

AN AVI APPEAL GUIDE

HOW TO APPEAL YOUR AVI ASSESSMENT



Prepared by
The Crosstown Coalition of Taxpayers

www.crosstowncoalitiontax.wordpress.com

Bella Vista Town Watch • Center City Residents' Association • East Falls Community Council • East Kensington Neighbors Association • East Passyunk Crossing Civic Association • Fishtown Neighbors Association • Hawthorne Empowerment • Logan Square Neighborhood Association • Northern Liberties Neighbors Association • Old Richmond Civic Association • Overbrook Farms • Packer Park Civic Association • Passyunk Square • Pennsport Civic Association • Queen Village Neighbors Association • Society Hill Civic Association • South Broad Street Neighborhood Association • South of South Neighborhood Association • Washington Square West Civic Association • West Powelton/Saunders Park RCO • Woodland Terrace Homeowners Association

Disclaimer

This guide on how to appeal your AVI assessment is a publication of the Crosstown Coalition of Taxpayers (CCT). CCT's purpose in publishing this guide is to provide general information to its members, friends and residents of Philadelphia about Actual Value Initiative (AVI) assessment appeals.

This guide is not intended, nor should it be used, as a substitute for specific legal advice. Persons using this guide may not rely on it for legal guidance. AVI assessments can involve many complex and difficult issues in some cases.

This guide is not intended for all property owners in all circumstances. Property owners with complicated cases should consult a lawyer. The guide does not cover commercial properties and multi-unit rental properties. Your specific circumstances may require the attention of experienced legal counsel. Do not rely on this guide as a substitute for legal counsel.

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INTRODUCTION



The City of Philadelphia has reassessed virtually all residential properties in the City for the 2014 tax year. Most of those reassessments were sent to property owners by the end of March, 2013. The reassessment is known as the Actual Value Initiative and often simply called “AVI.”

Through its Office of Property Assessment (OPA), the City offered a First Level Review to property owners who believe that their AVI assessment is incorrect. Approximately 45,000 requests for OPA First Level Reviews have been filed. The OPA is in the process of completing those reviews. It will notify property owners of the outcome of the review when it is completed.

When acting on the First Level Reviews, the OPA has the option to reduce, increase or maintain the AVI assessment. Although the deadline for requesting First Level Reviews is now past, property owners still have other important appeal rights.

Property owners who are dissatisfied with their AVI assessments, whether or not they asked for a First Level Review, may still appeal their assessment to the Board of Revision of Taxes (BRT). BRT appeals are different from OPA First Level Reviews. To begin, the OPA is an administrative office of the City while the BRT is an independent board.

The OPA First Level Review process is typically a closed door, second look by the OPA at its own prior decision-making process for establishing a property’s re-assessed value. The process before the BRT is totally independent of the OPA and much more of a court-like, legal process that can involve a hearing with witnesses and evidence.

Finally, although not discussed in this guide, property owners who are dissatisfied with the outcome of a BRT appeal have the right to appeal the BRT decision to the Court of Common Pleas. Common Pleas appeals are before a judge, almost always involve lawyers and require payment of filing fees to start the appeal.

SECTION I

FREQUENTLY ASKED QUESTIONS ON HOW TO APPEAL

1. What Arguments Can I Use to Challenge My AVI Assessment?

You have the right to appeal your AVI assessment to the BRT. For example, you might think that your assessment is too high and over-values your property. You can appeal that apparent over-valued assessment. You might think that your property is assessed much higher than very similar properties in your neighborhood. If so, you can appeal that uneven assessment.

2. What is the Board of Revision of Taxes?

The Board of Revision of Taxes (“BRT”) is a panel of seven citizens who are appointed by the Judges of the Philadelphia Court of Common Pleas. The BRT hears appeals from property owners who believe that their property assessments are inaccurate. For more information, visit the BRT web site at www.phila.gov/brt.

3. How Do I File an Appeal?

You must do four things to file an appeal:

First, you must fill out an Appeal Application. (See Paragraph 4 below.)

Second, you must follow the directions for the Application and provide all required information. (See Section II of this Guide.)

Third, you must send your appeal to the Board of Revision of Taxes. (See Paragraph 5 below.)

Fourth, you must file your appeal on time—not later than **October 7, 2013**.

4. Where Can I Get An Appeal Application?

You can get an appeal application and instructions on the BRT website. A current sample of the Application and Instructions is also included below in Section II.

Visit the BRT website at:

<http://www.phila.gov/brt/PDF/AppealFormandInstructions.pdf>

Call the BRT at 215-686-4343. Visit the BRT offices at The Curtis Center, 601 Walnut Street, Suite 325 East, Philadelphia, Pennsylvania 19106.

5. Where Do I Send My Appeal Application?

An Appeal Application must be filed with the Board of Revision of Taxes, The Curtis Center, 601 Walnut Street, Suite 325 East, Philadelphia, PA 19106. An Appeal Application may be filed by mail. It may also be filed in person Monday through Friday between the hours of 8:30 A.M. and 4:30 P.M., prevailing time. TIP: Keep a signed and dated copy for your records.

6. When Is the Deadline for Filing My Appeal?

You must appeal the AVI Assessment that you received last spring not later than **October 7, 2013**. TIP: Property owners who have filed First Level Reviews with OPA and have not received a satisfactory response **MUST** file an appeal with the BRT to protect their appeal rights. You may withdraw your BRT appeal application later if OPA reduces your assessment as requested.

7. Can Anyone File An Appeal?

No. Only an “aggrieved party” may file an appeal. For example, your neighbor cannot challenge your assessment and you cannot challenge your neighbor’s assessment.

The following persons shall be considered an “aggrieved party”:

- a. An owner of record;
- b. An equitable owner (usually someone who has the right to buy a property but has not yet been to a closing and obtained a deed; less typically a beneficiary of a trust which holds real estate);
- c. A tenant responsible for paying all or part of the real estate taxes;
- d. A tenant responsible for paying all or part of the use and occupancy taxes; or
- e. A mortgage lender who takes possession of the mortgaged property.

8. Do I Need a Lawyer to File an Appeal Application?

No. You are not required to hire a lawyer for an appeal. However, you may want to hire a lawyer for your appeal. You may consult your family lawyer, or a lawyer who does a lot of real estate work. If you don’t know a lawyer, you could contact the Lawyer Referral Service of the Philadelphia Bar Association at 215-238-6333.

A group of neighbors with the same concern can retain one lawyer to represent the group.

If you are a low income property owner, you may be eligible for assistance from Community Legal Services (215-334-HOME). If you hire a lawyer, your lawyer will need to show that the lawyer is authorized to act for you.

9. How Do I Show that My Lawyer is Authorized to Act for Me?

The BRT provides a form that you and your lawyer have to fill out. You can access it at <http://www.phila.gov/brt/PDF/POAForm.pdf>. The authorization must be dated and state the tax year for which the Application is filed. If a lawyer is representing a group, fill out one form with the lawyer's information and then make copies so that each resident can sign a form and add their address.

10. What Types of Documents or Proof Should I Submit With My Appeal Application?

Where the Appeal Application concerns exclusively owner-occupied residential property, the applicant may submit photographs showing the front view, the rear view, side views, and a street view of the property in relation to adjoining property(ies). The applicant may also submit any other documentation that he/she deems appropriate for review by the Board of Revision of Taxes.

