



Akron Public Schools[®]

Administration Building

Chairman Shaffer, Vice Chair Scherer, Ranking Member Rogers, Members of the House Ways and Means Committee, thank you for giving me the opportunity to provide opponent testimony on H.B. 343.

I am Ryan Pendleton, Treasurer/CFO of Akron Public Schools. We are the fifth largest district in Ohio with approximately 22,000 students enrolled.

On account of the recession and an older commercial base, taxpayers contest 100 to 200 properties each year for which the requested change of value exceeds \$50,000 plus hundreds of complaints below the threshold. Approximately two-thirds of the complaints involve commercial property. Over the past 10 years, commercial taxpayers filed 843 complaints challenging \$15,702,404 of revenue while APS filed 613 complaints seeking to gain \$15,252,001 of revenue.

Tax Year	Increase Complaints (>\$50,000 of value)	<u>Potential Gain of Revenue</u> for Increase Complaints of Commercial Property	Decrease Complaints (>\$50,000 of value)	<u>Potential Loss of Revenue</u> from Taxpayer Initiated Decrease Complaints of Commercial Property
2007	86	\$1,061,602	43	\$601,515
2008 (Reappraisal)	93	\$2,610,141	170	\$3,106,247
2009	10	\$403,390	111	\$1,273,630
2010	26	\$240,905	94	\$1,376,472
2011 (Update)	104	\$5,516,657	93	\$3,003,419
2012	47	\$546,617	70	\$898,731
2013	48	\$833,377	63	\$587,495
2014 (Reappraisal)	88	\$2,143,203	92	\$1,757,659
2015	58	\$1,012,647	59	\$1,684,776
2016	53	\$883,462	48	\$1,412,460
Total	613	\$15,252,001	843	\$15,702,404

APS files increase complaints as to commercial property to make up the loss of revenue from decrease complaints and to reach resolutions with taxpayers as to overvalued properties. Over an economic cycle, the loss and gain of revenue from commercial decrease and increase complaints offset each other. Our ability to manage local property taxes directly impacts our funding and the need to secure additional resources from the voters and the General Assembly.

H.B. 343 would require a school board prior to filing a complaint or a counter-complaint to provide written notice to the property owner of each parcel seven (7) business days in advance of the school board approving a resolution to file the complaint or counter-complaint. While intended to provide notice to taxpayers, H.B. 343 creates a cumbersome process for our school board to protect revenue.

Property tax complaints are filed as to a property which may be comprised of many parcels. In the attached example, the taxpayer filed a single complaint as to an apartment building with over 100 parcels. Under H.B. 343, APS in filing a counter-complaint would have to issue over 100 notices and approve over 100 resolutions as to a single property. The legislation would result in a taxpayer receiving multiple notices for the same property.

Other concerns with H.B. 343 are as follows:

- There may be a lack of adequate time to complete a review of the tax duplicate, complete the proposed requirements in H.B. 343, and file any complaints.
- The notification provision duplicates the existing notice provided by the Board of Revision under current law.
- A school board approves resolutions as to significant issues such as employment through a single resolution. A school board should be able to approve the filing of a complaint(s) in a single resolution, consent agenda, or manner it deems appropriate.
- The requirement in the legislation for notice and approval requirements for the filing of a counter-complaint should be eliminated. A board of education filing a property tax counter-complaint is seeking to participate in the proceedings and retain the County's value. Under current law a counter-complaint must be filed within thirty (30) days of the BOR providing notice to a school board of the decrease complaints. We are concerned as to whether there will be adequate time within the existing 30 day period to gather the information as to the complaints, provide notice as provided in the legislation, schedule and hold a school board meeting, approve resolutions, and file the counter-complaints.

We appreciate your consideration of our objections and look forward to working with interested parties, the sponsor, and the committee for additional discussions.

