
REQUEST FOR BINDING ARBITRATION



CAROLE KEETON STRAYHORN • COMPTROLLER OF PUBLIC ACCOUNTS

GENERAL INSTRUCTIONS

INFORMATION ON THIS TEMPORARY FORM AND ANY ATTACHMENTS ARE SUBJECT TO DISCLOSURE UNDER THE PUBLIC INFORMATION ACT.

To appeal an appraisal review board order under this chapter, a property owner or agent must file with the appraisal district not later than the 45th day after the date the property owner receives notice of the order:

- (1) a completed request for binding arbitration on this form; and
- (2) an arbitration deposit in the amount of \$500, made payable to the Texas Comptroller of Public Accounts, **BY CASHIER'S CHECK OR MONEY ORDER ONLY.**

A property owner who fails to strictly comply with these requirements waives the property owner's right to request binding arbitration. A property owner who appeals to district court an appraisal review board (ARB) order determining a protest concerning appraised or market value waives the owner's right to request binding arbitration. An arbitrator shall dismiss any pending arbitration proceeding if the property owner's rights are waived.

If an owner is represented by an agent, a written authorization signed by the owner must be attached to this request. Failure to do so may result in the denial of the request for binding arbitration.

Personal checks, cash, or other forms of payment will not be accepted. A deposit in the amount of \$500 is required for each request for arbitration. **Failure to remit the proper type of payment will result in the automatic rejection of the request(s) for binding arbitration by the appraisal district.**

Expenses incurred by the property owner in preparing for and attending the arbitration is the owner's responsibility. The arbitration deposit may only be used to pay for the cost of the arbitrator and the Comptroller's 10% administrative cost. All but the administration cost of the deposit will be refunded to the property owner if the arbitrator determines that the value is nearer to the amount that the owner contends is correct.

The taxes on the property that are the subject of the arbitration must be paid timely. Failure to pay taxes before the delinquency date will result in the arbitration being dismissed with prejudice. A property owner, however, will receive a refund of all but 10% of the deposit, if the arbitration is dismissed under this circumstance.

FOR ASSISTANCE - If you have any questions about this application, contact the Texas State Comptroller's Office at 1-800-252-9121. The local number in Austin is 512/305-9999 or e-mail us at ptd.cpa@cpa.state.tx.us.

AMERICANS WITH DISABILITIES ACT - In compliance with the Americans with Disabilities Act, this document may be requested in alternative formats by calling toll-free 1-800-252-9121.

FEDERAL PRIVACY ACT - Disclosure of your social security number is required and authorized under law, for the purpose of tax administration and identification of any individual affected by applicable law. 42 U.S.C. §405(c)(2)(C)(i); Tex. Govt. Code §§403.011 and 403.078. Release of information on this form in response to a public information request will be governed by the Public Information Act, Chapter 552, Government Code, and applicable federal law.

PUBLIC INFORMATION ACT - Section 552.147, Tex. Govt. Code, excepts social security numbers from disclosure. If this form is requested as public information, your social security number will not be released.

PLEASE RETAIN A COPY OF THIS FORM AND THE DEPOSIT FOR YOUR RECORDS.

You have certain rights under Ch. 559, Tex. Govt. Code, to review, request, and correct information we have on file about you. Contact us at the address or toll-free number listed on this form.

SPECIFIC INSTRUCTIONS

This temporary form is designed for use by property owners or agents, appraisal districts, and the Comptroller's office until such time as an official form is adopted by rule. Only complete the part of the form that applies to you.

Property Owners or Agents

Complete the form questions 1 through 23. You must type or print in black ink so that the information can be scanned. All questions must be answered so that your request can be processed in a timely fashion. Agents must submit a written authorization signed by the property owner that states the specific authority given to the agent for this request for binding arbitration. An agent's fiduciary form used for representation at the appraisal district or appraisal review board will not be accepted.

Any questions that you have about completing the form should be directed to the Comptroller's office. Please contact us by calling the number shown in the General Instructions and ask for arbitration assistance.

Appraisal Districts

Complete the first line of the form marked "CAD" on page 1 filling in:

- 1) your appraisal district number;
- 2) the year; and
- 3) the number that your appraisal district is assigning this arbitration request.