Where the Appeal Application concerns a residential, or a mixed use property which is being leased to four (4) or fewer tenants, the applicant must submit copies of the following documents:

- a. the executed lease(s) for the property including any and all amendments, riders or exhibits thereto;
- b. annual income and expense statements for the past three (3) years, with appropriate notations and schedules; and
- c. photographs showing the front view, the rear view, side view, and a street view of the property in relations to adjoining property(ies).

All documents required by the BRT must be attached to the Appeal Application or filed with the Board of Revision of Taxes, The Curtis Center, 601 Walnut Street, Suite 325 East, Phila., PA 19106 within twenty (20) days of the filing date of the Application. It is best to file the required documents together with your appeal form.

11. No False Documents or Statements.

The BRT may require that you swear to or attest to the truthfulness of documents that you submit. This means that you should never falsify a document or statement that you submit to the BRT.

It is against the law to submit an inauthentic document or present a statement not believed to be true. This means that you should be certain the documents and statements you present to the BRT are correct and accurate.

12. What Happens If I Don't Provide Required Documents?

Failure to produce documents in accordance with the rules of the BRT or to strictly comply with the requirements of the BRT rules for the completion of the Appeal Application may constitute sufficient grounds for the denial of the appeal of real estate tax assessment.

13. What Happens After I Submit My Application?

Once the Board receives your Application, it will notify you or your lawyer of the date, time and place where the BRT will hear your appeal. This is often referred to as the oral hearing.

14. Do I Have to Have an Oral Hearing?

No. An applicant who is an owner of record or the owner's legal counsel may waive an oral hearing by checking a box on the appeal Application form. However, we recommend that applicants check the box requesting an oral hearing.

15. If I Don't Want an Oral Hearing, Can I Still Submit Proof to Support My Appeal?

Yes. A written notice of the waiver of the oral hearing, along with any evidence the applicant wishes the Board to consider in addition to any documentation otherwise required by the BRT, shall be filed with the BRT within twenty (20) days of the filing of the appeal Application.

16. If I Fail to Attend my Oral Hearing, Will the BRT Still Decide My Appeal?

Failure to Appear at Oral Hearing. Failure of the applicant, or legal counsel for or an authorized representative of the "aggrieved party" to appear at the oral hearing after due notice thereof and non-receipt of written notice of a waiver of the oral

hearing may be considered an abandonment of the appeal and may be grounds for dismissal. TIP: If you checked the box requesting an oral hearing, be certain to attend or make arrangements with the BRT for a new hearing date AND confirm those arrangements in writing.

17. How Do I Prove My Case?

You will need to gather evidence to support your position. If you think that your property was over-valued, you may want to show the sale prices of neighborhood properties over the past few years. Pictures of houses can be viewed on Google Maps and printed or you can take pictures using a camera or your cell-phone camera.

If you are arguing uneven, or non-uniform, application of the AVI process (for example your house is valued at \$250,000 and your neighbor's very similar house is only \$150,000), you should use the information from the Office of Property Assessment (OPA) where all property values are available online at www.phila.gov/opa.

Be sure to read Section III to read how to prove a case on *overvaluation*. Go to Section IV to read how to prove a case on *non-uniformity*.

18. Will I Need a Professional Real Estate Appraisal?

For properties assessed at values over one million dollars (\$1,000,000) an appraisal is required. For properties that generate rental income, an appraisal is recommended. For other appraised properties, an appraisal may help your case but it is optional. Any appraisal that you submit will need to be prepared by an expert in real estate appraisal as certified by the State Board of Certified Real Estate Appraisers. The BRT has special rules on appraisals and on experts. Be sure to carefully read the BRT rules on appraisals on the BRT web site. Note that eleven (11) copies of the appraisal must be submitted to the BRT.

19. What Happens at the Oral Hearing?

The oral hearing is not as formal as a trial. However, the BRT still follows procedures and maintains order at the oral hearing. You will be given an opportunity to be heard, but you cannot interrupt or obstruct the City's presentation. Always be polite and respectful to other persons attending the hearing and to BRT personnel.

Remember that the BRT did not determine your assessment. Their role is to review assessments determined by OPA.

20. What is the Procedure at the Oral Hearing?

At an oral hearing, the Board of Revision of Taxes shall hear such evidence as may be produced by the applicant, an authorized representative of or legal counsel for the “aggrieved party.” The Board will not be bound by the strict rules of evidence normally applied in the courts of this jurisdiction. The Board may in its discretion hear any and all evidence which it considers relevant and helpful in deciding the appeal.

The applicant, or an authorized representative of or legal counsel for the “aggrieved party,” shall state the basis of the appeal and make full and complete disclosure of the information bearing on the market and/or assessed value of the property for the tax year in question.

An applicant who meets the criteria for testifying as an expert may offer an opinion of market value, either orally or in writing. No expert testimony will be received unless the applicant has complied with the BRT’s rules on experts. General Step 7 for Appeals on the BRT website details the requirements to qualify as an expert.

The Board may examine the applicant, an authorized representative of or legal counsel for the “aggrieved party,” or any witnesses appearing on the behalf of the “aggrieved party.” The Board may require additional or updated information or documents be provided for its consideration in arriving at a decision with regard to the Appeal Application.

21. What Are Some Practical Tips I Should Remember?

The CCT is continuously reaching out to City officials and others to get up-to- date information about how the appeal process will work. Here are several nuggets of information that may help you with your appeal.

- a. Appeals in 2013 will be unlike anything in recent memory because the sheer volume will greatly strain the process and its limited resources. This means prepare now, and be ready.
- b. Only the owner or the owner’s attorney can speak at a hearing.
- c. Only an appraiser certified by the State Board of Certified Real Estate Appraisers can testify about value.

- d. Real estate agents are not appraisers and cannot testify about value. Real estate agents can testify about market conditions (for example, people looking at a house on this block will also look at a house three blocks away).
- e. Because of the expected high volume of appeals, the oral part of a hearing may be very short—perhaps five to ten minutes.
- f. Many homeowners do not bring lawyers. Several owners on the same block with the same general complaint might consider a group hearing where the group is represented by one lawyer.
- g. Appraisals cost \$400-to-\$500 to prepare and then \$200 per hour for the appraiser to appear at a hearing.
- h. Owners should bring documents showing recent sales in their neighborhood. They should also bring evidence of homes taken off the market if the price was too high.
- i. If homeowners argue that their property is a dump, the BRT may want to visit of the property.
- j. Owners should submit a written position paper, but they should keep it short and to the point.
- k. Make sure to check off “oral appeal” on the application.
- l. Don't talk about taxes; talk about value. The BRT only determines whether your assessment is accurate. They are not concerned with the amount of tax you pay.
- m. Don't waste everyone's time by just repeating what your expert said.
- n. Try not to bring children. Try to be prepared, polite and speak so that the BRT can understand what you are saying.
- o. Thank the hearing panel for opportunity to have this hearing.

Section II

GUIDE TO THE BRT APPLICATION FORM FOR TAX YEAR 2014



The application form to appeal the proposed real estate market value for 2014 for residential owner-occupied property valued at less than \$1,000,000 is available on the City of Philadelphia website: <http://www.phila.gov/brt/PDF/AppealFormandInstructions.pdf>. A copy of the form is on page 13.

Print the application form titled “Real Estate Market Value Appeal for Tax Year 2014.” Only file the first page of the form. The second page is for income-producing properties only.

Complete the owner information section. Next, the form provides two options regarding a hearing for your appeal. It is recommended that you request an oral hearing before the Board.