Thank you,



Ryan Pendleton, Treasurer/CFO

BOR. NO. 11-2157

DATE RECEIVED _____

COMPLAINT AGAINST THE VALUATION OF REAL PROPERTY

ANSWER ALL QUESTIONS AND TYPE OR PRINT ALL INFORMATION
READ INSTRUCTIONS ON BACK BEFORE COMPLETING FORM
ATTACH ADDITIONAL PAGES IF NECESSARY

TAX YEAR 2011
COUNTY Summit

ORIGINAL COMPLAINT
 COUNTER-COMPLAINT

RECEIVED
2012 MAR 30 PM 1:25

NOTICES WILL BE SENT ONLY TO THOSE NAMED BELOW

Name		Street Address, City/State/Zip Code		
1) Owner of property	EASTLAND WOODS LLC	c/o AMHA, 100 WEST CEDAR STREET, AKRON, OH 44307		
2) Complainant if not owner	EASTLAND TECB-FP CORPORATION	c/o AMHA, 100 WEST CEDAR STREET, AKRON, OH 44307		
3) Complainant's agent	KEVIN G. DAVIS, ATTORNEY	12 EAST EXCHANGE ST., 8TH FLOOR, AKRON, OH 44308-1541		
4) Telephone number of contact person (330)	434-6600			
5) Complainant's relationship to property if not owner: MANAGING MEMBER OF EASTLAND WOODS LLC				
6) Parcel number from tax bill: If more than one parcel is included, see "Multiple Parcels" on back.				
See attached Exhibit A		SEE ATTACHED EXHIBIT A		
7) Principal use of property: SUBSIDIZED LOW INCOME HOUSING				
8) The increase or decrease in taxable value sought. Counter-complaints supporting auditor's value may have zero in Column D.				
Parcel Number	Complainant's Opinion of Value		Column C	Column D
	Column A True Value (Fair Market Value)	Column B Taxable Value (35% of Column A)	Current Taxable Value (From Tax Bill)	Change in Taxable Value (+ or -) (Col. B minus Col. C)
See attached Exhibit A	\$4,000,000.00	\$1,400,000.00	\$2,884,900.00	-\$1,484,900.00
9) The requested change in value is justified for the following reasons:				
Current FMV is too high as the County has not taken into consideration the fact that the Property is subject to a Low Income Housing Tax Credit use restriction agreement.				
The Ohio Supreme Court has issued a ruling that this use restriction must be taken into account when determining FMV as these restrictions require the Owner to rent units at a rate significantly less than market rental rates. The parcels comprise a single economic unit and should not be valued as individual salable parcels.				

10) Was property sold within the last 3 years? Yes No Unknown . If yes, show date of sale _____ and sale price \$ _____; and attach information explained in "Instructions for Question 10" on back.

11) If property was not sold but was listed for sale in the last 3 years, attach a copy of listing agreement or other available evidence.

12) If any improvements were completed in the last 3 years, show date _____ and total cost \$ _____.

13) Do you intend to present the testimony or report of a professional appraiser? Yes No Unknown .

14) If you have filed a prior complaint on this parcel since the last reappraisal or update of property values in the county, the reason for the valuation change requested must be one of those below. Please check all that apply and explain on attached sheet. See RC. 5715.19(A)(2) for a complete explanation.

- The property was sold in an arm's length transaction;
- A substantial improvement was added to the property;
- The property lost value due to a casualty;
- Occupancy change of at least 15% had a substantial economic impact on the property.

I declare under penalties of perjury that this complaint (including any attachments) has been examined by me and to the best of my knowledge and belief is true, correct and complete.

3/30/12 Complainant or Agent [Signature] Title (If Agent) Attorney at Law

to and signed in my presence, this 30th day of March year 2012

KENNETH A. MILLER, JR.
Notary Public, State of Ohio
My Commission Expires 08-15-2016

