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## **HOMELESS ISSUES, AFFORDABLE HOUSING, AND THE APPRAISAL PROCESS**

Many communities across the United States are challenged by the increases in homeless populations, including Douglas County. While this is not a new phenomenon, the issues involving homeless populations are complex.

The Appraiser's Office receives concerns about how the County is considering homelessness in its valuations.

### **Frequently Asked Questions and Comments On Homeless Population and Property Value**

- ❖ *Can you lower my value due to proximity to the Pallet Shelter Village?*
- ❖ *How are you accounting for the increased transient population in Downtown?*
- ❖ *I think my value should be lower due to the increase in vandalism and crime near my property.*
- ❖ *The County should lower my value because of the nearby homeless camp.*

Other questions and comments surface from owners of property near affordable housing or neighboring properties:

- ❖ *My property value should be lower due to the low-income apartments across the street.*
- ❖ *My property is worth less because of the Section 8 tenants who rent from me.*
- ❖ *Can you take into account the transitional housing down the street that upsets the neighborhood?*
- ❖ *There are a bunch of loud kids (or college students) in the neighborhood and their noise devalues my property.*

### **State and Federal Laws Prevent Appraisers from Considering Homeless Population and Income of Habitants**

Any of the previously mentioned questions and comments cannot be specifically considered by an appraiser due to fair housing and discrimination laws.

In Kansas, all appraisals for property taxation must be performed in compliance with the *Uniform Standards of Professional Appraisal Practice* (USPAP), promulgated by the Appraisal Standards Board of the [Appraisal Foundation](#).<sup>1</sup>

While fair housing and discrimination laws have been in place for decades, new verbiage in the 2024 USPAP requires appraisers to understand and comply with all applicable anti-discrimination laws at the local, state, and federal levels. The specific federal laws that should be followed:

- [The Fair Housing Act](#) (FHAct);
- [The Equal Credit Opportunity Act](#) (ECOA); and
- [Sections 1981 and 1982 of the Civil Rights Act of 1866](#).

The following specific rules are binding on an appraiser:

- An appraiser must not develop and/or report an opinion of value that, in whole or in part, is based on the actual or perceived race, ethnicity, color, religion, national origin, sex, sexual orientation, gender, gender identity, gender expression, marital status, familial status, age, receipt of public assistance income, or disability of any person(s).

“Person(s)” includes but is not limited to:

- a property or asset owner;
- a purchaser or potential purchaser of a property or an asset;
- an individual who might derive benefit from or use a property or an asset;
- a client, representative or agent of a client, or any other intended user; or
- the inhabitants of a geographic area.

<sup>1</sup> [K.S.A. 79-505](#)

- An appraiser must not base an opinion of value upon the premise that homogeneity of the inhabitants of a geographic area is relevant for the appraisal.
- An appraiser must not use or rely upon another characteristic as a pretext to conceal the use of or reliance upon race, ethnicity, color, religion, national origin, sex, sexual orientation, gender, gender identity, gender expression, marital status, familial status, age, receipt of public assistance income, or disability of any person(s), when performing an assignment.<sup>2</sup>

In summary, to follow laws on fair housing and related USPAP regulations, an appraiser cannot develop an opinion of value that is based on the actual or perceived personal characteristics as well as income or inhabitants of a geographic area.

## PERSONAL PROPERTY VALUE NOTICES MAILED


On January 4, 2024, the Appraiser’s Office mailed out 6,879 property renditions, with 4,387 renditions received back to the office. Historical totals for Personal Property Assessed Values are detailed below.

Personal Property	2020	2021	2022	2023	2024
Assessed Value	\$21,929,897	\$20,575,187	\$18,350,513	\$19,046,140	\$19,299,532
% Change		-6.2%	-10.8%	3.8%	1.3%

The County Appraiser’s Office began mailing out the 2024 personal property valuation notices the week of April 29, 2024. The 4,387 owners who filed renditions will receive a personal property valuation notice. Those who did not file a rendition will receive a Failure to File Notice in June. However, owners have until March 15, 2025, to file their 2024 rendition.

Some of these accounts have multiple assets that fall in different categories, such as watercraft and non-highway vehicles.

As the County transitioned to a new personal property appraisal software in recent years, there have been difficulties printing out multiple asset accounts on one valuation statement. As a result, some personal property owners may receive duplicate or late valuation notices.

In either case, the value information can be searched on the [county’s website](#). A detailed value summary can be obtained by clicking the  icon that creates a property record card.

If the owner does not agree with the value, property owners will have until 5 p.m. on May 22, 2024, to request an informal meeting with a member of the Personal Property staff.

Typically, fewer than 50 personal property owners appeal their value, but in 2023, 105 filed informal appeals in the spring with 32 additional appeals filed at the time of payment (Payment Under Protest option). Most of these appeals were on watercraft and large trucks that saw large value increases in recent years.

## 2024 REAL PROPERTY VALUE APPEALS

As of May 13, 2024, the Appraiser’s Office has scheduled 1,053 appeals, which is down from 1,129 appeals in 2023 and 1,191 appeals in 2022, but still higher than the 12-year average of 801 appeals.

A total of 865 appeals for the 2024 tax year have been processed to date, with 51% receiving adjustments to their value. Historical results range from 41% to 52% of those appealed receiving value adjustments in the appeal process, with an 11-year average of 47%.

Our office has received a lot of positive feedback from folks going through the appeal process. Thank you for taking the time to share your experience! Some of the comments received this year are noted below.

**Did great with a difficult person like me.**

**This was my first time appealing and I didn’t know what to expect. I appreciated how kind and professional the appraiser was.**

**The appraiser was very thorough with their explanation.**

Feel free to contact our office with any property value questions or queries on how the value appeal process works. We can be reached at (785) 832-5133 or through our [website](#).

<sup>2</sup> USPAP 2024 Edition, The Appraisal Foundation, pages 7-9