

SECTION: FINANCE

TITLE: Reverse Assessment Appeals

FIRST READING: March 14, 2016
 SECOND READING: March 28, 2016
 ADOPTED: March 28, 2016
 REVISED:

<p>1. Purpose</p>	<p>In light of: (1) the infrequency of county-wide reassessments, (2) the lack of a statutory obligation by a taxpayer to apply for an assessment increase when a property is underassessed (whether by a prior taxpayer appeal or a change in market conditions) and (3) the inability of any individual school district taxpayer to bring a District-initiated assessment appeal (“reverse assessment appeal”) related to a property within the Wissahickon School District (“the District”) that is underassessed, the purpose of this policy is to authorize the District to file assessment appeals related to properties within the District that may be underassessed so as to increase revenue and manage the District’s tax base so that the tax burden is distributed equally among District taxpayers.</p>
<p>2. Authority 53 Pa. C.S. §8855</p>	<p>In accordance with Pennsylvania statutory law and case law, a public school district shall have the right to appeal any assessment within its jurisdiction in the same manner, subject to the same procedure and with like effect as if the appeal were taken by a property owner with respect to the assessment. A public school district shall also have the right to file an appeal from any decision of the board of assessment or court of common pleas as though the District had been a party to the proceedings before the board of assessment or court, even though it was not a party in fact.</p>
<p>3. Delegation of Responsibility</p>	<p>The District’s Business Manager, after consultation with the District’s Solicitor, shall be responsible for identifying properties for Board consideration and in seeking the authorization for the filing of a reverse assessment appeal.</p> <p>In order to identify potential properties that may be subject to a reverse assessment appeal, the District Business Manager may utilize recent real estate sales transactions within the District to identify recent sales in which: (a) the sales price is in excess of two million</p>

dollars (\$2,000,000); (b) the current assessment implies a fair market value that is sufficiently lower than the current sales price, taking into consideration the anticipated costs to the District to file and litigate a reverse assessment appeal.

The District Business Manager may also hire, consult with or solicit review by an independent appraisal firm in order to identify properties within the District that are underassessed based on recent sales data and market trends and to consider whether the anticipated cost to file and litigate reverse assessment appeals for such properties outweighs the potential benefits to the District.

The District Business Manager and District Solicitor may utilize case law decisions and statutory changes to identify properties in which a reverse assessment appeal may increase revenues based on reasonable and financial considerations, including but not limited to the cost to the District to file and litigate a reverse assessment appeal and the value of the underlying property.

The District Solicitor shall be responsible for the filing of reverse assessment appeals with the Montgomery County Board of Assessment on or before the applicable deadline. The District Solicitor shall not file any reverse assessment appeal without first having obtained by a public vote the approval of the Board of School Directors.

This Policy shall be effective immediately. The Superintendent or his/her designee shall review this policy every three (3) years and recommend necessary revisions to the Board.

References:

53 Pa. C.S.A. § 8855.