

Residential Property Assessment Appeals



**How to appeal the assessed
value of residential properties**

*a guide for
Cumberland County
property owners*

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Introduction

The property taxes you pay are based on your property's assessed value. If you disagree with the assessed value, you can appeal your assessment to the Cumberland County Board of Assessment Appeals.

This pamphlet describes what you should do before you appeal, the role of the Appeals Board, and the steps required to file and present a residential assessment appeal. If you have questions that are not answered here, you should contact the Cumberland County Assessment Office at 717.240.6350.

A complete copy of the *“Rules and Regulations Governing Real Estate Assessment and Appeals Before The Board Of Assessment Appeals In and For Cumberland County, Pennsylvania”* can be viewed on the County website at www.ccpa.net ([government>taxes>tax assessment>tax assessment forms](#)) or picked up at the Assessment Office, located in the Old Courthouse on the Square in Carlisle.



Before You File

Talk to Your County Assessor First

If you believe your property is over-assessed and are considering filing an appeal, your County Assessor is available to help explain how your property was assessed in the first place and answer any questions you may have about the assessment process and filing an appeal. When you contact the Assessment Office, you may wish to review any additional, pertinent information about your property that the Assessment Office may not have been aware of at the time of your property's most recent valuation. Depending on the additional, pertinent information, the County's Assessor may agree to support your request for a lower assessment before the County's Board of Assessment Appeals.

You can contact your Assessor at the Cumberland County Assessment Office at 717.240.6350 or visit the office at the Old Courthouse, One Courthouse Square, Carlisle.

Appeals must be filed on a timely basis (see Page 5) using the appropriate Assessment Appeal Form.

The Role of Your Board Of Assessment Appeals

The Cumberland County Board of Assessment Appeals is an independent board, authorized by statute and appointed by the County Commissioners, primarily to hear assessment appeal valuation cases. When there is a dispute over the real property assessment (value), it is the responsibility of the Board of Assessment Appeals to hear testimony from all parties regarding the property value and determine the fair market value which is used for assessment purposes.

The Appeals Board, with proper evidence, such as the sale prices of similar properties, has the ability to lower a property's assessed value. The Board also has the ability to keep the property's current assessment and, in extremely rare cases, the ability to raise an assessment based on supporting evidence. The Board may also grant and deny exemptions, such as for property owned by a charity.

The Appeals Board does not have the authority to:

- ◆ Reduce your property's assessed value simply because you are paying more taxes than your neighbor
- ◆ Reduce your taxes due to your inability to pay
- ◆ Compare assessments
- ◆ Fix the tax rate, levy taxes, or change tax rates
- ◆ Extend filing periods
- ◆ Rehear an appeal in the same year in which it was already ruled upon

Other Considerations Before You File

Who can file an appeal? (Chapter 3-Rules & Regulations)

With a few exceptions, all appeals may be made only by and in the name of the owner or owners of record. A tenant, purchaser, taxing district or other aggrieved party, may petition the Board for leave to appeal. They do this by filing an Appeal Form by the deadline. The Board may, in its discretion, allow the filing of the appeal or deny it for the reason that the petitioner does not qualify as an aggrieved person under the law.

What form should I use?

All appeals should be filed on the official Assessment Appeal Form. These forms can be obtained at the Assessment Office or on the Tax Assessment page of the County website at www.ccpa.net (see page 5).

If I provide supporting documentation to the Assessment Office, will the Assessor present that information to the Board of Assessment Appeals?

If you provide any evidence to your County Assessor, that evidence will be made available to the Appeals Board. Appraisals must be submitted and actually

“ Be sure to complete your application correctly and file it on time. ”

received by the Assessment Office at least ten (10) days prior to the date scheduled for the hearing. You must file a signed original and six (6) copies of all appraisal reports. An original and six (6) copies must be filed so that each of the three (3) Board members have a copy, there is a copy available for the School District and Municipality, and there is an original and copy for the Assessment Office.

