

Wyoming Administrative Rules

Equalization, Board of

General Agency, Board or Commission Rules

Chapter 5: Equalization Standards and Procedures (Local Assessments)

Effective Date: 02/02/2021 to Current

Rule Type: Current Rules & Regulations

Reference Number: 211.0001.5.02022021

CHAPTER 5
EQUALIZATION STANDARDS AND PROCEDURES
(LOCAL ASSESSMENTS)

Section 1. Authority. These rules are promulgated under the authority of Wyoming Statutes 16-3-102 and 39-11-102.1.

Section 2. Purpose. These rules are intended to establish the criteria by which the Board will annually determine whether each county is in compliance with the fair market value standard and, if noncompliance is found, establish procedures for equalizing property values or otherwise reducing the inequitable assessment bias.

Section 3. Definitions.

(a) As used in this chapter:

(i) “Abstract” means the abstract of the assessment roll as provided by W.S. 39-11- 102.1(c)(ii).

(ii) “CAMA” means a computer assisted mass appraisal system authorized by the Department and used by county assessors.

(iii) “Class of property” means residential improved, commercial improved, residential vacant, or commercial vacant.

(iv) “Coefficient of dispersion” (COD) means the average deviation of a group of numbers from the median expressed as a percentage of the median.

(v) “Equalization order” means an order of the Board issued pursuant to W.S. 39-11- 102.1 directing a county board of equalization to implement a program to bring a county into compliance with the standards contained in Section 6 of this chapter.

(vi) “Level of appraisal” means the overall ratio of appraised values to market values. In the case of non-normal distribution, level of appraisal shall be indicated by the median. In the case of normal distribution, level of appraisal shall be indicated by the mean.

(vii) “Mean” is the result of adding all the values of a variable and dividing by the number of values.

(viii) “Median” means the midpoint or middle value when a set of values is ranked in order of magnitude; if the number of values is even, the midpoint or average of the two middle values.

(ix) “Mill levy report” means the report prescribed by W.S. 39-11-102.1.

(x) “Price-related differential” (PRD) is the mean divided by the weighted mean. A PRD above 1.03 tends to indicate assessment regressivity. A PRD below .98 tends to indicate assessment progressivity.

(xi) “Reappraisal” means the mass appraisal of one or more classes of property, or a portion thereof, within a jurisdiction completed prior to submission of the next abstract.

(xii) “Department” means the Wyoming Department of Revenue.

(xiii) “Progressivity” means over-valuing high end properties relative to low end properties.

(xiv) “Regressivity” means under-valuing high end properties relative to low end properties.

(xv) “Fair market value standard” shall have the definition provided at W.S. 39-11-101(a)(vi).

Section 4. Abstract Review.

(a) The county assessors shall annually transmit all abstracts and related documents no later than June 1 by mail, e-mail, or fax to the Board.

(b) The Board, upon receipt, shall date stamp and log the abstracts and related documents and provide a copy to the Department. The Board shall place each of the original abstracts in an annual county abstract file created for each county.

(c) If the abstract contains all information necessary and is properly signed and dated, the Board will send an acknowledgment letter to the county assessor and copy to the Department. If the abstract is not in correct form, the Board will notify the county assessor of the Board’s objection to the form of the abstract and suspend the review process for that county.

(d) The Board will review all abstracts for errors within one week of receipt of the abstract. The Board will address any identified errors when it reviews the abstract and statistical analysis of the abstract with the county assessor and the Department.

(e) The Board will:

(i) within two weeks of the receiving sales and account data from the county, perform statistical analysis of the abstract for each county in accordance with Board Rules;

(ii) determine if the abstract and statistical analysis of the abstract, and any other documents to be considered at the time of the review, are complete.

(f) The Board anticipates that the Department will timely provide it necessary information concerning state assessed property for each county. However, the completion of the

review process for locally assessed property will not be delayed if the state assessed property information is provided later than June 1.

(g) After the Board determines that the abstract and statistical analysis of the abstract are complete, it will transmit a copy of the statistical analysis of the abstract and any pertinent supporting information, such as detailed property data, to the county assessor and the Department.

(h) The Board will meet with the county assessor and the Department to review the abstract, statistical analysis of the abstract, and any pertinent supporting information. The review meeting will take place no fewer than five working days after transmittal of the statistical analysis of the abstract to the county assessor, unless the county assessor agrees to a shorter time. The Board will notify the county assessor and the Department of the date and time of the meeting for review of the abstract.

(i) At the meeting, the Department may present any recommendations with respect to compliance with the standards of Section 6 of this chapter. The county assessor may attend either in person or by phone. The meeting will be audio recorded, and the Board will keep minutes of the informal conference and any Board action.

(j) Upon completion of the review the Board may: (1) acknowledge the abstract without correction; (2) acknowledge the abstract subject to corrections to be made by the assessor within a prescribed time; (3) decline to acknowledge the abstract. By letter to the county assessor no later than July 10, the Board will authorize the county to proceed with its mill levy process if the abstract has been acknowledged and any required corrections are made, submitted and approved.

(k) If the Board determines that any of its standards are not being met, the Board may request further investigation by the county assessor, the Department, and Board staff to determine what, if any, changes in the county assessor's work practices are warranted. The Board will assure that proposed work practices are documented and will assure that the county assessor and the Department are advised of the proposed work practices.

