

## General Information

*Ad valorem tax*, more commonly known as property tax, is a large source of revenue for local governments in Georgia. The Basis for ad valorem taxation is either the current use value or in most cases, the fair market value, which is established as of January 1<sup>st</sup> of each year. The tax is levied on the assessed value of the property which, by law, is established at 40% of value. The amount of tax is determined by the tax rate (mill rate) levied by various entities (one mill is equal to 1.00 for each 1,000 of the assessed value, or .001).

Entities involved in ad valorem taxation:

**The County Tax Commissioner**, an office established by the constitution and elected in all counties except one, is the official responsible for receiving tax returns filed by tax payers or designating the board of tax assessors to receive them; receiving and processing applications for homestead exemption; serving as agent of the state revenue commissioner for the registration of motor vehicles; and performing all functions relating to billing, collecting, disbursing, and accounting for ad valorem taxes collected on behalf of the county, county school, and State of Georgia.

**The County Board of Tax Assessors**, appointed by the county governing authority in all counties except one, is responsible for determining what property is taxable and seeing that properties are appraised and assessed fairly and equally so that each taxpayer pays as nearly as possible only such taxpayer's proportionate share of tax. The board notifies taxpayers of their real property assessments annually and when changes are made to the value of personal property; they approve all exemption applications; and they receive, review, and process appeals filed by taxpayers.

**The County Board of Equalization**, appointed by the grand jury, is the body charged by law with hearing and adjudicating administrative appeals to property assessments made by the board of tax assessors. The appeal process available to taxpayers also includes **Hearing Officers** and **Arbitration** in Lieu of appeal to the board of equalization.

**The Board of County Commissioners or County Governing Authority**, an elected body, who establish the budget for county government operations each year, and then adopt the mill rate necessary to fund the portion of the budget to be paid for by ad valorem tax.

**The County Board of Education** establishes the annual budget for school purposes, and they then recommend their mill rate, which, with very few exceptions, must be levied for the school board by the county governing authority.

**The State Revenue Commissioner** exercises general oversight of the entire ad valorem tax process which includes annual audits of the Tax Assessors and Tax Commissioners and the approval of county tax digest.

## Tax Returns

Taxpayers are required to file at least an initial tax return for taxable property (both real and personal property) owned on January 1<sup>st</sup> of the tax year. In all counties, the time for filing returns is January 1<sup>st</sup> through April 1<sup>st</sup>. Returns are filed with either the Tax Commissioner or the Tax Assessor. The tax return is a descriptive listing of the property owned by the taxpayer which includes the taxpayer's declaration of the value of the property.

Once the initial tax return is filed, the law provides for an automatic renewal of that return each succeeding year at the value finally determined for the preceding year and the taxpayer is required to file a new return only as additional property is acquired, improvements are made existing property, or other changes occur. A new return, filed during the return period, may also be made by the taxpayer is dissatisfied with the current value placed on the property by the Board of Tax Assessors.

## Homestead Exemptions

Various homestead exemptions have been enacted to reduce the burden of ad valorem taxation for Georgia homeowners. The exemptions apply to property owned by the taxpayer and claimed as his or her legal residence.

**Applications for Homestead Exemption:** An applicant seeking a homestead exemption shall file a written application with the Dooly County Board of Tax Assessors at any time during the calendar year subsequent to the property becoming the primary residence of the applicant up to and including April 1<sup>st</sup> for which the exemption sought. Homestead applications received after that date may be applied to the *next* year's tax bill. Once granted, the Homestead exemptions is automatically renewed each year and the taxpayer does not have to apply again unless there is a change of ownership, or the taxpayer seeks to qualify for a different exemption.

**Local Homestead Exemptions:** Under authority of the state of constitution several different types of homestead exemptions are provided. In addition, local government are authorized to provide for increased exemption amounts ad several have done so. The Tax Commissioner in your county can answer questions regarding the standard state exemptions as well as any local exemptions that are in place.