Can I submit one application for more than one property?

Yes.

But, each parcel must be separately listed.

Do I have to pay my property taxes if I disagree with my property's assessed value?

Yes.

You are required to pay your property taxes timely, despite any appeal you have pending.

If the Appeals Board lowers the assessment of my property, does the lower assessment apply to the current or previous tax years?

No.

If your assessment changes as a result of your appeal the new value is prospective and will not apply until the following tax year. (Exception: If you filed a timely appeal of a change in assessment notice.)

Can I change my mind about the appeal that I filed?

Yes.

You have the right to notify the Assessment Office to withdraw your appeal at any time until the hearing starts.

“ You must pay your property taxes on time - even if you have filed an appeal. ”

Filing Your Appeal

Appeal Forms

To appeal the value of your property, you must file an Assessment Appeal Form with the Assessment Office. Appeal Forms are available at the Assessment Office or on the Tax Assessment page of the County website at www.ccpa.net ([government>taxes>tax assessment>tax assessment forms](#)).

Time for Filing

(Rules and Regulations: 2.01)

You have the right to appeal your assessment annually. Annual appeals must be received in the Assessment Office by **September 1st**.

Appeals from any change in assessment must be filed within **40 days** of the date of the Change of Assessment Notice.

Place for Filing

(Rules and Regulations: 2.02)

Assessment Appeal Forms shall be filed with the

Cumberland County Board of Assessment Appeals

1 Courthouse Square, Room 107
Carlisle, PA 17013

If filed by mail, the form must be received in the Assessment Office by the deadline for appeal.

Appeal Forms may also be filed with the Board in person at the Assessment Office, Room 104, between the hours of 8:00am and 4:30pm. The Assessment Office is located in the Old Courthouse on the square in Carlisle, Pennsylvania.

“ Appeal forms are available at the Assessment Office or on the County website www.ccpa.net. ”

Preparing for Your Hearing

The law requires that you be notified at least 20 days in advance of your hearing. To prepare for the hearing, you will need to gather and assemble admissible evidence that you will bring to the hearing to support your position. Without giving the Board the evidence it needs to grant you a reduction, your appeal may be denied.

Keep in mind that the purpose of the hearing is to determine the fair market value of your property as of the date you filed your appeal. You may also appeal your base year value (year 2010 value) but most taxpayers find that more difficult. While the hearings do not strictly follow the formal rules of evidence followed by courts, any evidence you present must be appropriate and meaningful in order to be admissible.

A copy of *“Rules and Regulations Governing Real Estate Assessment and Appeals Before The Board Of Assessment Appeals In and For Cumberland County, Pennsylvania”* is available at the Assessment Office and on the County website at www.ccpa.net ([government](#)>[taxes](#)>[tax assessment](#)>[tax assessment forms](#)). This document contains rules and regulations regarding Assessment Appeals that may be helpful to you in preparing for your hearing.

Admissible Evidence

The Board is not bound by the strict rules of evidence normally applied to the courts. The Board may, in its discretion, hear any and all evidence which it considers applicable and helpful in deciding the appeal. The owner may offer his opinion of the fair market value either orally or in writing.

Appellants are encouraged to bring photographs of unusual circumstances or deficiencies that could affect the value of the property. These photographs may be submitted with the Appeal Form or brought to the hearing.

Written appraisals are not required but are strongly recommended. The original and six copies must be submitted at least 10 days prior to the date of the hearing.

Your evidence may take several forms, including oral testimony by you, your agent, or an expert applicable witness such as a real estate appraiser. You may also be represented by an attorney.

There are three basic methods used by appraisers to find the value of property: comparable sales of similar properties; replacement cost less depreciation; and income capitalization. In most residential appeals, the most reliable evidence is the sale of properties similar to yours. These are called “comparable properties.” (Note: The assessments of other properties are not evidence of market value of your property.)