[Signature]
Notary Public

<u>PARCEL</u>			<u>NO.</u>
<u>NUMBER</u>		<u>ADDRESS</u>	<u>UNITS</u>
67-53700	.	1709 OLALLA AVENUE, AKRON, OHIO 44305	1
67-53701	.	1230 DUNDEE AVENUE, AKRON, OHIO 44305	1
67-53702	.	1236 DUNDEE AVENUE, AKRON, OHIO 44305	1
67-53703	.	1240 DUNDEE AVENUE, AKRON, OHIO 44305	1
67-53704	.	1244 DUNDEE AVENUE, AKRON, OHIO 44305	1
67-53705	.	1250 DUNDEE AVENUE, AKRON, OHIO 44305	1
67-53706	.	1251 DUNDEE AVENUE, AKRON, OHIO 44305	1
67-53707	.	1241 DUNDEE AVENUE, AKRON, OHIO 44305	1
67-53708	.	1235 DUNDEE AVENUE, AKRON, OHIO 44305	1
67-53709	.	1231 DUNDEE AVENUE, AKRON, OHIO 44305	1
67-53710	.	1727 OLALLA AVENUE, AKRON, OHIO 44305	1
67-53711	.	1739 OLALLA AVENUE, AKRON, OHIO 44305	1
67-53712	.	1134 MORNINGVIEW AVENUE, AKRON, OHIO 44305	1
67-53713	.	1140 MORNINGVIEW AVENUE, AKRON, OHIO 44305	1
67-53714	.	1146 MORNINGVIEW AVENUE, AKRON, OHIO 44305	1
67-53715	.	1152 MORNINGVIEW AVENUE, AKRON, OHIO 44305	1
67-53716	.	1158 MORNINGVIEW AVENUE, AKRON, OHIO 44305	1
67-53717	.	1164 MORNINGVIEW AVENUE, AKRON, OHIO 44305	1
67-53718	.	1170 MORNINGVIEW AVENUE, AKRON, OHIO 44305	1
67-53719	.	1174 MORNINGVIEW AVENUE, AKRON, OHIO 44305	1
67-53720	.	1171 MORNINGVIEW AVENUE, AKRON, OHIO 44305	1
67-53721	.	1177 MORNINGVIEW AVENUE, AKRON, OHIO 44305	1
67-53722	.	1185 MORNINGVIEW AVENUE, AKRON, OHIO 44305	1
67-53723	.	1191 MORNINGVIEW AVENUE, AKRON, OHIO 44305	1
67-53724	.	1201 MORNINGVIEW AVENUE, AKRON, OHIO 44305	1
67-53725	.	1209 MORNINGVIEW AVENUE, AKRON, OHIO 44305	1
67-53726	.	1215 MORNINGVIEW AVENUE, AKRON, OHIO 44305	1
67-53727	.	1363 TALLMADGEVIEW AVENUE, AKRON, OHIO 44305	1
67-53728	.	1357 TALLMADGEVIEW AVENUE, AKRON, OHIO 44305	1
67-53729	.	1351 TALLMADGEVIEW AVENUE, AKRON, OHIO 44305	1
67-53730	.	1345 TALLMADGEVIEW AVENUE, AKRON, OHIO 44305	1
67-53731	.	1341 TALLMADGEVIEW AVENUE, AKRON, OHIO 44305	1
67-53732	.	1335 TALLMADGEVIEW AVENUE, AKRON, OHIO 44305	1
67-53733	.	1329 TALLMADGEVIEW AVENUE, AKRON, OHIO 44305	1
67-53734	.	1323 TALLMADGEVIEW AVENUE, AKRON, OHIO 44305	1
67-53735	.	1317 TALLMADGEVIEW AVENUE, AKRON, OHIO 44305	1
67-53736	.	1313 TALLMADGEVIEW AVENUE, AKRON, OHIO 44305	1
67-53737	.	1345 NANAULA CIRCLE, AKRON, OHIO 44305	1
67-53738	.	1344 NANAULA CIRCLE, AKRON, OHIO 44305	1
67-53739	.	1340 NANAULA CIRCLE, AKRON, OHIO 44305	1
67-53740	.	1337 NANAULA CIRCLE, AKRON, OHIO 44305	1