**The Local County Exemptions supersede the state exemption amount when the local exemption is greater than the state exemption**

**Dooly County Has Such Exemptions:** Each resident of Dooly County who is 62 years of age or over is granted an exemption on that person's homestead from all dooly county ad valorem taxes for county purposes in the amount of \$4,000 of the assessed value of the homestead. *The value of the homestead in excess of the exempted amount shall remain subject to taxation.*

**Surviving Spouse Homestead Provision:** An un-remarried surviving spouse may continue to receive the homestead exemption at the base value established for the deceased spouse, upon application and qualification. *This exemption only applies to those counties that passed a local base year floating exemption.*

**The Standard Homestead Exemption** is available to all homeowners who otherwise qualify by ownership and residency requirements, and it is an amount equal to \$2,000 which is deducted from the 40% assessed value of the homestead property. The exemption applies to the maintenance and operation portion of the mill rate levy of the county and the county school system and the state mill rate levy. It does not apply to the portion of the mill rate levied to retire bonded indebtedness.

**The Standard Elderly School Tax Homestead Exemption** is an increased homestead exemption for homeowners 62 and older where the net income of the applicant and spouse does not exceed 10,000 for the preceding year. A portion of social security income and certain retirement income threshold. This exemption applies to school tax including taxes levied to retire bonded indebtedness. The amount of the exemption is up to \$10,000 deducted from the 40% assessed value of the homestead property.

**The Standard Elderly General Homestead Exemption** is available to homeowners who otherwise qualify and who are 65 and older where the net income of the applicant and spouse does not exceed \$10,000 for the preceding year. A portion of social security income and certain retirement income are excluded from the calculation of the income threshold. This exemption which is an amount up to \$4,000 deducted from the 40% assessed value of the homestead property applies to county, school, and state tax and it does apply to taxes levied to retire bonded indebtedness.

**Homestead Exemption for Senior Citizens** is in an amount equal to the actual levy for state ad valorem tax purposes on the residence and no more than 10 contiguous acres of land for qualified applicants aged 65 and older.

**The Disabled Veterans Homestead Exemption** is available to certain disabled veterans or un-remarried surviving spouses or minor children. The amount of exemption is adjusted annually by the Department of Revenue. Such exemption amount is deducted from the 40% assessed value of the homestead property and applies to all ad valorem tax levies. However, it is restricted to certain types of very serious disabilities and specific proof of disability, either from the Veterans Administration or from a private physician is required.

**The Surviving Spouse of Member of Armed Forces Killed in Action Exemption** is available to the un remarried surviving spouse of a member of the armed forces of the United States who was killed in or who died as a result of any war or armed conflict engaged in by the United States. The surviving spouse must furnish appropriate documentation from the department of defense that spousal benefits are received as a result of the death of the armed forces member.

**Peace Officer or Firefighter Homestead Exemption** is available for the surviving spouse of a peace officer or firefighter who was killed in the line of duty. The surviving spouse is exempt from the full value of the homestead with respect to all ad valorem.

**The Floating or Vary Homestead Exemption** is an exemption which is available to homeowners 62 or older with gross household incomes of \$30,000 or less. The exemption applies to state and county ad valorem taxes, but it does not apply to school tax. The exemption is called a floating exemption because the amount of the exemption increases as the value of the homestead property increased.

**Property Tax Deferral Program** provides for a method for qualified property owners 62 and older with gross household income of \$15,000 or less to defer but not exempt the payment of ad valorem taxes on a part or all the homestead property. Generally, the tax would be deferred until the property ownership changes or until such time that the deferred taxes plus interest reach a level equal to 85% of the property's fair market value.

**Approval or Denial of Homestead** with respect to all the homestead exemptions the Board of Assessors makes the determination as to eligibility; however, if the application is denied the taxpayer must be notified and an appeal procedure then is available for the taxpayer.

#### Preferential and Specialized assessment programs

**The Agricultural Preferential Assessment Program** is available for certain property owners of agricultural property. The property is assessed at 30% of fair market value rather than 40% of fair market. The property owner must enter a 10-year covenant with the board of Tax Assessors and penalties may apply if the covenant is breached.

**The Conservation Use Assessment Program** provides for an assessment based on statutory 'use value'. Qualified properties include certain agricultural land, timber land, environmentally sensitive property, or residential transitional property. The property owner must enter a 10- year covenant with the Board of Tax Assessors and penalties may apply if the covenant is breached.

