 - Mother

### Documents Listed in the Order I Attached Them

1. A\_Quick\_Tour\_of\_Why\_Possible\_Buyers\_Will\_Know\_This\_Is\_Damaged\_Property\_Info-Protest\_in\_May\_2017  
   (A yellow note to O’Conner & Associates identifies what I can complete if useful.)
2. 2010\_Plat\_Showing\_House\_Storage\_Building\_Fence\_Lines\_Going\_into\_1914\_Klauke\_Court
3. Context\_and\_Contents\_for\_each\_attached\_FBCAD\_Document, **including the 2015 and 2016 appraisers’ actions** (A yellow note to O’Conner & Associates identifies what I can complete if useful.)
4. 2015\_0529\_Documents\_for\_Protest\_Meeting\_with\_FBCAD\_Appraiser
5. 2015\_0529\_FBCAD\_Appraiser\_**LOWERED**\_value
6. 2016\_0608\_Documents\_for\_Protest\_Meeting\_with\_FBCAD\_Appraiser
7. 2016\_0608\_FBCAD\_Appraiser\_**REFUSED**\_to\_look\_at\_Damage\_to\_Property\_Value\_OR\_ESTIMATES\_for\_Proposed\_Repairs
8. 2016\_0620\_Info\_to\_FBCAD\_Re\_Their\_Not\_Following\_Comptroller\_Rules\_on\_Adverse\_Impact\_OR\_on\_Their\_Requirement\_for\_Estimates\_Pre-Approved\_By\_Them

This attachment includes copies of slides from the **Texas Comptroller’s video** “How to Present Your Case at an Appraisal Review Board Hearing – A Homeowners Guide” (**the video that FBCAD provides as a link and says homeowners should use it to prepare for an ARB hearing**). Below I refer to some of its attachments.

### Offer to Help with Clerical Work on This Case

If you think any of the pictures in these documents could help you present this mess and you would like them put in a file in a specific order, I will be glad to do that. I have a few days of flexibility.

### Why Evidence Do I Have About Damage and About Costs

1. Anyone can walk on the property and see the damage – For an online version, see the attached “Quick Tour.”  
   It is mainly pictures and the Tour starts with the view from the street. A table of contents lets you jump where you want.
2. Evidence consists of time-stamped pictures of the flooding. I was taking pictures **as the flooding was happening. Why?** To figure out the causes since the vendors for 2 years had not. It was only with the time-stamped pictures that vendors could begin to figure out solutions or realize they could not do the job.
   * The Texas Comptroller’s video **“How to Present Your Case at an Appraisal Review Board Hearing – A Homeowners Guide”** says photos are evidence. (Attachment 4 and 5 of 2016\_0620 document)
   * The 2015 FBCAD appraiser accepted time-stamped photos of flooding as evidence when he lowered the value.
3. If financial evidence is needed for costs, I have receipts or cancelled checks for everything.   
   (In June 2016, I had also **estimates**, but the 2016 appraiser would not look at them. Below are reasons why the Texas Comptroller's video might support lowering value for “receipts.”

### Why Do I Hope There Are 2 Methods from the Texas Comptroller's Video That Might Qualify for a Lower Appraisal for the Property in Spite of What FBCAD Did

1. The Texas Comptroller's video **“How to Present Your Case at an Appraisal Review Board Hearing – A Homeowners Guide”** accepts damages that lower value (“**adverse impact** on the **value** the appraisal district placed on your home”) and gives in the **audio script** several examples, not just foundation repair (Attachment 2 of 2016\_0620 document)
   * The 2015 FBCAD appraiser lowered the house appraisal on grounds that seemed to a layperson to match the Texas Comptroller's meaning above.   
     **However**, the 2016 FBCAD appraiser would not look at them**.**
2. The Texas Comptroller's video places “receipts” on its “Evidence Checklist.” (Attachment 5 of 2016\_0620 document). Also, a search of the video’s audio script and its slides does not use “estimates” in the way FBCAD does. (Attachments 13 and 14 of 2016\_0620 document).   
     
   How does FBCAD’s position seem to be the opposite of the Texas Comptroller's video? Based on what both the 2015 and 2016 appraisers said (the only thing they had in common), FBCAD tells its appraisers:
   * That it requires homeowners to bring “estimates” to the protest
   * That a repair paid for before the protest **cannot** be used to reduce value.

Because I could not find that oral information repeated at the FBCAD website and it is horrible to hear at the protest that the foundation repair doesn’t count because you already paid the bill, **I sketched a change to their website that would be fairer to citizens** so citizens would know the rules (Attachment 5 of 2016\_0620 document)

1. If the Texas Comptroller's video is correct (and Not FBCAD’s oral statements), then the damages might be countable as:
   * Either “adverse impact” (Attachment 2 of 2016\_0620 document)
   * Or as “receipts” for the 2016 year (Attachment 5 of 2016\_0620 document)
2. If the Texas Comptroller's video is not true, why is FBCAD telling homeowners to use it.