The taxpayer may appeal to a Hearing Officer. The appeal is filed by the property owner to recoup the certain costs associated with the property and return it to the tax rolls. It allows eligible property owners to qualify for participation in the State Brownfield Property Program and which has been entered. The three methods of appeal include:

1. Board of Equalization: The appeal is filed by the property owner and reviewed by the board of assessors. The board of assessors may change the assessment and send a new notice. The property owner may appeal the amended notice within 30 days. The appeal of the amended notice or any initial appeal which is not amended by the board of assessors is automatically forwarded to the Board of Equalization. A hearing is scheduled and conducted and the Board of Equalization renders its decision. If the taxpayer is still dissatisfied, an appeal to Superior Court may be made.

2. Hearing Officer: The taxpayer may appeal to a Hearing Officer, who is a certified appraiser, when the issue of the appeal is the value or uniformity of assessment of non-homestead real property with a value greater than $750,000, or certain wireless property with an aggregate value greater than $750,000 as shown on the annual notice of current assessment. If the taxpayer is still dissatisfied, an appeal to Superior Court may be made.

3. Arbitration: An Arbitration appeal is filed with the board of assessors. The taxpayer must submit a certified appraisal of the subject property which the Board of Assessors may accept or reject. If the taxpayer's appraisal is rejected, the board of assessors must certify the appeal to the county clerk of superior court for arbitration. The arbitrator will issue a decision at the conclusion of the hearing. If the taxpayer is still dissatisfied, an appeal to Superior Court may be made.

The Board of Tax Assessors is required to issue a notice of assessment for taxable tangible real and personal property. Under the terms of this notice, the property owner disagrees with the assessment may do so within 45 days. The appeal may be based on taxability, value, uniformity, and/or the denial of an exemption. The written appeal is filed initially with the Board of Tax Assessors. The state of Georgia provides a uniform appeal form for use by property owners. In that initial written dispute, the property owner must declare their chosen method of appeal.

## EXEMPT PROPERTY

- **Computer Software** may be exempt when it is installed on computer hardware as an operating system.
- **Farm Products** may be exempt when still in the hands of the producer and Farm Equipment used in the direct cultivation of the soil may exempt from ad valorem taxation when owned by certain persons. This includes farm equipment held under a lease purchase agreement.
- **Household goods** are exempt when not held for sale and when used within the home.
- **Personal Property** valued less than $7500 is exempt when the total taxable value of all personal property in the county owned by an individual, as determined by the board of tax assessors, does not exceed $7500. (Calculation does not include the value of mobile homes, motor vehicles or trailers)
- **Level 1 Freepost Inventory** includes certain raw materials, goods in process and finished goods held by the manufacturer or distributor. Each county or city governing authority may set, by resolution, the percentage of exemption after approval of the qualified categories of inventory by voters. Property owners seeking this exemption must apply annually.
- **Level 2 Freepost Inventory** includes finished goods constituting the inventory of a business which would not otherwise qualify for a Level 1 Freepost. Each county or city governing authority may set, by resolution, the percentage of exemption after approval by voters. Property owners seeking this exemption must apply annually.

The following property types may be exempt from ad valorem taxation when specific qualifications are met:

| Public Property |
| Places of Religious Worship |
| Single Family Residences owned by Religious Groups |
| Purely Public Charity |
| Non-Profit Hospital |
| Colleges, Academy, Seminary of Learning |
| Personal Property held as Endowment for College |
| Public Library |
| Books, Paintings, Statuary Kept in a Public Hall |
| Air and Water Pollution Control Equipment |
| Non-Profit Home for the Aged |
| Non-Profit Home for the Mentally Handicapped |
| Headquarters or Post Home for Veteran Organization |
| Certain Historical Fraternal Benefit Association |

### ASSESSMENT APPEALS

**Board of Equalization:** The appeal is filed by the property owner and reviewed by the board of assessors. The board of assessors may change the assessment and send a new notice. The property owner may appeal the amended notice within 30 days. The appeal of the amended notice or any initial appeal which is not amended by the board of assessors is automatically forwarded to the Board of Equalization. A hearing is scheduled and conducted and the Board of Equalization renders its decision. If the taxpayer is still dissatisfied, an appeal to Superior Court may be made.

**Hearing Officer:** The taxpayer may appeal to a Hearing Officer, who is a certified appraiser, when the issue of the appeal is the value or uniformity of assessment of non-homestead real property with a value greater than $750,000, or certain wireless property with an aggregate value greater than $750,000 as shown on the annual notice of current assessment. If the taxpayer is still dissatisfied, an appeal to Superior Court may be made.

