



**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**THE REAL PROPERTY TAX APPEALS COMMISSION**  
**TAX YEAR 2021**  
**ANNUAL REPORT**



**TRENT WILLIAMS**  
**CHAIRMAN**

**GIZACHEW ANDARGEH**  
**EXECUTIVE DIRECTOR**

**ANNUAL REPORT  
OF  
THE REAL PROPERTY TAX APPEALS COMMISSION**

**TAX YEAR 2021**

**TRENT WILLIAMS  
CHAIRMAN**

**VICE CHAIRMAN  
RICHARD AMATO, ESQ.**

**GIZACHEW ANDARGEH  
EXECUTIVE DIRECTOR**

**TY 2021 FULL-TIME COMMISSIONERS**

**MAY CHAN  
CLIFTINE JONES  
FRANK SANDERS  
STACIE SCOTT**

**PART-TIME COMMISSIONERS**

**RODERICK DAVIS  
EDWIN DUGAS  
WENDY GADSON  
RONALD HUDSON  
ALVIN JACKSON  
JOHN E. NEIL OLLIVIERRA  
TRENT WILLIAMS\***

\*Trent Williams served as a part-time commissioner during Tax Year 2021. He was sworn in as the Real Property Tax Appeals Commission Chairman on November 3, 2021.

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**REAL PROPERTY TAX APPEALS COMMISSION MEMBERSHIP  
TY 2021**

<b>Member</b>	<b>Role</b>	<b>Confirmation Date</b>	<b>Term Ending</b>
Vacant	Chairperson	N/A	N/A
Richard Amato, Esq.	Vice Chairperson	July 13, 2012; reconfirmed July 14, 2015; reconfirmed May 10, 2019	April 30, 2023
May S. Chan	Commissioner	July 13, 2012; reconfirmed April 17, 2014 reconfirmed March 6, 2018	April 30, 2022
Cliftine Jones	Commissioner	July 13, 2012 Reconfirmed March 6, 2018	April 30, 2022
Frank Sanders	Commissioner	July 13, 2012; reconfirmed May 2, 2017; reconfirmed November 2, 2021	April 30, 2021
Stacie Scott Turner	Commissioner	July 14, 2015; reconfirmed March 20, 2019; resigned March 15, 2021	April 30, 2023
Rod Davis	Part-Time Commissioner	July 10, 2018	April 30, 2022
Edwin H. Dugas	Part-Time Commissioner	November 30, 2016; reconfirmed July 7, 2020	April 30, 2024
Wendy Gadson	Part-Time Commissioner	May 2, 2017	April 30, 2021
Ronald Hudson	Part-Time Commissioner	February 11, 2020;	April 30, 2022
Alvin Jackson	Part-Time Commissioner	May 7, 2013; reconfirmed May 2, 2017	April 30, 2021
John Neil Ollivierra	Part-Time Commissioner	March 24, 2014 Reconfirmed March 6, 2018	April 30, 2022
Trent Williams	Part-Time Commissioner	July 13, 2012; reconfirmed July 14, 2015; reconfirmed March 1, 2019	April 30, 2023
John Woods, Jr.	Part-Time Commission	June 26, 2019	April 30, 2023

**REAL PROPERTY TAX APPEALS COMMISSION STAFF**

<b>Name</b>	<b>Title</b>	<b>Email</b>
Gizachew Andargeh	Executive Director	gizachew.andargeh@dc.gov
Debra Spencer	Staff Assistant	debra.spencer@dc.gov
Sophia Murray	Clerical Assistant	sophia.murray@dc.gov
Vivian Thornton	Program Assistant	vivian.thornton2@dc.gov
Donald Freeman	IT Specialist	donald.freeman2@dc.gov

## **Executive Summary**

The mission of the Real Property Tax Appeals Commission (RPTAC) is to conduct fair and impartial hearings in disputed real property tax assessment appeal cases (to ensure that properties are assessed at 100% of market value), and to resolve claims of improper real property classifications, homestead (domicile), and senior eligibility issues. This Annual Report covers its activities for Tax Year 2021.

Currently, the District of Columbia law provides real property owners with a three-level appeals process as it relates to real property assessments. The 1<sup>st</sup> level appeal occurs with the Office of Tax and Revenue (“OTR”), where the Petitioner can appeal the assessment with the assessor of record. At this appeal level, the assessor can sustain, reduce, or, in some cases, increase the proposed assessed value of the property.

