

PETITION FOR REVIEW OF MARKET/ CLASSIFIED USE VALUE FOR TAX YEAR 2009

(INTERNET VERSION)

**COMPLETE AND MAIL OR DELIVER PAGE 3 ONLY OF
THIS PETITION TO THE FOLLOWING ADDRESS:**

CLERK, VALUE ADJUSTMENT BOARD
STEPHEN P. CLARK CENTER
111 N.W. 1ST STREET, SUITE 1720
MIAMI, FLORIDA 33128-1981

FOR ASSISTANCE CONTACT THE VALUE ADJUSTMENT BOARD AT 305-375-5641

IMPORTANT NOTICE: A separate petition is required for each FOLIO number (each property) under appeal, unless part of a multiple filing requiring the attachment of Form CLK/CT 408 or 411, as indicated in the first paragraph of the attached petition form. Each petition **must** also be accompanied by the appropriate non-refundable filing fee or it will be deemed invalid and rejected. Unless the petitioner is an eligible recipient of temporary public assistance under Chapter 414, F.S., and submits a certificate issued by the Department of Children and Family Services reflecting such eligibility at the time of filing, the petitioner must pay to the Clerk of the Value Adjustment Board ("VAB") the related filing fee for each separate parcel of property filed.

The statutory deadline for the filing of this petition (i.e. received by the Clerk) is on or before SEPTEMBER 18, 2009, or such other date as may be indicated in the Property Appraiser's notice of proposed property taxes. **The filing of this petition does not prevent the taxpayer from paying the taxes on a timely basis to obtain an early payment discount and to avoid the possible assessment of interest and penalties if the appeal is denied. Without such payment, the early payment discount can be obtained and penalties and interest can be avoided only if the VAB grants tax relief to the taxpayer by reducing the assessed value of the property under appeal. Petitions postmarked prior to but received after the statutory deadline will be identified as "filed late".**

If agent other than an attorney, C.P.A. or registered real estate broker has been designated to file this petition and represents owner, written confirmation of such agency, signed and attested by owner, should be attached to the petition.

FEES

- \$15.00 per folio number/property, including each back assessment. (For back assessments attach form CLK/CT 532 or 713.)
- \$ 5.00 per folio number/property for joint petitions filed by condominium, cooperative or homeowner associations, or multiple contiguous parcels of undeveloped real property (attach form CLK/CT 411).
(Make checks payable to **Clerk of the VAB.**)

NOTE: If you are an eligible recipient of temporary public assistance under Chapter 414 of the Florida Statutes, obtain and submit a copy of the certificate issued by the Department of Children and Family Services at the time of filing for waiver of filing fees.

FILING LOCATIONS:

- Stephen P. Clark Center (VAB Main Office)
111 N.W. 1st Street, Suite 1720, Miami, Florida 33128-1981
- South Dade Justice Center, Clerk of Courts
10710 S.W. 211th Street, Suite 1200, Miami, Florida (Sept. 14 - 18 Only)
- North Dade Justice Center
15555 Biscayne Blvd., 1st Floor, Miami, Florida (Sept. 14 - 18 Only)

TAXPAYER INFORMATION SHEET VALUATION CASES

You are in the process of filing a petition with the Value Adjustment Board (the "VAB") to protest the valuation placed on your property (real or personal property) by the Property Appraiser for the 2009 tax year. This information sheet is designed to assist you in understanding the process and the requirements involved in proving your case.

The VAB conducts hearings to determine whether or not a taxpayer is entitled to a reduction in assessed value for the tax year in question. The critical date for determining the value of your property for tax purposes is January 1, 2009 (the "taxing date"). Subject to a special limitation on annual increases in the assessed value of qualified homestead property, your property should have been assessed at a value equal to its "fair market value" on the taxing date by the Property Appraiser. If however, your property was assessed at a value in excess of "fair market value", then the VAB has the authority, after hearing, to reduce the assessment to "fair market value". For purposes of taxation, "fair market value" has been defined as the price at which a property would sell in the open market for cash or its equivalent, between parties having equal knowledge of the property's characteristics and potential use, neither being under any undue pressure to either buy or sell.