**Arbitration:** An Arbitration appeal is filed with the board of assessors. The taxpayer must submit a certified appraisal of the subject property which the Board of Assessors may accept or reject. If the taxpayer’s appraisal is rejected, the board of assessors must certify the appeal to the county clerk of superior court for arbitration. The arbitrator will issue a decision at the conclusion of the hearing. If the taxpayer is still dissatisfied, an appeal to Superior Court may be made.

**Appeals to the Superior Court:** Once a decision has been made by the county Board of Equalization or hearing officer or arbitrator the taxpayer, or Board of Assessors, may appeal the decision to the Superior Court of the county by mailing or filing with the Athens-Clarke County Board of Assessors a written notice of appeal. The written notice of appeal should be mailed or filed within 30 days from the decision of the County Board of Equalization or hearing officer or arbitrator. Property owners that continue their appeal to Superior Court must pay their property tax amount in full based on the last accepted tax amount and pay the appropriate filing fees to the Clerk of Superior Court.

**IMPORTANT TAX INFORMATION**

- **Toni H. Meadow**
  - Tax Commissioner
  - Athens-Clarke County
  - 325 Washington Street Suite 250
  - Athens, GA 30601
  - Phone (706) 613-3120
  - Fax (706) 613-3129
  - www.ackgov.com/tc
  - Online payments www.athensclarketax.com

The duties and responsibilities of this office are many and varied, but our main function is to serve you, the citizens of our community. This brochure has been furnished to help answer some of your questions regarding county taxes. Please feel free to contact this office if you have any questions on the information addressed in this brochure, or any problems receiving efficient and personal service from our office.

**ATHENS-CLARKE COUNTY**
Ad valorem tax, more commonly known as property tax, is a large source of revenue for local governments in Georgia. The basis for ad valorem taxation is either the current use value or in most cases the fair market value, which is established as of January 1 of each year. The tax is levied on the assessed value of the property which, by law, is established at 40% of the fair market value. The rate at which the tax is determined by the tax rate (mill rate) levied by various entities (one mill is equal to $1.00 for each $1,000 of assessed value, or .001).

Entities involved in ad valorem taxation:

- The County Tax Commissioner, an office established by the Constitution and elected in all counties except one, is the official responsible for receiving tax returns filed by taxpayers or designating the board of tax assessors to receive them; receiving and processing applications for homestead exemption; serving as agent of the State Revenue Commissioner for the registration of motor vehicles; and performing all functions relating to billing, collecting, disbursing and accounting for ad valorem taxes collected on behalf of the county, county school and State of Georgia.

- The County Board of Tax Assessors, appointed by the county governing authority in all counties except one, is responsible for determining what property is taxable and seeing that properties are appraised and assessed fairly and equally so that each taxpayer pays as close to possible only such taxpayer’s proportionate share of tax. The board notifies taxpayers of their real property assessments annually and when changes are made to the value of personal property; they approve all exemption applications; and they receive, review, and process appeals filed by taxpayers.

- The County Board of Equalization, appointed by the Grand Jury, is the body charged by law with hearing and adjudicating administrative appeals to property assessments made by the board of tax assessors. The appeal process available to taxpayers also includes Hearing Officers and Arbitration in lieu of an appeal to the board of equalization.

The Board of County Commissioners or County Governing Authority (or the solicitor for some counties, an elected body, who establish the budget for county government operations each year, and then adopt the mill rate necessary to fund the portion of the budget to be paid for by ad valorem tax.

The County Board of Education establishes the annual budget for school purposes and they then recommend their mill rate, which, with very few exceptions, must be levied for the school board by the county governing authority.

- The State Revenue Commissioner exercises general oversight of the entire ad valorem tax process which includes annual audits of tax assessors and tax commissioners and the approval of county tax digests.

**TAX RETURNS**

Taxpayers are required to file at least an initial tax return for taxable property (both real and personal property) owned on January 1 of the tax year. In all counties, the time for filing returns is January 1 through April 1st. Returns are filed with either the Tax Commissioner or the Tax Assessor. The tax return is a descriptive listing of the property owned by the taxpayer which includes the taxpayer’s declaration of the value of the property.

Once the initial tax return is filed, the law provides for an automatic renewal of that return each succeeding year at the value finally determined for the preceding year and the taxpayer is required to file a new return only as additional property is acquired, improvements are made to existing property, or other changes occur. A new return, filed during the return period, may also be made by the taxpayer to declare a different value from the existing value where the taxpayer is dissatisfied with the current value placed on the property by the board of tax assessors.

