## **Damaged Property Case and Why I Would Appreciate Knowing If It Does Not Match O’Conner & Associates**

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

Two co-owners:

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
2. 2010\_Plat\_Showing\_House\_Storage\_Building\_Fence\_Lines\_Going\_into\_1914\_Klauke\_Court-CM\_Bibus\_R65365\_AND\_JT\_Martin\_R399455
3. Context\_and\_Contents\_for\_each\_attached\_FBCAD\_Document
4. 2015\_0529\_Documents\_for\_Protest\_Meeting\_with\_FBCAD\_Appraiser-CM\_Bibus\_R65365\_AND\_JT\_Martin\_R399455
5. 2015\_0529\_FBCAD\_Appraiser\_**LOWERED**\_value-CM\_Bibus\_R65365\_AND\_JT\_Martin\_R399455
6. 2016\_0608\_Documents\_for\_Protest\_Meeting\_with\_FBCAD\_Appraiser-CM\_Bibus\_R65365\_AND\_JT\_Martin\_\_R399455
7. 2016\_0608\_FBCAD\_Appraiser\_**REFUSED**\_to\_look\_at\_Damage\_to\_Property\_Value\_OR\_ESTIMATES\_for\_Proposed\_Repairs-CM\_Bibus\_R65365\_AND\_JT\_Martin\_\_R399455
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 – The 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 FBCAD provides as a link and says homeowners should use it to prepare for an ARB hearing**).

### Why Do I Think I Have Evidence about Damage That Merits a Lower Appraisal for the Property

1. Looking at the property shows the damage – For an online version, see the attached “Quick Tour.”
Confirmable reality—even if FBCAD did not expect it--ought to matter.
2. Principle evidence are time-stamped pictures of the flooding—I was out there taking pictures **as the flooding was happening. Why?** To figure out the cause 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 recognize they could not do the job.
	* The 2015 FBCAD appraiser accepted time-stamped photos of flooding as evidence when he lowered the value. **However,** the 2016 FBCAD appraiser would not look at them.
	* 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)
3. 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 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**.**Further, I couldn’t find anything about “adverse impact” at the FBCAD website.
	* For
	* The Texas Comptroller’s video also
4. If financial evidence is needed for costs, I have receipts, cancelled checks, or signed documents

### Why the Request to Know If This Property Damage Case Does Not Match O’Conner & Associates

If it does not match your firm, I certainly understand but I’d like to know because in trying to prepare for a board hearing in 2016 after an appraiser refused to look at my documents I came across things that I think other people like myself

* **Need** to know
* **Could not know** from the FBCAD website.

I am stuck with this:

* If I am right, my beliefs—and, yes, this is naïve—mean that I will need to find some way to help others know this. I also know it beyond my time or skills to fight such an organization
* Also, if I am misunderstanding or FBCAD has changed since 2016, I’d be grateful to be told. That would free me from the responsibility.

### What Seems to be Contradictions between FBCAD and the Texas Controller

In 2016, using FBCAD’s website and the link to the Texas Comptroller’s video **“How to Present Your Case at an Appraisal Review Board Hearing – A Homeowners Guide”** (the video FBCAD says to use to prepare), it sure looks like my FBCAD is saying the opposite of the Texas Comptroller’s video in 2 key ways:

1. The Texas Controller accepts damages that lower value (“**adverse impact** on the **value** the appraisal district placed on your home”) and—while it does not list ongoing flooding—the examples in the video seem broad enough to say flooding applies **if there is evidence**—and the Comptroller’s slide list pictures (mine are time-stamped). Similar to that concept, t
	* The appraiser in 2015 lowered my appraisal and that seemed to a layperson to match the above meaning.
	* The appraiser in 2016 would not look at the documents I brought—but then I couldn’t find anything about adverse impact at the FBCAD website.
2. The Texas Controller asks for “receipts” Its use of the word *estimates*

If you want specifics on location of the video and which slides and audio transcripts, the 2016\_0620\_Info\_to\_FBCAD\_Re\_Their\_Not\_Following\_Comptroller\_Rules\_on\_Adverse\_Impact\_OR\_on\_Their\_Requirement\_for\_Estimates\_Pre-Approved\_By\_Them

—and, yes, this is naïve—in trying came across things that I think other people like myself **need** to know and **could not know** from the FBCAD website. If I am right will need to find some way to help others on this mess.

In brief, the FBCAD website (and at least 1 of its appraisers) contradicts the 1 of the 2 appraisers I encountered in 2015)

## **General Information**

### An Offer to Do Clerical Work for O’Conner & Associates on This Case

I need help, but I also am willing to help with clerical work in this immediate period. I teach, but I am free right now.

* I need help because I cannot afford to deal with the problems in this house with the appraisal climbing and with FBCAD not considering damage from flooding to be countable against value as are foundation repairs. A layperson cannot deal with communicating a problem that is **complex**, **interconnected**, and **atypical** and that **changes with the weather** and to do that to **an organization like FBCAD**.
* **I am also willing to help.** 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.

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### My Concerns: Visible Property Damage, High-Maintenance from Flooding, and Other Documented Problems Mean 1914 Klauke Court Is **Not** Worth the Market or Appraised Value or Even O’Conner’s Estimated $133,046

1. Visible: No one walking on this property and seeing the evidence of flood damage would buy it.
2. Visible: Given the costs and the decision by FBCAD not to even look at the estimates for repair in June 2016, I had to use left-over materials from earlier flooding projects to try to stop the flooding—regardless of how it looked. Also, using these materials results in time-consuming maintenance tasks that others would not willingly do, especially at the price FBCAD considers the house’s market price.
3. Anyone looking at the inspection report at the purchase of this house would realize there were repairs that still need to be done plus the house is now 6 ½ years older. (Example: lead pipes had their first leak in the ceiling.)

The document is mainly pictures to reveal what seem to be adverse impacts to the value that FBCAD set on this house:

## **Possible Larger Implications Over Time**

### What Essential Information Does FBCAD’s Website Not Reveal to Citizen-Taxpayers?

At least as of last year in June, FBCAD’s website did **not** tell citizen-taxpayers:

1. About “adverse impact on the value” of property
2. To wait on their repairs until the protest and bring an estimate to the hearing or the $s would not count.

That is a rough thing to learn at the hearing **after** you already paid $3,000 for foundation repair.

### How Can Time Make Things Worse for Citizen-Taxpayers Because of FBCAD’s 2 Interpretations?

These 2 interpretations of FBCAD may cause as much damage to citizen-taxpayers as the concerns raised in multiple sources criticizing FBCAD in 2015 and 2016.

These 2 interpretation result in an ugly combination over **time**:

* **Aging houses** with lead pipes or with broken foundations or other high cost items without FBCAD dealing with the “adverse impact on the value”
* **Aging baby boomers** who may have a hard time keeping their homes because of FBCAD’s interpretations, especially because FBCAD is:
	+ Not notifying citizen-taxpayers on their rules—at least not through their website
	+ Not training their appraisers in the same way –based on the differences in the appraiser in 2015 and the one in 2016.

If the tax rates change in the legislature, it is not enough if FBCAD continues as is.