

# 2020 Appraisal Notices Are in The Mail Property Tax Protest and Appeal Procedures Mailing Delinquent Tax Statements

## Appraisal Notices

An estimated 26,000 real property appraisal notices were mailed on April 22<sup>nd</sup>.

Texas law requires county appraisal districts to send appraisal notices to property owners when: (1) A change in the property's value increases by \$1,000 or more, (2) Any property receiving a homestead exemption, (3) New property owners who did not receive a notice in 2019, (4) any new accounts that have been created, (5) A notice must be sent if the property owner rendered their property with the appraisal district.

**New for 2020 SB 2:** there will now be letters mailed to (1) anyone whose homestead, over 65, disability or veteran's disability was canceled or modified, (2) Any property that does not have a homestead exemption on their current home when the situs address and mailing address match. If you are a new owner and have already filed for your exemptions you may receive one of these letters. CCAD has processed most of the exemptions that have been received. However, the software does not look to see if CCAD has already added an exemption filed by the new owner. **Please review your appraisal notice closely as the exemption will show on the notice.**

All commercial properties and Non-Industrial Business Personal Property notices are not part of April 22<sup>nd</sup> mailing. They will be mailed in the coming weeks. Industrial Business Personal Property and mineral appraisal notices will be mailed April 28<sup>th</sup>. It is important that you review the proposed value of your property, the date your notice was mailed and the deadline to file a protest. Since all notices are not mailed at the same time, there will be different filing deadlines. The filing deadline for the notices mailed April 22<sup>nd</sup> will be May 22<sup>nd</sup>.

The notice contains important information about the property's location, ownership, and any tax exemptions that have been applied to the property. The deadline to file an agricultural use application is April 30<sup>th</sup>. It is important that you know that appraisers are still reviewing agricultural use applications that were received, but yet not processed in time for the April 22<sup>nd</sup> mailing. If you received an appraisal notice that does not show your agricultural use on it, you will either receive a letter telling you the application was approved or denied. If it is denied, you have 30 days from the date of the letter to protest the denial.

## Homestead Exemptions

If you are receiving an Over 65 or a Disability exemption and this is your first year to receive the exemption, you will see the added exemptions on your notice but no ceiling information on the taxes. Starting in the second year, the tax ceiling will appear. If you have made an addition to your home and you have an exemption with a ceiling, the value of the new addition will cause an increase in your taxes. Your tax ceiling shown on your appraisal notice does not reflect the additional taxes caused by an addition to your home. The new tax ceiling will be calculated once all of the 2020 tax rates are set by the taxing entities.

If you have not filed for a homestead exemption and (1) you owned and lived in your house on January 1 of 2020 or (2) you owned and lived in your home on January 1 of 2019 you may be able to file an exemption for the prior year.

**THE APPRAISAL DISTRICT DOES NOT SET THE TAX RATES.** Your city, county, school district, and other local taxing units will set the 2020 tax rate.

## Informal Reviews

The Appraisal District staff is available to answer any questions you may have and will do their best to resolve any disagreements in value or exemptions. Due to the coronavirus the appraisal district office is open, but restricted to the lobby. **CCAD staff will not be doing IN-PERSON informal reviews. ALL INFORMAL REVIEWS** will be handled by phone, email, or through our website; [www.cookecad.org](http://www.cookecad.org). From our website, you can use "Contact Us" or "Online Protest". You will be asked to either mail, email, fax or through the CAD website "contact us" leave your information in messages. We ask that you be able to send anything you feel would help the appraiser have a better understanding as to why you feel the proposed value is too high or why ag use should be granted.

Information that is helpful when discussing value would be: (1) Your settlement statement if purchased within the last 2 years, (2) An independent fee appraisal if the appraisal was completed within the last year, (3) Dated photographs of any damages to your home along with an estimate to repair, (4) Any comparable sales within the last year that you feel is comparable in size, age and condition to your property. The appraiser is only able to see the exterior of the property.

Most differences can be resolved with this information. The appraisal district has information on sold properties that will be used as well; however, we do not have the sales information of all properties that have sold.

## **Agricultural Use**

If your agricultural use has been denied, examples of the type of documentation to send for an informal or formal hearing would be: (1) livestock sales, or purchase receipts, (2) receipts showing the purchase or sale of agricultural products, (3) receipts for the purchase of fertilizer, feed, or veterinary services, (4) receipts for services such as baling hay, (5) dated photographs of ag use on the property.

## **Formal Protest**

Property owners who disagree with the appraised value of their property, exemptions, or any other action by the appraisal district have the right to appeal to the ARB. The ARB is an independent panel of citizens responsible for hearing and settling property protests. The notice of appraised value includes instructions on how and when to file a protest, a protest form and *Property Taxpayer Remedies* Published by the Texas Comptrollers' office.

Our office is located at 201 N. Dixon St. Gainesville, Texas. Our hours are 8 am to 5 pm. The phone number is 940-665-7651 and fax number is 940-668-2587. You can also reach us by email at [cookecad@cookecad.org](mailto:cookecad@cookecad.org) or [arbsecretary@cookecad.org](mailto:arbsecretary@cookecad.org).