At the VAB hearing to be scheduled in your case, you must be prepared to prove that, as of January 1, 2009, your property was assessed at a value that exceeded "fair market value". If you cannot clearly demonstrate that fact, then the VAB has no authority to reduce the assessed value previously determined by the Property Appraiser. **THE PROPERTY APPRAISER'S VALUATION IS PRESUMED TO BE CORRECT UNLESS YOU CAN PROVE OTHERWISE.**

In order for you to prove your case and receive tax relief, you should generally be prepared to testify and submit evidence * at the VAB hearing which will establish that on January 1, 2009, your property had an "assessed value" that was greater than its "fair market value". To do so, you should bring to the hearing the following types of documentary evidence, if available, in support of your claim of over assessment (copies are recommended since they will be kept by the VAB and not returned):

PROPERTY CONDITION:

- 1) Pictures portraying the property's condition (as of January 1, 2009).
- 2) Estimates and/or bills of repair (should be dated close to or after January 1, 2009).

NON-INCOME TYPE PROPERTY:

- 1) Anything that will help show that the assessed value is incorrect (e.g. appraisals, area sales, surveys, pictures, etc.).
- 2) Copy of closing statement(s) if there has been a sale(s) in the previous three (3) years.
- 3) Appraisals made on the property in connection with mortgage financing or the sale thereof, or for any other purpose.
- 4) Comparable sales data (i.e. prices at which similar, nearby properties have sold, on or about the taxing date).
- 5) For personal property, federal tax return, depreciation schedules, and insurance coverage.**

INCOME TYPE PROPERTY:

- 1) Federal tax returns and financial statements for the past three (3) years.
- 2) Supporting documents should include:
 - a) Operating statements showing income and expenses.
 - b) Rent roll showing square footage of space leased and at what rate; names of tenants; breakdown of who pays expenses (i.e. common area maintenance, taxes, insurance, utilities, etc.).
 - c) Copy of current lease(s) to determine lease details (e.g.. who pays what expenses).
 - d) Copy of closing statement(s) if there has been a sale(s) in the previous three (3) years.
 - e) Appraisals made on the property in connection with mortgage financing or the sale thereof, or for any other purpose.
- 3) Comparable sales data (i.e. prices at which similar, nearby properties have sold, on or about the taxing date).

(See Property Appraiser's request for documents on page 4 of this petition form.)

The Board may consider, as evidence, the assessments of comparable properties within homogeneous areas or neighborhoods. However, if the comparable has an assessed value that is lower than its fair market value, the Board has no authority to lower petitioner's value based solely on the comparable property.

*** PLEASE NOTE THAT ALL DOCUMENTARY EVIDENCE YOU INTEND TO RELY ON AT THE VAB HEARING TO SUPPORT YOUR CLAIM OF OVER ASSESSMENT MUST BE SUBMITTED TO THE PROPERTY APPRAISER SUFFICIENTLY PRIOR TO THE HEARING TO ENABLE SUCH DOCUMENTS TO BE EXAMINED AND ANALYZED. IF SUCH DOCUMENTS ARE NOT SUBMITTED SUFFICIENTLY PRIOR TO THE HEARING, THEN THE VAB CANNOT CONSIDER SUCH EVIDENCE IN SUPPORT OF YOUR CLAIM. PLEASE CONSULT THE CLERK'S WEBSITE FOR ADDITIONAL INFORMATION REGARDING THE EXCHANGE OF DOCUMENTS WITH THE PROPERTY APPRAISER PRIOR TO THE HEARING.**

**** PERSONAL PROPERTY APPEALS: UNLESS PREVIOUSLY FILED, A 2009 PERSONAL PROPERTY TAX RETURN MUST BE FILED WITH THE PROPERTY APPRAISER ON OR BEFORE OCTOBER 21, 2009. FAILURE TO FILE WILL BE DEEMED TO CONSTITUTE A WAIVER OF TAXPAYER'S RIGHT TO CONTEST THE ASSESSMENT, AND NO VAB HEARING WILL BE SCHEDULED ON THIS PETITION.**

ADA: For TDD service, call Florida Relay Services at 1-800-955-8771

RETAIN THIS PAGE FOR YOUR INFORMATION

MIAMI-DADE COUNTY
VALUE ADJUSTMENT BOARD
PETITION FOR REVIEW OF MARKET / CLASSIFIED USE VALUE - 2009

IMPORTANT:
See Property
Appraiser's letter on
page 4.

