



Dear Brent Winder.

I'd like to introduce myself. I was elected to the office of Utah County Assessor in a special election in April 2023. I am happy to report that, although we only had one month after the special election to complete the Assessment Roll, we were able to complete it by the deadline. Additionally, it passed all required statistical tests and was approved by the County Commissioners and State Tax Commission.

During my campaign I promised to be proactive in making the Assessor's Office more transparent. As I work to fulfill that promise, I hope this letter will provide some basic information regarding the assessment process and address possible concerns. Please feel free to contact me personally if you have questions or suggestions.

As an elected official or community leader, you may have some questions and may have residents of your community ask how this process works, so I wanted to share a few items worth your review.

- **The Utah Constitution requires that County Assessors value properties at their market value.** It states that property must be "assessed at a uniform and equal rate in proportion to its fair market value, to be ascertained as provided by law and taxed at a uniform and equal rate" (Article XIII, Section 2). It is my duty to follow this instruction, as I took the oath to obey the United States and Utah constitutions. The law doesn't allow a County Assessor to keep assessed values level during rapid increases in sale prices as Utah County has experienced in recent years.
- **Assessed property values are audited and verified by the Utah State Tax Commission. If assessed values aren't close to sold prices, the Assessor is considered in violation.** Assessed property values are audited using the Sales Ratio study, which is a statistical performance test recommended by the International Association of Assessing Officers and adopted into rule in Utah. The average ratio between assessed value and sold price must be within specific tolerance limits. The Sales Ratio also measures precision/dispersion. In May, the Assessment Roll passed the test, and even exceeded the test requirements.
- **The Assessor's primary responsibility is to estimate the value of all real and personal business property in the County.** Some believe the Assessor determines property taxes. This is not the case. Taxing entities determine the taxes needed to provide the necessary funding for their services. Taxing entities can't collect more money than the prior year, plus additional revenue from new growth, unless they go through a public hearing process called "Truth in Taxation". Because of increases in real property values, many taxing entities have lowered their tax rates. This is just a basic explanation, and I am happy to go into more detail if you would like.
- **The Assessor is not motivated nor incentivized to increase assessed property values.** My goal is for the Assessor's Office to provide the most accurate, equitable assessments as efficiently as possible. This vision is built upon my appraising, statistical modeling, and leadership experience. The Assessor's Office follows the Uniform Standards of Professional Appraisal Practice (USPAP) which requires the Assessor's Office to give an unbiased opinion of value.
- **All property owners have the right to file an appeal.** If any property owner believes the assessed value of their property doesn't match the market value or is inequitable, we invite them to come in and talk with us. If a value change is necessary, then we encourage them to submit an appeal to the County Auditor's Office. The appeal process is meant to be inviting, polite, and professional. The appeal is free to file and can be easily done online at:
<https://www.utahcounty.gov/Dept/Auditor/TaxAdmin/equalization/ValueAppeal>

Property owners must submit evidence to support their claim in an appeal. The Assessor can't change a value unless it is justified. Making changes without good supporting evidence would lead to inequity. Submitted evidence is reviewed by experienced Appraisers in the Assessor's Office, and if it supports a value change, the Assessor's Office will change it. After the review, if the property owner still disagrees with the Assessor's decision, the property owner can present the evidence to a third-party hearing officer, who will review all opinions and evidence and make a valuation decision. If the property owner still disagrees with the hearing officer's decision, the property owner can further appeal to the County Commission, Utah State Tax Commission, or the Courts.

- **Primary residences receive a primary residential exemption.** A property is considered a primary residence if it is owner-occupied or leased to a renter that occupies the property for most of the year. A primary residence is taxed on 55% of its market value, including the first acre of land. Commercial property, vacant land, secondary homes, and short-term rental properties are taxed at 100% of market value.
- **All real property is valued effective January 1st of the year.** The assessed value is based upon the real estate market on January 1st. Comparable sales that are used in the valuation process are time-adjusted as if they occurred on January 1st. If a property is under construction on January 1st, it is assessed based upon the percentage complete on January 1st. The Valuation Notice is mailed to the property owner at the end of July, but the assessed value is as of the prior January 1st.
- **The Assessor must be a resident of Utah County and be an Appraiser.** An appraiser is licensed by the Utah Division of Real Estate. I live in Orem, I have been a certified appraiser in Utah since 2006, and I have worked in the Assessor's Office since 2010.
- **Utah is one of a few states that is a non-disclosure state.** This means that the sale price of a property is not included on recorded documents. Sales information is necessary for Assessors to determine fair market value. Residential data is generally available to Assessors through third party sources. It is difficult for the Assessor's Office to obtain commercial sales information.
- **There has been some concern that assessments may not be equitable. I have taken these concerns seriously, and we are researching this concern.** There are no obvious indications that this is a widespread problem, but as we have reviewed some of the valuation models, we have found that there may be room for improvement. Refinements are being studied and tested to ensure assessed property values are equitable. The valuation models are only as reliable as the available data, such as sales information. We have repurposed an unfilled position to be a Data Manager whose primary responsibility is to ensure available property data is correct and consistent.

Thank you for taking the time to read this letter. I hope the information is helpful and addresses some possible concerns. The assessment process can be complicated, and I would love to help in any way I can. Please reach out to me if you have questions, concerns, or would like more in-depth information regarding the Assessor's Office.

Sincerely,
Burt Garfield
Utah County Assessor

