

INFORMATION PAMPHLET FOR PROTESTING PROPERTY OWNERS

At your hearing before the County Valuation Protests Board you will be asked by the Board if you have read and understand the material contained in this pamphlet.

This pamphlet may be made a part of the record at the hearing before the Board.

If you wish to inspect records available in the county assessor's office with respect to the valuation of your property, you may do so prior to the hearing before the Board.

This pamphlet contains selected sections of the Property Tax Code and implementing regulations. This pamphlet should not be considered a complete compilation of all statutes and regulations which may affect hearings before the County Valuation Protests Board, but is, rather, an explanation of selected issues, which are commonly raised at such hearings. You may also purchase copies of the Code and regulations from the Compilation Commission at P.O. Box 15549, Santa Fe, New Mexico 87592, or by calling (505) 827-4821.

Certain deadlines contained in the Property Tax Code may be extended by order of the director of the Property Tax Division. The time for a property owner to file a petition of protest and the time to file an appeal from a decision and order of the County Valuation Protests Board, however, may not be extended. If a deadline is extended, there is no requirement that affected property owners be individually notified of the extension. The only notification of such an extension will ordinarily be its publication in the legal section of a newspaper of general circulation in the county where the property is located. Refer to Section 7-38-85, NMSA 1978, on the last page of this pamphlet.

TABLE OF CONTENTS

| <u>SECTION OR REGULATION</u> | <u>TITLE</u> | <u>PAGE</u> |
|----------------------------------|--|-------------|
| 7-36-7, NMSA 1978 | PROPERTY SUBJECT TO VALUATION FOR PROPERTY TAXATION PURPOSES..... | 3 |
| 7-36-15, NMSA 1978 | METHODS OF VALUATION FOR PROPERTY TAXATION PURPOSES; GENERAL PROVISIONS..... | 3 |
| 7-36-16, NMSA 1978 | RESPONSIBILITY OF COUNTY ASSESSORS TO DETERMINE AND MAINTAIN CURRENT AND CORRECT VALUES OF PROPERTY..... | 4 |
| 3.6.5.23 (C), NMAC | “Current and correct values of property” defined: | 5 |
| 7-36-21.2, NMSA 1978 | LIMITATION ON INCREASES IN VALUATION OF RESIDENTIAL PROPERTY..... | 5 |
| 7-36-21.3, NMSA 1978 | LIMITATION ON INCREASE IN VALUE FOR SINGLE- FAMILY DWELLINGS OCCUPIED BY LOW-INCOME OWNERS SIXTY-FIVE YEARS OF AGE OR OLDER OR DISABLED. | 7 |
| 7-38-4, NMSA 1978 | CONFIDENTIALITY OF INFORMATION..... | 8 |
| 3.6.7.11, NMAC | Confidentiality of information..... | 9 |
| 7-38-6, NMSA 1978 | PRESUMPTION OF CORRECTNESS..... | 9 |
| 3.6.7.13, NMAC | Effect of the presumption of correctness..... | 10 |
| 7-38-19, NMSA 1978 | VALUATION RECORDS | 10 |
| 7-38-24, NMSA 1978 | PROTESTING VALUES, CLASSIFICATION, ALLOCATION OF VALUES AND DENIAL OF EXEMPTION OR LIMITATION ON INCREASE IN VALUE DETERMINED BY THE COUNTY ASSESSOR..... | 11 |
| 3.6.7.33, NMAC | Protesting values, classification, allocation of values and denial of exemptions determined by the county assessor. | 12 |
| 7-38-25, NMSA 1978 | COUNTY VALUATION PROTESTS BOARDS; CREATION; DUTIES; FUNDING..... | 13 |
| 7-38-26, NMSA 1978 | SCHEDULING OF PROTEST HEARINGS..... | 13 |
| 7-38-27, NMSA 1978 | PROTEST HEARING; VERBATIM RECORD; ACTION BY COUNTY VALUATION PROTESTS BOARD; TIME LIMITATIONS..... | 13 |
| 3.6.7.36, NMAC | Protest hearings; valuation determined by county assessor. | 14 |
| 7-38-28, NMSA 1978 | APPEALS FROM ORDERS OF THE DIRECTOR OR COUNTY VALUATION PROTESTS BOARDS. | 19 |
| 3.6.7.37, NMAC | Appeal of county valuation protests board decision..... | 19 |
| 7-38-85, NMSA 1978 | EXTENSION OF DEADLINES; GENERAL PROVISION..... | 19 |