SELECT ONE OPTION

- ☐ I request an **oral** hearing. I **will attend** a public hearing before the Board. If I do not appear, my appeal will be dismissed.

- ☐ I request a **non-oral** hearing. I **will not attend** a public hearing before the Board (attach documentation to support your appeal).

The next section requests your estimate of the market value of the property. Enter the amount that you believe your property would sell for where indicated.

I believe that the market value of this property is \$_____. I base my opinion on the following reason(s).

- ☐ Overvaluation ☐ Non-Uniformity ☐ Common Level Ratio
☐ Other

Only check “Overvaluation” if the property is likely to sell for at least 10% less than the 2013 assessed value. If you believe the property is over-assessed, then research comparable sales from the past three years on the Office of Property Assessment (OPA) at: <http://www.phila.gov/opa/Pages/default.aspx> .

“Non-Uniformity” means that the *assessed values*, not the sales prices, of similar-size properties with the same square footage for land and improvement area near where your property is located are lower than yours. If the assessed values for 2014 for similar properties are lower than your property, you should check the box for “Non-Uniformity.”

The box for “Other” can be checked if the data on your property is not correct. Additional considerations may be if there are structural issues, water or previous fire damage, outdated areas of the property that require costly improvements.

The “Common Level Ratio” will not apply to the 2014 tax bills and it is advised that this box should not be checked.

Complete the remainder of the form as required. Attach documentation to support your appeal and mail to the Board of Revision of Taxes, Curtis Center, 3rd Floor, 601 Walnut Street/Suite 325 East, Philadelphia, PA 19106.



CITY OF PHILADELPHIA

BOARD OF REVISION OF TAXES THE CURTIS CENTER

601 WALNUT STREET, Suite 325 East
Philadelphia, PA 19106

Phone (215) 686-4343 or (215) 686-8283

Fax (215) 686-4936

Email appealinquiry@phila.gov

REAL ESTATE MARKET VALUE APPEAL FILING INSTRUCTIONS FOR TAX YEAR 2014

Enclosed for your use is the appeal application, should you decide to appeal the proposed real estate market value on your property for tax year 2014. All appeal applications must be completed and submitted to our office no later than Monday October 7, 2013, or thirty (30) days from the date of the Property Assessment's notice of the Proposed Es. i. A. i. t. - . You must complete and submit a separate application for each property appealed. Do not fax your application to our office. Appeal applications are also available on our website at brweb.phila.gov.

For oral hearings, The Board of Revision of Taxes will notify you in writing of your scheduled hearing date approximately 30-45 days in advance. At the public hearing you will have the opportunity to present evidence, including photos, documents and witnesses, to support your opinion of your property's fair market value.

Appeal applications that are submitted by a representative on behalf of the property owner must be accompanied by an executed power of attorney ailing. Forms are available on our website. The power of attorney must be signed, dated and specify the tax year being appealed. All agents must possess a current, valid Business Privilege Tax Number to conduct business in Philadelphia. Please sign and date the application.

WHO MUST SUBMIT AN APPRAISAL

The Board of Revision of Taxes requires the submission of eleven (11) copies of a current real estate appraisal (including 1 electronically submitted PDF copy) that has been prepared by a Pennsylvania State Certified General Appraiser if the property under appeal comes under any of the indicated classifications:

Classification•	...Market Value..	*..Appraisal Needed?..
Residential	\$1,000,000 or more	Yes
Commercial	\$1,000,000 or more	Yes
Industrial	\$1,000,000 or more	Yes
Institutional	\$1,000,000 or more	Yes
Multi-family	\$1,000,000 or more	Yes*
Mixed Use (Store/Office and Residential)	\$1,000,000 or more	Yes*
All	Less than \$1,000,000	No

You must submit all appraisals, income and expense statements and leases, at least twenty (20) days prior to the scheduled public hearing. The Board will strictly enforce this requirement.

If the subject of your appeal is a property with a city determined market value below \$1,000,000, you are NOT required to submit an appraisal.

*Own-r •fm lti-t mi - • • • err- with r tval e n * TIM* u- mit
income and expense Statement for the lastS years in lieu of an amals al, an .2'lit

If you have any questions concerning the appeal process, please contact the Board of Revision of Taxes at appealinquiry@phila.gov or by phone at 215-686-4.343.

REAL ESTATE MARKET VALUE APPEAL FOR TAX YEAR 2014	
FILING DEADLINE: NO later than the first Monday of October or 30 days from the date of the assessment notice. DO NOT FAX THIS APPLICATION TO OUR OFFICE. USE A SEPARATE FORM FOR EACH ACCOUNT APPEALED	Property Address Appealed: OPAAccount Number:
Owner(s) Name:Telephone (daytime)! -	
Owners Mailing Address:	
City, State & Zip Code:	
Email Address:	
SELECT ONE OPTION <input type="radio"/> I request an oral hearing. I will attend a public hearing before the Board, If I do not appear, my appeal will be dismissed. <input type="radio"/> I request a non-oral hearing. I will not attend a public hearing before the Board (attach documentation to support your appeal). I believe that the market value of this property is \$ I base my opinion on the following reason(s). <input type="checkbox"/> Overvaluation <input type="checkbox"/> Non-Uniformity <input type="checkbox"/> Common LevRatio <input type="checkbox"/> Other	
Through my signature below, I affirm that I am the owner or the representative of the owner and that all of the information supplied is true and accurate to the best of my knowledge.	
Signature of Owner or Representative Date As appointed representative for the owner of the property described above, I affirm that: (1) a signed power of attorney is attached to this form; and (2) I possess a current, valid business privilege tax number issued by the City of Philadelphia.	
Representative's Name (Please Print) Daytime Telephone Number	
Company/Firm E-mail Address	
Mailing Address City State Zip Code	
Business Privilege Tax Number NOTE: YOU WILL BE NOTIFIED IN WRITING OF THE HEARING DATE AT WHICH APPEAR TO PRESENT EVIDENCE TO SUPPORT YOUR OPINION OF VALUE. YOU WITH THIS APPLICATION ANY ADDITIONAL MATERIAL TO SUPPORT YOUR APPEAL. PLEASE RETURN THIS APPLICATION TO OUR NEW OFFICE: BOARD OF REVISION OF TAXES CURTIS CENTER, 10 FLOOR 601 WALNUT STREET/SUITE 325 EAST PHILADELPHIA, PA 19106 INCOME PRODUCING PROPERTIES: Complete the Income and expense side of this form. You may also attach your own statements.	<div style="border: 1px solid black; padding: 5px; text-align: center;"> FOR OFFICE USE ONLY </div> <div style="border: 1px solid black; padding: 5px;"> Date Received </div> <div style="border: 1px solid black; height: 100px; margin-top: 5px;"></div>

.1171 (REV 07/12)