Next, complete the portion of the form marked "For Appraisal District Use Only" on page 2. You must provide the value determined by the appraisal review board for the subject property and the Geographic Identification Number (GEO#) and Record Identification Number (R#). You must also provide a copy of the order determining protest from the appraisal review board. It is important that the order indicates the appraisal or market value of the subject property. Any other determination cannot be the subject of an arbitration proceeding.

Check the applicable boxes concerning the request for binding arbitration. By checking the boxes, you are certifying the validity of the inquiries; therefore, care must be taken in the responses. The chief appraiser or designated appraisal district employee must sign the form in order to finalize the certification required by law.

PROPERTY OWNER OR AGENT CHECKLIST

- The property owner or agent has signed the request for arbitration.
- The request was filed within 45 days after the property owner received the order determining protest from the appraisal review board.
- A deposit in the form of a money order or cashier's check is attached.
- If an agent is submitting the request, a written authorization signed by the property owner is attached.
- The request for arbitration concerns the appraised or market value of \$1 million or less for the real property for which an appraisal review board order was issued.
- The appeal does not involve any matter in dispute other than the determination of the appraised or market value of the property.
- All parts of the request for arbitration have been completed.
- Taxes are not delinquent at this time on the property that is the subject of this request for arbitration.
- The property that is the subject of this request for arbitration is not the subject of litigation for the tax year in question.

REQUEST FOR BINDING ARBITRATION

• TYPE OR PRINT IN BLACK INK • Do NOT write in shaded areas.

99100	TP	\$5000.00	068		CAD	ARBITRATION NUMBER					
T-CODE		PAYMENT AMOUNT	DEPOSIT CODE	POSTMARK DATE		CAD No.	Year	CAD Assigned No.			

PROPERTY OWNER INFORMATION - INDIVIDUAL

1. Individual's Name (Last Name, First Name, Middle Initial, Suffix (i.e., Jr., III, etc.))

Last Name: _____ First Name: _____ M.I.: _____ Suffix: _____

2. Owner's Social Security Number* _____ - _____ - _____
* Your Social Security number is not subject to public disclosure according to Section 552.147, Tex. Govt. Code.

3. Taxpayer number for reporting any Texas tax OR Texas identification number if you now have or have ever had one. _____

PROPERTY OWNER INFORMATION - COMPANY -- NON COMPANY OWNERS SKIP TO ITEM 7 --

4. Corporation or Partnership _____ Contact Name for the Corporation _____

5. Taxpayer number for reporting any Texas tax OR Texas identification number if you now have or have ever had one _____

6. Federal employer's identification number (FEIN) assigned by the Internal Revenue Service _____ - _____

CONTACT INFORMATION

7. Mailing Address, City, State, Zip Code with extension
 Street number, P.O. Box, or rural route and box number _____

City: _____ State/province: _____ ZIP code: _____ County (or country, if outside the U.S.): _____

8. Physical location
 Street number or rural route and box number _____

City: _____ State/province: _____ ZIP code: _____ County (or country, if outside the U.S.): _____

9. Daytime phone and (optional) fax number _____ / _____ - _____ Fax Number (Optional) _____

10. Email address (optional)* _____
*Your e-mail address is confidential according to Section 552.137, Tex. Govt. Code; however, by including the e-mail address on this form, you are affirmatively consenting to its release under the Public Information Act.

PROPERTY AGENT INFORMATION -- IF YOU ARE NOT USING AN AGENT, SKIP TO ITEM 18 --

11. Individual's Name (Last Name, First Name, Middle Initial, Suffix (i.e., Jr., III, etc.))

Last Name: _____ First Name: _____ M.I.: _____ Suffix: _____

12. Agent's Social Security Number* _____ - _____ - _____
* Your Social Security number is not subject to public disclosure according to Section 552.147, Tex. Govt. Code.

13. Agent's Mailing Address, City, State, Zip Code with extension
 Street number or rural route and box number _____

City: _____ State/province: _____ ZIP code: _____ County (or country, if outside the U.S.): _____

14. Daytime phone and (optional) fax number _____ / _____ - _____ Fax Number (Optional) _____

15. Email address (optional)* _____
*Your e-mail address is confidential according to Section 552.137, Tex. Govt. Code; however, by including the e-mail address on this form, you are affirmatively consenting to its release under the Public Information Act.