Once a Petitioner has received his or her Notice of 1<sup>st</sup> Level Decision and is aggrieved by the decision, the Petitioner has 45 days from the date of the notice to appeal to the 2<sup>nd</sup> level – The Real Property Tax Appeals Commission. Petitioners can represent themselves or be represented by counsel, which could be an attorney or non-attorney “tax consultant.” Finally, after the taxpayer has exhausted all avenues with the Commission, which sometimes includes requesting a rehearing, the Petitioner can appeal to the 3<sup>rd</sup> level of appeal – the Tax Division of the Superior Court of the District of Columbia.

The Commission is comprised of a full-time chair and vice chair, four full-time Commissioners and eight part-time Commissioners. The full-time Commissioners are District of Columbia Government employees, while the part-time Commissioners are paid as contractors on an hourly basis.

The ongoing impacts of COVID-19 and the extension of the public health emergency certainly posed challenges to the Commission. The increase in overall caseload was particularly

tied to the economic strain COVID placed on property owners who may have experienced a decrease in income. In addition, RPTAC conducted hearings and drafted decisions for over 7,000 cases – an unprecedented number – with no Chairman in place and one full-time commissioner away on extended leave. All of this while RPTAC had to quickly pivot to a remote then hybrid work model. This meant upgrading Commissioner and staff technological access and knowledge, pivoting to virtual hearings and administrative meetings, deliberating less in person, and limited public engagement. Even with a sustained effort the Commission was challenged to meet its statutory obligations including completing the appeals season by February 1 and conducting rehearings.

One major change occurred last season which took effect this in Fiscal Year 2022: the amendment of RPTAC's establishing statute to increase operational efficiency and come into compliance with federal law. Specifically, the Chairperson eligibility criteria was expanded to source from a broader candidate pool, and part-time commissioners were converted from contractors to direct hires as full-time temporary Hearing Examiners. RPTAC expects these changes will help to address some of the challenges from TY 2021 in Tax Year 2022 and beyond.

## **Major Issues Facing the Commission**

### *Increasing Caseload*

The effort to meet the Commission's statutory obligations to decide all appeal cases by February 1 of each year is an annual challenge. The Commission must decide all residential appeals (housing having one to four units) within 30 days after hearings, and all commercial and large residential apartment building appeals (having five or more units), within 80 days after hearings. Over the past four years the Commission has done very well, deciding 91% of its appeal cases within the statutory deadlines. However, Tax Year 2021 was difficult. The Commission conducted hearings and drafted 7,341 decisions without a Chairman. In addition, one of its full-time commissioners was away for two months on extended leave during the height of the appeals season. Limited availability of part-time commissioners compounded these challenges. As a result, RPTAC conducted hearings well into the spring and did not finish rendering its final decision until August.

Although the Commission considers timeliness to be one of its main objectives, the Commission is aware that its ability to meet its statutory deadlines is obviously contingent upon the number of appeals that are filed each year. Last tax year this was certainly the case. A great number of appeals overwhelmed the Commission and made it impossible for it to timely complete its caseload sacrificing a certain level of performance.

### *Staffing*

RPTAC has well experienced Commissioners. But operating without a Chairperson proved difficult to commissioners and petitioners particularly when initiating a rehearing process. The establishing statute states that only the Chairperson may grant a rehearing. Since there was no Chairperson the Commission formally informed petitioners requesting a rehearing

that they could file their appeal at the Superior Court of the District of Columbia *without a rehearing* since they had first filed a good-faith appeal of their proposed assessment with the Commission. There were 252 such requests that were filed at the Superior Court of the District of Columbia, less than 1 percent of all cases heard. Fortunately, because of amendments made to RPTAC's establishing statute, the Commission now has a new Chairman, and this issue should not arise again. As always, the Commission will continue to strategize ways of accomplishing its goals without sacrificing either the quality of service or the quality of the decisions it renders, through education, training, and streamlining the administrative process.

