GOVERNMENT OF THE DISTRICT OF COLUMBIA

THE REAL PROPERTY TAX APPEALS COMMISSION

TAX YEAR 2023

ANNUAL REPORT

TRENT WILLIAMS
CHAIRMAN

GIZACHEW ANDARGEH
EXECUTIVE DIRECTOR

ANNUAL REPORT

OF

THE REAL PROPERTY TAX APPEALS COMMISSION

TAX YEAR 2023

CHAIRMAN
TRENT WILLIAMS

VICE CHAIRMAN
VACANT

EXECUTIVE DIRECTOR
GIZACHEW ANDARGEH

FULL-TIME COMMISSIONERS

MAY CHAN
CLIFTINE JONES
FRANK SANDERS
OLUFEMI ABAYOMI-PAUL

HEARING EXAMINERS

GREGORY SYPHAX
ALVIN JACKSON
JOHN WOODS
KEITH KLEIN

TABLE OF CONTENTS

		Page
1.	Real Property Tax Appeals Commission TY 2023 Membership	4
2.	Real Property Tax Appeals Commission Staff	4
3.	Executive Summary	5
4.	Major Issues Facing the Commission	7
5.	Commissioner Education and Training	9
6.	Community Outreach	10
7.	Tax Year 2023 Assessment Appeal Season Overview	11
8.	Total Number of Assessment Cases Heard per Commissioner	15
9.	The Tax Year 2024 Appeal Season Outlook	15
10.	Major Accomplishments	16

REAL PROPERTY TAX APPEALS COMMISSION MEMBERSHIP
TY 2023

Member	Role	Confirmation Date	Term Ending
Trent Williams	Chairperson	November 3, 2021; reconfirmed June 29, 2022	April 30, 2026
Vacant	Vice Chairperson		April 30, 2023
May S. Chan	Commissioner	July 13, 2012; reconfirmed April 17, 2014 reconfirmed March 6, 2018; reconfirmed June 29, 2022	April 30, 2026
Cliftine Jones	Commissioner	July 13, 2012 reconfirmed March 6, 2018; reconfirmed June 29, 2022	April 30, 2026
Frank Sanders	Commissioner	July 13, 2012; reconfirmed May 2, 2017; reconfirmed November 2, 2021	April 30, 2025
Olufemi Abayomi-Paul	Commissioner	January 18, 2022; reconfirmed December 18, 2023	April 30, 2027
Gregory Syphax	Hearing Examiner	N/a	N/a
Alvin Jackson	Hearing Examiner	N/a	N/a
John Woods	Hearing Examiner	N/a	N/a
Keith Klein	Hearing Examiner	N/a	N/a

REAL PROPERTY TAX APPEALS COMMISSION STAFF

Name	Title	Email
Gizachew Andargeh	Executive Director	gizachew.andargeh@dc.gov
Debra Spencer	Staff Assistant	debra.spencer@dc.gov
Sophia Murray	Clerical Assistant	sophia.murray@dc.gov
Donald Freeman	IT Specialist	donald.freeman2@dc.gov
Vivian Thornton	Program Assistant	vivian.thornton2@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 2023.

Currently, the District of Columbia law provides real property owners with a three-level appeals process as it relates to real property assessments. The 1st 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 1st Level Decision and is aggrieved by the decision, the Petitioner has 45 days from the date of the notice to appeal to the 2nd 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 3rd level of appeal – the Tax Division of the Superior Court of the District of Columbia**.**

The Commission is comprised of a full-time chairperson, four full-time Commissioners and four full-time temporary Hearing Examiners. The full-time vice chairperson position is currently vacant. All Commissioners, Hearing Examiners, and staff are District of Columbia Government employees.