16. If the owner will be represented by an agent, please indicate the applicable designation of the agent required to represent a property owner in binding arbitration:

An attorney licensed by the State of Texas State Bar No. _____

A real estate broker or salesperson licensed under Chapter 1101, Occupations Code License No. _____

A real estate appraiser licensed or certified under Chapter 1103, Occupations Code License No. _____

A property tax consultant registered under Chapter 1152, Occupations Code Registration No. **P R O P T C** _____

17. If the owner has designated an agent, attach the written authorization and indicate if agent is given authority to receive a refund:

Yes No

PROPERTY INFORMATION

18. Address or location of the property being appealed:

REQUEST FOR BINDING ARBITRATION

• TYPE OR PRINT IN BLACK INK • Do NOT write in shaded areas.

PROPERTY INFORMATION

19. Type of real property being appealed: Residential Land Commercial Minerals Other _____
20. Primary county in which the property is located _____
21. Value that owner believes is accurate market or appraised value (**WHOLE DOLLARS ONLY**): \$ _____
22. I would be willing to accept an arbitrator that would hear this case (check all that apply):
- A In person
 - B By teleconference
 - C By written documents submitted by the property owner and appraisal district without a meeting
23. I am appealing the market or appraised value of my property for the following reasons (check all that apply):
- A The property could not sell for the amount of value shown on the appraisal roll.
 - B The property has hidden damages or flaws that were not considered in the appraised value.
 - C The methodology used by the appraisal district was inappropriate.
 - D Evidence presented to the appraisal review board was not fully considered.
 - E The appraisal district did not correctly calculate the value limitation for residence homesteads.
 - F The productivity value of the land or the special appraisal of the property allowed by law was not calculated correctly.
 - G Other _____

OWNER OR AGENT (CONT.)

I hereby request arbitration, have completed the form, and have attached a **MONEY ORDER OR CASHIER'S CHECK** payable to the Comptroller of Public Accounts for \$500.

sign here ▶

Owner or agent signature

Month Day Year

Date

This form and the \$500 deposit must be hand delivered or mailed to the CAD for the ARB that issued the order.

FOR APPRAISAL DISTRICT USE ONLY

24. Date ARB order received by owner _____ 25. ARB order number _____
26. Appraisal District Property Identification Number: _____
- GEOGRAPHIC IDENTIFICATION NUMBER (GEO#) IF APPLICABLE AND RECORD IDENTIFICATION NUMBER (R#) IF APPLICABLE
26. Value determined by the Appraisal Review Board order (**WHOLE DOLLARS ONLY**) \$ _____
27. Cashier's check or money order number of attached deposit _____
28. The Appraisal District has examined the documentation and certifies that:
- The property owner or agent has signed the request for arbitration.
 - The request was filed 45 days after the property owner received the order determining protest from the appraisal review board.
 - A deposit in the form of a money order or cashier's check is attached.
 - If an agent is submitting the request, a written authorization signed by the property owner is attached.
 - The request for arbitration concerns the appraised or market value of \$1 million or less for the real property for which an appraisal review board order was issued.
 - The appeal does not involve any matter in dispute other than the determination of the appraised or market value of the property.
 - All parts of the request for arbitration have been completed.
 - Taxes are not delinquent at this time on the property that is the subject of this request for arbitration.
 - The property that is the subject of this request for arbitration is not the subject of litigation for the tax year in question.
29. Fill out **ARBITRATION NUMBER** at the top of Page 1

TO BE COMPLETED BY APPRAISAL DISTRICT

I further certify that the request for binding arbitration and deposit, along with a copy of the order determining protest, have been submitted to the Comptroller of Public Accounts on the date indicated below:

sign here ▶

Chief appraiser or CAD employee signature

Month Day Year

Date

Mail the application, ARB Order and deposit
BY CERTIFIED MAIL OR HAND DELIVERY to:

Texas Comptroller - Request for Arbitration
111 East 17th Street , 7th Floor
Austin, Texas 78774-0100

FOR COMPTROLLER USE ONLY

- Application accepted **OR** Application rejected for the following reason:
- Does not include the required deposit
 - Incomplete submission
 - Not filed within 45 days after the property owner received the order determining protest from the appraisal review board
 - Other _____
 - Protest is not related to property value determination
 - Taxes are delinquent on the property in question
 - Lawsuit filed with district court
 - Not signed by the property owner or agent