(l) In appropriate cases, the Board will proceed with remedial measures pursuant to Section 7 of this chapter

Section 5. Statistical Studies.

(a) To determine compliance with the standards stated in Section 6 of this chapter, the Board shall annually conduct studies of appraised values and sales prices based on information contained in the CAMA system for vacant and improved residential and commercial properties.

(b) The Board may provide for the details of such statistical studies by adopting internal guidelines from time to time. Current copies of any such guidelines shall be made available to the public by request directed to the Board.

Section 6. Appraisal Standards and Compliance.

(a) The following are the standards used by the Board to determine if a county is in compliance with the fair market value standard. If a county is in compliance with the fair market value standard, no equalization order will be considered.

(i) Level of Appraisal. The level of appraisal for residential and commercial, improved and vacant, shall be between .95 and 1.05. To determine compliance with this standard, a 95% confidence interval will be computed around the county's level of appraisal and the confidence interval must include one or more points in the range of .95 to 1.05.

(ii) Appraisal Uniformity.

(A) The COD for improved residential properties shall be 15 or less;

(B) The COD for improved commercial properties shall be 20 or less;

(C) The COD for vacant residential land shall be 20 or less;

(D) The COD for vacant commercial land shall be 20 or less;

(E) The PRD shall be between .98 and 1.03 for residential and commercial properties. If a county does not meet the PRD standard, the Board may trim outliers;

(F) The aggregate change in market value of sold properties shall vary no more than 5% from the aggregate change in market value of unsold properties within a class.

Section 7. Procedures for Implementing Action Taken By Board.

(a) The Board shall make its initial decision on action to be taken through analysis of the statistical studies. Upon completion of its analysis:

(i) If the Board determines a county is not in compliance with the overall level of appraisal as stated in Section 6(a)(i) of this chapter:

(A) the Board shall informally notify and provide all documentation and test results to the county assessor of its initial findings and preliminary intended equalization action and confer with the county assessor to explain the reasons for the indicated action, affording the county assessor the opportunity to review, respond and explain any misunderstandings or errors in the statistical studies.

(B) if the Board determines current year equalization action is still necessary following discussion as provided in paragraph (a)(i)(A) of this section, it will provide not less than 20 days' notice of the proposed action to the county board of equalization and county assessor of the county in which the property is situated. If requested, the Board shall

provide an opportunity for a hearing to the county board of equalization and county assessor of the affected county. The hearing, without contested case procedures, shall be held in the affected county and provide an opportunity for comment and presentation of information. If, after the hearing, the Board determines equalization is still necessary, it will issue an equalization order and work with the county board of equalization and county assessor to determine the best method by which to effect the equalization action.

(ii) If the Board determines a county is not in compliance with appraisal uniformity as stated in Section 6(a)(ii) of this chapter:

(A) the Board shall informally notify the county assessor of its initial findings and meet with the county assessor to explain the reasons for the indicated action, affording the county assessor or designee the opportunity to review, respond and explain any misunderstandings or errors in the statistical studies.

(B) if the Board determines a county is out of compliance and reappraisal is more appropriate to correct assessment bias, the Board may order reappraisal to bring the county into compliance. The reappraisal shall be completed prior to submission of the next abstract.

(C) if the Board determines any inequities can be remedied during the next year through changed work practices, the Board will communicate its recommendation to the Department pursuant to W.S. 39-11-102.1. If the Board has recommended work practice changes and the same noncompliance issue is present in the next appraisal cycle, the Board may issue an equalization order to correct these noncompliance issues.

Section 8. Mill levy reports.

(a) The Board anticipates that pursuant to W.S. 39-11-102.1(e), 39-13-104(j), 21-13-303 and 9-4-302 the State Treasurer and Auditor will provide the Board with advice concerning State Wide Mill Levies on or before July 15. The Board will certify to the county boards of equalization the amount of levy for state purposes on or before the first Monday in August.

(b) Before August 1, the Board will provide county assessors with forms on which to report mill levies.

(c) On or before August 10 each county assessor shall transmit to the Board the mill levy report for his or her county by mail, e-mail, or fax.

(d) Upon receipt of the mill levy report from the county assessor, the Board shall date stamp and log the mill levy reports and amendments and provide a copy to the Department. The original will be placed in the annual county abstract file created for each county.

(e) Within three days of the receipt of the mill levy report, the Board will evaluate the reports for errors and compare the values to those reported and accepted in the abstracts. The

Board anticipates that the Department will promptly evaluate the mill levy reports to determine if the mills set are within legal limits, including pertinent boundaries of tax districts.

(f) If the mill levy report is not in compliance with pertinent statutes and free from error, the Board will contact the county assessor to resolve any apparent discrepancy.

(g) Upon resolution of any apparent errors, the Board will meet to certify the mill levy for each county. The Board will notify each county assessor by letter when the Board has certified the county report.

(h) The Board may provide for the details of preparation and review of mill levy reports by adopting internal guidelines from time to time. Current copies of any such guidelines shall be made available to the public by request directed to the Board.

Section 9. Construction and limitation.

(a) The provisions of this chapter, which is intended to further a just and equal distribution of the burden of taxation, shall be liberally, rather than strictly construed.

(b) Nothing in this chapter creates or modifies private rights or procedures available to the public unless expressly stated or otherwise provided for by law.