ASSESSMENT PROCEDURES MANUAL PART THREE

Revised: February 25, 2011 Effective: March 1, 2011

PART THREE

CHAPTER 3

LIMITED PROPERTY VALUE

DEPARTMENT OF REVENUE Property Tax Division



Limited Property Value

ASSESSMENT PROCEDURES MANUAL Revised: February 25, 2011 **PART THREE** Effective: March 1, 2011

INTRODUCTION

Article IX, Section 18, Subsection 3, of the Arizona Constitution, establishes the provisions for limiting property taxes on residential properties and provides for the limitation of increases in taxable value on individual properties from year to year. In implementing this constitutional provision, the legislature adopted A.R.S. §§ 42-13301 through 42-13304, which provides for two categories of value for real property and for manufactured homes / mobile homes for property taxation purposes. These two categories are the Full Cash Value (FCV) and the Limited Property Value (LPV).

Pursuant to A.R.S. § 42-11001(6), full cash value means "... the value determined as prescribed by statute. If no statutory method is prescribed, full cash value is synonymous with market value which means the estimate of value that is derived annually by using standard appraisal methods and techniques. Full cash value is the basis for assessing, fixing, determining and levying secondary property taxes. Full cash value shall not be greater than market value regardless of the method prescribed to determine value for property tax purposes."

Secondary property taxes are used to pay the principal of, and the interest and redemption charges on, any bonded indebtedness or other lawful long-term obligations issued or incurred for a specific capital purpose by any municipality, county or special taxing district, or for amounts required for assessment districts, amounts required for limited purpose districts (other than school districts and community college districts) and amounts required by elections to exceed budget, expenditure or tax limitations.

Pursuant to A.R.S. § 42-11001(7), limited property value means "... the value determined pursuant to § 42-13301." The LPV is limited as to the amount by which it can increase from one year to the next year. The LPV is used to calculate the levy limitations for counties, cities, towns and community college districts, and for levying primary property taxes. Primary property taxes are all ad valorem taxes except for secondary taxes.

Property Tax Division

Chapter 3

Limited Property Value

ASSESSMENT PROCEDURES MANUAL PART THREE

Revised: February 25, 2011 Effective: March 1, 2011

LIMITED PROPERTY VALUE CALCULATION METHODS

There are two methods by which the LPV can be increased from one Valuation Year to the next Valuation Year. These methods are identified as "Rule A" and "Rule B."

"Rule A." This method is applicable to properties: (1) for which there has been no physical change in either the land or improvement(s); (2) for which there has been no change in use; and (3) which were not totally omitted from the tax roll in the preceding Valuation Year.

Pursuant to A.R.S. § 42-13301(A), the LPV for Rule A properties shall be the LPV for the preceding valuation year plus the greater of either:

- 1. Ten percent of the prior Valuation Year's LPV.
- 2. Twenty-five percent of the difference between the FCV for the current Valuation Year and the LPV for the preceding Valuation Year.

Pursuant to A.R.S. § 42-13301(B), in no case shall the current LPV exceed the FCV.

Example 1: Use when Ten Percent Application is greater:

Current Valuation Year's FCV \$100,000
Prior Valuation Year's LPV - 90,000
Difference: \$10,000

 $$90,000 \times \text{ten percent} = $9,000$

 $$10,000 \times \text{twenty-five percent} = $2,500$

Current Valuation Year's LPV (\$90,000 + \$9,000) = \$99,000.

Example 2: Use when Twenty-five Percent Application is greater:

Current Valuation Year's FCV \$100,000
Prior Valuation Year's LPV - 60,000
Difference: \$40,000

\$60,000 **x** ten percent = \$6,000

 $$40,000 \times \text{twenty-five percent} = $10,000$

Current Valuation Year's LPV (\$60,000 + \$10,000) = \$70,000.



