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

[Property Information about 2 Co-Owners for 1914 Klauke Court; Rosenberg, TX 77471 1](#_Toc483314924)

[Boring Details in This Case and Ways to Let You Skip Things You Do Not Want 1](#_Toc483314925)

[Documents Listed in the Order I Plan to Attach Them 1](#_Toc483314926)

[Offer to Help with Clerical Work on This Case 2](#_Toc483314927)

[What Evidence Do I Have About Damage and About Costs 2](#_Toc483314928)

[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 2](#_Toc483314929)

[Why Lowering the Value of the Property Is a Necessary Issue for Me 3](#_Toc483314930)

[The Favor If This Case Does Not Match O’Conner & Associates 3](#_Toc483314931)

### 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  
   As is obvious, when my mother dies, I will be paying taxes on the appraisal for 100% of the house.

### Boring Details in This Case and Ways to Let You Skip Things You Do Not Want

* The attached Quick Tour of the House – Yes, we bought a lemon, but it needs to be appraised as one
* The attached Context and Contents so you can find if anything in the FBCAD documents is useful to you
* This file

### PDFs Listed in the Order I Plan to Attach Them

1. A\_Quick\_Tour\_of\_Why\_Possible\_Buyers\_Will\_Know\_This\_Is\_Damaged\_Property-Protest\_in\_May\_2017  
   (On page 11, a yellow note to O’Conner & Associates identifies—if useful to O’Conner—that I can copy in the estimates for repairs that I provided to the 2016 Appraiser. I can also provide the status on how many of the estimated repairs were done in Summer 2016 and at what cost.)
2. 2010\_Plat\_Showing\_House\_Storage\_Building\_Fence\_Lines\_Going\_into\_1914\_Klauke\_Court
3. Context\_and\_Contents\_for\_each\_attached\_FBCAD\_Document
   * Context = what happened before and after those documents, **including the 2015 and 2016 appraisers’ actions** and what the estimated over **$16,094.67** in costs in Summer 2016 (with receipts from materials not yet tallied).  
     (On page 2, a yellow note to O’Conner & Associates identifies—if useful to O’Conner—that I can provide receipts or copies of cashed checks for the **$16,094.67** and can locate, tally, and provide the receipts for materials.)
   * Contents = Tables, with the left column with bolded questions and with the right with the page to use
4. Attached documents To and From FBCAD
5. 2015\_0529\_Documents\_for\_Protest\_Meeting\_with\_FBCAD\_Appraiser
6. 2015\_0529\_FBCAD\_Appraiser\_**LOWERED**\_value
7. 2016\_0608\_Documents\_for\_Protest\_Meeting\_with\_FBCAD\_Appraiser
8. 2016\_0608\_FBCAD\_Appraiser\_**REFUSED**\_to\_look\_at\_Damage\_to\_Property\_Value\_OR\_ESTIMATES\_for\_Proposed\_Repairs
9. 2016\_0620\_Info\_to\_FBCAD\_Re\_Their\_Not\_Following\_Comptroller\_Rules\_on\_Adverse\_Impact\_OR\_on\_Their\_Requirement\_for\_Estimates\_Pre-Approved\_By\_Them

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| The last 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 use it to prepare for an ARB hearing**). Below I refer to some of its attachments because the Comptroller’s video contradicts what is FBCAD policy as revealed by FBCAD appraisers in 2015 and 2016. |

### 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 and provide you with a Word document. I have a few days of flexibility.

### What 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. 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. If Needed, why:** To figure out the causes of flooding 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 in the video’s
     + Audio script - “The ARB and the appraiser will not visit your home **so you must take your home, in essence, to them**. **Take** **pictures of all aspects of your home** that you believe have **an adverse impact on the value the appraisal district placed on your home.** (Attachment 2 of 2016\_0620 document)
     + Slides - Lists photos as usable as evidence. (Attachment 4 and 5 of 2016\_0620 document)

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| Cognitive guess: FBCAD appraisers are not listening to the audio or have not listened for a long time. |

* + The 2015 FBCAD appraiser accepted time-stamped photos of flooding as evidence when he lowered value.  
    The 2016 FBCAD appraiser not only did not accept photos, but also would not look.

1. If financial evidence is needed for costs, I have receipts or cancelled checks for everything in Summer 2016.   
   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 accepts damages that lower value (“**adverse impact** on the **value** the appraisal district placed on your home”) and gives in the **audio script** varied 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 the document**.**
2. The Texas Comptroller's video lists **“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 the word “estimates” in the way FBCAD does. (Attachments 3 and 4 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 citizen-taxpayers 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 they can know the rules (Attachment 6 of 2016\_0620 document)

1. If the Texas Comptroller's video does **not** apply to FBCAD, why does FBCAD telling citizen-taxpayers to use it to prepare for an ARB hearing? Under the Texas Comptroller's video, 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)

### Why Lowering the Value of the Property Is a Necessary Issue for Me

In talking to a phone representative from O’Conner & Associates, you do accepted damage property cases. That may not be a common case for O’Conner & Associates to take and—if that is accurate—**I completely understand**.

On the other hand, based on your online estimate, lowering this year’s taxes will not make that much difference for me or for family assets, but lowering the appraised value to reflect the damage and to have FBCAD recognize ongoing flooding as damage can make a great difference because:

* Of the exponential nature of taxes on homes as FBCAD does it – It could eventually make taxes that would make it impossible to stay in the home even if I beat the ongoing flooding.
* Of the reality that I couldn’t really stop all the ongoing flooding with the money spent in **Summer 2016** and—based on time-stamped pictures of flooding on 5/22/2107--I really need to do all of the things that I had estimates for when I went to see the FBCAD Appraiser in **June 2016.** There will be more costs in the future so I need for FBCAD to accept ongoing flooding as a cause of damage.

### The Favor If This Case Does Not Match O’Conner & Associates

Based on a colleague’s positive comments about your firm, I would very much **prefer** to have you take the case.

**If you cannot pursue the issue of damaged property**, I absolutely understand: however, **could you please**

1. Tell me
2. And release me from the contract for **this** year

Two reasons for that two-part request:

1. I am stuck with this ethical requirement—yes, it is naïve--to make sure that I have witnessed to FBCAD that their policy (or their training) had these contradictions with the Texas Comptroller's video in 2016 (downloaded in June 2016).   
     
   The only way to witness that I have thought of is to protest **this year** using the Tour as the base of document; if the Appraiser that day does not agree, refuse to accept his/her decision; and then ask for the ARB hearing.   
     
   FBCAD will know and it will be provable that they know. Why? Because I confirmed with FBCAD that ARB hearing documentation and audio is stored and searchable as a public record.
2. I could have a surprise equivalent to the 2015 Appraiser and they might accept lowering the value of the damaged property.

FYIs: I do understand that the hearing is likely to be vile based on colleagues and what I found in Internet searches.   
And I do not expect this appraiser meeting to be any less vile that the one with the 2016 Appraiser.