PROPERTY CHARACTERISTICS				
For Income Producing Properties ONLY				
Property Use, 0 Single Family (one dwelling unit) Number of Bedrooms Number of Bathrooms . Full Half		Approximate Building Size in Square Feet (Based on outside perimeter measurement multiplied by number of stories) Land Area in Square Feet		
0 Multi-Family (two or more apartments) Number of 1 Bedrooms		Number of Stories (Use .6 for half stories) Is this a Split Level Dwelling? 0 Yes 1:1 No		
Number of 2 Bedrooms Number of 3 Bedrooms ____ --..... Number of 4 Bedrooms _ 0 Office Space or Store Square feet of Office _ Square feet of Store 0 Wireless Communication Site or Billboard(s) 0 Other Vacancies: Are any of the units vacant? 0 Yes a No If yes, how many units 9 If Office or Store, how many square feet? iiiiii		Approximate Age of Building: _____ Years Central Air Conditioning? EI Yes 0 No Exterior Condition (check one) 0 Now Construction (built in last 5 years) 0 New Rehabilitated CI Above Average 0 Average 0 Below Average 0 Vacant (habitable but empty) 1:3 Sealed a Structurally Compromised (unsafe to enter premises) Garage and Off-Street Parking: a Attached Garage (shares part of any side of the house) 0 Detached Garage (entirely separate from house) 0 Surface Parking Number of spaces		
PROPERTY CHARACTERISTICS				
Note: Real Estate Taxes, Income Taxes, Depreciation, Mortgage payments, Officer's salaries and business expense should not be included below.				
INCOME	2011	2012	2013	MORTGAGE: AMOUNT \$
Annual Rentals (Number of Units:)				DATE
Parking & Reimbursements				RATE %
EXPENSES				APPRAISAL VALUE \$
Water & Sewer Rents				CAPITALIZATION RATE: %
Utilities & Heating Cost				ADDITIONAL EXPENSES:
Insurance - Yearly Premium				TYPE EXPENSE AMOUNT
Trash/Snow Removal/Cleaning				
Management Fees				
Professional Fees				
Repairs & Maintenance				
TOTAL EXPENSES (Do not include real estate tax)				
NET INCOME TO PROPERTY				

ROW: 4-171(500 07/121



CITY OF PHILADELPHIA



BOARD OF REVISION OF TAXES
The Curtis Center
601 Walnut Street, Suite 325 East
Philadelphia, PA 19106
Phone (215) 6864343
Fax (215) 6864336

Appeals Appointment of Authorized Representative

I hereby appoint the following individual or company as my authorized representative to act on my behalf as the following:

_____ To file an assessment appeal regarding the attached noted property.

_____ To attend the assessment appeal hearing of the Board of Revision of Taxes.

Authorized Representative
Name & Firm/Company:

Authorized Representative
Address:

(Street)

(City)

(State)

(Zip Code)

Signature of Appellant

Date

Property Address

Tax Year

SECTION III

APPEALS BASED ON OVERVALUATION

Property owners can choose to hire an attorney or certified real estate appraiser, to represent them when appealing to the Board of Revision of Taxes (BRT) regarding their property valuation.

Residential property owners assessed for less than \$1 million who do not generate rental income are not obligated to hire professional assistance and may represent themselves. The cost of hiring an appraiser may be more than the amount of money you will save if your appeal is successful. Realtors can speak to the BRT about market conditions in your neighborhood but cannot make specific comments about the value of your house.

For properties assessed at values over one million dollars (\$1,000,000) an appraisal is required. For properties that generate rental income, an appraisal is recommended. For other appraised properties, an appraisal may help your case but it is optional. (See Paragraph 18 of Section I.)

FREQUENTLY ASKED QUESTIONS ON HOW TO APPEAL

1. I do not have the funds to hire a professional to represent me at the BRT but I would like to appeal. What do I do?

This guide has been created to help property owners gather the recommended materials to represent themselves in front of the BRT.

2. What is an appeal based on overvaluation?

An appeal based on overvaluation argues that your home would sell for less than Office of Property Assessment (OPA) has assessed it for. If OPA assessed your property for \$250,000 and you think that you could only sell it for \$200,000, you may have success arguing that your home is overvalued.

3. How do I convince the BRT that my property is overvalued?

The best way to convince the BRT that the property is overvalued is to present a list of sale dates and sale prices of similar properties in your immediate neighborhood that have been sold since January 1, 2010.

The list might look like this, where your house is 209 Anywhere Street:

Address	Sale Date	Sale Price	OPA Assessment
123 Anywhere St.	October, 2011	\$210,000	\$195,000
136 Anywhere St.	June, 2012	\$185,000	\$200,000
234 Anywhere St.	March, 2013	\$200,000	\$207,000
209 Anywhere St			\$250,000

4. What is a Similar Property?

A similar property is one that has property characteristics like yours:

- Year Built – within 15 years

Example: Your Home was built in 1915. Compare your property to properties built between 1900 and 1930.

- Land Area within 20%

Example: Your property area is 1500 sq. ft. Compare your property to properties between 1200 and 1800 sq. ft. of land area

- Improvement Area (House Size) within 10%

Example: Your property area is 1200 sq. ft. Compare your property to properties between 1080 and 1320 sq. ft.

- Exterior Condition of House (Below Average , Average, Above Average)

Definitions:

Below Average - The structure shows definite signs of deferred maintenance. It could be characterized as “needing work.”

Average - This indicates that the structure shows only minor signs of deterioration caused by normal “wear and tear.” The residence is usable and reflects an ordinary standard of maintenance.

Above Average - This indicates that the residence is in “like-new” condition. It shows signs of limited deferred maintenance and reflects above normal upkeep. Older homes may have undergone major remodeling.

Your property is Average. Compare your property to other Average properties

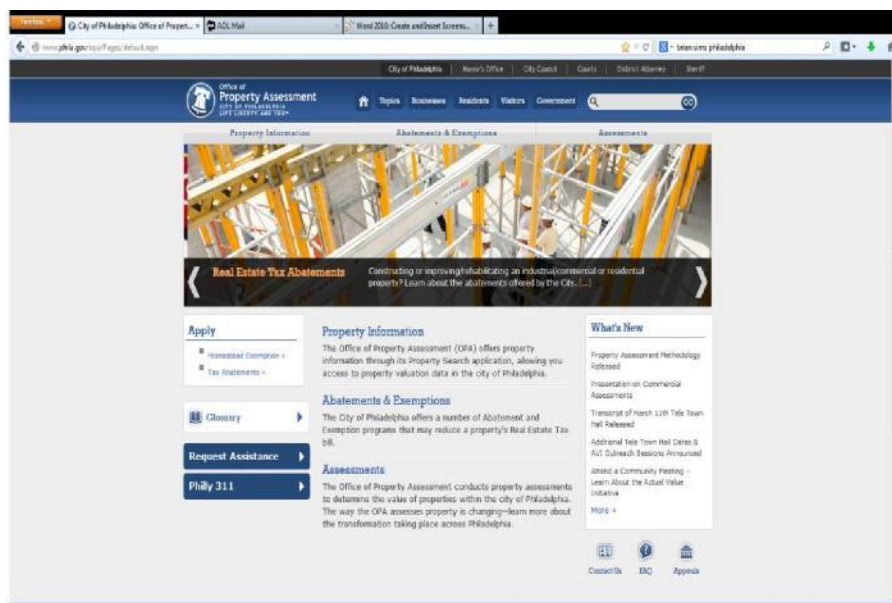
- ☐ Number of Garage Spaces Same as Yours (can be zero)

Example: Your garage has space for one car. Compare your property to properties that also have garage space for one car.