EXHIBIT A

67-53741	.	1331 NANAULA CIRCLE, AKRON, OHIO 44305	1
67-53742	.	1330 NANAULA CIRCLE, AKRON, OHIO 44305	1
67-53743	.	1307 SPERRY DRIVE, AKRON, OHIO 44305	1
67-53744	.	1792 NANAULA AVENUE, AKRON, OHIO 44305	1
67-53745	.	1785 NANAULA AVENUE, AKRON, OHIO 44305	1
67-53746	.	1786 NANAULA AVENUE, AKRON, OHIO 44305	1
67-53747	.	1795 NANAULA AVENUE, AKRON, OHIO 44305	1
67-53748	.	1798 NANAULA AVENUE, AKRON, OHIO 44305	1
67-53749	.	1804 NANAULA AVENUE, AKRON, OHIO 44305	1
67-53750	.	1746 NANAULA AVENUE, AKRON, OHIO 44305	1
67-53751	.	1752 NANAULA AVENUE, AKRON, OHIO 44305	1
67-53752	.	1759 NANAULA AVENUE, AKRON, OHIO 44305	1
67-53753	.	1774 NANAULA AVENUE, AKRON, OHIO 44305	1
67-53754	.	1780 NANAULA AVENUE, AKRON, OHIO 44305	1
67-53755	.	1767 NANAULA AVENUE, AKRON, OHIO 44305	1
67-53756	.	1753 NANAULA AVENUE, AKRON, OHIO 44305	1
67-53757	.	1747 NANAULA AVENUE, AKRON, OHIO 44305	1
67-53758	.	1336 NANAULA CIRCLE, AKRON, OHIO 44305	1
67-53759	.	1341 NANAULA CIRCLE, AKRON, OHIO 44305	1
67-53760	.	1328 TALLMADGEVIEW AVENUE, AKRON, OHIO 44305	1
67-53761	.	1334 TALLMADGEVIEW AVENUE, AKRON, OHIO 44305	1
67-53762	.	1340 TALLMADGEVIEW AVENUE, AKRON, OHIO 44305	1
67-53763	.	1346 TALLMADGEVIEW AVENUE, AKRON, OHIO 44305	1
67-53764	.	1202 MORNINGVIEW AVENUE, AKRON, OHIO 44305	1
67-53765	.	1196 MORNINGVIEW AVENUE, AKRON, OHIO 44305	1
67-53766	.	1190 MORNINGVIEW AVENUE, AKRON, OHIO 44305	1
67-53767	.	1184 MORNINGVIEW AVENUE, AKRON, OHIO 44305	1
67-53768	.	1161 MORNINGVIEW AVENUE, AKRON, OHIO 44305	1
67-53769	.	1157 MORNINGVIEW AVENUE, AKRON, OHIO 44305	1
67-53770	.	1151 MORNINGVIEW AVENUE, AKRON, OHIO 44305	1
67-53771	.	1141 MORNINGVIEW AVENUE, AKRON, OHIO 44305	1
67-53772	.	1135 MORNINGVIEW AVENUE, AKRON, OHIO 44305	1
67-53773	.	1131 MORNINGVIEW AVENUE, AKRON, OHIO 44305	1
67-53774	.	1125 MORNINGVIEW AVENUE, AKRON, OHIO 44305	1
67-53775	.	1119 MORNINGVIEW AVENUE, AKRON, OHIO 44305	1
67-53776	.	1113 MORNINGVIEW AVENUE, AKRON, OHIO 44305	1
67-53777	.	1107 MORNINGVIEW AVENUE, AKRON, OHIO 44305	1
67-53778	.	1101 MORNINGVIEW AVENUE, AKRON, OHIO 44305	1
67-53779	.	1095 MORNINGVIEW AVENUE, AKRON, OHIO 44305	1
67-53780	.	1089 MORNINGVIEW AVENUE, AKRON, OHIO 44305	1
67-53781	.	1083 MORNINGVIEW AVENUE, AKRON, OHIO 44305	1
67-53782	.	1082 MORNINGVIEW AVENUE, AKRON, OHIO 44305	1
67-53783	.	1088 MORNINGVIEW AVENUE, AKRON, OHIO 44305	1
67-53784	.	1094 MORNINGVIEW AVENUE, AKRON, OHIO 44305	1

EXHIBIT A

67-53785	,	1102 MORNINGVIEW AVENUE, AKRON, OHIO 44305	1
67-53786	-	1108 MORNINGVIEW AVENUE, AKRON, OHIO 44305	1
67-53787	,	1738 OLALLA AVENUE, AKRON, OHIO 44305	1
67-53788	,	1726 OLALLA AVENUE, AKRON, OHIO 44305	1
67-53789	,	1205 DUNDEE AVENUE, AKRON, OHIO 44305	1
67-53790	,	1199 DUNDEE AVENUE, AKRON, OHIO 44305	1
67-53791	,	1193 DUNDEE AVENUE, AKRON, OHIO 44305	1
67-53792	,	1187 DUNDEE AVENUE, AKRON, OHIO 44305	1
67-53793	,	1181 DUNDEE AVENUE, AKRON, OHIO 44305	1
67-53794	,	1180 DUNDEE AVENUE, AKRON, OHIO 44305	1
67-53795	,	1186 DUNDEE AVENUE, AKRON, OHIO 44305	1
67-53796	,	1192 DUNDEE AVENUE, AKRON, OHIO 44305	1
67-53797	,	1198 DUNDEE AVENUE, AKRON, OHIO 44305	1
67-53798	,	1204 DUNDEE AVENUE, AKRON, OHIO 44305	1
67-53799	,	1710 OLALLA AVENUE, AKRON, OHIO 44305	1

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