

## A SELF-DEFENCE GUIDE TO THE ASSESSMENT BATTLE

1. File "**Request for Consideration**" with MPAC by **31 December 2005**. Do not wait for MPAC to reply to this, but –
2. File "**Complaint**" with the ARB by **31 March 2006**. Pay the \$75 filing fee – will be returned if settlement with MPAC reached before an ARB hearing.
3. Get the MPAC "**Property Report**" of your property from the MPAC website or by asking for it by telephone or mail. Demand the **list of six comparable properties** used by MPAC to determine your assessment. (There was no such list, but you will force MPAC to start working to create one to substantiate their opinion.)
4. **Watch the real estate market** – MPAC does. Track what houses near you are listing and selling for. **Get close to your neighbours**; divide the preparation workload, exchange information and experience.
5. You must **state your reasons for objecting** to MPAC's assessment in the Request for Consideration. Be objective, state all valid reasons, but details are not required at this stage.
6. Only three **workable reasons for objecting**: 1.) MPAC factual error (e.g., no of bedrooms); 2.) condition of your property; and 3.) comparable properties with lower assessments or listing/selling prices near yours.
7. **Assume that MPAC will not agree with you**. File a complaint with the ARB. Then formally **ask the ARB to assign your complaint to the "Prehearing" stream**. This is a **right** and has a number of **advantages**: it forces both MPAC and you to clarify the issues, it forces both sides to disclose the facts and evidence they will use, explores the possibility of settlement, takes place in a less formal legal setting but still affords the chance of recovery in a subsequent full hearing. The **normal hearing stream is a tactical error** – MPAC has the lawyers, experience and expertise to do well at a formal ARB hearings.
8. MPAC and you now can **consider the possibilities of success** having seen each other's "cards." **The better "hand" will win**. If MPAC sees that you have a good case, they will offer to reduce your assessment by an amount to be negotiated. MPAC is human after all - they won't waste effort, time and money on a losing proposition.
9. If you must continue to a formal ARB hearing, study the ARB Rules and Procedures (website) and line up your evidence. It is better to **prepare a written submission** than rely on the ARB member's attention span, note taking, or memory.

An encouraging afterthought - **The only way to reduce your property taxes is to reduce MPAC's assessment of your property.**