The onboarding of four Hearing Examiners working during the busier period of the appeals season has been hugely helpful to the Commission. RPTAC hired two additional Hearing

Examiners in Tax Year 2023 for a total of four Hearing Examiners and considering the comparatively lower number of cases heard and decisions written, the number of Hearing Examiners proved to be adequate. RPTAC heard and decided over 5,854 cases. Even without a Vice Chairperson in place the Commission successfully completed its statutory obligation to finish hearings by the February 1 deadline. The amendment converting part time commissioners to full-time temporary hearing examiners was a smart choice and is allowing the Commission to better service petitioners and the Office of Tax and Revenue with timely second level decisions.

The Commission continues to work with the Mayor's Office of Talent and Appointments to nominate a new Vice Chairperson. Onboarding this position remains important not only for capacity for heavy appeals seasons with heavy caseloads, but necessary for any rehearings granted at the second level. RPTAC looks forward to continuing the work in selecting a quality candidate for the role.

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. In the previous year the Commission was challenged to do so with only 45% of appeals cases completed by the statutory deadline. However, in Tax Year 2023 RPTAC experienced a turnaround. The Commission was nearly fully staffed with five Commissioners (excluding a Vice Chairperson) and four Hearing Examiners. In addition, an operational change of assigning two-member panels was done when necessary and agreed to by petitioners and OTR. This helped to spread capacity and meet demand. As a result, RPTAC completed 70% of its decisions by February 1, a significant increase compared to last year's performance.

The Commission considers timeliness to be one of its main objectives and is aware that its ability to meet its statutory deadlines is contingent upon the number of appeals filed each year and staffing availability. The annual goal remains to be 100% of decisions completed by February 1, but with nearly 6,000 cases the Commission did not fully meet its target. There were increases in performance on commercial cases with 83% of those decision completed within 80 days. The balance were completed within 100 days. There was no improvement on residential cases, but there may be an accounting discrepancy in the way OTR and RPTAC record the dates of decision. Internally, RPTAC accounts for nearly 80% completion within 30 days. Both agencies are working to rectify the discrepancy so future accounting is calculated equally and correctly.

Staffing

RPTAC has well experienced Commissioners, Hearing Examiners, and dedicated staff. Tax Year 2023 was nearly fully staffed, and the human capacity was reflected in the Commission's increased performance. Still, the Vice Chairperson position remains vacant and has been so for 18 months. The vacancy poses a problem since rehearings require the participation of the Chairperson, Vice Chairperson, and another Commissioner or Hearing Examiner. Last year, no rehearing requests were granted (this is the Chairperson's decision based on the petitioner complaint) but the process requires the position to be filled. In addition, having all positions filled will certainly facilitate meeting the Commission's decisions deadline. 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.

Continuing Education & Training

The Commission recommends its members, both full-time commissioners and hearing examiners, 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 recommends each Commissioner complete a minimum of 12 hours per year.

Online/On Demand Classes are allowed to be taken by Commissioners and Hearing Examiners, at the Commission's expense, if the class applies to the issues, skills, and/or knowledge of real property valuation. Each Commissioner or Hearing Examiner must 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 Buildings (DOB). 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 Commission annually makes a specific effort to present before Ward 7 and 8 ANCs, but there was little positive response, as has been the case in prior years. Less than 1% of 2nd level appeals cases were brought from Ward 7 and 8 property owners.

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 Department of Buildings 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 is 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). 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 2023 Appeal Seasons Overview

For Tax Year 2023 (season ended February 1, 2023), the Commission processed a total of 5,845 valuation cases – 4,519 Class 1 Residential valuation cases and 1,335 Class 2 Commercial valuation cases (including Mixed Use). There were 55 classification cases originating from the Department of Consumer and Regulatory Affairs (DCRA) and 37 Homestead cases where no valuation is considered. There were 64 cases withdrawn plus 136 cases resolved by way of Stipulation Agreement. 4,930 cases were filed electronically using File & ServeXpress and 1,016 were paper filings.