**HOMESTEAD EXEMPTIONS**

Various homestead exemptions have been enacted to lessen the burden of ad valorem taxation for Georgia homeowners. The exemptions apply to property owned by the taxpayer and claimed as his or her legal residence.

**Applications for Homestead Exemption:** An applicant seeking a homestead exemption shall file a written application with the County Tax Commissioner at any time during the calendar year subsequent to the property becoming the primary residence of the applicant up to and including April 1, for which the exemption is sought. Homestead applications received after that date may be applied to the next year’s tax bill. Once granted, the homestead exemption is automatically renewed each year and the taxpayer does not have to apply again unless there is a change of ownership or the taxpayer seeks to qualify for a different exemption.

Local Homestead Exemptions:

- **Under authority of the State Constitution several different types of homestead exemptions are provided. In addition, local governments are authorized to provide for increased exemption amounts and several have done so. The tax commissioner in your county can answer questions regarding the standard state exemptions as well as any local exemptions that are in place.**

- **Standard Homestead Exemption** is available to all homeowners who otherwise qualify by ownership and residency requirements and it is an amount equal to $10,000 which is deducted from the 40% assessed value of the homestead property. The exemption applies to the maintenance and operation portion of the mill rate levy of the county and the county school system. It does not apply to the portion of the mill rate levied to retire bonded indebtedness.

- **Individuals 62 Years of Age and Older With Specific Income Limitations** is an increased homestead exemption for homeowners 62 and older. In order to qualify, the applicant and spouse does not exceed $40,000 for the preceding year. A portion of Social Security income and certain retirement income are excluded from the calculation of the income threshold. This exemption applies to school tax including taxes levied to retire bonded indebtedness. The amount of the exemption is up to $10,000 deducted from the 40% assessed value of the homestead property. Currently there is no school bond indebtedness in Georgia, thus there is no benefit for Athens-Clarks County homeowners.

- **The Standard Elderly General Homestead Exemption** is available to homeowners who otherwise qualify and who are 65 and older where the net income of the applicant and spouse is less than $10,000 excluding Social Security income and certain retirement income. This exemption extends to property owned by the applicant and spouse does not exceed $10,000 for the preceding year. A portion of Social Security income and certain retirement income are excluded from the calculation of the income threshold. This exemption, which is in an amount up to $10,000 deducted from the 40% assessed value of the homestead property applies to county, and an inflationary exemption applies to the school. There is an exemption amount of $4,000 that applies to county bond indebtedness and $4,000 that applies to school bond indebtedness. Currently, there is no levy for school bond indebtedness, thus there is no benefit for Athens-Clarke County homeowners.

- **Local Floating Exemption for School Levy (Taxes)** is available for individuals age 65 and older. The standard homestead exemption of $10,000 is deducted from the 40% assessed value for the county levy and an inflationary exemption is used to calculate the school tax levy which is based on the value of the home and up to 5 acres surrounding the home. Ad valorem tax for school purposes will be assessed value of land that exceeds the 5 acre limitation. Homeowners will only see a benefit for the school levy if the property value has increased since becoming eligible for this benefit.

- **The Surviving Spouse of Member of Armed Forces killed in Action** is available to the un-married surviving spouse of a member of the armed forces of the United States who was killed in or who died as a result of any war or armed conflict engaged in by the United States. The surviving spouse must file an application and appropriate documentation from the Department of Defense that spousal benefits are received as a result of the death of the armed forces member.

- **Peace Officer or Firefighter Homestead Exemption** is available for the surviving spouse of a peace officer or firefighter who was killed in the line of duty. The surviving spouse can exempt from the full value of the homestead with respect to all ad valorem tax.

- **The Floating or Varying Homestead Exemption** is an exemption which is available to homeowners 62 or older with gross household incomes of $30,000 or less. The exemption applies to state and county ad valorem taxes but it does not apply to the school levy. The floating exemption because the amount of the exemption increases as the value of the homestead property is increased.

- **Property Tax Deferral Program** provides for a method for qualified property owners 62 and older with gross household income of $15,000 or less to defer but not exempt property taxes on an ad valorem tax on the homestead property. Generally, the tax would be deferred until the property ownership changes or until such time that the deferred taxes plus interest reach a level equal to 85% of the property’s fair market value.

- **Approval or Denial of Homestead:** With respect to all of the homestead exemptions, the board of tax assessors makes the determination as to eligibility; however, if the application is denied the taxpayer must be notified and an appeal procedure then is available for the taxpayer.