IMPORTANT NOTICES: (1) A SEPARATE PETITION IS REQUIRED FOR EACH PARCEL OF PROPERTY (I.E.. EACH FOLIO NUMBER UNDER APPEAL), UNLESS PART OF A MULTIPLE FILING REQUIRING THE ATTACHMENT OF FORM CLK/CT 408 OR 411. ATTACH FORM CLK/CT 411 FOR CONDO, CO-OP, OR HOMEOWNER ASSOCIATIONS, OR UNDEVELOPED VACANT LAND, (2) THE STATUTORY DEADLINE FOR FILING (FILING MEANS RECEIVED BY THE CLERK) THIS PETITION IS SEPTEMBER 18, 2009, OR SUCH OTHER DATE AS MAY BE DESIGNATED IN THE PROPERTY APPRAISER'S NOTICE OF PROPOSED PROPERTY TAXES, AND (3) THE VAB CANNOT REDUCE AN ASSESSMENT UNLESS THE "ASSESSED VALUE" OF THE PROPERTY, AS SHOWN ON YOUR TAX NOTICE, EXCEEDS ITS ACTUAL FAIR MARKET VALUE AS OF JANUARY 1, 2009.

1. REVIEW OF AGRICULTURAL CLASSIFICATIONS AND TAX EXEMPTIONS

Petitions for review of Agricultural Classifications, Homestead and other tax exemptions may still be filed "late" on form CLK/CT 482 on or before September 18, 2009, or such other date as may be designated in the notice of proposed property taxes.

2. ENTER ONLY ONE (1) FOLIO NUMBER PER PETITION FORM (Please print or type)

ENTER



REAL ESTATE FOLIO NUMBER

Grid for entering Real Estate Folio Number

PROPERTY ADDRESS: APT/SUITE:

(If property has no address, enter LEGAL DESCRIPTION if known.)

- Check box if this property is part of unsold condominium inventory held by MULTIPLE UNIT owner.
Check box if this property has been improved within the last 4 years.

Taxpayer petitions: Total Property Value Land Value Only Improvement Value Only Homestead Value Increase Limitation
Parental Living Quarters (Construction / reconstruction completion date / Cost)

OR



PERSONAL PROPERTY FOLIO NUMBER

Grid for entering Personal Property Folio Number

BUSINESS NAME: ADDRESS:

Check box if property is leased equipment. Indicate contract #

Note: A personal property assessment may not be contested until a tax return is filed with the property appraiser. Unless such return is filed on or before OCTOBER 21, 2009, the taxpayer shall be deemed to have waived his right to contest assessment and no Value Adjustment Board hearing will be scheduled on this petition.

3. THIS SECTION MUST BE COMPLETED BY ALL PETITIONERS

- Check box if the property has been professionally appraised within the last 4 years.
Check box if the property is rented or leased. If rented, what is the annual gross income? Net income?
Check box if appeal is based on the improvements not being substantially completed as of January 1, 2009.

PROPERTY

OWNER'S NAME:

MAIL NOTICE TO (Check one): OWNER OWNER'S AGENT

NAME:

PROFESSIONAL AGENTS ONLY

Enter your Agent # here:

If you do not have one, please call VAB at 305-375-5641

ADDRESS: APT/SUITE:

CITY: STATE: ZIP CODE:

PHONES: HOME WORK Amount of time estimated for hearing ... minutes

Tax Notice "Market Value": Your Estimated Value:

Indicate amount of any mortgage(s) on property: Amount of insurance:

Please indicate any date(s) on which you will not be available to attend a hearing (due to scheduling load, aggregate should not exceed 15 business days):

Conferences with the Property Appraiser requested under F.S. 194.011(2) must be held prior to October 1, 2009.