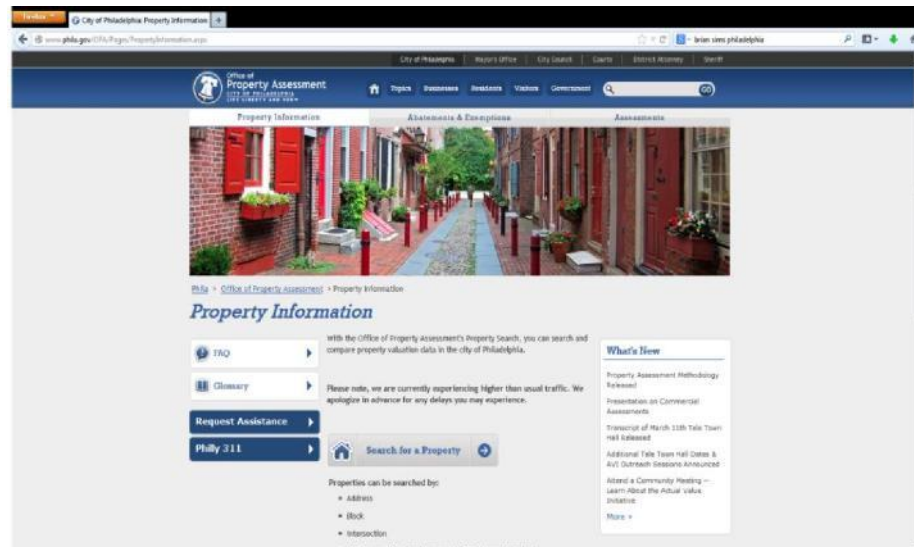
5. How do I make my list?

The easiest way to make a list is to collect the data from the Office of Property Assessment web site at www.phila.gov/opa. If you are not comfortable using the Internet, a friend or family member can help you. Follow the steps below:

1. Select Property Information



2. Select Search for a Property.



3. When you see the page Terms and Use Disclaimer, read and click I accept. (You are agreeing not to make commercial use of the data.)



4. When the Property Search page appears, select **Search by Block**.

The screenshot shows the 'City of Philadelphia Property Search' website. The 'Search by Address' tab is selected. The form includes an 'Address' field and a '* Unit Number' field. Below the fields are 'Search' and 'Clear' buttons. A 'Search Tip' section provides instructions on how to format the address and unit number. A 'Help' link is also present.

5. Enter the Block Number and the Street Name for your house.

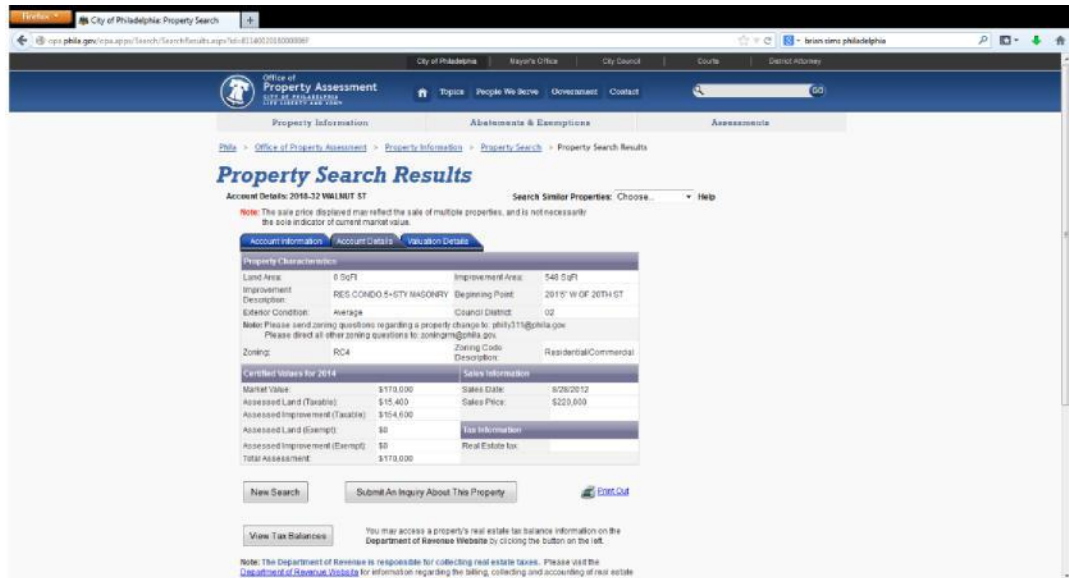
The screenshot shows the 'City of Philadelphia Property Search' website with the 'Search by Block' tab selected. The 'Block' field contains '2000' and the 'Street Name' field contains 'Walnut St'. Below the fields are 'Search' and 'Clear' buttons. A 'Search Tip' section provides instructions on how to format the block number and street name. A 'Help' link is also present.

- A Page Showing the Properties on the Block will appear. Above the list of properties, are two Sort by Boxes. Select Sales Date and Descending.

The screenshot shows the 'Property Search' results page for the address '2000 WALNUT ST'. The results are sorted by 'Sales Date' in 'Descending' order. The table lists properties with their OPA Account #, Address, Property Description, Owner, Sale Price, Date of Sale, Certified Market Value for 2014, and Taxes for 2014.

OPA Account #	Address	Property Description	Owner	Sale Price	Date of Sale	Certified Market Value for 2014	Taxes 2014
088003258	2018-32 WALNUT ST Unit 4H	RES CONDO 5-STY BASORNEY	MAURO STEVEN	\$858,000	04/19/2013	\$399,000	
088009020	2018-32 WALNUT ST Unit G201	CONDO PARKING SPACE	MAURO STEVEN	\$55,000	04/19/2013	\$30,000	
088009782	2018-32 WALNUT ST Unit G193	CONDO PARKING SPACE	BROWN MARY LOIS	\$1,040,000	08/13	\$30,000	
088009462	2018-32 WALNUT ST Unit G42	CONDO PARKING SPACE	FRITZLER JENNIE KERSON	\$27,500	04/03/2013	\$30,000	
088009000	2018-32 WALNUT ST Unit G194	CONDO PARKING SPACE	MILLEN JUSTIN	\$47,500	03/20/2013	\$30,000	
088003492	2018-32 WALNUT ST Unit 106	RES CONDO 5-STY BASORNEY	TURNER JESSICA M	\$1,020,000	09/13	\$300,000	
088009754	2018-32 WALNUT ST Unit G179	CONDO PARKING SPACE	TURNER JESSICA M	\$1,020,000	09/13	\$30,000	
088009345	2018-32 WALNUT ST Unit 210	RES CONDO 5-STY BASORNEY	PACHECO JOHNL PACHECO RACHEL	\$320,000	09/09/2013	\$341,000	
088009692	2018-32 WALNUT ST Unit G232	CONDO PARKING SPACE	MENDEZ FERNANDO	\$4,126,400	02/12	\$30,000	
088009912	2018-32 WALNUT ST Unit G221	CONDO PARKING SPACE	MENDEZ FERNANDO	\$4,126,400	02/12	\$30,000	

- The Properties will be listed with the most recent sale first. Identify the properties where the **Sale Price** is within 20% of the **Certified Market Value** for 2014. (For example, if a property sold for \$200,000, the Certified Market Value is between \$160,000 and \$240,000.)
- If a Property assessment is within 20% of the assessment on your property, click on the **OPA Account #** on the left hand side of the screen.
- When the Property Search Result for the address appears, select **Account Detail**. This screen will show three of the five property characteristics (Land Area, Improvement Area, and Exterior Condition) that allow you to decide if the property is similar. You can estimate the Year Built by looking at the house or talking to a knowledgeable neighbor. You can count the number of garage spaces from the sidewalk.



10. Repeat steps 7 through 9 until you find that at least three and preferably five on your list are similar properties. If there are not enough sales on your block, look at the two adjoining blocks on your street, or the two adjoining blocks on the nearest cross street.
11. Use your findings to complete the document on the next page.