Tax Class 1 Appeals

For Tax Class 1 properties, the Commission received a total of four thousand five hundred nineteen (4,519) Class 1 Residential valuation appeals. Of these cases, two were increased (<1%), four thousand one hundred forty-five (4,145) were sustained (92%), and three hundred seventy (370) five percent (8%) were reduced. Two (2) cases did not require first level action, e.g. supplemental decisions, though the Commission made decisions on these cases.

Tax Class 1 Properties (Residential real property, including multifamily

Action	Assessed Value (AV)	Dollar Value (DV) (AV ÷ 100 x .85)
1st Level Cases Appealed to RPTAC (excluding withdrawn cases but including stipulations)	$8,749,554,589	$74,371,214
1st Level Cases Appealed to RPTAC resulting in 2nd Level Stipulations (between the Petitioner and OTR)	$817,065,000	$6,945,052
2nd Level Stipulation Agreements (between the Petitioner and OTR)	$721,830,048	$6,135,555
Impact (Difference between 1st Level Cases Appealed and 2nd Level Stipulation Agreements)	($95,234,952)	$809,497
1st Level Cases Appealed to and decided by RPTAC	$7,932,489,589	$67,426,161
2nd Level (RPTAC) Actions	$8,540,212,041	$72,591,802
Impact (Difference between 1st Level Cases Appealed to RPTAC and 2nd Level Actions	$517,722,452	$4,400,640
2nd Level Increases	$1,257,002	$10,684
2nd Level Reductions	$721,830,048	$6,135,555
2nd Level Sustained	$7,817,124,991	$66,445,562

Tax Class 2 Appeals

The Commission also received one thousand three hundred sixty-nine (1,369) Tax Class 2 appeals including mixed use cases: two (2) were withdrawn, and thirty-two (32) or less than 1 percent (<1%) 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 thirty-five (1,335) appeals. Of these appeals, two (2) (<1%) were increased, one thousand two hundred eighty-five (1,285) (96%) were sustained, and forty-eight (48) (4%) were reduced.

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

Action	Assessed Value (AV)	Dollar Value (DV) (AV ÷ 100 x 1.65)
1st Level Cases Appealed to RPTAC (excluding withdrawn cases but including stipulations)	$861,870,728	$14,220,867
1st Level Cases Appealed to RPTAC resulting in 2nd Level Stipulations (between the Petitioner and OTR)	$28,049,600	$462,818
2nd Level Stipulation Agreements	$25,672,270	$423,592
Impact (Difference between 1st Level Cases Appealed and 2nd Level Stipulation Agreements)	($2,377,330)	$39,225
1st Level Cases Appealed to and decided by RPTAC	$833,821,128	$13,758,048
2nd Level (RPTAC) Actions	$829,182,544	$13,681,511
Impact (Difference between 1st Level Cases Appealed to RPTAC and 2nd Level Actions	($4,638,584)	$76,536
2nd Level Increases	$501,420	$8,273
2nd Level Reductions	($17,878,114)	$294,988
2nd Level Sustained	$744,815,558	$12,289,456

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)

Action	Assessed Value (AV)	Dollar Value (DV) (AV ÷ 100 x 1.77)
1st Level Cases Appealed to RPTAC (excluding withdrawn cases but including stipulations)	$997,764,926	$17,660,439
1st Level Cases Appealed to RPTAC resulting in 2nd Level Stipulations (between the Petitioner and OTR)	$52,314,950	$925,974
2nd Level Stipulation Agreements	$32,354,312	$572,671
Impact (Difference between 1st Level Cases Appealed and 2nd Level Stipulation Agreements)	($19,960,638)	$353,303
1st Level Cases Appealed to and decided by RPTAC	$945,449,976	$16,734,464
2nd Level (RPTAC) Actions	$948,056,785	$16,780,605
Impact (Difference between 1st Level Cases Appealed to RPTAC and 2nd Level Actions	$2,606,809	$46,140
2nd Level Increases	$0	$0
2nd Level Reductions	($5,671,991)	$100,394