Limited Property Value

ASSESSMENT PROCEDURES MANUAL PART THREE

Revised: February 25, 2011 Effective: March 1, 2011

Example 3: LPV cannot exceed the current year's FCV:

Current Valuation Year's FCV \$100,000

Prior Valuation Year's LPV - 95,000

Difference: \$ 5,000

\$95,000 **x** ten percent = \$9,500

 $$5,000 \times \text{twenty-five percent} = $1,250$

Current valuation year's LPV (\$95,000 + \$9,500) = \$104,500.

While the ten percent provision produces the larger difference, the LPV that is calculated can equal, but cannot exceed, the current Valuation Year's FCV, so the current Valuation Year's LPV must be set at \$100,000, equal to the current Valuation Year's FCV.

"Rule B." This method is applicable to all properties for which: the land or improvement(s) were erroneously omitted from the property tax roll for the preceding Tax Year; for those properties which have had a change in use since the preceding Tax Year; for those properties which were modified by new construction, or the destruction or demolition of existing improvements since the preceding Valuation Year; and for properties that have been split (i.e., divided ¹) or consolidated (i.e., "combined") from January 1 through September 30 of the current Valuation Year (excluding parcel splits or consolidations that were "initiated by a government entity" - which are discussed below). For these properties, pursuant to A.R.S. § 42-13302(A), the LPV "... shall be established at a level or percentage of full cash value that is comparable to that of other properties of the same or similar use or classification." As used in this context, a "change in use" means any change in the use of a property which requires a change in the legal classification from the legal classification which had previously been determined for the property (including changes to or from a 'qualified' agricultural use).

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In this discussion, a single parcel being split into only two (or a small number of) new parcels is intended. However, the same concept also applies to a large tract of land, or a large parcel, that has been split into a large number of new parcels (i.e., a "subdivision"), as well.

DEPARTMENT OF REVENUE Property Tax Division

Limited Property Value

ASSESSMENT PROCEDURES MANUAL PART THREE

Revised: February 25, 2011 Effective: March 1, 2011

Special Provisions. Special provisions apply for determining the Limited Property Value that are based on (1) when an action occurs, and / or (2) if the action was initiated by a "governmental entity" (i.e., a federal, state, county or municipal agency, office, etc.).

- In the case of a property that is split or consolidated after September 30 through
 December 31 of the Valuation Year, except for splits or consolidations initiated by a governmental entity:
 - The total Limited Property Value of the resulting parcel or parcels must be the same as the total Limited Property Value of the original parcel or parcels.
 - The new parcel or parcels must retain the same value-adding characteristics that applied to the original parcel or parcels before being split or consolidated unless there has been new construction, or if the destruction or demolition of improvements has occurred since the preceding Valuation Year.
 - o For the following Valuation Year, the Limited Property Value is to be established at a level or percentage of Full Cash Value that is comparable to that of other properties of the same use or legal classification (Rule B).
- In the case of property that has been split, subdivided or consolidated as a result of an action initiated by a government entity, and if the split, subdivision or consolidation occurred:
 - From January 1 through September 30 of the Valuation Year, the Limited Property Value is the <u>lower</u> of either:
 - The level or percentage of Full Cash Value that is comparable to that of other properties of the same or similar use or legal classification (Rule B).
 Or
 - The total Limited Property Value of the resulting parcel or parcels is the same as the total Limited Property Value of the original parcel or parcels. The original Limited Value is allocated among the resulting parcel or parcels.
 - In the following Valuation Year, the Limited Property Value is established using Rule A.

DEPARTMENT OF REVENUE Property Tax Division

Limited Property Value

ASSESSMENT PROCEDURES MANUAL PART THREE

Revised: February 25, 2011 Effective: March 1, 2011

- o After September 30 through December 31 of the current Valuation Year:
 - The total Limited Property Value of the resulting parcel or parcels is the same as the total Limited Property Value of the original parcel or parcels.
 - In the following Valuation Year, the Limited Property Value is to be established as the <u>lower</u> of either:
 - The level or percentage of Full Cash Value that is comparable to that of other properties of the same or similar use or legal classification (Rule B).