6. I have put together my list of similar properties. What do I do next?

After you have completed the document, add up the sale prices and divide it by the number of sales to determine the average sales price. (See example on next page.)

7. Is the average sale price higher than your assessment?

Recommendation: Do not appeal. Your list indicates that your property is lower than the sale price of similar properties in the immediate area. The BRT has the right to increase your assessment if they believe it is too low.

8. Is the average sale price is less than 10% lower than your assessment? (i.e., Your property is valued at \$100,000. Your list of similar properties has an average of \$90,000.)

Recommendation: Maybe appeal. Your appeal will probably not be successful, but it never hurts to ask.

9. Is the average sale price is more than 10% lower than your assessment?

Recommendation: Appeal to the BRT. You may have a strong case.

If you decide to file an appeal, take pictures of each of the houses on the form from all four sides. Label the pictures with the street number and name (209 Anywhere St.) and the side of the property shown in the picture and as follows: (front, rear, left, right). Include the pictures with your application.

It is also helpful to prepare a map showing the location of your house and the similar houses that you have listed on your form and include it with your application. This will help the BRT understand that you are using sales from your immediate neighborhood to make your argument.

OVERVALUATION ANALYSIS

ADDRESS: 209 ANYWHERE ST.

ADDRESS	YR. BUILT	LAND AREA (SF)	IMPROVEMENT AREA (SF)	CONDITION	GARAGE SPACES	SALE DATE	SALE PRICE	OPA VALUE
123 Anywhere	1910	1500	2120	AVERAGE	0	11/2011	\$210,000	\$195,000
136 Anywhere	1915	1800	2240	AVERAGE	0	6/2012	\$185,000	\$200,000
234 Anywhere	1925	1800	2240	AVERAGE	0	3/2013	\$200,000	\$207,000
209 Anywhere	1920	1500	2120	AVERAGE	0			\$250,000
TOTAL SALES PRICES							\$595,000	
AVERAGE SALES PRICE							\$198,333	
% OF OVERVALUATION*							26%	

% OF OVERVALUATION = [OPA Assessment on Your House (209 Anywhere) divided by Average Sales Price] minus one.

SECTION IV

APPEALS BASED ON NON UNIFORMITY

FREQUENTLY ASKED QUESTIONS ON HOW TO APPEAL

1. Do I have to hire a professional to assist me with my non-uniformity appeal?

Property owners can choose to hire an attorney or certified real estate appraiser to represent them when appealing to the Board of Revision of Taxes (BRT) regarding their property valuation. Residential property owners assessed for less than million who do not generate rental income are not obligated to hire professional assistance and may represent themselves. The cost of hiring an appraiser may be more than the amount of money you will save if your appeal is successful. Realtors can speak to the BRT about market conditions in your neighborhood but cannot make specific comments about the value of your house.

For properties assessed at values over one million dollars (\$1,000,000) an appraisal is required. For properties that generate rental income, an appraisal is recommended. For other appraised properties, an appraisal may help your case but it is optional. (See Paragraph 18 of Section I.)

2. I do not have the funds to hire a professional to represent me at the BRT but I would like to appeal. What do I do?

This guide has been created to help property owners gather the recommended materials to represent themselves in front of the BRT.

3. What is an appeal based on non-uniformity?

An appeal based on non-uniformity argues that your home is assessed at a higher value than similar homes in your neighborhood. If the Office of Property Assessment (OPA) has assessed your property for \$250,000 but assessed similar nearby properties for \$200,000, you may have success arguing an appeal based on non-uniformity.

4. How do I convince the BRT that I have a case for non-uniformity?

The best way to convince the BRT that you have a case for non-uniformity is to present a list of properties in your immediate neighborhood with identical or similar characteristics that are assessed at a lower value than your home.

The list might look like this, where your house is 209 Anywhere Street:

Address	OPA Assessment
123 Anywhere St.	\$195,000
136 Anywhere St	\$185,000
234 Anywhere St	\$200,000
209 Anywhere St	\$250,000

5. What is a ‘similar property’?

A similar property is one that has property characteristics like yours. This list of characteristics can be used to find similar properties.

- Year Built –within 15 years

Example: Your home was built in 1915. Compare your properties to properties built between 1900 to 1930.

- Land Area within 20% (or Less)

Example: Your property area is 1000 sq ft. Compare your property to properties between 800 and 1200 sq ft of land area.

- Improvement Area (House Size) within 10%

Example: Your property area is 800 sq ft. Compare your property to properties between 720 and 880 sq ft of land area.

- Exterior Condition (Below Average, Average, Above Average). *The condition of your home should be the same as the condition of the similar property. Definitions are below:*

Below Average - The structure shows definite signs of deferred maintenance. It could be characterized as “needing work.”

Average - This indicates that the structure shows only minor signs of deterioration caused by normal “wear and tear.” The residence is usable and reflects an ordinary standard of maintenance.

Above Average - This indicates that the residence is in “like-new” condition. It shows limited signs of deferred maintenance and reflects above normal upkeep. Older homes may have undergone major remodeling.

Number of Garage Spaces (can be zero)

Example: Your property has 1 parking space. Compare your property to properties that also have 1 parking space.

6. **How do I make my list of similar properties?**

Using a realtor to make a list of similar properties:

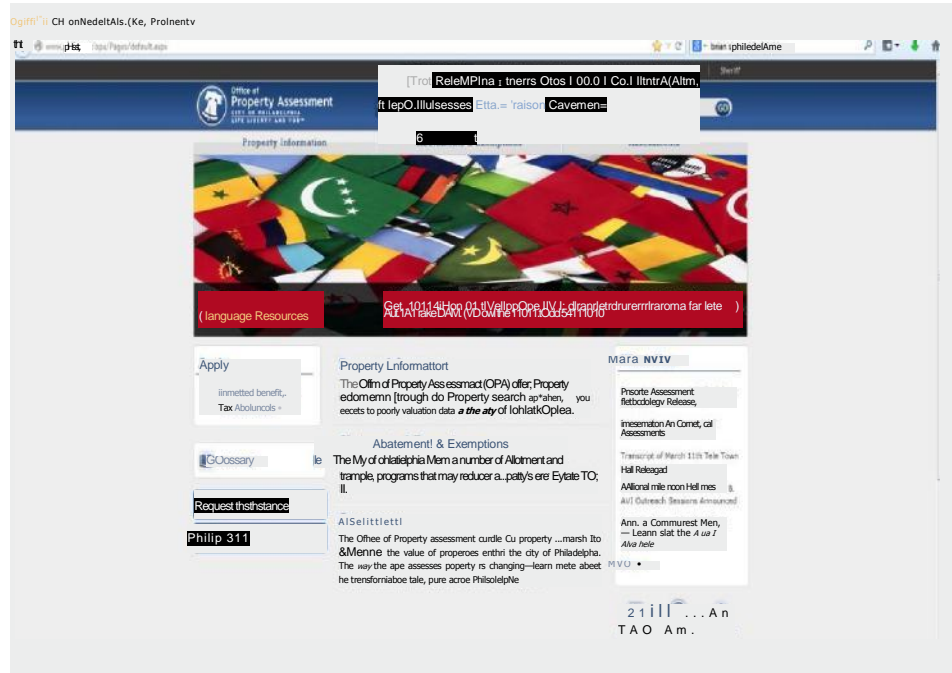
The easiest way to make a list is to speak with a realtor who is active in your neighborhood. Your neighborhood realtor can help you complete the work sheet at the end of this guide. Most of them have worked on recent sales in the neighborhood and have access to the Multiple Listing Service (MLS) and other resources that are not available to the general public. Many are willing to provide this information either for free or a nominal fee.

