

POLICIES AND PROCEDURES

Purpose of the Board of Appeal and Equalization

The purpose of the Board of Appeal and Equalization is to provide a fair and objective forum for property owners to appeal their valuation or classification. The local board serves as the first step in the appeals process for taxpayers.

All cases heard by the local board may be further appealed to the County Board of Appeal and Equalization (CBAE) which is the second step in the appeals process. Property owners may only appeal to the CBAE if they first appealed to the local board.¹

Appointment of the Special Board of Appeal and Equalization

The governing body of a city may appoint a Special Board of Appeal and Equalization in lieu of a local board. The city may delegate to the Special Board of Appeal and Equalization all of the powers and duties of the Local Board of Appeal and Equalization. (Reference)²

The special board serves at the direction and discretion of the appointing body, subject to the restrictions imposed by law. The appointing body shall determine the number of members of the board, the compensation and expenses to be paid, and the term of each member.³

Special Board composition

- At least one member of the special board of review must be an appraiser, real estate broker, or other person familiar with property valuations in the assessment district.⁴
- The council shall provide by resolution the number of members appointed, the persons appointed, the amount of compensation and expenses to be paid members, if any, and the term of office of each member.⁵
- At least one voting member at each board meeting has completed the appeals and equalization training course approved by the Minnesota Department of Revenue in the last four years.⁶
- A majority of the voting members must be present at each board meeting in order to meet the quorum requirement.⁷
- Members shall be residents of the City of Minneapolis. The City Council may waive the residency requirement for those persons whose knowledge or expertise provides a unique or special benefit to the board.

Special Board of Appeal and Equalization Role and Requirements

Duties of the Special Board

- May review, deliberate, and make decisions on property valuation and classification appeals.
- May reduce, increase, or sustain property valuations. Before the board raises the market value of a property, it must notify the owner. The board must also base the decision to increase the market value on facts.⁸
- May add improvements to the assessment list.
- May add properties to the assessment list if real or personal property has not been entered onto the assessment list.⁹
- May not consider exemptions or property tax programs or classifications that require an application.¹⁰
- May not adjust a valuation or classification benefitting the property owner who refuses entry by the assessor.¹¹
- May not consider assessments of prior years.
- May not reduce the aggregate assessment by more than one percent.¹²
- May not order percentage increases or decreases for an entire class of property.

Meeting Requirements

- A quorum must be present.
- At least one trained member must be present.
- The meetings must comply with the requirements of the State's Open Meeting Law (MN Statutes Chapter 13D).
- Meetings must be held between April 1 and May 31 of each year.
- The board must conduct business and adjourn within 20 days of the date stated in the published notice (upon request, the Minnesota Department of Revenue may grant extensions beyond the 20-day time period to a date no later than May 31).
- The City Assessor is required to be present with the assessment books and papers and is required to take part in the proceedings to support values or recommend a change, however, does not have a vote. (Reference)
- The County Assessor or an assistant is required to attend. (Reference)
- Staff from the City Clerk's Office shall serve as the secretary of the Special Board.
- The Special Board secretary shall administer the Oath of Office to members having been appointed by the City Council and Mayor.
- A certification form must be completed for each meeting of the Special Board.

Appealing to the Special board

Preparation by the Special Board

The City Assessor shall conduct an annual training session for the Special Board. It shall include review of the appeal process, Special Board responsibilities, assessment practices, and market and trend data.

Preparation by the property owner

1. To submit an appeal, appellants shall contact the City Assessor using the contact information on the Notice of Valuation and Classification.
2. Appellants shall make their property available for inspection and provide for additional information regarding their property as requested by the Assessor.
3. Appellants should submit materials to the Assessor's Office at least four business days before the hearing for the Special Board and the Assessor to consider.
4. Appellants may request a hearing at the board meeting or may request that the Special Board consider their material without a hearing.
5. Appeal hearings will be scheduled in blocks of time.

Preparation by the assessor

1. Arrange inspection of the property.
2. Request additional relevant information from taxpayer.
3. Complete an appraisal or valuation of the property.
4. Make the appraisal or valuation available to the appellant and the Special Board one business day before the hearing.

Convening the Special Board

1. At the beginning of the board meeting, the Special Board nominates and appoints a chair and vice-chair. The chair presides at the meeting. The vice-chair serves as the chair if the chair is unable to perform their duties.
2. The City Assessor is responsible for obtaining signatures and maintaining a certification form for each meeting of the Special Board.

Presentation to the Special Board

1. The Special Board prepares for hearing by reviewing materials from both the assessor and appellant.
2. Each appellant is allowed five minutes to present any data or information relevant to the market value or classification of the property.

3. The assessor is allowed five minutes to present the appraisal conclusion and information.
4. The Special Board may have up to five minutes to ask questions and gather clarifying information.
5. The Special Board may grant more time for presentations, questions, or deliberations in the appropriate circumstances.
6. All questions to presenters should come from the Special Board members.
7. Presentations may come in the form of writing or in-person appeals.

Special Board decisions

1. Deliberations should be made at the conclusion of each hearing session, to the extent possible.
2. Discussion of the case should be limited to the property and its valuation or classification under appeal.
3. The Special Board may postpone deliberation on a property if they deem it necessary to request additional review from the City Assessor.
4. Decisions must be made solely based on the information presented to the Special Board with no independent fact finding of its own relative to valuation or classification of any parcel.
5. Decisions of the Special Board are determined by a roll call vote after a motion has been moved, seconded, and discussed by the Board.
6. The chair of the Special Board should refrain from making or seconding a motion.
7. The Board Secretary will record the vote of each member for each case considered by the Special Board.

Special procedures

Walk-ins

- In cases where appellants do not contact the City Assessor's Office for a hearing before the Special Board, the Special Board may choose to postpone the matter to request additional information from the assessor or the appellant, or they may choose to deliberate and make a decision related to the property's valuation and classification based upon the information presented by the appellant.

Adjournment and post-meeting reports

1. Meetings will be recorded and posted to the City's website and YouTube channel as a means of increasing public access and transparency.
2. At the end of the meeting, the assessor may present corrections of error or omissions to the assessment roll for the Special Board to consider and vote on.
3. The assessor may present valuation or classification changes agreed up on between the assessor and appellants for the Special Board to review and consider.
4. The assessor must complete the Department of Revenue record form and submit it to the Department of Revenue within 10 days of adjournment.
5. The assessor is responsible for entering all changes made by the Special Board into the system.
6. The City Assessor is responsible for notifying appellants in writing of the Special Board's decision on their property's valuation and classification within 10 days of the meeting's adjournment.
7. The City Clerk is responsible for completing all statutory publication requirements.
8. The City Assessor and City Clerk shall report the assessment rolls that the board has revised to the City Council; the Council may confirm the board's revisions or return the rolls to the board for further revision.

¹ Minn. Stat. § 274.01, subd. 2(f).

² Minn. Stat. § 274.01, subd. 2.

³ Minn. Stat. § 274.01, subd. 2.

⁴ Minn. Stat. § 274.01, subd. 2.

⁵ Minn. Stat. § 274.01, subd. 2.

⁶ Minn. Stat. § 274.014, subd. 2.

⁷ Minn. Stat. § 274.01, subd. 1(e).

⁸ Minn. Stat. § 274.01, subd. 1(b).

⁹ Minn. Stat. § 274.01, subd. 1(b).

¹⁰ Minn. Stat. § 274.01, subd. 1(d).

¹¹ Minn. Stat. § 274.01, subd. 1(b).

¹² Minn. Stat. § 274.01, subd. 1(c).