Before you begin to gather evidence about comparable properties, you should gather information about your own property. Determine the age, building size(s), lot size, and so forth for your property first, and then compare that information with the information on the comparable properties that have sold. **You can obtain information about your property or the comparable properties by using computer terminals at the Assessment Office or by searching by address on the county-wide database on the County website at www.ccpa.net (government>taxes>tax assessment>tax assessment forms).**

The following explains how to judge whether a sold property is comparable to your property.

Comparative Sales Approach to Value

Is the sale an arm’s-length open market transaction?

“Arm’s-length open market transaction” refers to conditions surrounding the sale.

Was the property exposed for sale on the open market?

Was the property available for sale to anyone?

Did the seller have to sell quickly?

Was the property listed for sale with a Realtor?

Did the buyer and seller know each other?

For example, a house sold between relatives may sell for less than if it were sold to someone the seller does not know. In that situation, a sale may not be an “arm’s-length open market transaction.”

Elements used to measure the physical similarity include, but are not limited to, the following:

- ◆ Distance of the comparable from your property
- ◆ The number of bedrooms and bathrooms
- ◆ Finished basement area
- ◆ Year built
- ◆ Size of improvement, such as a house; in square feet
- ◆ Air conditioning
- ◆ Lot size and other attributes; such as a view
- ◆ Miscellaneous improvements; pools, patios, out buildings, and auxiliary structures
- ◆ Quality of construction
- ◆ Property condition; excellent, good, fair, or poor
- ◆ Neighborhood
- ◆ Style of home (ranch, bi-level, two story, etc.)

“Comparable sales are sales of other properties that are similar to yours. Many different standards are used to judge the comparability of the properties.”

Property Tax Comparison Worksheet

	Your Property	Sale #1	Sale #2	Sale #3
Property Address				
Municipality				
Distance from Subject Property				
Property Use				
Lot Size				
Lot Attributes <small>(view, excess traffic, terrain, etc.)</small>				
Living Area				
Finished basement area				
Garage: # of cars				
Year Built				
Bedrooms/Bathrooms				
Central Heat	Y / N	Y / N	Y / N	Y / N
Air Conditioning	Y / N	Y / N	Y / N	Y / N
Other Improvements <small>(pool, patio, porch, etc.)</small>				
Sale Date				
Sale Price				

“ In most residential appeals, the most reliable type of evidence to support your opinion of “fair market value” is the sale of properties similar to yours. ”

Comparable Data

Where To Find Comparable Sales Data

You can find comparable sales data at the Assessment Office. Sales data by street address or parcel number can be accessed on the Tax Assessment page of the County website at www.ccpa.net ([government](#)>[taxes](#)>[tax assessment](#)>[tax assessment forms](#)) or by using the sales search tool on the public computers at the Assessment Office in the Old Courthouse.

Additional sources of data include local real estate agents and brokers, real estate appraisers, and mortgage brokers. If you use one of these other sources of data, you should ensure that they will find recent comparable sales.

Be sure to obtain the full address and/or the parcel number for each comparable sale you plan to present as evidence.

You may wish to drive by the comparable properties to determine the similarities and differences between each comparable sale and your own property. Photographs may help to illustrate your case for the Appeals Board.

How to Evaluate Comparable Sales

To evaluate sales, applicants frequently compare the “price per square foot of living area” for each of the compared properties. “Living Areas” do not include garages, porches, patios, or below grade basements.

To determine the “price per square foot of living area” for a property, divide the sale price by the square foot size of the living area. For example:

Sale Price	\$210,000
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Living Area	1,200 sq. ft.
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$\$210,000 \div 1,200 = \$175 \text{ per sq. ft. of living area}$

A worksheet, like the one on the previous page, can help you present your comparable sales information. You should be prepared to discuss similarities and differences between comparable sales and your property. The Appeals Board will be interested in things such as similarity of design, use, location, square footage of the improvements, lot size, finished basement area or other factors that may affect the value.

Exchange of Information

In an exchange of information, both you and the Assessor trade the information that will be presented at the hearing. Either you or the Assessor may request an exchange of information.