Or

The Limited Property Value established using a Rule A calculation.

The Table below summarizes these special provisions. Specific examples of Limited Value calculations involving Rule A and Rule B, are provided later in this Chapter.

Property Splits and Consolidations from January 1 through September 30					
Initiating Entity	Action in Current Year	Action in Following Year			
Nongovernment =	Use Rule B.	Calculate Using Rule A.			
Government =	Calculate Rule B. If Rule B is equal to or less than the original LPV, use Rule B LPV. If Rule B is greater than the original LPV, allocate the	Calculate Using Rule A.			
Property Spl	its and Consolidations from October 1 Action in Current Year	through December 31 Action in Following Year			
Nongovernment =	Allocate original LPV to the new parcel(s).	Calculate Using Rule B.			
Government =	Allocate original LPV to the new parcel(s).	Calculate Using Rule B. Calculate Using Rule A. Use the calculation which produces the lowest LPV.			



Limited Property Value

ASSESSMENT PROCEDURES MANUAL PART THREE

Revised: February 25, 2011 Effective: March 1, 2011

ALLOCATION OF A LIMITED PROPERTY VALUE

The following illustrates how to "allocate" an existing single Limited Property Value to two or more new parcels for a <u>current</u> Valuation Year. Allocation is simply a method of developing a ratio of Limited Property Value to Full Cash Value, and applying that ratio to the new parcel's Full Cash Values.

Parcel 001's Current Year FCV and LPV before split.

Current Year FCV = \$312,000 Current Year LPV = \$271,440

Current Year LPV Ratio = \$271,440 (LPV) ÷ \$312,000 (FCV) = 0.87

Current Year FCVs and LPVs **after split** (new parcels 001A, 001B and 001C). Each newly split-off parcel's LPV equals eighty-seven percent of its new FCV.

New Parcel 001A FCV	=	\$ 31,200	X	0.87 =	\$ 27,144 (LPV)
New Parcel 001B FCV	=	\$124,800	X	0.87 =	\$108,576 (LPV)
New Parcel 001C FCV	=	\$ <u>156,000</u>	X	0.87 =	\$135,720 (LPV)
		\$312,000			\$271,440 (Total LPV)

Conversely, when two or more parcels are consolidated into a new, single parcel, simply add the LPVs from the existing parcels being consolidated in order to derive the current Valuation Year's LPV for the new, single parcel.

Parcels 012A, 016B, 027G and 014 Current Year FCVs and LPVs before consolidation.

Parcel 012A	FCV :	=	\$ 12,800	LPV	=	\$ 11,360
Parcel 016B	FCV :	=	\$ 24,000	LPV	=	\$ 24,000
Parcel 027G	FCV :	=	\$ 60,000	LPV	=	\$ 51,260
Parcel 014	FCV :	=	\$ <u>21,500</u>	LPV	=	\$ <u>21,500</u>
Total	FCV		\$118,300	Total LPV		\$108,120

Current Year FCV and LPV after consolidation.

New Parcel 051 FCV = \$118,300 Total LPV = \$108,120

Chapter 3



Property Tax Division

Limited Property Value

Revised: February 25, 2011

Effective: March 1, 2011

ASSESSMENT PROCEDURES MANUAL PART THREE

While the statutes provide for the application of Rule B in a number of situations, its direct application can sometimes have a disproportionate impact on the Limited Property Value. For example, consider a Legal Class Three property with a FCV of \$150,000 and an LPV of \$80,000 which has recently had a \$10,000 room addition. The strict application of Rule B would increase the LPV to \$142,400 using a hypothetical Rule B factor of eighty-nine percent (\$160,000 x 0.89).