**Forest Land Conservation Use Assessment** provides for an ad valorem tax exemption for property primarily used for the production of trees, timber, or wood fiber products. The property may have secondary uses such as the promotion, preservation, or management of wildlife habitat; carbon sequestration; mitigation and conservation banking; or the production and maintenance of ecosystem products. This 10-year covenant agreement between the taxpayer and local Board of Assessors is limited to real property that is forest land at least 200 acres in aggregate which lies within one or more counties, provided that such forest land is in parcels of at least 100 acres within any given county when owned by an individual, individuals, or by any entity registered to do business in Georgia. Property that qualifies for forestland conservation use assessment and that is already receiving preferential or current use assessment can be changed one time to a forest land conversation use covenant without penalty.

**Rehabilitated and Landmark Historic Assessment** includes property that qualify for listing on the Georgia or national register of historic places. The preferential assessment extends to the building and no more than two acres. Property under this special program must be certified by the Department of Natural Resources as a rehabilitated historic property or landmark historic property. The exemption equals the difference between current fair market value and the higher of the acquisition cost or assessment of fair market value at the time the original 10-year covenant was entered.

**Brownfield Property Assessment** include property which qualifies for participation in the State's Hazardous Site Reuse and Redevelop Program, and which has been designates as such by the Environmental Protection Division of the Department of Natural Resources. This program effectively freezes the taxable assessment for ten years as an incentive for developers to clean up contaminated property and return it to the tax rolls. It allows eligible owners to recoup the certain costs associated with the cleanup.

#### EXEMPT PROPERTY

**Computer Software** may be exempt when it is installed on computer hardware as an operating system.

**Farm Products** may be exempt when still in the hands of the producer and Farm Equipment used in the direct cultivation of the soil may exempt from ad valorem taxation when owned by certain persons. This includes farm equipment held under a lease purchase agreement.

**Household goods** are exempt when not held for sale and when used within the home.

**Personal Property** valued less than \$7500 is exempt when the total taxable value of all personal property in the county owned by the taxpayer, as determined by the Board of Tax Assessors, does not exceed \$7500. (Calculation does not include the value of mobile homes, motor vehicles of trailers)

#### ASSESSMENT APPEALS

The Board of Tax Assessors is required to issue a notice of assessment for taxable tangible real and personal property. Upon receipt of this notice, the property owner desiring to appeal the assessment may do so within 45 days. The appeal may be based on taxability, value, uniformity, and/or the denial of an exemption. The written appeal is filed initially with the Board of Tax Assessors. The state or Georgia provides a uniform appeal form for use by property owner. That initial written dispute, the property owner must declare their chosen method of appeal.

#### **THE THREE METHODS OF APPEAL INCLUDE:**

**Board of Equalization:** The appeal is filed by the property owner and reviewed by the Board of Tax Assessors. The Board of Tax Assessors may change the assessment and send a new notice. The property owner may appeal the amended notice within 30 days. The appeal of the amended notice or an initial appeal which is not amended by the Board of Tax Assessors is automatically forwarded to the Board of Equalization. A hearing is scheduled and conducted, and the Board of Equalization renders its decisions. If the taxpayer is still dissatisfied, and appeal to superior court may be made.

**Hearing Officer:** The taxpayer may appeal to a Hearing Officer, who is certified appraiser, when the issue of the appeal is the value or uniformity of assessment of non-homestead real property with a value greater than \$500,000, or certain wireless property with an aggregate value greater than \$500,000 as shown on the annual notice of current assessment. If the taxpayer is still dissatisfied, an appeal to Superior Court may be made.

**Arbitration:** An arbitration appeal is filed with the Board of Tax Assessors. The taxpayer must submit a certified appraisal of the subject property which the Board of Tax Assessors may accept or reject. If the taxpayer's appraisal is rejected the Board of Assessor must certify the appeal to the county clerk of superior court for arbitration. The arbitrator will issue a decision at the conclusion of the hearing. If the taxpayer is still dissatisfied, an appeal to Superior Court may be made.



## **IMPORTANT TAX INFORMATION**

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The duties and responsibilities of this office are many and varied, but our main function is to serve you, the citizens of our community. This Brochure has been furnished to help answer some of your questions regarding county taxes.

Please feel free to contact this office if you have any questions on the information addressed in this brochure, or any problems receiving efficient and personal service from our office.

Paula M. Smith

**DOOLY COUNTY**