Finally, getting adequate participation of its part-time Commissioners was another issue that impacted the performance of the Commission. Lack of full participation by some part-time Commissioners (full participation of part-time Commissioners is defined as providing *at least 20* hours per week of service) added to the burden for those Commissioners who work the minimum number of hours or, in some cases, 40 or more hours a week. However, the recently amended establishing statute converted part-time commissioners to temporary full-time Hearing Examiners (Hearing Examiners). This allowed RPTAC to directly hire Hearing Examiners for 40 per week for six months a year. The Commission hired two for Tax Year 2022 and hopes to hire additional Hearing Examiners for future appeals seasons.



## **Continuing Education & Training**

The Commission recommends its members, both full-time and part-time Commissioners, to attend continuing education classes and training annually. Classes and training are focused on methods of real property valuation, principles and fundamentals of appraising, appraisal practices and standards, and applicable software programs.

The continuing education requirement can be met by attending classes provided by an approved professional appraiser organization or by other providers whose classes have been approved by the D.C. Board of Real Estate Appraisers or the D.C. Real Estate Commission. We have in-house training as well, with specialized experts as guest speakers who address the Commission on pertinent issues. Online/On demand training classes have also proven to be effective in fulfilling Commissioner training requirements – especially for part-time members who may have time constraints during the “off season,” when training is normally scheduled. Although RPTAC rules and regulations do not address the number of hours of training each Commissioner must have, the Commission expects each Commissioner to complete a minimum of 12 hours per year.

Online/On Demand Classes are allowed to be taken by Commissioners, at the Commission’s expense, if the class applies to the issues, skills, and/or knowledge of real property valuation. Each Commissioner has to provide proof of completion, such as a certificate of completion, which can be downloaded from the course provider, and can bill the Commission for his/her time. If the course is identified, for example, as a 7-hour course, the Commissioner is expected to produce a certificate that states that the 7-hour course was completed. Only then will a Commissioner be able to bill the Commission for time (example: 7 hours x \$50/hour = \$350.00).

## **Community Outreach**

RPTAC is expected to engage in community outreach annually to promote the Commission as a quasi-judicial body for real property owners to resolve their tax assessment disputes with the Office Tax & Revenue (OTR), or classification disputes with the Department of Consumer & Regulatory Affairs (DCRA). In years prior, the Commission has appeared before the public at Advisory Neighborhood Commission (ANC) meetings, has distributed fliers, and has had “workshops” which were open to the public to discuss the appeal process and how one should prepare for making an appeal before RPTAC. The public health emergency and subsequent concern for potential exposure to Covid made in-person public engagement a challenge in 2021. The Commission made a specific effort to virtually present before Ward 7 and 8 ANCs but, unfortunately, there was little positive response.

The Commission will always continue to look for better and more efficient ways to improve the overall appeal process. The Commission has met, and will continue to meet, with DCRA and OTR to discuss various issues which the Commission believes could help improve the appeal process in both classification and valuation cases; and has met with OTR to discuss ideas that might improve the process for supplemental assessment appeals.

The Commission is transparent about its public meetings. Each of its four annual Administrative Meetings are advertised on the RPTAC website and the public are encouraged to virtually attend those and other public meetings. The Commission also meets with relevant associations or agencies at their request, including the Apartment & Office Building Association (AOBA) and with representatives of the Office of Tax & Revenue and the Department of Consumer & Regulatory Affairs (DCRA). The Commission is always willing to listen and consider the concerns of the public, as well as the concerns of government agencies, and intends to keep an “open-door” policy for anyone to talk about the appeal process.

## **Tax Year 2021 Appeal Seasons Overview**

For Tax Year 2021<sup>1</sup> (season ended August 18, 2021), the Commission processed a total of 7,341 cases – 5,866 Class 1 Residential valuation cases and 1,475 Class 2 Commercial valuation cases (including Mixed Use). There were 3 classification cases and 46 Homestead cases. Of the 7,341 cases received, the Commission decided 5,569. The difference of 1,772 represents 60 withdrawn cases plus 1,712 cases resolved by way of Stipulation Agreement. 7,042 cases were filed electronically using File & ServeXpress.

### **Tax Class 1 Appeals**

For Tax Class 1 properties, the Commission received a total of five thousand eight hundred and sixty-six (5,866) Class 1 Residential valuation appeals, with twenty-four (24) appeals being withdrawn, and one thousand five hundred eighty-six (1,586) appeals resolved by way of Stipulation Agreements between the Office of Tax and Revenue and the Petitioner. The Commission decided a total of four thousand two hundred fifty-six (4,256) Tax Class 1 appeals. Of these cases, eighteen were increased (<1%), three thousand seven hundred-nine (3,709) (eighty-seven percent (87%)) were sustained, and five hundred twenty-nine (529) twelve percent (12%) were reduced.