If you initiate an exchange of information, you should submit your written request to the Assessment Office prior to 15 days before the start of your hearing. In your request, you should include your opinion of value and the data that supports your opinion of value. The Assessment Office must respond to your request at least 10 days prior to the hearing with their opinion of value and the supporting data. This allows you to review the Assessor's information, which can help you contest the evidence that the Assessor will present. If the Assessor initiates an exchange of information, you must respond to the Assessor's request at least 10 days prior to the hearing with your opinion of value and your supporting data.

Your Assessment Appeal Hearing

As the applicant, you must personally attend the hearing or be represented by someone authorized to represent you and who is thoroughly familiar with the facts of your appeal.

Notice of Hearing

After receiving your properly completed application, the Chief Assessor will schedule a hearing. You (and your agent if applicable) will be notified of your hearing date at least 20 days in advance.

The Board of Assessment Appeals will hear and decide all appeals by October 31. Decision Notices will be mailed within five (5) days of the hearing. If you disagree with the Board's decision you will have thirty (30) days from the date of the Decision Notice to file an appeal with the Court of Common Pleas.

Continuance/Postponement

(Rules and Regulations: 5.03)

If, for good and compelling reason, a taxpayer is unable to attend the scheduled hearing, the Board of Assessment Appeals may grant one continuance upon the request of the taxpayer. The inability to be prepared for the hearing as scheduled shall not be deemed a good and compelling reason. Any continuance shall be arranged 48 hours prior to the scheduled hearing or the hearing will be deemed abandoned (Rules and Regulations 5.04). The Board may waive the 48 hour period in emergency situations, at its discretion. The rescheduled hearing may be held after October 31st.

Failure to Appear

(Rules and Regulations: 5.04)

Except as stated above (Continuance) the appeal of any taxpayer who fails to appear at the date and time of the scheduled hearing shall be deemed abandoned, the same as if the taxpayer never filed the appeal.

“ The applicant must personally attend the hearing or be represented by someone thoroughly familiar with the facts of the appeal. ”

Authorized Representatives

(Rules and Regulations: 3.06)

All persons, excepting attorneys at law, appearing before the Board of Assessment Appeals as an agent for the owner of the real estate shall file with the Board, at or before the hearing of the appeal, a written Power of Attorney, duly executed by the owner. The Board will recognize no representative other than the person or persons named in the Power of Attorney.

Attending the Hearing

(Rules and Regulations: 5.06 - 5.13)

Appeals hearings are not as formal as a court of law. You are not required to have an attorney or an agent represent you. However, you, as the applicant, must personally attend the hearing, or be represented by someone thoroughly familiar with the facts of your appeal. If a representative, other than an attorney, attends on your behalf, they will be required to provide a written Power of Attorney. A wife may appear for her husband, or vice versa. Sons or daughters may appear for parents, or vice versa, with a written Power of Attorney.

At the hearing, the Board will hear evidence submitted by you and the Assessment Office. During the appeal you should give your opinion of fair market value, and evidence to support that opinion. The Assessment Office will then give its opinion of value and evidence. The Board will hear the testimony and may ask questions. You and the Assessment Office will also be given time to ask each other questions.

The matter at issue during the appeal hearing is the fair market value of the property. Testimony regarding taxes, tax increases, percentage of assessment increase, financial ability to pay and other related complaints are not taken into consideration as they do not relate to determining the fair market value of the property.

“ The matter at issue during the appeal hearing is the fair market value of the property. ”

In the case of an assessment which includes both land and building values, testimony will be accepted concerning the total value only. **The Board will not consider the appeal of either land or building separate from the total. (Exception: When a property may be subject to Clean & Green preferential assessment for the land.)**

The Board will allow approximately twenty (20) minutes for your appeal. You should be prepared to present your opinion of market value and the evidence, such as comparable sales or an appraisal, that supports your opinion of value. **It is best to keep your testimony brief, concise and to the point.**

The volume of appeals being heard may, at times, cause delays. You should allow sufficient time in the event that the Board is behind schedule.

