Form OR-B-PPP Instructions

Oregon Property Value Appeals Board Personal Property Petition

General information

Use this form to request a reduction of the value of your taxable personal property. Personal property is taxable in Oregon if it is currently being used or being held for use in a business, or is floating property.

For the current tax year, your petition must be postmarked or delivered by December 31. If December 31 falls on a weekend or holiday, the filing date moves to the next business day. See the back of this form for filing instructions.

The following information is provided to help you understand how your property is assessed.

- **Real market value (RMV)** is the value the assessor has estimated your property would sell for on the open market as of the assessment date. The assessment date for most property is January 1 preceding the mailing of the tax statements in October.
- **Maximum assessed value (MAV)** is the greater of 103 percent of the prior year's assessed value or 100 percent of the prior year's MAV. **MAV may be increased above 3 percent** of the prior year's assessed value if certain changes, defined as exceptions, are made to your property. Maximum assessed value does not appear on your tax statement.
- **Exception** means a change to property that adds value. Personal property exceptions include the addition of leased property, increased non-inventory supplies, and the acquisition of any other taxable personal property. The exception amount is derived by subtracting the prior year real market value from the current year real market value.
- **Assessed value (AV)** is the value used to calculate your tax. It is the **lesser** of real market value or maximum assessed value.

Contact your county assessor for more information about how your property value was determined.

Appeal rights

Generally—Except for centrally assessed property and industrial property appraised by the Department of Revenue, you may appeal the current real market, maximum assessed, or assessed value of your taxable personal property to the property value appeals board (PVAB). However, the authority of PVAB to reduce the MAV and AV of your property is **limited to the calculation allowed by law,** and an appeal may not result in a reduction of tax.

Industrial property—If you are appealing personal property that is part of an **industrial** property appraised by the Department of Revenue, you must file a complaint with the Magistrate Division of the Tax Court. The deadline for filing your complaint with the Tax Court is the same as the deadline for filing with the property value appeals board. You may contact the Tax Court at 503- 986-5650.

Centrally assessed property—The value of utilities and other centrally assessed property must be appealed to the Department of Revenue on or before June 15 of the assessment year on forms provided by the department.

MAV—MAV is based on the prior year's MAV and AV. For personal property, RMV decreases as the property depreciates. MAV does not decrease due to depreciation. Therefore the MAV of personal property is normally equal to or greater than RMV.

AV—AV is established by a simple comparison between RMV and MAV and is equal to whichever one is less. Therefore the AV of personal property is normally equal to the RMV.

Penalties—Penalties assessed for the late filing of a personal property return may also be appealed to the property value appeals board. Penalties should be appealed on a *Petition for Waiver of Late Filing Penalty* form.

Instructions for filing a petition

Read all instructions carefully before completing this form. If your petition is not complete, it will be returned. ***If your petition is not corrected by the date indicated on the "Defective Petition Notice" mailed to you, it will be dismissed.***

Petitioner (lines 1–10)

The owner, an owner, or any person or business that holds an interest in the property that obligates the person or business to pay the property taxes is legally authorized to appeal to the property value appeals board. If the person or business is not the owner or does not receive the tax statement, **proof of an obligation to pay the taxes must be submitted with the petition.** Contracts and lease agreements are examples of documents that may allow a party other than the owner to appeal.

If property is owned by a business, the petition (or authorization to represent, if applicable) must be signed by a person who can legally bind the company. For most corporations, this is usually a corporate officer. **Employees regularly employed in tax matters for a corporation or other business may also sign the petition.**

If you need help in determining who can sign the petition for your business or other organization, contact the county clerk's office in your county.

Authorized representative (lines 11–22)

The law allows only certain people to sign the petition and appear at the hearing to represent the petitioner.

Those people who need a signed authorization from the petitioner in order to sign the petition include:

- A relative of the owner(s). Relative is defined as: spouse, (step)son, (step)daughter, (step)brother, (step)sister, (step) father, (step)mother, grandchild, grandparent, nephew, niece, son- or daughter-in-law, brother- or sister-in-law, father- or mother-in-law.
- A real estate broker licensed under ORS 696.022.
- A real estate appraiser certified or licensed under ORS 674.310, or registered under ORS 308.010.
- A person duly qualified to practice accountancy in the state of Oregon. This includes certified public accountants (CPAs) or public accountants (PAs) licensed in Oregon or any other state.
- A lessee, if the lessee is **not** obligated to pay the taxes. Lessees obligated to pay the taxes are not required to provide authorization from the owner, but must provide proof of the obligation.

An attorney-in-fact under a general power of attorney executed by the owner of the property can also sign the petition and appear at the hearing to represent the petitioner. The attorney-in-fact must provide a copy of the general power of attorney with the petition.

Those people who do not need a signed authorization from the petitioner in order to sign the petition include:

- An attorney-at-law. The attorney's Oregon state bar number must be included on the petition.
- Legal guardian or conservator of the owner(s) with court appointment.
- Trustee in bankruptcy proceedings with court appointment.

Attendance at hearing (line 23)

Checking "yes" means that you or your representative or both of you will attend the hearing. Checking "no" means that neither you nor your representative will attend the hearing. If you do not attend the hearing, the board will make a decision about the value of your property based on the written evidence you submit.

If you check yes or don't check any box in this section, the board will schedule a hearing and notify you of the time and place to appear. **Hearings will be scheduled between the first Monday in February and April 15.** Some counties have established time limits for you and the assessor to present evidence. The board clerk can advise you of your county's procedure.

Property information (lines 24–27)

You must include the assessor's account number or a copy of your tax statement with your petition.

Real market value (lines 28–32)

You may appeal the total real market value of your property or the value of a specific item, category, or schedule. The assessor can provide you with an itemized listing of the real market value of the items, categories, or schedules assessed to your account. You should review these values carefully before filing your petition.

Enter a description of the property, the value you are appealing, and the value you are requesting in this section. The requested value should represent what you think your property was worth on the open market as of **January 1 of the current year.**

Assessed value (line 33)

Enter the AV from your tax statement or the assessor's records. A new AV may result from your appeal based upon the RMV or MAV determined by the board.

Note: Even if the board reduces the real market value of your property, your tax bill may not change unless the real market value is reduced below the assessed value.

Evidence of property value (lines 34–35)

Explain the basis of your appeal and provide evidence that the value the assessor has placed on your property is incorrect. The Department of Revenue information circular, *How to Appeal Your Property Value*, contains information about the type of evidence needed for a successful appeal.

All evidence submitted to the board, including pictures and appraisals, will be kept by the board and become a part of the public record. It will not be returned to you.

Declaration and signature (lines 36–37)

Sign and date the petition form. The petition will be considered defective if not signed.

Do you have questions or need help?

www.oregon.gov/dor
503-378-4988 or 800-356-4222
questions.dor@dor.oregon.gov

Contact us for ADA accommodations or assistance in other languages.