



Testimony of Kathleen Crowley, Executive Director

Ohio House of Representatives

Ways and Means Committee

February 12, 2025

Chairman Roemer, Vice Chair Thomas, Ranking Member Troy, and members of the Ways and Means Committee, my name is Kathleen Crowley. I am the Executive Director of the Board of Tax Appeals. Thank you for the opportunity to present information on the Board of Tax Appeals' budget request for fiscal years FY2026 and FY2027.

The mission of the Board of Tax Appeals, as Ohio's administrative tax court, is to provide taxpayers and taxing authorities with an accessible, fair, and efficient appeals process and to resolve appeals in a timely and judicious manner by facilitating settlement or by issuing comprehensive written decisions, which are based upon Ohio statutes, case law, and Board precedent. The Board is a quasi-judicial body established by R.C. 5703.02 and is comprised of three members appointed by the governor to overlapping six-year terms. Two members must be attorneys with a minimum of six years in Ohio tax law.

The Board is staffed with state and local tax law experts who create precedent binding on the Ohio Tax Commissioner, counties, townships, municipalities, and taxpayers. The Board resolves appeals from seven governmental agencies involving more than sixty tax types. Our opinions are appealable directly to courts of appeals or the Ohio Supreme Court. Any party who pays taxes to the State or taxing authority that receives taxes may be served by the Board.

The Board maintains an online case management system, which allows parties to file appeals from anywhere in the world. The Board created a decision database, which allows the public to access Board decisions without a fee. In FY 2024, the Board created a guide for pro se litigants to assist them when pursuing an appeal before the Board. The guide provides a level of predictability for those taxpayers who wish to represent themselves.

The majority of the Board's caseload are appeals from county boards of revision related to real property valuation and tax liability. The Board also hears appeals from the Ohio Tax Commissioner as well as any state taxing authority. Appeals from the Tax Commissioner are generally classified as complex litigation, however, in FY22, the General Assembly passed HB126, which was universally recognized as the most significant piece of property tax legislation in decades. HB 126 strictly limited the right of a board of education or any third party to participate in the real property valuation dispute process. The law also restricted the right of a property owner to enter

into separate settlement agreements with boards of education. Those agreements provided that a property owner would make direct payments to boards of education, and, in exchange, the board of education would dismiss any pending cases against the property owner.

Since the passage of HB 126, the Board has seen a substantial increase in complex litigation cases. Prior to HB 126, the Board encountered a variety of cases, from very small cases submitted on briefs to very complex appeals with multi-day hearings. Nearly all of the Board's cases are now complex. This shift has resulted in a marked increase in the number of motions filed, each requiring thorough review and a decision before the case can proceed. The Board must adapt to this new type of docket.

Our most valuable resource is, without question, our staff. At the requested funding amount as outlined in the executive budget, the Board will be able to backfill the vacant attorney positions- these individuals will have the expertise to manage the increased complexity of our docket. We will also be able to maintain our online filing system, and manage the day-to-day operations of the Board.

Therefore, the Board respectfully requests to be funded as outlined in the executive budget specifically, in FY2026 at 2,110,000 and FY2027 at 2,160,000.

Thank you for the opportunity to testify today. With my written testimony, I have included a basic appeal flow chart. I am happy to answer any questions.

# Ohio Board of Tax Appeals

## Basic Tax Appeals Flow Chart

