Members
Rules Advisory Committee on AV Exemptions

• Mike Cowles, Assessor, Lane County
• Joe Davidson, President, Oregon State Association of County Assessors
• Jack Dempsey, Oregon State Fire Fighters Council
• Tess Fields, Harbor of Hope
• Mark Gharst, Lobbyist, League of Oregon Cities
• Tyler Janzen, Association of Oregon Counties
• Jacqueline Ladewig, Oregon Department of Consumer and Housing Services
• Scot Langton, Assessor, Deschutes County
• Diane Linn, Proud Ground
• Michelle Lovejoy, Deputy Director, Oregon Department of Veterans Affairs
• Eric Olson, Washington County Assessors Office
• Taylor Sarman, Oregon State Police Officers Association
• Andy Stevens, Assessor, Linn County
• Dave Stuckey, Adjutant General Deputy Director, Oregon Military Department
• Michael Vaughn, Assessor, Multnomah County
• Shannon Vilhauer, Habitat for Humanity
• Derrick Wharff, Assessor, Yamhill County
• Jody Wiser, Tax Fairness Oregon
• PURPOSE
  • This Rules Advisory Committee (RAC) will help inform and assist the Department of Revenue (DOR) administrative rulemaking to develop rules for county assessors to re-calculate the maximum-assessed value (MAV) of properties when they are newly-eligible for or disqualified from a partial exemption of assessed value (AV). If the RAC indicates that the potential rules will have a significant adverse fiscal impact on small business, the agency will seek the RAC’s input on mitigating the cost of compliance.
  • Though this RAC is not a voting body, DOR’s goal in convening members is to receive individual and group input for administrative rulemaking. The input provided will help DOR to develop draft rules for the Director’s consideration.

• RAC OPERATING PRINCIPLES, GUIDELINES, and EXPECTATIONS
  • This RAC agrees to seek balanced recommendations that comply with legislative intent, align with the statute, and address the needs of the broader constituent group they have been asked to represent, while first and foremost serving the needs of the state as a whole. Members will consider the viewpoints of other participants and conduct themselves in a respectful manner that promotes collaboration.

• Meeting Preparation and Participation
  • Attend the meeting.
  • Prepare for the meeting by reading materials in advance and arriving on time.
  • Notify DOR if there is an unavoidable conflict that requires late attendance or absence and provide comments prior to the meeting if unable to attend.

• Meeting Deliberations
  • Listen carefully and respectfully.
  • Encourage respectful, candid, and constructive discussions.
  • Focus on the subject at hand and help the group stick to the agenda.
  • Allow for a balance of speaking time and respect time limits.
  • Seek to resolve differences and find common ground.
  • This should be a safe place where specific proposals can be made in open and frank problem-solving conversation.

• Making Recommendations
  • Recommendations should align with legislative intent and DOR statutory authority.
  • Written comments from members unable to attend meetings will be considered.
  • Strive to come to consensus on the recommendations - understanding that recommendations are strengthened by high levels of agreement. Consensus is achieved when all members can accept and will support the recommendation. RAC recommendations will be understood as the most viable choice even if it may not be each individual member’s personal preference.

• Accessibility to Public
  • Meetings will be open to the public for observation.
  • Members of the public who wish to provide comments to the RAC are encouraged to submit written comments to DOR by emailing Philip.L.McClellan@dor.oregon.gov. All written comments will be distributed to RAC members for consideration.
  • Ten minutes will be set aside at each meeting to allow for brief public comments and to share any written comments received.

• External Communications
  • All official communications regarding the process will be conducted through DOR.
  • Members will refrain from mischaracterizing comments or views of the other members.
  • Inquiries by the media will be referred to robin.maxey@oregon.gov.
  • In communication outside of RAC meetings, members shall clearly state the views they are expressing are their own and not that of the RAC.
  • Members will communicate with their stakeholder groups to ensure that they are well informed of the group’s discussions and progress and to ensure that issues are identified that need to be communicated to the RAC.
  • Members will contact DOR staff regarding suggestions to help future meetings and activities work more effectively.
  • Participation in the RAC does not preclude any member from providing public comment on the draft administrative rule in any rulemaking process open for public comment.
1. Roll call
2. Introductory comments
3. Review of AV Exemption types and duration
4. Review tax rates, assessed value, tax imposed
5. Possible rule language to amend OAR 150-308-0220
6. Options for draft rule language on ORS 307.032
7. Discussion of rule options
8. Public comment
RATE \times VALUE = TAX

**Impacts to RATE**
- Constitutional Limitations (M50 & M5)
- Local Option Levies & General Obligation Bonds
- District Mergers & Consolidation
- Urban Renewal

