

Board of Real Property Assessments and Appeals
Minutes of the Public Meeting held on
Friday, July 17, 2009

Chairperson Towanda Paul-Bryant called to order the Board's third public meeting for 2009 on July 17, 2009 at 2:00 p.m. in Room 220 at 441 4th Street NW. The quorum consisted of Leslie Boissiere, May Chan, Robert Cooper, Cliftine Jones, Charles Mayo, Henry Terrell, George S. Toll, Jr., James Walker, Sean Warfield and Trent Williams.

Ms. Paul-Bryant opened the meeting by thanking the Board members for their continued hard work and dedication during Tax Year 2009 appeal season. She noted that Board members gave extraordinary amount of their time to address the enormous appeals caseload. Ms. Paul-Bryant then welcomed the new Board members – Leslie Boissier, Robert Cooper and Trent Williams. She stated that the entire Board is excited about their arrival. She told the new members not be intimidated about the process and ask for assistance.

Turning to the next item of business, Ms. Paul-Bryant stated that training would be on Wednesday, August 5th and Thursday August 6th. She stated that if a Board member had a conflict, please informed the Administrative Officer. *Note: Due to conflicts with Board members' schedule, the training sessions are being rescheduled for September. A definitive date has not been confirmed.*

With regards to committee assignments, Ms. Paul-Bryant stated that she did not get the desired response from members so instead of assigning members to committees she wanted to discuss the committees and committee assignments. She also noted that the committee assignments would be voted at the September board meeting. Mr. Cooper recommended combining the Training and Professional Development Committee, and that he would participate on that committee and the Legal Committee. Mr. Terrell concurred with that recommendation of combining the committees and he wanted to be a member of the Legal Committee. Mr. Walker stated that he would participate on the Training/Professional Development Committee and Commercial Valuation Committee. Ms. Jones stated that she also wanted to be a member of the Commercial Valuation Committee. Mr. Mayo stated that he wanted to be a member of the Legal Committee.

Ms. Paul-Bryant asked Ms. McPhatter to provide a report. As of July 17, 2009, the Board has completed 4, 206 appeals. According to the Office of Tax and Revenue tracking system, there are 73 outstanding appeals. Of those 73 appeals, 57 are awaiting signature by Board members.

Ms. McPhatter stated that on Tuesday, May 12, 2009, the Council voted on the District's FY 2010 budget. The Council approved the Mayor's FY 2010 proposed budget for the Board, which is \$698,313.

On June 22, 2009, the Office of the Chief Financial Officer released revised quarterly revenue estimates that projected a decline of \$150 million in FY 2010. Under the District of Columbia's Home Rule Charter, the budget must be balanced before submission to Congress.

To submit a balanced budget, the Mayor has proposed an amended FY 2010 budget that includes \$110 million agency gap closing initiatives. With regards to the Board of Real Property Assessments and Appeals, the FY 2010 budget was reduced by \$69,000. *Note: The Board's FY 2010 was not reduced.*

Lastly, Ms. McPhatter announced the next public meeting which will be September 11, 2009 at 2:00 p.m.

Ms. Paul-Bryant then moved to the next agenda item – voting on Tax Year 2010 Standard Operating Procedures. She opened the floor for discussion on this item. Mr. Toll stated that it would be disruptive to the proceedings to have petitioners who have multiple cases to leave the hearing room after each appeal so that the Board members could deliberate. Mr. Warfield agreed with Mr. Toll and suggested that deliberations should occur after the morning or afternoon sessions. Ms. Paul-Bryant noted that the Board tried to having deliberations after each session; however, it was unsuccessful because Board members would leave immediately after the conclusion of the session.

Mr. Cooper asked if the proposed checklist covered all the necessary items. He also asked if the Board had agreed to have a checklist. Ms. Paul-Bryant stated that most of the appeals are decided four to five issues. The checklist covers the major issue. It also noted that the Board discussed a checklist at the May 15, 2009 public meeting. In addition, the proposed checklist was distributed to Board members for comments and suggestions. Mr. Mayo stated that he did not have problem with the hearing schedule or the proposed checklist.

Mr. Terrell suggested that the Chairperson provide a date certain for the edits for the checklist and the standard operating procedures and then convene an administrative meeting so that the Board could work on the items. Ms. Paul-Bryant made a motion to table the vote on the standard operating procedures until the September public meeting; however, the motion was not seconded. Mr. Cooper stated that the Chairperson had not provided a date certain for the edits and the administrative meeting. Ms. Paul-Bryant stated for the Board to take official action on the standard operating procedures, the Board must have a public meeting.

After a discussion, Mr. Cooper made a motion that the Board directs the Board's staff to prepare standard operating procedures and appeals checklist so that Board member can use them. Mr. Walker seconded the motion. Ms. Paul-Bryant stated that all in favor say "aye" and all oppose say "no". The motion was approved with Ms. Chan voting "present."

Mr. Warfield asked Ms. Paul-Bryant about the assignment of cases. She stated that the Administrative Officer would assign the cases and track the Board members' caseload.

Ms. Paul-Bryant asked if the public had any comments. Mr. Phil Applebaum, a representative from Marvin F. Poer, stated that he encourages the Board to have the public comment on any changes in the operating procedures of the Board. He also stated any changes with the policy and procedures for the Board may have to be published according to the Administrative Procedures Act. *Note: The Board's regulations are governed by the Administrative Procedures Act, not its internal operation procedures.*

Mr. Applebaum had concerns with the proposed hearing schedule for the Board. He stated that the Board would have to run multiple panels – at least 5 – to hear all the appeals for TY 2010. He noted that historically, the Board has not been successful in having multiple panels. When Mr. Terrell asked Mr. Applebaum for recommendations to address the increase caseload, Mr. Applebaum could not provide any recommendations at this time.

With no more public comments, Ms. Paul-Bryant adjourned the meeting at 3:11 p.m.