

Bibus - R65365 This covers:

- What Additional Evidence I Am Glad to Provide to Help Show—to Use the Comptroller’s Words—My Home Is “not the typical home” in my neighborhood
- A table with text from specific slides in the Texas Comptroller’s “Homeowners Guide” video (the video that FBCAD tells homeowners to use to prepare for an ARB hearing) if needed. I have tried to type accurately, but errors can happen so I scanned screen prints with the quoted text marked in < > if needed.
- Optional—a *possible* idea for a way for O’Connor to identify EFFICIENTLY homeowners with “adverse impact”

### What Additional Evidence I Am Glad to Provide to Help Show—to Use the Comptroller’s Words—My Home Is “not the typical home” in My Neighborhood

This house seems to match both “**adverse impact**” (slide 14) and “**adverse effect**” (slide 16) and I tried to show that in the pdf of 4 Issues with pictures.

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. (Slide 14)

Economic and **environmental factors** can have an **adverse effect** on the value of your home. Tell the ARB about your neighborhood and how it is adversely affected by the freeway, toll road or railroad running along its boundaries. Be prepared to show the ARB **that your home is not the typical home in your neighborhood**. (Slide 16)

### What evidence I provided before to *try* to show the “home is not the typical home” in my neighborhood

1. The appraisal that placed the house value at \$122,000 and resulted in only a partial reduction in the value
2. The file 4 Issues with Pictures to Show Why the \$122,000 Appraised Value Is a More Accurate Value for R65365. Issue 1 was on causes and reality of the flooding through 2016; Issue 2, on the methods I set up in summer 2016 that finally stopped the flooding **into** the back of the house; Issue 3, on the labor necessary to maintain these methods before every rain; and Issue 4, an example even at the entry to the house of the ongoing decay of the materials and workmanship of the prior owners. With issues 2, 3, and 4, reasonable buyers (or even buyers planning to rent out) could see the problems immediately and would hesitate to buy except at a very low price.

### What additional evidence I am glad to try to provide if it would help reveal that this is “not the typical home”

I expect that I could not pay for all of these listed below, but I believe in the necessity of evidence and will be glad to try to pay for experts. I tried to provide evidence with the pictures because the Comptroller’s video said that was acceptable evidence, but I expect, for example, an expert in drainage might help FBCAD understand that this is not a “typical home.”

1. If changing the presentation of the 4 Issues file would help, just tell me what to do

FYI about pictures in the file **without** time-stamping: The camera I used until Harvey provided a timestamp on each picture. At Harvey, the camera lost its accuracy. I now use a phone camera, but, if needed, I can provide the files to show the date and time that I took the picture.

2. For Issues 1 and 2, if hiring an expert that O’Connor recommends to evaluate the conditions that resulted in on-going flooding that began after the drought broke in the winter of 2014, I will gladly pay for this if the amount is at all possible.

The expert would need to understand drainage and

- Inspect the slope from the 3 houses on the cul-de-sac that drain their rain into this house’s back yard – I also can provide the Plat showing this and time-stamped pictures from 2014 on.
- Inspect the slope in the backyard itself where the slope means rain flows **to** the house, not around it.

FYI: I hired contractors; they failed because they did not observe but did what had worked with other houses. In fall 2015, a very analytical colleague from work looked at my pictures from the flooding and came to look at the situation. He walked around and then stepped on the rail of the fence and looked into the backyards of my 3 neighbors. He said **they are higher than you**. That observation was the beginning of solutions.

3. For Issues 3 and 4, if hiring realtors that O’Connor recommends to evaluate how marketable this property is, I will gladly pay for this if the amount is at all possible.
4. For issue 3, if my making simple, brief videos of the tasks to keep out the flooding, I will be glad to make them for the front yard on each side of the house, the backyard on each side of the house and at the back of the house by a bedroom and by the patio/porch room, and at the fence line which has a soaker pipe and a retaining wall.
5. If you have any other suggestions to make this reality clear to FBCAD, I will be glad to try to do them.

## Quotations from Specific Slides in the Texas Comptroller’s “Homeowners Guide” Video

These quotations are from the video that FBCAD tells homeowners to use to prepare for an ARB hearing. Its URL is [https://comptroller.texas.gov/taxes/property-tax/video/homeowner-protest-ce/presentation\\_html5.html](https://comptroller.texas.gov/taxes/property-tax/video/homeowner-protest-ce/presentation_html5.html).

The slide number is on the lower right hand corner of each slide. I have **bolded** some words.