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<sup>1</sup> RPTAC derives the majority of its data from the Office of Tax and Revenue's Modern Integrated Tax System (MITS) recently upgraded from the Integrated Tax System (ITS). As part of the upgrade certain data was not collected for TY21 and is not reflected in this annual report. RPTAC is working with OTR to restore these missing data for future annual reports.

**Tax Class 1 Properties** (Residential real property, including multifamily)

<b>Action</b>	<b>Assessed Value (AV)</b>	<b>Dollar Value (DV) (AV ÷ 100 x .85)</b>
1 <sup>st</sup> Level Cases Appealed to RPTAC (excluding withdrawn cases but including stipulations)	\$9,205,001,008	\$78,242,508
1 <sup>st</sup> Level Cases Appealed to RPTAC resulting in 2 <sup>nd</sup> Level Stipulations (between the Petitioner and OTR)	\$601,109,840	\$5,109,433
2 <sup>nd</sup> Level Stipulation Agreements (between the Petitioner and OTR)	\$561,793,580	\$4,775,245
Impact (Difference between 1 <sup>st</sup> Level Cases Appealed and 2 <sup>nd</sup> Level Stipulation Agreements)	\$39,316,260	\$334,188
1 <sup>st</sup> Level Cases Appealed to and decided by RPTAC	\$8,603,891,168	\$73,133,074
2 <sup>nd</sup> Level (RPTAC) Actions	\$8,383,735,218	\$71,261,749
Impact (Difference between 1 <sup>st</sup> Level Cases Appealed to RPTAC and 2 <sup>nd</sup> Level Actions)	\$220,155,950	\$4,576,953
2 <sup>nd</sup> Level Increases	\$13,570,798	\$115,351
2 <sup>nd</sup> Level Reductions	\$2,470,384,182	\$20,998,265
2 <sup>nd</sup> Level Sustained	\$5,899,780,238	\$50,148,132

**Tax Class 2 Appeals**

The Commission also received one thousand four hundred-five (1,475) Tax Class 2 appeals including 70 mixed use cases: thirty-six (36) or two-and-a-half percent (2.5%) were withdrawn, and one hundred twenty-one (121) or nine percent (9%) were resolved by way of Stipulation Agreements between the Office of Tax and Revenue and the Petitioner. The Commission decided a total of one thousand three hundred-eighteen (1,318) appeals. Of these appeals, sixteen (16) (1%) were increased, nine hundred twenty-two (922) (seventy percent (70%)) were sustained, and three hundred-eighty (380) (29 percent (29%)) were reduced.

**Tax Class 2 Properties** (Commercial and industrial property, including hotels and motels, for an assessed value up to \$5 million)

<b>Action</b>	<b>Assessed Value (AV)</b>	<b>Dollar Value (DV) (AV ÷ 100 x 1.65)</b>
1 <sup>st</sup> Level Cases Appealed to RPTAC (excluding withdrawn cases but including stipulations)	\$1,032,213,333	\$17,031,520
1 <sup>st</sup> Level Cases Appealed to RPTAC resulting in 2 <sup>nd</sup> Level Stipulations (between the Petitioner and OTR)	\$75,142,100	\$1,239,844
2 <sup>nd</sup> Level Stipulation Agreements	\$69,490,413	\$1,146,591
Impact (Difference between 1 <sup>st</sup> Level Cases Appealed and 2 <sup>nd</sup> Level Stipulation Agreements)	\$5,651,687	\$93,252
1 <sup>st</sup> Level Cases Appealed to and decided by RPTAC	\$957,071,233	\$15,791,675
2 <sup>nd</sup> Level (RPTAC) Actions	\$945,866,980	\$15,606,805
Impact (Difference between 1 <sup>st</sup> Level Cases Appealed to RPTAC and 2 <sup>nd</sup> Level Actions)	\$11,204,253	\$184,870
2 <sup>nd</sup> Level Increases	\$25,040,581	\$413,169
2 <sup>nd</sup> Level Reductions	\$119,670,678	\$1,974,566
2 <sup>nd</sup> Level Sustained	\$801,155,721	\$13,219,069