## **Filing a protest using the Online Protest (E-File), US Mail and Other Means of Filing**

**ALL PROPERTY ACCOUNTS** are **EILIGBLE** to file a protest online. There will be brief instructions on how to file online mailed with the appraisal notice. You can also file your protest by US mail, fax, email, or use the drop box on the south side of our office. There is also a drive thru where you can drop off your protest. We highly recommend that you use either the appraisal district email or our online protest.

*Property Taxpayer Remedies* is available at the Cooke County Appraisal District at 201 N. Dixon St. Gainesville, Texas or our website: [www.cookecad.org](http://www.cookecad.org). The publication is also available on the Comptrollers' website: [www.comptroller.texas.gov/taxes/property-tax](http://www.comptroller.texas.gov/taxes/property-tax). Also available on their website and the appraisal district's website are two videos: "How to Present Your Case at an ARB Hearing: A Homeowners Guide" and "How to Present your Case at an ARB hearing: A Guide for Small Businesses. **THE BEST WAY TO HELP YOU IS FOR YOU TO HELP US.**

## **Property Tax Protest and Appeal Procedures**

The law gives property owners the right to protest actions concerning their property tax appraisals. Below is a list of reasons that are available to protest:

- Incorrect appraised (market) value.
- Value is unequal compared with other properties.
- Property should not be taxed in \_\_\_\_\_ (*taxing unit*).
- Property is not located in this appraisal district or otherwise should not be included on the appraisal district's record.
- Failure to send required notice. \_\_\_\_\_ (*type*)
- Temporary disaster damage exemption was denied or modified.
- Ag-use, open-space or other special appraisal was denied, modified or cancelled.
- Change in use of land appraised as ag-use, open-space or timberland.
- Incorrect appraised or market value of land under special appraisal for ag-use, open-space or other special appraisal.
- Owner's name is incorrect.
- Property description is incorrect.
- Incorrect damage assessment rating for a property qualified for a temporary disaster exemption.
- Other: \_\_\_\_\_

The Comptroller's publication, *Property Taxpayers' Remedies*, explains in detail how to protest your property appraisal, what issues the ARB can consider and what to expect during a protest hearing. The publication also discusses your options if you disagree with the decision of the ARB; such as filing in district court, binding arbitration, or filing with the State Office of Administrative Hearings (SOAH).

## Review by the ARB

If you cannot resolve the issue informally with the county appraisal district (CAD) staff, you may have your case heard by the ARB.

The ARB is an independent board of citizens that reviews problems with appraisals or other concerns listed above. It has the power to order the CAD to make the necessary changes to solve your issues. If you file a written request for an ARB hearing (called a notice of protest) before the deadline, the ARB will set your case for a hearing. You will receive written notice of the date and time of the hearing. If necessary, you may request a hearing in the evening or on a Saturday or Sunday. Prior to your hearing, you may ask to review the evidence the CAD plans to introduce at the hearing to establish any matter at issue. Due to the coronavirus the Cooke County Appraisal Review Board (ARB) has made temporary changes to their procedures. **There will be NO ARB hearing held in person. All hearing before the ARB will be by "conference calls". If you are scheduled for a hearing before the ARB you will receive documentation prior to your hearing date that will explain the procedures for the conference call. ARB hearings are subject to the Open Meeting Act. For anyone who would like to be at the hearings there will be a phone number and an ID number to join the meeting.** To the greatest extent practicable, the hearing will be informal. You or a designated agent present evidence or you may send a notarized evidence for the ARB to review at your hearing. The CAD representative will present evidence about your case. You may cross-examine the CAD representative. The ARB will make its decision based on the evidence presented. In most cases, the CAD has the burden of establishing the property's value by a preponderance of the evidence presented.

In certain protests, the chief appraiser has the burden of proving the property's value by clear and convincing evidence. You should review ARB hearing procedures to learn more about evidence and related matters. You will find a protest form on the back of your appraisal notice. You can get a copy of a protest form from the appraisal district lobby, our website [www.cookecad.org](http://www.cookecad.org) or from the Comptroller of Public Accounts at [www.comptroller.texas.gov/taxes/property-tax/protests/index.php](http://www.comptroller.texas.gov/taxes/property-tax/protests/index.php)

**You should not try to contact an ARB member outside of the hearing.** The law requires ARB members to sign an affidavit saying that they have not talked about your case before the ARB hears it.

## Review by the District Court, an Arbitrator or SOAH

After it decides your case, the ARB must send you a copy of its order by certified mail. If you are not satisfied with the decision, you have the right to appeal. To appeal such an order to district court, a party must file a petition for review with the district court within 60 days after you receive your notice of final value.

