



## Examples of Fair and Equal Appeals

Following are several examples of properties in which we performed a successful Fair and Equal appeal:

### Texas Property Tax Code – Remedy using litigation.

#### Section 42.26 - Remedy for Unequal Appraisal

- a) The district court shall grant relief on the ground that a property is appraised unequally if... the appraised value exceeds the median appraised value of a reasonable number of comparable properties appropriately adjusted.

PROPERTY TYPE	NOTES	ASSMT	FINAL O5 VALUE	REDUCTION	SAVINGS
APARTMENT	(1)	\$2,280,000	\$1,693,927	26%	\$16,326
RETAIL		\$2,564,480	\$2,050,000	20%	\$15,274
RESTAURANT	(1)	\$1,004,406	\$707,746	30%	\$9,385
APARTMENT	(1)	\$8,100,000	\$6,000,000	26%	\$72,967
SR LIVING		\$9,240,000	\$7,900,278	14%	\$327,076
INDUSTRIAL	(1)	\$1,885,000	\$1,450,000	23%	\$14,521

(1) Value based on recent sale

### Texas Property Tax Code – Remedy at the ARB level.

#### Section 41.43 Protest of Inequality of Appraisal

- a) Except as provided by subsection (d), in a protest authorized by section 41.41(a)1) or (2), the appraisal district has the burden of establishing the value of the property by a preponderance of the evidence presented at the hearing. If the appraisal district fails to meet that standard, the protest shall be determined in favor of the property owner.
- b) A protest on the ground of unequal appraisal of property shall be determined in favor of the protesting party unless the appraisal district established that:
- 1) The appraisal ratio of the property is equal to or less than the median level of appraisal of a reasonable and representative sample of other properties in the appraisal district.
  - 2) The appraisal ratio of the property is equal to or less than the median level of appraisal of a sample of properties in the appraisal district consisting of a reasonable number of other properties similarly situated to, or of the same general kind or character as, the property subject to the protest; or
  - 3) The appraised value of the property is equal to or less than the median appraised value of a reasonable number of comparable properties appropriately adjusted.

PROPERTY TYPE	NOTES	ASSMT	FINAL O5 VALUE	REDUCTION	SAVINGS
INDUSTRIAL	(2)	\$16,771,383	\$14,000,000	17%	\$68,543

(2) Fair and Equal settled without litigation