OR

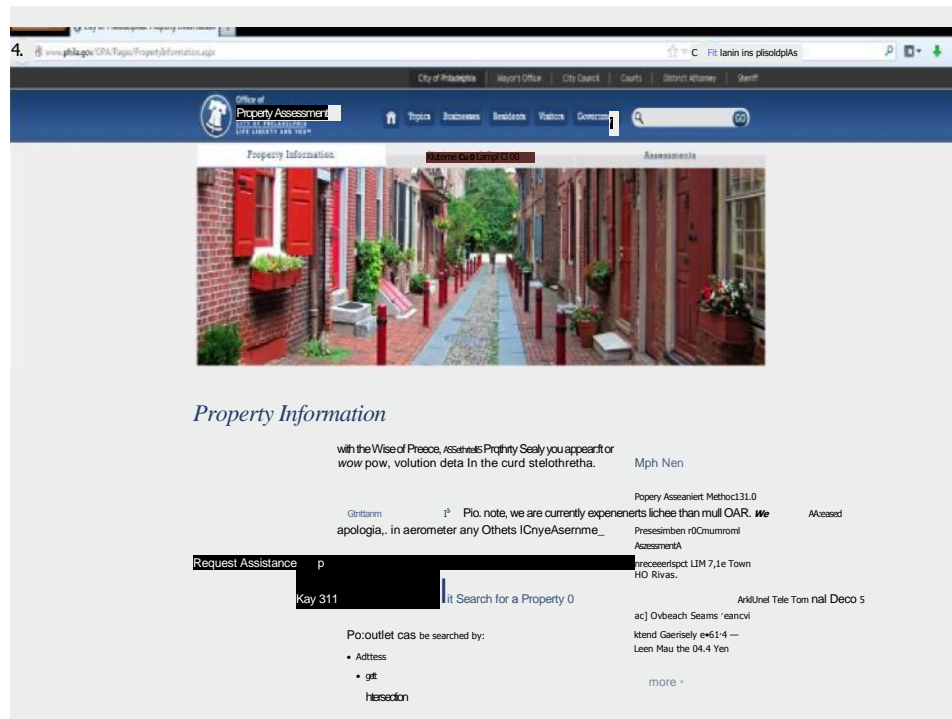
Using the **Office of Property Assessment website to make a list of similar properties:**

- a. If you do not choose to work with a realtor, you can access the Office of Property Assessment web site at www.phila.gov/opa. Follow the steps below:

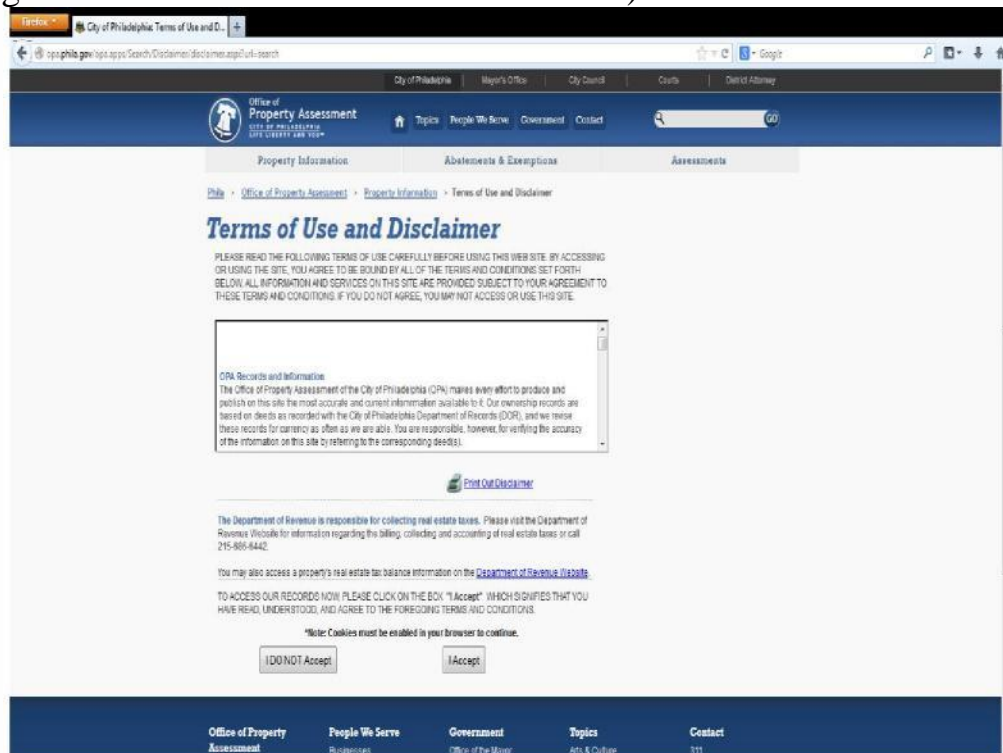
b. Select Property Information.



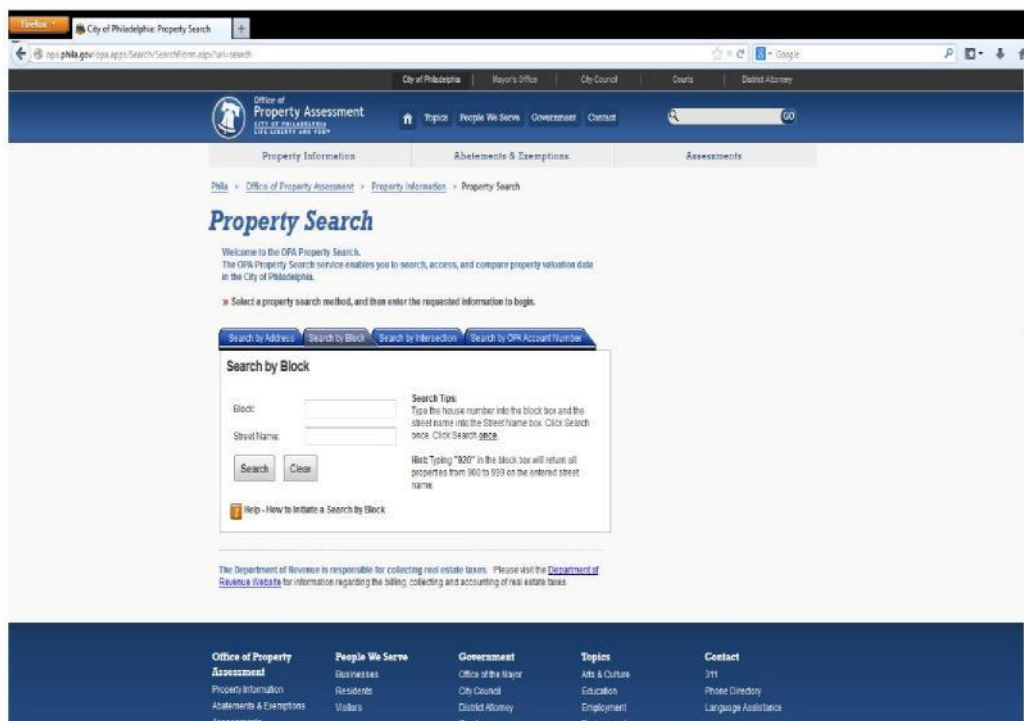
c. Select **Search for a Property.**



When you see the page Terms and Use Disclaimer, read and click I accept. (You are agreeing not to make commercial use of the data.)



d. When the Property Search page appears, select Search by Block.