Hearings are open to the general public. You may find it helpful to observe other appeal hearings before presenting your own case.

Burden of Proof [\(Rules and Regulations: 5.12\)](#)

Upon introduction of the assessment record into evidence, there is a presumption of law that the assessment is correct unless proven otherwise by the appellant.

The burden of proof is therefore upon you to establish your case.

The Assessment Office will be represented at the hearing by an Assessor and the Chief Assessor, or another supervisor. Sometimes the Board's Solicitor (attorney) attends appeals. The Assessment Office may offer additional testimony beyond the assessment record. You and the Assessment Office may cross-examine (ask questions of) each other.

When applicable, your assessment will be equalized with assessments of properties throughout the County by applying the Common Level Ratio to the Board's finding of current market value. Cumberland County utilizes a base valuation year (base year assessment) of 2010 (the last county-wide reassessment year).

“ Your attorney is not required to have written authorization. ”

The relationship of the base year assessment to current market value of the property is controlled by the Common Level Ratio (CLR) in effect as of the date the appeal was filed. The CLR set for Cumberland County by the Pennsylvania State Tax Equalization Board (STEB) will be read into the record at the appeal hearing. State law determines when the CLR is used to equalize assessments.

Reaching a Decision

The Assessment Appeals Board will base its decision on the evidence presented by you and the Assessor at the hearing. The Board will evaluate the suitability of any approach to value and the data you and the Assessor used to reach your conclusions.

Notice of Decision

(Rules and Regulations: 7.01)

The Board of Assessment Appeals may announce its decision at your hearing, or take the matter under advisement for a decision later. Even if a decision is not announced at your hearing, you will receive a written Decision Order by mail. All appeals heard will be mailed a Decision Order within five (5) days of the hearing.

Implementation of Decision

(Rules and Regulations: 7.02)

Decisions rendered on appeals from Notices of a Change of Assessment (40 day notices) shall be effective and implemented retroactively to the date of the change in assessment which was appealed. Decisions rendered from annual appeals (appeals other than those in response to a Change in Assessment Notice) will result in a change in assessment on January 1 of the year following the applicable September 1 cut-off date for filing appeals and will be implemented for the County and Municipal tax bills for that year, and for the School tax bills for the fiscal year beginning the following July first.

“ The Board of Assessment Appeals bases its decision on the evidence presented by you and the Assessment Office at the hearing. ”

Further Appeal Rights

A decision by the Appeals Board is final - that is, an Appeals Board will not rehear or reconsider any application for appeal within the same year. If you wish to appeal the Appeals Board's decision, you must appeal to the Cumberland County Court of Common Pleas within 30 days of the Decision Order date.

Annual Appeals

You have the right to file a new appeal each year.

“ You have ‘the burden of proof’ to show that the assessment is wrong. ”

Glossary of Terms

Glossary of Terms Used in This Publication

Assessment

An official valuation of property for the purpose of levying a tax; or an assigned value.

Base Year

The year upon which real property market values are based for the more recent county-wide revision of assessment of real property.

Board of Assessment Appeals

The Cumberland County Board of Assessment Appeals is an independent board authorized by statute and appointed by the County Commissioners to primarily hear and decide assessment valuation cases.

Chief Assessor

The Chief Assessor is the Chief Assessor of Cumberland County.

Common Level Ratio (CLR)

The ratio of assessed value to current market value used generally in the County as last determined by the Pennsylvania State Tax Equalization Board (STEB).

Fair Market Value

The price a willing buyer would pay a willing seller for a property in its present condition with neither the buyer nor seller under pressure to act.

For More Information

You may obtain the Rules and Regulations of the Cumberland County Board of Assessment Appeals by contacting the Assessment Office at 717.240.6350 or go to the Tax Assessment page of the Cumberland County website at www.ccpa.net (government>taxes>tax assessment>tax assessment forms).



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