Although Rule B must be used when any new construction equals ten percent or more of the prior Valuation Year's FCV, an Assessor's discretion should be utilized in determining whether Rule A or Rule B will be applied in the following situations:

- Partial omissions, wherein the portion of a property that was omitted from the tax roll is less than ten percent of the prior Valuation Year's FCV.
- Changes in legal classification, including "qualified" agricultural classification, wherein the increase in FCV is less than ten percent of the prior Valuation Year's FCV.
- New construction, wherein the new construction adds less than ten percent to the prior Valuation Year's FCV.
- The demolition, destruction or removal of existing improvements, wherein the FCV remaining is equal to, or exceeds, ninety percent of the prior Valuation Year's FCV, unless the elimination of the improvements also results in a change of legal classification (e.g., if the parcel is changed from improved to vacant land).

As will be noted in the following examples, Rule A or Rule B must be applied to the total property value (land and improvements). It is not proper to apply Rule A to one part of the property and Rule B to other parts of the same property. However, more than one Rule B factor can be applied to the same property in mixed-use (mixed legal class) assessment ratio situations.

Property Tax Division

Chapter 3

Limited Property Value

ASSESSMENT PROCEDURES MANUAL PART THREE

Revised: February 25, 2011 Effective: March 1, 2011

The LPV to FCV ratio may be determined by using the ratio for properties in the same legal classification or by using the ratio for properties within the same property use code grouping. Whether the legal class or the property use code grouping is used, the geographic area utilized for comparative purposes should contain a sufficient number of comparable properties to provide a reliable ratio. For example, if the area utilized has an insufficient number of comparables, the total county area may be utilized to determine the applicable LPV to FCV ratio.

Example 4: For purposes of illustration, hypothetical Rule B factors have been developed below for Legal Classes One, Two and Three properties in a hypothetical county. In each case the FCV and LPV for the legal classification for the entire county has been used.

The hypothetical results are as follows:

Lea	al (Class	One	Pro	perties
LCU	aı v	JIOSS		1 10	DEI NES

FCV countywide \$143,641,952

LPV countywide \$106,570,402

(LPV) \$106,570,402 ÷ (FCV) \$143,641,952 = 0.7419

The Rule B factor for Legal Class **One** properties is: 74 percent

Legal Class Two Properties

FCV countywide \$36,940,120

LPV countywide \$22,802,874

(LPV)\$_22,802,874 $\div (FCV)$ \$36,940,120 = 0.6173

The Rule B factor for Legal Class **Two** properties is: 62 percent

Legal Class Three Properties

FCV countywide \$462,910,010

LPV countywide \$410,864,200

(LPV) \$410,864,200 ÷ (FCV) \$462,910,010 = 0.8876

The Rule B factor for Legal Class **Three** properties is: 89 percent

Property Tax Division

Chapter 3

Limited Property Value

Revised: February 25, 2011

Effective: March 1, 2011

ASSESSMENT PROCEDURES MANUAL PART THREE

With these Rule B factors having been computed, the following examples are intended to illustrate the application of Rule B under various circumstances.

Example 5: Total Omission of the entire property.

A Legal Class Three property, consisting of both land and improvements, was omitted (i.e., had "escaped" being valued and assessed) from the prior Tax Year's roll.

Prior Tax Year's FCV	0
Current Tax Year's FCV	\$100,400
Legal Class Three factor	0.89
Current Tax Year's LPV (\$100,400 x 0.89)	\$ 89,356

Example 6: Omission of the improvements only.

Improvement

An improved Legal Class One property was on the prior Tax Year's roll as land only. The structure was omitted (i.e., it is an "escaped" improvement).

100.000

Prior Tax Year's FCV:	
Land	\$ 40,000
Improvement	<u>Omitted</u>
Total FCV	\$ 40,000
Current Tax Year's FCV:	
Land	\$ 45,000

Total FCV	\$145,000
Prior Tax Year's LPV	\$ 30,000
Current Tax Year's LPV (\$145,000 x 0.74)	\$107,300



Limited Property Value

Revised: February 25, 2011

Effective: March 1, 2011

ASSESSMENT PROCEDURES MANUAL PART THREE

Example 7: Partial Omission (one improvement only, amounting to less than ten percent of the prior Valuation Year's FCV, had "escaped").