- e. Enter the Block Number and the Street Name for your property.

The screenshot shows the 'City of Philadelphia Property Search' website. The 'Search by Block' form is active, with 'Block' set to '2000' and 'Street Name' set to 'Walnut St'. The 'Search' button is highlighted. Below the form, there is a 'Help - How to Initiate a Search by Block' link. The website header includes the 'Office of Property Assessment' logo and navigation links for 'Topics', 'People We Serve', 'Government', and 'Contact'. The footer contains contact information for the Office of Property Assessment, including a phone number and email address.

- f. A Page Showing the Properties on the Block will appear. Above the list of properties, are two Sort by Boxes. Select Market Value and Descending.

The screenshot shows the results page for the search of 2000 Walnut St. The page displays a list of properties with columns for 'CEN Account #', 'Address', 'Property Description', 'Owners', 'Sale Price', 'Sale Date', 'Certified Market Value for 2013', and 'Gross Tax for 2014'. The results are sorted by 'Market Value' in 'Descending' order. The first property listed is 2000 WALNUT ST, owned by H&P KITTENHOLSER ASSOCIATES, with a sale price of \$10,000,000 and a certified market value of \$10,844,800. The page also includes a 'New Search' button at the bottom.

CEN Account #	Address	Property Description	Owners	Sale Price	Sale Date	Certified Market Value for 2013	Gross Tax for 2014
883427736	2000 WALNUT ST	GARAGE/COIN-OP AREA	H&P KITTENHOLSER ASSOCIATES	\$10,000,000	03/02/2012	\$10,844,800	
772248000	2035 WALNUT ST	MSR. WORKSHOP ALL-STEEL MASONRY	CHURCH SECOND PRESBYTERIAN	\$1,910,109.43		\$5,985,900	
871258050	2007-09 WALNUT ST	STR/DTF-APT 4STY MASONRY	BRUNER RICHARD CATHERINE HW	\$2,330,919.93		\$3,045,500	
882426000	2015 WALNUT ST	STR/DTF-APT 4STY MASONRY	FRANCIS ANGEL LUIS GOLD DESIGNS LLC	\$1,310,520.04		\$2,912,100	
881026100	2012 WALNUT ST	APTS 5-50 UNITS MASONRY	ROBIN APTS INC	\$1,250,119.73		\$1,903,400	
881026200	2014 WALNUT ST	APTS 5-50 UNITS MASONRY	ROBIN APTS INC	\$4,910,119.43		\$1,952,100	
883044230	2005 WALNUT ST	CH-BLD TYPIC NCOM MASON	CHIEFHIRE EOURTY LLC	\$1,300,000,000	02/02/2012	\$1,825,900	
882426000	2001 WALNUT ST	STR/DTF 2-STY MASONRY	MICHAEL BRIGER 2005 G01 E MICHAEL BRIGER 2005 G01 E	\$1,380,200.12		\$1,915,500	
883044200	2019 WALNUT ST	CH-BLD TYPIC NCOM MASON	JOSEF ROSAL E J JOSEF STEPHAN E	\$1,360,151.93		\$1,841,900	
881026350	2008 WALNUT ST	APTS 5-50 UNITS MASONRY	LEXTON WARREN	\$1,330,119.96		\$1,792,900	

- g. The Properties will be listed with the property with the highest Certified Market Value for 2014 first. Identify the properties that you believe are similar to yours and list their Certified Market Values on a sheet of paper. List the values for at least five properties.

- h. Calculate the total value of the properties on the list and divide by the number of properties. The answer is the average assessment of similar properties within your neighborhood.
- i. For each property on your list, click on the OPA Account # on the left hand side of the screen.
- j. When the Property Search Result for the address appears, select Account Detail. This screen will show three of the five property characteristics (Land Area, Improvement Area, and Exterior Condition) that allow you to decide if the property is similar. You can estimate the Year Built by looking at the house or talking to a knowledgeable neighbor. You can count the number of garage spaces from the sidewalk.

Property Search Results
Account Details: 2031 WALNUT ST

Property Characteristics

Land Area: 8 sqft	Improvement Area: 544 sqft
Improvement Description: RES CONDO 4STY MAS + OTHER	Beginning Plat: 274 8' 19' 20TH
Exterior Condition: Average	Council District: 02

Certified Values for 2014

Market Value: \$234,990	Sales Date: 7/6/2003
Assessed Land (Taxable): \$29,490	Sales Price: \$100,000
Assessed Improvement (Taxable): \$194,450	
Assessed Land (Exempt): \$0	
Assessed Improvement (Exempt): \$0	
Total Assessment: \$234,990	

Tax Information

Real Estate Tax:	
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View Tax Balances

You may access a property's real estate tax balance information on the Department of Revenue Website by clicking the button on the left.

[Department of Revenue Website](#)

- k. Repeat steps 7 through 9 until you find that at least three and preferably five of the properties on your list are similar properties. If there are not enough similar properties on your block, look at the two adjoining blocks on your street, or the two adjoining blocks on the nearest cross street.
- l. Use your findings to complete the document at the end of this section.

7. I have put together my list of similar properties. What do I do next?

After you have completed the document on the next page, add up the OPA Value for all the properties except yours and divide it by the number of properties not including yours to determine the average OPA value. (See example on the next page.)

8. Is the average OPA value higher than your assessment?

Recommendation: Do not appeal. Your list indicates that your property is valued lower than similar properties in the immediate area. The BRT has the right to increase your assessment if they believe it is too low.

9. Is the average OPA value less than 10% lower than your assessment? (i.e., your property is valued at \$100,000. Your list of similar properties has an average value of \$90,000.)

Recommendation: Maybe appeal. Your appeal will probably not be successful, but it never hurts to ask.

10. Is this average OPA value more than 10% lower than your assessment? (Examples: Your property is valued at \$100,000. Your list of similar properties has an average value of \$89,999 or less)

Recommendation: Appeal to the BRT. You have a strong case.

11. I have decided to appeal my assessment. What do I do now?

If you decide to file an appeal, take pictures of each of the houses on the form from all four sides if possible. Label the pictures with the street number and name (209 Anywhere) and the side of the house shown in the picture (front, back, left, right). Include the pictures with your appeal application.

It is also helpful to prepare a map showing the location of your house and the similar houses that you have listed on your form and include it with your application. This will help the BRT understand that you are using houses from your immediate neighborhood to make your argument.

NON-UNIFORMITY ANALYSIS

ADDRESS: 209 ANYWHERE ST.

ADDRESS	YR. BUILT	LAND AREA (SF)	IMPROVEMENT AREA (SF)	CONDITION	GARAGE SPACES	OPA VALUE
123 Anywhere	1910	1500	2120	AVERAGE	0	\$195,000
136 Anywhere	1915	1800	2240	AVERAGE	0	\$200,000
234 Anywhere	1925	1800	2240	AVERAGE	0	\$207,000
209 Anywhere	1920	1500	2120	AVERAGE	0	\$250,000
TOTAL OPA VALUE*						\$602,000
AVERAGE OPA VALUE*						\$201,000
% OF NON-UNIFORMITY**						24%

*TOTAL OPA VALUE and AVERAGE OPA VALUE do not include 209 Anywhere

**% OF NON-UNIFORMITY = [OPA Value on Your House (209 Anywhere) divided by Average OPA Value] minus one.