The North Carolina PROPERTY TAX COMMISSION

Questions and Answers Concerning the Commission And the Appeal Procedure

N. C. Property Tax Commission
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THE INFORMATION INCLUDED IN THIS BROCHURE IS INTENDED TO PROVIDE PROPERTY OWNERS WITH A GENERAL UNDERSTANDING OF WHAT MUST BE DONE TO PURSUE AN APPEAL TO THE NORTH CAROLINA PROPERTY TAX COMMISSION. IN ADDITION, INFORMATION IS PROVIDED EXPLAINING THE HEARING PROCEDURE AND THE OPERATIONS OF THE COMMISSION.

QUESTION: What is the Property Tax Commission?

ANSWER: The Property Tax Commission is the trial court of record in property tax cases within its jurisdiction. It is authorized to hear appeals from listing and appraisal decisions of county boards of commissioners and boards of equalization and review, and from orders of county boards of commissioners adopting schedules, standards and rules for use in reappraisal programs. It also hears appeals by public service companies from the appraisal of their property by the Department of Revenue. The Commission is composed of five members; three appointed by the Governor and one each by the Senate President Pro Tempore and the Speaker of the House.

QUESTION: How and when are appeals to the Property Tax Commission due to be filed?

ANSWER: A notice of appeal to the Commission from a local property tax decision must be in writing. It may be in the form of a letter; however, it must state the grounds for the appeal and identify the property in question. The appeal must be signed by the property owner or the property owner’s attorney. In the case of a partnership or corporation, a notice of appeal must be signed by a general partner of a partnership, an officer of a corporation, or an attorney for the organization. In all cases, a copy of the notice of appeal should be sent to the county assessor at the time the appeal is filed with the Commission. Following receipt of the notice of appeal by the Commission, the party making the appeal will be provided an Application for Hearing (Form AV-14) with instructions. This application must be completed and returned to the Commission within 30 days.

Appeals to the Property Tax Commission from orders of boards of equalization and review or from boards of county commissioners (other than orders adopting uniform schedules of value) must be filed within 30 days after the board has mailed notice of its decision. Appeals from an order adopting schedules of value must be filed in accordance with G.S. 105-290 (c) and (e).

A notice of appeal submitted by a means other than United States mail is considered to be filed on the date it is received in the office of the Commission. A notice of appeal submitted by United States mail is considered to be filed on the date shown on the postmark stamped by the U. S. Postal Service. If there is no USPS postmark or if the USPS postmark does not show the date of mailing, the appeal will be considered to be filed the date it is received in the office of the Commission.

QUESTION: What are grounds for an appeal?

ANSWER: Valuation Decisions – Grounds for appealing “valuation” decisions are generally (1) that the property has been appraised at a figure in excess of its true value in money or (2) that the property has been appraised at a greater percentage of its true value in money than other similar property in the county. An increase in value, by itself, is not a basis for appeal.

Listing Decisions – Grounds for appealing “listing” decisions are (1) the property is not taxable, (2) the property has been assessed against the wrong person, or (3) procedural requirements have not been met.

Schedules of Values – Orders adopting schedules, standards, and rules may be appealed on the ground that their application will not result in the appraisal of all real property in the county at its true value in money.

QUESTION: Where are appeals heard?

ANSWER: Hearings before the Property Tax Commission are generally held in Raleigh, North Carolina.

Any one desiring further information concerning the procedure for filing an appeal with the Property Tax Commission or other information as to the law relating to the Commission and its functions may write to the Property Tax Commission, P. O. Box 871, Raleigh, NC 27602 or call 919-733-7719.