2nd Level Sustained	$942,384,794	$14,815,484

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

Action	Assessed Value (AV)	Dollar Value (DV) (AV ÷ 100 x 1.89)
1st Level Cases Appealed to RPTAC (excluding withdrawn cases but including stipulations)	$57,488,658,215	$1,086,535,640
1st Level Cases Appealed to RPTAC resulting in 2nd Level Stipulations (between the Petitioner and OTR)	$1,782,934,250	$33,697,457
2nd Level Stipulation Agreements	$1,682,208,426	$31,793,739
Impact (Difference between 1st Level Cases Appealed and 2nd Level Stipulation Agreements)	($100,725,824)	$1,903,718
1st Level Cases Appealed to and decided by RPTAC	$55,705,723,965	$1,052,838,182
2nd Level (RPTAC) Actions	$55,261,286,689	$1,044,438,318
Impact (Difference between 1st Level Cases Appealed to RPTAC and 2nd Level Actions	$444,437,276	$8,399,864
2nd Level Increases	$36,218,170	$684,523
2nd Level Reductions	($491,660,436)	$9,292,382
2nd Level Sustained	$50,505,919,475	$954,561,878

Tax Class 3 and Tax Class 4 Properties

The Commission received 41 Tax Class 3 (vacant real property) appeals and 16 Tax Class 4 (blighted real property) in Tax Year 2023. In these hearings RPTAC is charged with determining a subject properties tax status with the Department of Buildings (formerly Department of Consumer and Regulatory Affairs). In most cases RPTAC determines whether subject properties classify as vacant or blighted and should be taxed at the relevant rate of five or ten percent, respectively. Sometimes RPTAC determines whether subject properties should be classified as residential or commercial from a vacant or blighted status. In either case, no assessment value is determined during these hearings. Once a classification is determined the Office of Tax and Revenue will provide an assessment for future tax years.

Total Number of TY 2023 Assessment Cases Heard per Commissioner

RPTAC derives much of its data from the OTR's upgraded Modern Integrated Tax System (MITS). Data queries and collections are increasingly accurate, and the table below captures more fully the distribution of cases among Commissioners and Hearing Examiners compared to previous years. The Commission continues to work with the Office of Tax and Revenue to best represent this data in future tax years.

Commissioner or Hearing Examiner	Partial Case Count
Trent Williams, Chair	1,429
Cliftine Jones	1,069
Franks Sanders	275
May Chan	1,324
Olufemi Abayomi-Paul	594
Gregory Syphax	553
Alvin Jackson	472
John Woods	70
Keith Klein	68

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 2024 Appeal Season

The Commission began receiving Tax Year 2023 cases in September. The Commission had success last year in meeting its statutory deadlines. In Tax Year 2023 the Commission received nearly 6,000 cases and in Tax Year 2024 the Commission is on track to hear an

increased amount (6,400 cases). With an experienced Chairman and four returning Hearing Examiners, the Commission is expecting to complete its hearing schedule by the February 1 deadline. Hiring four qualified Hearing Examiners and implementing an innovative scheduling and decision writing process has certainly facilitated this accomplishment. Of course, the caseload has remained steady the past couple of years and this fact also contributes to a manageable workload. If the caseload significantly climbs the Commission will need to either continue hiring additional hearing examiners or devise new procedures to ensure its statutory obligations are met with quality, efficiency, and punctuality. Certainly, hiring a new Vice Chairperson will assist with caseload distribution. The Commission continues to work with the Mayor's Office of Talent and Appointment (MOTA) in hopes of a nomination in FY24 in preparation for the Tax Year 2025 appeals season.

Major Accomplishments

The Commission continues to push for greater use of the *File & Serve* system by Petitioners. This system improves the administrative process for filing petitions, scheduling hearings, deciding appeals, and notifying Petitioners of the Commission's decisions via on-line mailings. The system allows for paperless archiving of cases, without physical storage space. All the Commissioners have attended classes on how to use the service.