A Legal Class One property was assessed in the prior Valuation Year for both the land and improvements, but one structure with a FCV of \$15,000, was omitted.

	Property with	Omitted	
Prior Valuation Year's FCV:	Omission	Property	<u>Total</u>
Land	\$120,000		\$120,000
Improvements	\$ <u>160,000</u>		<u>160,000</u>
Total FCV	\$280,000		\$280,000
Current Valuation Year's FCV:			
Land	\$130,000		\$130,000
Improvements	165,000	\$ 15,000	<u> 180,000</u>
Total FCV			\$ <u>310,000</u>
Prior Valuation Year's LPV Current Valuation Year's LPV ²	\$105,000		\$105,000
$(\$105,000 \times 0.10 = \$10,500)$			
$($205,000 \times 0.25 = $51,250)$			\$ <u>51,250</u>
Total LPV			\$156,250

By way of comparison, if a Rule B calculation had been applied to this property, the Limited Value would have been:

Current Valuation Year's FCV:

 Land
 \$130,000
 \$130,000

 Improvements
 165,000
 \$15,000
 180,000

 Total FCV
 \$310,000

 Rule B Limited Value \$310,000 x 0.74
 \$229,400

Since the partial escape (\$ 15,000) is under ten percent of the prior year's FCV (\$ 280,000), at the Assessor's discretion, Rule A has been applied.

Chapter 3

Property Tax Division

Limited Property Value

ASSESSMENT PROCEDURES MANUAL PART THREE

Revised: February 25, 2011 Effective: March 1, 2011

Example 8: Partial Omission (an improvement amounting to ten percent or more of the prior Valuation Year's FCV had "escaped").

A Legal Class One property was assessed in the prior Valuation Year for both the land and improvements, but a major improvement had been omitted.

	Property With	Omitted	
Prior Valuation Year's FCV:	Omission	Property	<u>Total</u>
Land	\$120,000		\$120,000
Improvements	\$ <u>160,000</u>		<u>160,000</u>
Total FCV	\$280,000		\$280,000
Current Valuation Year's FCV:			
Land	\$130,000		\$130,000
Improvements	165,000	\$180,000	345,000
Total FCV			\$475,000
Prior Valuation Year's LPV	\$105,000		\$105,000
Current Valuation Year's LPV			
(\$475,000 x 0.74)			\$351,500

Example 9: Change in Use.

A Legal Class Three residence has been converted into an office (Legal Class One).

Prior Valuation Year's FCV	\$130,000
Current Valuation Year's FCV	\$150,000
Prior Valuation Year's LPV	\$100,000
Current Valuation Year's LPV (\$150,000 x 0.74)	\$111,000



Limited Property Value

ASSESSMENT PROCEDURES MANUAL PART THREE

Revised: February 25, 2011 Effective: March 1, 2011

Example 10: New Construction (amounting to ten percent or more of the prior Valuation Year's FCV).

A Legal Class Two building site has been improved with a new single-family residence (i.e., a change to Legal Class Three).

	<u>(</u>	<u> Driginal</u>	<u>Addition</u>		<u>Total</u>
Prior Valuation Year's FCV:					
Land	\$	<u>35,000</u>		\$	<u>35,000</u>
Total FCV	\$	35,000		\$	35,000
Current Valuation Year's FCV:					
Land	\$	35,000		\$	35,000
Improvements			\$110,000	-	110,000
Total FCV				\$^	145,000
Prior Valuation Year's LPV				\$	25,000
Current Valuation Year's LPV (\$145,	000	x 0.89)	\$129,050		

Example 11: New Construction (amounting to less than ten percent of the prior Valuation Year's FCV).

A Legal Class Three residence has a new \$10,000 room addition.