4. SIGNATURE AND CERTIFICATION SECTION

Under penalties of perjury, I declare that I have read the foregoing petition and that the facts stated in it are true. If I am signing and filing this petition as an agent of the taxpayer/owner, I further certify that I am duly authorized to do so. I also certify that I have read the Property Appraiser's document request on Page 4 of this petition.

Date

Petitioner's / Agent's Signature

Clerk's Certification: A cashier's receipt for the required filing fee will be issued to the taxpayer/petitioner by the Clerk of the VAB at the time of the filing of this petition, which shall constitute evidence of such filing for all purposes. (Note: The canceled check shall also be proof of payment in lieu of cashier's receipt.) Said receipt shall also constitute the Clerk's certification that a copy of this petition will be furnished to the Property Appraiser.

FILE THIS PAGE WITH THE VAB

NOTE: Important Statutory Requirement

**Department of Property Appraisal
Stephen P. Clark Center, Suite 710, 111 N.W. 1st Street, Miami, Florida 33128-1984**

Dear Taxpayer/Petitioner:

In order to effectively process your petition, the additional data and documents described below must be furnished promptly to the PROPERTY APPRAISER'S OFFICE, Department of Property Appraisal, at the above address.

PLEASE NOTE THAT UNDER FLA. STAT. 194.034(1)(d) FAILURE TO PROVIDE THE REQUESTED CONFIDENTIAL INFORMATION WITHIN A REASONABLE TIME PRIOR TO THE HEARING WILL PRECLUDE THE VALUE ADJUSTMENT BOARD OR SPECIAL MAGISTRATE FROM CONSIDERING THE INFORMATION OR ANY TESTIMONY RELATED THERETO. IN REPLY, PLEASE REFER TO THE SUBJECT FOLIO NUMBER.

1. A complete C.P.A. statement for fiscal year 2008 and the 2008 Federal Income Tax Return, reflecting the subject property's gross income (from all sources) together with itemized fixed and operating expenses incurred during the same time period. ALL SUPPORTING SCHEDULES MUST BE INCLUDED.
2. Acquisition information including: date of purchase; purchase price; copy of purchase contract and/or option to purchase; copy of closing statement of purchase. (If purchased after January 1, 2006.)
3. All documents relating to the zoning of the subject property, including but not limited to variances, covenants, moratoriums, P.U.D. agreements, etc.
4. All surveys and/or site development plans reflecting parcel size(s) and improvement locations as existing on January 1, 2009.
5. Copies of all appraisals made on the subject property during a time period from January 1, 2006 to the date of the Value Adjustment Board hearing for the 2009 assessment.
6. For those properties operated as multi-family rentals, a complete rent roll as of January 1, 2009, including: apartment sizes and types; all tenant contributions to operating expenses; and a copy of a typical lease.
7. For those properties operated as commercial warehouses, offices, retail and wholesale stores, shopping centers, and/or any combination, a complete rent roll as of January 1, 2009, including: rental rate per square foot of leaseable area; all lease origination and expiration dates (with renewal options); all tenant contributions to operating expenses; all percentage and overage rents with related retail sales data; and a copy of a typical lease.
8. On those properties operating as "Bona Fide Commercial Agricultural Use", all documents supporting said use including, but not limited to, Schedule "F" (Farm Income and Expenses of F.I.T.R.), certified operating statement, lease, etc.
9. Any and all written documents, reports, etc. to be submitted or testified from at the 2009 Value Adjustment Board hearing, providing justification for a reduction in the subject property's assessment.

Very truly yours,

Pedro J. Garcia
Property Appraiser

NOTE: Documentation or income data submitted in support of the "INCOME APPROACH" should be filed directly with the Miami-Dade County Property Appraiser, 111 N.W. 1st Street, Suite 710, Miami, Florida 33128-1984, at least 5 business days prior to date of hearing. Failure to do so may preclude the Board from considering such documentation. Petitioner submits the information contained on page 3 in support of this petition.