**Tax Class 2 Properties** (Commercial and industrial real property, including hotels and motels, for an assessed value greater than \$5 million up to \$10 million)

<b>Action</b>	<b>Assessed Value (AV)</b>	<b>Dollar Value (DV) (AV ÷ 100 x 1.77)</b>
1 <sup>st</sup> Level Cases Appealed to RPTAC (excluding withdrawn cases but including stipulations)	\$1,084,126,586	\$19,189,040
1 <sup>st</sup> Level Cases Appealed to RPTAC resulting in 2 <sup>nd</sup> Level Stipulations (between the Petitioner and OTR)	\$89,843,040	\$1,590,221
2 <sup>nd</sup> Level Stipulation Agreements	\$82,461,907	\$1,459,575
Impact (Difference between 1 <sup>st</sup> Level Cases Appealed and 2 <sup>nd</sup> Level Stipulation Agreements)	\$7,381,133	\$130,646
1 <sup>st</sup> Level Cases Appealed to and decided by RPTAC	\$994,283,546	\$17,598,818
2 <sup>nd</sup> Level (RPTAC) Actions	\$976,383,102	\$17,281,980
Impact (Difference between 1 <sup>st</sup> Level Cases Appealed to RPTAC and 2 <sup>nd</sup> Level Actions)	\$17,900,444	\$316,837
2 <sup>nd</sup> Level Increases	\$11,123,810	\$196,891
2 <sup>nd</sup> Level Reductions	\$112,427,176	\$1,989,961

2 <sup>nd</sup> Level Sustained	\$852,832,116	\$15,095,128
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**Tax Class 2 Properties** (Commercial and industrial real property, including hotels and motels, for an assessed value greater than \$10 million)

<b>Action</b>	<b>Assessed Value (AV)</b>	<b>Dollar Value (DV) (AV ÷ 100 x 1.89)</b>
1 <sup>st</sup> Level Cases Appealed to RPTAC (excluding withdrawn cases but including stipulations)	\$60,141,749,608	\$1,136,679,067
1 <sup>st</sup> Level Cases Appealed to RPTAC resulting in 2 <sup>nd</sup> Level Stipulations (between the Petitioner and OTR)	\$5,291,079,970	\$100,001,411
2 <sup>nd</sup> Level Stipulation Agreements	\$4,894,740,815	\$92,510,601
Impact (Difference between 1 <sup>st</sup> Level Cases Appealed and 2 <sup>nd</sup> Level Stipulation Agreements)	\$396,339,155	\$7,490,810
1 <sup>st</sup> Level Cases Appealed to and decided by RPTAC	\$54,850,669,632	\$1,036,677,656
2 <sup>nd</sup> Level (RPTAC) Actions	\$53,684,181,863	\$1,014,631,037
Impact (Difference between 1 <sup>st</sup> Level Cases Appealed to RPTAC and 2 <sup>nd</sup> Level Actions)	\$1,166,487,769	\$22,046,618
2 <sup>nd</sup> Level Increases	\$285,436,319.00	\$5,394,746
2 <sup>nd</sup> Level Reductions	\$22,360,570,872	\$422,614,789
2 <sup>nd</sup> Level Sustained	\$31,038,174,672	\$586,621,488

### **Tax Class 3 Properties**

The Commission did not receive Tax Class 3 appeals in Tax Year 2021.

### **Tax Class 3 Appeals** (Vacant real property)

<b>Action</b>	<b>Assessed Value (AV)</b>	<b>Dollar Value (DV) (AV ÷ 100 x 5.00)</b>
1 <sup>st</sup> Level Cases Appealed to RPTAC (excluding withdrawn cases but including stipulations)	\$0	\$0
1 <sup>st</sup> Level Cases Appealed to RPTAC resulting in 2 <sup>nd</sup> Level Stipulations (between the Petitioner and OTR)	\$0	\$0
2 <sup>nd</sup> Level Stipulation Agreements	\$0	\$0
Impact (Difference between 1 <sup>st</sup> Level Cases Appealed and 2 <sup>nd</sup> Level Stipulation Agreements)	\$0	\$0
1 <sup>st</sup> Level Cases Appealed to and decided by RPTAC	\$0	\$0
2 <sup>nd</sup> Level (RPTAC) Actions	\$0	\$0