	<u>Original</u>	<u>Addition</u>	<u>Total</u>
Prior Valuation Year's FCV:			
Land	\$ 40,000		\$ 40,000
Improvements	<u>100,000</u>		<u>100,000</u>
Total FCV	\$140,000		\$140,000
Current Valuation Year's FCV:			
Land	\$ 45,000		\$ 45,000
Improvements	105,000	\$10,000	<u>115,000</u>
Total FCV			\$160,000
Prior Valuation Year's LPV	\$ 85,000		\$ 85,000
Current Valuation Year's LPV ³			
$(\$85,000 \times 0.10 = \$8,500)$			
$(\$75,000 \times 0.25 = \$18,750)$			\$ <u>18,750</u>
Total LPV			\$103,750

Since the new construction (\$ 10,000) is under ten percent of the prior year's FCV (\$ 140,000), at the Assessor's discretion, Rule A has been applied.

Property Tax Division

Chapter 3

Limited Property Value

ASSESSMENT PROCEDURES MANUAL PART THREE

Effective: March 1, 2011

Revised: February 25, 2011

Example 12: New Construction - a partially complete structure.

A Legal Class One property's new improvements will be under construction for a period of two years.

<u>Original</u>	<u>Addition</u>	<u>Total</u>
\$400,000		\$400,000
\$400,000		\$400,000
	\$500,000	500,000
		\$900,000
		\$200,000
0,000 x 0.70) ⁴		\$630,000
<u>Original</u>	<u>Addition</u>	<u>Total</u>
\$400,000		\$ 400,000
<u>500,000</u>		<u>500,000</u>
\$900,000		\$ 900,000
\$400,000		\$ 400,000
500,000	\$900,000	<u>1,400,000</u>
		\$1,800,000
		\$ 630,000
800,000 x 0.74)		\$1,332,000
	\$400,000 \$400,000 O,000 x 0.70) 4 Original \$400,000 500,000 \$900,000 \$400,000 500,000	\$400,000 \$400,000 \$500,000 \$00,000 \$400,000 \$900,000 \$400,000 \$900,000 \$900,000 \$900,000

⁴ In this example, the hypothetical Rule B factor of 0.70 represents the factor for Year 1.



ASSESSMENT PROCEDURES MANUAL PART THREE

Revised: February 25, 2011 Effective: March 1, 2011

Example 13: Mixed-Ratio / New Construction.

A property consists of land, a Legal Class One structure and a Legal Class Three structure. A new Legal Class One structure is being added.

New Legal Class One Structure

			Legal Class Three	
Prior Valuation Year's FCV:	<u>Original</u>	<u>Addition</u>	Structure	<u>Total</u>
Land	\$ 30,000		\$10,000	\$ 40,000
Improvements	100,000		40,000	140,000
Total FCV	\$130,000		\$50,000	\$180,000
Current Valuation Year's FCV				
Land	\$ 32,000		\$11,000	\$ 43,000
Improvements	\$ <u>100,000</u>	\$ <u>100,000</u>	<u>41,000</u>	\$ <u>241,000</u>
Total FCV	\$132,000	\$100,000	\$52,000	\$284,000
Prior Valuation Year's LPV	\$ 78,000		\$30,000	\$108,000
Current Valuation Year's LPV				
(Legal Class One: \$232,000 x	0.74)			\$171,680
(Legal Class Three: \$ 52,000 x	0.89)			46,280
Total LPV				\$217,960



ASSESSMENT PROCEDURES MANUAL PART THREE

Revised: February 25, 2011 Effective: March 1, 2011

Example 14: Demolition, Destruction or Removal.

A Legal Class One property, consisting of land and improvements, had one structure with an improvement value of \$30,000 removed since the prior Valuation Year.