**Impacts to VALUE**
- M50 (MAV)
- Exemptions
- Special Assessments

**Impacts to TAX**
- Discounts
- Uncollectables
- Large Value Appeals
Exemption Characteristics & Variations

- Exemption from RMV or AV
- Full or partial
- Annual approval or ongoing
- Based on ownership, use, or both
- Local opt-in or statewide
- Application required or not
<table>
<thead>
<tr>
<th>Exemption</th>
<th>ORS / TE</th>
<th>Year Enacted</th>
<th>Duration of Exemption</th>
<th>Annual Exemption Amount</th>
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<tbody>
<tr>
<td>Disabled Veteran &amp; Surviving Spouse of a Veteran</td>
<td>ORS 307.250 / TE 2.111</td>
<td>1921</td>
<td>Ongoing until qualifications no longer met. Surviving Spouse must apply after veterans’ death to continue.</td>
<td>TY 2021-22 $23,370 or $28,045 3% annual increase</td>
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<td>Surviving Spouse of a Public Safety Officer</td>
<td>ORS 307.295 / TE 2.118</td>
<td>2016</td>
<td>Ongoing until qualifications no longer met.</td>
<td>Up to $250,000 As set by adopting jurisdiction</td>
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<td>Active-Duty Military</td>
<td>ORS 307.286 / TE 2.117</td>
<td>2005</td>
<td>Requires annual application for each year deployed under qualified orders.</td>
<td>TY 2021-22 $96,283</td>
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<tr>
<td>Home Share</td>
<td>Note following ORS 307.548 / TE 2.110</td>
<td>2019</td>
<td>Determined by adopting jurisdiction ordinance.</td>
<td>Up to $300,000 As set by adopting jurisdiction with annual increase based on CPI</td>
</tr>
<tr>
<td>Shared Equity Housing</td>
<td>Oregon Laws 2021, Chapter 466</td>
<td>2021</td>
<td>Ongoing until qualifications no longer met.</td>
<td>27% of AV for qualified condominium units</td>
</tr>
<tr>
<td>Low Value Manufactured Structure in high-population county</td>
<td>ORS 308.250(3)(b) / TE 2.071</td>
<td>2019</td>
<td>Determined by adopting jurisdiction ordinance.</td>
<td>Amount set by adopting jurisdiction</td>
</tr>
</tbody>
</table>
Property Tax Resources to Explore

**Videos**

YouTube:
- Oregon Association of County Tax Collectors (OACTC) channel [OACTC – YouTube](#)
- Property Tax Fairy – Deschutes Co. [Property Tax Values – YouTube](#)

**Print**

DOR Website:
- [Property Tax Statistics Report](#)
- [A Brief History or Oregon Property Taxation](#)
- [Tax Expenditure Report](#)
- [Urban Renewal, 150-504-623 (oregon.gov)](#)
ORS 308.156 in part

(4)(a) **If property** was subject to exemption, partial exemption or special assessment as of the January 1 assessment date of the preceding assessment year and **is disqualified from** exemption, partial exemption or special assessment as of the January 1 of the current assessment year, the property’s maximum assessed value shall be established under this section. …

(5) The property’s **maximum assessed value shall be the sum of:**

(a) **The maximum assessed value** determined under ORS 308.146 that is allocable to that portion of the property not affected by an event described in subsection (1), (2), (3) or (4)(a) of this section; and

(b) **The product of the real market value** of that portion of the property that is affected by an event described in subsection (1), (2), (3) or (4)(a) of this section multiplied by the ratio, not greater than 1.00, of the average maximum assessed value over the average real market value for the assessment year.
OAR 150-308-0220

• When an exempt, partially exempt or specially assessed property is disqualified after January 1 of the assessment year preceding the current assessment year and before January 1 of the current assessment year, a new MAV for the account must be calculated. The new MAV total will be the MAV of any unchanged portion and the **new MAV of any disqualified portion**. The new MAV of the disqualified portion is the RMV multiplied by the appropriate changed property ratio.

• Previously considered amendment regarding separate definition of “disqualified portion” in case of AV exemption,

• Upon further review after comments in prior meeting, determined to be indefensible.
ORS 307.032(1)

307.032 Maximum assessed value and assessed value of partially exempt property and specially assessed property. (1) Unless determined under a provision of law governing the partial exemption that applies to the property, the maximum assessed value and assessed value of partially exempt property shall be determined as follows:

(a) The maximum assessed value:

(A) For the first tax year in which the property is partially exempt, shall equal the real market value of the property, reduced by the value of the partial exemption, multiplied by the ratio, not greater than 1.00, of the average maximum assessed value over the average real market value for the tax year of property in the same area and property class.

(B) For each tax year after the first tax year in which the property is subject to the same partial exemption, shall equal 103 percent of the property’s assessed value for the prior year or 100 percent of the property’s maximum assessed value under this paragraph from the prior year, whichever is greater.

(b) The assessed value of the property shall equal the lesser of:

(A) The real market value of the property reduced by the partial exemption; or

(B) The maximum assessed value of the property under paragraph (a) of this subsection.
Possible new rules under ORS 307.032

Section (1) of the new rule:

Option 1: For the purposes of ORS 307.032, in the case of a partial exemption of assessed value, “the value of the partial exemption” means the dollar amount of assessed value exempted.

\[ MAV = (RMV - Exempt AV) \times CPR \]

Option 2: For the purposes of ORS 307.032, in the case of a partial exemption of assessed value, “the value of the partial exemption” means the dollar amount of assessed value exempted divided by the changed property ratio (CPR).

\[ MAV = \left( RMV - \frac{Exempt AV}{CPR} \right) \times CPR \]

Option 3: For the purposes of ORS 307.032, in the case of a partial exemption of assessed value, “the value of the partial exemption” means the dollar amount of assessed value exempted multiplied by the ratio of the RMV to the assessed value of the property as though not eligible for exemption.

\[ MAV = \left( RMV - Exempt AV \times \frac{RMV}{AV^*} \right) \times CPR \]

AV* is what the AV would be if there was no exemption
Option 4

• Suggested definition that for AV partial exemptions, “the value of the partial exemption” is zero.

