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Washington Department of Revenue Property Tax Division

2022 Review of the Pend Oreille County Board of Equalization



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Overview

Introduction

The Department of Revenue (Department) conducted a telephone interview with the Clerk of the Pend Oreille County Board of Equalization (Clerk). The interview focused on the Pend Oreille County Board of Equalization's (Board) processes and procedures.

Purpose

The Department's primary purpose of this review is to assist the Board in their processes and procedures to ensure compliance with state statutes and regulations.

An effective review of the methods employed by the Board in administering the assessment appeal process will promote fair, timely, and uniform property tax assessments.

Scope of review

The review is limited in scope. We reviewed administrative procedures for compliance with state statutes and regulations.

Information reviewed

To complete our review, we gathered information about the administration of the Board through interviews, documents provided by the Clerk, and independent verification. The areas we reviewed included, but were not limited to:

- Petitions for appeal 2021 assessment year for taxes payable in 2022
- Hearing procedures
- Deliberation process
- Board orders
- Regular convened session
- Reconvening processes
- Publications, forms, literature, and website
- Board policies

Acknowledgment

We thank the Board and Clerk for their cooperation throughout our review. We commend the Board for their willingness to look at opportunities to improve the uniformity and administration of property tax.

Executive Summary

About this review

The Department interviewed the Board's staff about the processes and procedures used in hearing appeals.

Categories of results

The Department has completed its review and grouped the results into two categories:

- The first category, *Requirements*, is of the greatest urgency for effective administration by the Clerk and the Board. A change is required to adhere to the law.
- The second category, *Recommendations*, requires the attention of the Board. The Department believes the Board could improve their performance and service to the public by making voluntary changes in procedures.

The Department bases requirements and recommendations contained in our reports on our review of the administrative procedures employed, existing state statutes and regulations, and areas we saw opportunities to improve processes, procedures, and communication.

Results

The Department identified two requirements and one recommendation directed toward improving the Board's methods.

The items identified may be specific to the Clerk's duties, the Board's duties, county legislative authority duties, or they may have shared components of responsibility. A summary of these items follows.

Executive Summary, continued

Requirements

- The Board is required to provide taxpayers with a timely hearing notice that includes the deadline for submission of additional evidence.
- The Clerk is required to keep and publish a record of the Board's proceedings.

Recommendations

- The Department recommends the Board ask for written verification of a withdrawn petition.

Requirement – Hearing notice

Requirement

The Board is required to provide taxpayers with a timely hearing notice that includes the deadline for submission of additional evidence.

What the law says

The clerk must notify the assessor and appellant of the hearing at least twenty-two business days before the hearing, unless all parties agree to a shorter time period (WAC 458-14-076).

What we found

The hearing letters reviewed did not provide the parties to the appeal with the submission deadline to provide additional evidence. In addition, the date of the letter was fewer than 22 days prior to the hearing. Statute requires sending a hearing notice at least 22 business days prior to a hearing to ensure due process. Additionally, the parties are held to a deadline of 21 business days prior to a hearing to provide evidence. This means they must be notified of the hearing in time to provide timely evidence.

The Board has not requested authorization from the county legislative authority to reconvene after their regular 28-day session in previous years. The Clerk has provided documentation that the regular session will be extended for the 2022 assessment year petitions, giving the Board enough time to schedule hearings and provide notice in accordance with WAC 458-14-076.

Action needed to meet requirement

The Board is required to take the following action(s):

- Inform the parties to an appeal of the deadline for providing additional evidence to the Board for the appeal. This could be accomplished by adding a statement in the hearing letter, any additional evidence must be provided to the Board at least 21 business days prior to the hearing.
- Send hearing letters to the parties to an appeal at least 22 business days prior to the hearing to allow all parties their due process.

Why it's important

Accurate appeal information ensures fair and equitable due process for appellants within the appeal process.

Requirement – Record of hearing

Requirement

The Clerk is required to keep and publish a record of the Board's proceedings.

What the law says

The law requires the Clerk to maintain a journal or record of the board of equalization's proceedings and orders. The record must be published in the same manner as other proceedings of the county legislative authority. RCW 84.48.010 and WAC 458-14-095(5)

What we found

The Clerk indicated she does not use the record of hearing form provided by the Department, but captures all the information on the Board Order. However, the recording information and hearing begin/end times are not listed on the Order.

Action needed to meet requirement

The Board is required to take the following action(s):

- Add the start/stop times of the hearings to the customized Board Order. The Department needs to approve all customized forms that originated from the Department, or
- Use both the Board Order and Record of Hearing forms provided by the Department to ensure all required information is being captured.

Why it's important

The record of hearing provides the public a summary of actions taken by a board for each hearing.

Recommendation – Withdrawn petitions

Recommendation

The Department recommends the Board ask for written verification of a withdrawn petition.

What we found

A petition was withdrawn after a verbal conversation was had with the appellant, but no written notice was given to the Clerk. The Clerk did send a written confirmation to the Taxpayer that the appeal had been withdrawn, but the Clerk should be asking for the Taxpayer to confirm that in writing.

Action recommended

The Department recommends the Board take the following action(s):

- Continue this process, but instead of sending a confirmation of a withdraw, ask the taxpayer to send in written confirmation they wish to withdraw the petition.

Why it's important

Maintaining accurate records results in transparency throughout the appeals process.

Next Steps

Prioritizing Requirements and Recommendations

Once the Clerk and Board receive a final copy of this review, the Department will (if requested) consult with them to prioritize the items listed in the report.

Follow-up

The Department will follow up in six months to review the changes implemented. This will give the Board an opportunity to provide information to the Department about any issues encountered during the implementation process.

Questions

For questions about specific requirements or recommendations in our report, please contact the Property Tax Division at (360) 534-1400.

For additional information contact:

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