Slide #. Title	Text in the Notes Section (Left Side) or the Slide Section (Right Side)
13. Prepare your Evidence	<u>Notes Section:</u> The ARB will not consider any changes that occurred after that date. For example, if you had a fire after Jan. 1 or if you got an estimate for repairs on your roof for damage that occurred after Jan. 1, they will not be considered.
14. Value Evidence (1 <sup>st</sup> slide of that name) – TOP part of the Notes	<u>Notes Section:</u> You should gather all the information about your property that may be relevant in considering the true value of your home. The ARB and the appraiser will not visit your home so <b>you must take your home, in essence, to them.</b> Take <b>pictures</b> of all aspects of your home that you believe have an <b>adverse impact</b> on the value the appraisal district placed on your home.  Check the condition of your home; if you have a foundation problem such as a cracked slab, it can affect the value. Bring <b>photos</b> and reports.
14. Value Evidence (1 <sup>st</sup> slide of that name) – BOTTOM part of the Notes	<u>Notes Section:</u> If you have estimates on the cost of repairing your roof or foundation, make copies of the estimates and take them to your hearing. Provide copies of engineering reports <b>or</b> written estimates to repair deficiencies. Likewise, if you had a fire that damaged the home, bring a copy of the fire report.
16. Be Persuasive, Not Emotional (1 <sup>st</sup> slide of that name)	<u>Slide Section</u> with this text placed in a box: The ARB does not know everything about your home or your neighborhood.
16. Be Persuasive, Not Emotional (1 <sup>st</sup> slide of that name) – TOP part of the Notes	<u>Notes Section:</u> The appraisal district has thousands of homes to appraise in a number of neighborhoods, often in several cities in various parts of the county. They are all different. Your neighborhood is different. You know your home and your neighborhood much better than the appraisal district’s representative, unless by chance he or she happens to live in your neighborhood or recently inspected properties in your neighborhood.
16. Be Persuasive, Not Emotional (1 <sup>st</sup> slide of that name) – BOTTOM part of the Notes	<u>Notes Section:</u> Economic and <b>environmental factors</b> can have an <b>adverse effect</b> on the value of your home. Tell the ARB about your neighborhood and how it is adversely affected by the freeway, toll road or railroad running along its boundaries. Be prepared to <b>show the ARB that your home is not the typical home in your neighborhood.</b>
22. Evidence Checklist	<u>Slide Section:</u> Use this checklist to help gather evidence for your ARB hearing. <ul style="list-style-type: none"> <li>• <b>Photographs</b> of property (yours and comparables)</li> <li>• <b>Receipts for repairs</b></li> <li>• Sales price documentation, such as listings, closing statements, and other information</li> <li>• Calculations of median level of appraisal, if equal and uniform appraisal is protested</li> <li>• Affidavits, if needed</li> <li>• Newspaper articles</li> <li>• Architectural drawings or blueprints</li> </ul> <u>Notes Section:</u> This slide includes an evidence checklist to assist you in preparing your evidence. You may print a copy of the slides for this presentation from our website and <b>use this evidence checklist in preparing your evidence for your ARB hearing.</b> You may not need everything on the list, but it provides you with an idea of items that can help you make your case.

**Optional—a possible idea for a way for O'Connor to identify EFFICIENTLY homeowners with “adverse impact”**

**Difficulty 1 for Homeowners to Succeed WITHOUT O'Connor: Some FBCAD's appraisers are in conflict with the Texas Comptroller's video on the issue of estimates versus repairs for “adverse impact” events.**

- The FBCAD appraisers I dealt with in **both** 2015 and 2016 said that a **receipt for repairs** paid for **before** the meeting with the appraiser did **not** count to reduce value and they **both** used the same example of a foundation.
  - They **both** told me I had to bring **estimates to FBCAD before** I did the repair.
  - When I called FBCAD's customer service in 2016, they said the same thing. I also faxed. (Names available.)
- **INSTEAD**, the Texas Comptroller's “Homeowners Guide” video for homeowners uses this language.

Language	What Does the Comptroller's Video Say and Where Does It Say This Language
Receipt	The 2 <sup>nd</sup> item on the “ <b>Evidence Checklist</b> ” (slide 22) is “ <b>Receipts for repairs.</b> ” Nowhere on this checklist of what to bring is the word <i>estimates</i> . The “Evidence Checklist” slide—unlike the other slides—is identified by the narrator as worth printing and it has as its introductory words “Use this checklist to help gather evidence for your ARB hearing.”
Estimate	The word estimates is used very differently. The narrator and her Notes use the word <i>estimates</i> <ul style="list-style-type: none"><li>• But <b>without</b> any reference to a requirement <b>for</b> them. The only <i>requirement</i> in that sentence is that the event must be within the appraisal year (slide 13)</li><li>• But as an <b>if clause</b> or as an <b>either/or clause</b> (“Provide copies of engineering reports <b>or</b> written estimates to repair deficiencies.”) (slide 14)</li></ul>

**Gist:** Hearing this policy for the first time in the meeting with an appraiser and after you have already paid for the repair is disheartening. If homeowners **do** know what the Comptroller's video says, they do **not** have the clout to get the appraiser to look at the video. O'Connor does have that clout.

**Difficulty 2 for Homeowners to Succeed WITHOUT O'Connor: Some FBCAD's appraisers accept pictures as evidence and flooding as damage and some do not.**

- With the appraiser in 2015, he **did** reduce the value based on my pictures of the flooding, with pictures being listed as appropriate evidence on slide 14 and 22. He stressed the importance of the pictures being time-stamped and kept my pictures to show his manager as evidence for his decision. To me, his reasoning sounded like the reasoning that I later found in the Texas Comptroller's video about “adverse impact” on slide 14 and actions on slide 22.  
After that experience, I thought I knew that what to do before the next appraisal meeting—and that was to get bids for actions that would stop the on-going flooding of the house.
- With the 2016 appraiser, he did **not** reduce the value. He would **not** even look at the photos and the list of estimates. He said damage could be fire, not flooding. In response to a question, he did say foundations could be damage and then he said what the earlier appraiser said about estimates having to be approved by FBCAD **before** the work was done. He was so puzzling that I did not even hand him the folder of estimates.

**Gist:** The actions, the evidence considered, and reasoning of the two appraisers was completely different. Without O'Connor what happens to an individual homeowner depends on the FBCAD appraiser you happen to get.

**A Layperson's Idea of how O'Connor could EFFICIENTLY help homeowners facing “adverse impact”:**

1. Consider adding to or modifying O'Connor's Property Survey checkboxes to ask if the homeowner had an event in the appraisal year that required a major repair such as:
  - Foundation
  - Roof
  - Fire
  - Flooding
  - Re-piping the whole house because of multiple leaks or pipes with lead
  - Or other repair that O'Connor considers as meeting the level of “adverse impact”
2. If they have a receipt or an estimate, tell them to upload it.  
These major repairs can cost thousands of dollars, but they could perhaps reduce taxes but **without requiring a lot of individualized time** from O'Connor.