• Upon further review, determined to be indefensible.

• It would read the words “reduced by the value of the partial exemption” out of the statute.
Possible new rules under ORS 307.032

**Section (2) and (3) of the new rule:**

(2) For purposes of ORS 307.032(1)(b), in the case of a partial exemption of assessed value, the assessed value of the property shall equal the lesser of:

(a) The real market value of the property reduced by the statutory dollar amount of the partial exemption;

(b) The maximum assessed value of the property as calculated under ORS 307.032(1)(a)(A) and section (1) of this rule; or

(c) The assessed value of the property as though not eligible for partial exemption reduced by the statutory dollar amount of the partial exemption.

(3) This rule is applicable to all properties that first become eligible for a partial exemption of assessed value on or after January 1, 2024.
## Simulation Comparison - Statewide

Excluding Sections 2 and 3 from new rule under ORS 307.023

<table>
<thead>
<tr>
<th>Simulation</th>
<th>Compared to Option 0 “status-quo”</th>
<th>Compared To No Exemption</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Percentage of Taxpayers With Decreased Tax bills</td>
<td>Percentage Change in Tax</td>
</tr>
<tr>
<td>Option 1</td>
<td>64%</td>
<td>-4%</td>
</tr>
<tr>
<td>Option 2</td>
<td>73%</td>
<td>-9%</td>
</tr>
<tr>
<td>Option 3</td>
<td>77%</td>
<td>-10%</td>
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</table>

Including Sections 2 and 3 from new rule under ORS 307.023

<table>
<thead>
<tr>
<th>Simulation</th>
<th>Compared to Option 0 “status-quo”</th>
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</tr>
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<tbody>
<tr>
<td></td>
<td>Percentage of Taxpayers With Decreased Tax bills</td>
<td>Percentage of Taxpayers With No Change in Tax</td>
</tr>
<tr>
<td>Option 1</td>
<td>32%</td>
<td>68%</td>
</tr>
<tr>
<td>Option 2</td>
<td>43%</td>
<td>57%</td>
</tr>
<tr>
<td>Option 3</td>
<td>43%</td>
<td>57%</td>
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</table>
• True Exemption Value is the difference between the assessed value if there were no exemption, and the taxable assessed value after an exemption has been calculated using one of the rule options.

• ~9,500 accounts with $28,045 disabled veteran exemption

Excluding Sections 2 and 3 from new rule under ORS 307.023

Including Sections 2 and 3 from new rule under ORS 307.023
Examples
### Property (select one)
- Forest Grove
- Jefferson
- SE Duke PTLD
- SE Gresham
- SW Terwilliger
- SW Westwood Ptd

### Option (Select one)
- 0
- 1
- 2
- 3

<table>
<thead>
<tr>
<th>Year</th>
<th>RMV</th>
<th>RMV reduction</th>
<th>RMV for reMAV</th>
<th>MAV</th>
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<th>AV exemption</th>
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<th>Tax ($15 per $1k)</th>
<th>CPR</th>
<th>Internal Ratio</th>
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<td>159,320.00</td>
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### RMV, MAV, Taxable AV by Year

#### Property (Select one)
- Forest Grove
- Jefferson
- SE Duke PTLD
- SE Gresham
- SW Terwilliger
- SW Westwood Ptdd

#### Option (Select one)
- 0
- 1
- 2
- 3

#### Table:

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<th>CPK</th>
<th>Internal Ratio</th>
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<td>221890</td>
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<td>159,320.00</td>
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<td>159,320.00</td>
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<td>148,410.00</td>
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<td>5</td>
<td>335640</td>
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<td>152,860.00</td>
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<td>0.528</td>
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</table>
### RMV, MAV, Taxable AV by Year

**Property (select one):**
- Forest Grove
- Jefferson
- SE Duke PTLD
- SE Gresham
- SW Terwilliger
- SW Westwood Ptlld

**Option (Select one):**
- 0
- 1
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</table>
### Property (select one)
- Forest Grove
- Jefferson
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- SE Gresham
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### RMV, MAV, Taxable AV by Year

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<td>3,517.00</td>
<td>0.627</td>
<td>0.650</td>
<td></td>
</tr>
</tbody>
</table>
Questions?
Phil McClellan
503-586-8128
Philip.l.McClellan@dor.oregon.gov
Do you have questions or need help?

www.oregon.gov/dor
503-378-4988 or 800-356-4222
questions.dor@oregon.gov

Contact us for ADA accommodations or assistance in other languages.