In certain cases, an alternative to filing an appeal in district court, you may file not later than the 60th day after you receive notice of the ARB order, a request for binding arbitration with the county appraisal district. If the subject of your appeal has a value of \$1 million or more you may appeal to the State Office of Administrative Hearings (SOAH). To appeal an ARB order to SOAH, a property owner must file with the chief appraiser of the appraisal district not later than the 30<sup>th</sup> day after the date the property owner receives notice of the order. Appeals to district court, binding arbitration, or SOAH all require payment of certain fees or deposits.

## Tax Payment

In any case you must pay either the amount of taxes due on the portion of the taxable value not in dispute or the amount of taxes due on the property under the order from which the appeal is taken.

## More Information

You can get additional information on how to prepare a protest from the Comptroller's publication, *Property Tax Basics*, available on the Comptroller's Property Tax Assistance Division's website at [www.comptroller.texas.gov/taxes/property-tax/basics.php](http://www.comptroller.texas.gov/taxes/property-tax/basics.php) or from the appraisal district website [www.cookecad.org](http://www.cookecad.org) under **Videos**.

## Deadline for Filing Protests with the ARB

**\*Usual Deadline**

**On or before May 15** (or 30 days after a notice of appraised value was mailed to you, whichever is later).

Late protests are allowed if you miss the usual deadline for good cause. Good cause is some reason beyond your control, such as a medical emergency. The ARB decides whether you have good cause. **Late protests are due the day before the ARB approves records for the year.** Contact your appraisal district for more information.

## Special Deadlines

**For change of use** (the appraisal district informed you that you are losing agricultural appraisal because you changed the use of your land), the deadline is not later than the 30th day after the notice of the determination was mailed to you.

**For ARB changes** (the ARB has informed you of a change that increases your tax liability and the change did not result from a protest you filed), the deadline is not later than the 30th day after the notice of the determination was mailed to you.

If you believe the appraisal district or ARB should have sent you a notice and did not, you may file a protest until the day before taxes become delinquent, usually February 1st.

\* The deadline is postponed to the next business day if it falls on a weekend or holiday.

## DELIQUENT TAXES STATEMENT MAILING

Delinquent tax notices for the current tax year (2019) are mailed each year at least 30 days but not more than 60 days before July 1<sup>st</sup>, per the Texas Property Tax Code, Section 33.07(d). Delinquent notices for the tax year 2019 will be mailed on May 1 or as soon as possible thereafter. If you receive a delinquent notice and you believe it is in error, please call the Cooke County Appraisal District's Collection Department at 940-665-7651.

Full or partial payments are always accepted. In order to better serve and offer assistance to the taxpayer, various payment options are available. Taxes can be paid with a credit/debit card or by e-check through our website: [www.cookecad.org](http://www.cookecad.org). We also offer an installment payment plan option. Please feel free to call the Cooke County Appraisal district at your convenience to discuss any and all payment plan options.

## PROPERTY TAX PAYMENT INFORMATION

- **Delinquent Tax Notices** will be mailed on May 1. An **additional 15% attorney's fee** will be added on **July 1** to any unpaid balances.
- **Payment Agreements** are available on all delinquent taxes with some possible limitations.
- **Full or Partial** payments are accepted.
- **Payments received by mail** are posted according to the **postmarked** date.
- **All website and phone payments** are posted according to the date of the completed payment process.
- **Accepted methods of payment** include cash, check, money order, cashier's check, credit/debit card and e-check. Payments can also be made through our website at [www.cookecad.org](http://www.cookecad.org).
- **A drive-up window** and an afterhours/weekend/holiday drop box are located on the south side of the building for your convenience.
- **Hardships:** The law requires timely payments be made without regard to the circumstances of the owner.

Cooke CAD has been working on **updating agricultural use applications filed in 2009 or prior**. For the current year we have focused on **Sivells Bend ISD**. If you received a letter and an application stating that you are requested to update your agricultural use application, you **MUST COMPLETE IT AND RETURN AS SOON AS POSSIBLE OR RISK LOSING YOUR AGRICULTURAL USE APPRAISAL**. If you received this letter and you have property in another school district you can complete an updated agricultural form on those properties as well. Please read and complete as much of the application as possible before requesting help. There is a sample completed application

on our website under the Agricultural Use Tab then to "Example Completed Agricultural Application".

You can search by your name, property ID, situs address or use the Advanced Search option. You will need to enter the Tax Year you are wanting to look at. You can also see if the taxes have been paid or still due.

When considering the purchase of property, you may want to know what the taxes would be without any exemption. Within the section "Taxing Jurisdiction" you can see what the taxes are with the current exemptions and then without exemptions.

You are able to view your property from within your account by clicking on "Map" located in the top right-hand corner. To view all of Cooke County use the "Map Search" in the lower left-hand side of the home page. If you are viewing the account, the "Map Search" is located in the top right-hand corner.

*The Cooke County Appraisal District is available to answer your questions. Our office is located at 201 N. Dixon St. Gainesville Texas. We are open Monday through Friday 8am to 5pm. We can be reached by phone at 940-665-7651, fax number 940-668-2587, or email address [cookecad@cookecad.org](mailto:cookecad@cookecad.org)*