Impact (Difference between 1 <sup>st</sup> Level Cases Appealed to RPTAC and 2 <sup>nd</sup> Level Actions	\$0	\$0
2 <sup>nd</sup> Level Increases	\$0	\$0
2 <sup>nd</sup> Level Reductions	\$0	\$0
2 <sup>nd</sup> Level Sustained	\$0	\$0

**Tax Class 4 Properties**

The Commission did not receive Tax Class 4 appeals in Tax Year 2021

**Tax Class 4 Appeals** (Blighted real property)

<b>Action</b>	<b>Assessed Value (AV)</b>	<b>Dollar Value (DV) (AV ÷ 100 x 10.00)</b>
1 <sup>st</sup> Level Cases Appealed to RPTAC (excluding withdrawn cases but including stipulations)	\$0	\$0
1 <sup>st</sup> Level Cases Appealed to RPTAC resulting in 2 <sup>nd</sup> Level Stipulations (between the Petitioner and OTR)	\$0	\$0
2 <sup>nd</sup> Level Stipulation Agreements	\$0	\$0
Impact (Difference between 1 <sup>st</sup> Level Cases Appealed and 2 <sup>nd</sup> Level Stipulation Agreements)	\$0	\$0
1 <sup>st</sup> Level Cases Appealed to and decided by RPTAC	\$0	\$0
2 <sup>nd</sup> Level (RPTAC) Actions	\$0	\$0
Impact (Difference between 1 <sup>st</sup> Level Cases Appealed to RPTAC and 2 <sup>nd</sup> Level Actions	\$0	\$0
2 <sup>nd</sup> Level Increases	\$0	\$0
2 <sup>nd</sup> Level Reductions	\$0	\$0
2 <sup>nd</sup> Level Sustained	\$0	\$0
2 <sup>nd</sup> Level Recommended	\$0	\$0

## **Total Number of TY 2021 Assessment Cases Heard per Commissioner**

In Tax Year 2020 the Office of Tax and Revenue upgraded their Integrated Tax System to the Modern Integrated Tax System (MITS). As part of this upgrade certain data are not collected, including the case count for each Commissioner. The Commission is working with the Office of Tax and Revenue to include this and other data in future tax years.

In addition to standard assessment appeals, the Commission rendered decisions in appeals for Possessory Interests and Classifications not made in the current tax year. Since these appeals are not “standard assessment appeals” which are automatically placed into MITS, the Commission must notify OTR of these appeals, and then OTR manually places these decisions into the tracking system.

## **Tax Year 2022 Appeal Season**

The Commission began receiving Tax Year 2021 cases in July. Save the last appeals season, the Commission has had success over the past several years in meeting its statutory deadlines. In Tax Year 2022 the Commission received over 7,300 cases and in Tax Year 2022 the Commission is on track to hear 7,795 cases – a nearly 400 count increase. With a new Chairman and two new Hearing Examiners the Commission is expecting to complete its hearing schedule in early February: a testament to this fiscal year’s restructuring of the Commission and operational changes including two-person panels. Even though the Commission has worked hard to innovate upon a routine that works, it remains a challenge for Commissioners and Hearing Examiners to regularly meet the demand of such a high caseload. If the caseload continues to climb – as it has three years in a row – the Commission will need to devise new ways to ensure its statutory obligations are met with quality, efficiency, and punctuality.



## **Major Accomplishments**

Last year the Commission submitted a title to the Fiscal Year 2022 Budget Support Act that made two important changes to the establishing statute:

- 1) expanded the eligibility criteria of the Chairperson to consider persons who have at least 5 years of commercial real estate property experience and
- 2) converted part-time commissioners to Hearing Examiners.

These changes came into effect at the beginning of this fiscal year. The first allowed for new candidates to be considered for the role of Chairperson. RPTAC and the Mayor's Office of Talent and Appointments acted quickly to solicit and nominate a new Chairperson who has begun his duties as of November 3, 2021 after a swift Council confirmation process. The second addressed conflicting language and put the Commission in compliance with Federal tax law eliminating tax penalties the Commission has been obliged to pay. In addition, having Hearing Examiners who are committed to RPTAC's mission as full-time employees during the appeals season is an operational advantage to the Commission.