	Total	Structure	
	<u>Property</u>	<u>Removed</u>	<u>Remaining</u>
Prior Valuation Year's FCV			
Land	\$ 40,000		
Improvements	<u>150,000</u>		
Total FCV	\$190,000		
Current Valuation Year's FCV			
Land	\$ 40,000		\$ 40,000
Improvements	<u>150,000</u>	(<u>\$30,000)</u>	120,000
Total FCV	\$190,000	(\$30,000)	\$160,000
Prior Valuation Year's LPV			\$140,000
Current Valuation Year's LPV (\$	S160,000 x 0.74	.)	\$118,400

Example 15: Parcel Split - less than ten percent of the prior Valuation Year's FCV.

A Legal Class Two property, consisting of forty acres, had one acre split off from it. The new one-acre parcel is valued at \$5,000.

	Total Property	Split	Remaining
Prior Valuation Year's FCV			
Land	\$100,000		
Current Valuation Year's FCV			
Land	\$103,000	\$5,000	\$97,000
Prior Valuation Year's LPV	\$85,000		
Current Valuation Year's LPV			
(\$97,000 x 0.62)			\$60,140
(\$ 5,000 x 0.62)		\$3,100	



ASSESSMENT PROCEDURES MANUAL PART THREE

Revised: February 25, 2011 Effective: March 1, 2011

Example 16: Parcel Split - ten percent or more of the prior Valuation Year's FCV.

A Legal Class Two property, consisting of forty acres, had a ten-acre portion split off.

	Original Parcel	Split	Remaining
Prior Valuation Year's FCV			
Land	\$100,000		
Current Valuation Year's FCV			
Land	\$100,000	\$25,000	\$75,000
Prior Valuation Year's LPV	\$90,000		
Current Valuation Year's LPV			
(\$25,000 x 0.62)		\$15,500	
(\$75,000 x 0.62)			\$46,500

Example 17: Newly Created Subdivision.

A Legal Class Two property, consisting of twenty acres, is subdivided into forty one-half acre parcels, each of equal value.

Prior Valuation Year's FCV (Twenty Acres)	\$50,000
Current Valuation Year's FCV per parcel	\$ 5,000
Prior Valuation Year's LPV (Twenty Acres)	\$40,000
Current Valuation Year's LPV per parcel (\$5,000 x 0.62)	\$ 3,100

Example 18: Newly Combined Parcels.

Two Legal Class Two vacant land parcels are combined into one new parcel.

	Lot One	Lot Two	Combined Parcel
Prior Valuation Year's FCV	\$20,000	\$10,000	
Current Valuation Year's FCV	\$23,000	\$12,000	\$35,000
Prior Valuation Year's LPV	\$15,000	\$ 9,000	
Current Valuation Year's LPV (\$35,000	x 0.62)		\$21,700

Property Status Codes



Limited Property Value

ASSESSMENT PROCEDURES MANUAL PART THREE

Revised: February 25, 2011 Effective: March 1, 2011

When a Rule A is applied to a property, the appropriate property status code (PSC) should be activated as follows:

- "A1" Physically unchanged Vacant.
- "A2" Physically unchanged Improved.
- "A3" Previous partial escape.

When a property experiences a change that would have required the application of Rule B, caused by a partial or total omission, but the FCV change was <u>less</u> than ten percent, Rule A should instead be applied, and the appropriate data reflecting that change should be entered in the parcel's history record. To avoid the application of Rule B, enter property status code A1 or A2, as appropriate, in the PSC field.

Using Rule B requires selecting one from among a different set of PSC codes, as follow:

- "B1" New or previously escaped parcel vacant.
- "B2" New or previously escaped parcel improved.
- "B3" Completed new improvement(s).
- "B4" Removed, destroyed or damaged improvement(s).
- "B5" Partial completion(s).
- "B6" Completed (i.e., previously partial-complete) improvement(s).
- "B7" Replaced improvement(s).
- "B8" Physical change to existing improvement(s).
- "B9" Change in use (change in legal classification, or a change to or from agricultural use).

At the start of each Valuation Year, all Rule B PSC's, except "B5," are reset as "A1" or "A2". For a "B5" (i.e., a "partial complete"), the PSC designation should remain until it is removed by the County Assessor.