

Common Misconceptions

- The Central Appraisal District of Bandera has access to ALL Sales Information.

FALSE. The Central Appraisal District of Bandera does not have access to all sales information due to Texas Being a non-sales disclosure state. This means that real estate sales transactions are not given to the Appraisal District. Each appraisal district must research all available data in the market place by contacting realtors, brokers, property sellers, and buyers to obtain sales information. Through this process the district receives some of the sales, but not all. Any and all sales evidence you can provide to the district will ensure property valuation of your property.

- Property value determines taxes.

FALSE. Market value is a component of the property tax calculation (market value – exemptions x tax rate = property taxes due) and is directly related to the price a willing buyer would pay for the property. The primary component of the calculation is the tax rate which is calculated by the taxing units to fund their operations. The tax rate fluctuates based on needs of the taxing unit, while the market value is strictly a reflection of what the property would sell for in an arms-length transaction or as if buyer and the seller had no significant, prior relationship and neither a part has an incentive to act against his/her own interest (i.e. the seller seeks to make the price as high as he/she can, and likewise the buyer seeks to make it as low as he/she can).

- The Central Appraisal District of Bandera County raises values as a result of the request from the taxing entities.

FALSE. Per Property Tax Code 23.01 (a) (b), The Chief Appraiser must value property as of January 1st at its market value using mass appraisal standards that comply with the Uniform Standards of Professional Appraisal Practice (USPAP). Additionally, the Comptroller's Office produces a Property Value Study (PVS) and a Method and Assistance Program Review (MAP) to review the District's appraisal techniques and values throughout the district.

- Property owners can protest their taxes.

FALSE. Taxes cannot be protested, however a property's appraised value may be protested which, if reduced, may lower the property's taxes. The appraised value is only a component of the property tax calculation. Another determining factor of the taxes is the associated tax rate. A property owner may attend tax rate hearings at the local taxing unit to discuss tax rates.

- Taxes are not due if a property owner disagrees with the property value.

FALSE. If a property has a late protest and the case is pending, this does not affect the delinquency date for the taxes on the property. The taxes for the property cannot go delinquent. The lesser of the amount of taxes due on the portion of the taxable value not in dispute or the amount of taxes due on the property before the delinquency date must be paid. If payment is not made before the delinquency date the property owner forfeits the right to proceed to a final determination of the appeal.

- Frozen tax amounts always transfer.

FALSE. It is not the tax amounts that transfer but the percentage of frozen taxes versus actual taxes. Only the school district freezes transfer throughout the state of Texas. Other freezes, such as the county, road farm to market and city, will only transfer within those same jurisdictions.

- The Central Appraisal District of Bandera County must accept a rendered “Good Faith Estimate”.

FALSE. The Texas Property Tax Code Sections 1.04 & 23.12 require the appraisal district to appraise property at its market value on January 1st each year.

- Values can be changed at any time.

FALSE. The property owner must file a timely protest by the protest deadline. Once the property values are certified to the taxing units, the ways that a change can be made to the appraisal roll become very limited. The appraisal roll is typically certified to the taxing units by July 25th.

- A Protest can be filed at any time.

FALSE. The usual deadline for protest filing is on or before May 15th or 30 days after a notice of appraise value was mailed, whichever is later. Late protests are allowed, if good cause can be provided for missing the usual deadline. Good cause is a reason beyond someone’s control, such as a medical emergency. The Appraisal Review Board (ARB) determines whether a property owner has good cause, and late protests are due the day before the appraisal review board approves the records for the year.

Additionally, deadlines are postponed to the next business day if it falls on a weekend or holiday.

- The Central Appraisal District of Bandera County can change ownership without legal documents.

FALSE. The appraisal district must have a legal document to change ownership (living will & testament, deed, etc.)

- Property can always be combined.

FALSE. Properties can only be combined if they:

1. Are contiguous
2. Are financed under the same note, or are paid off
3. Are in the same Abstract/Survey
4. Have the same owner

- The Central Appraisal District of Bandera County provides legal advice.

FALSE. The appraisal district does not provide legal advice.

- Agriculture is an exemption

FALSE. Agriculture is not an exemption, it is a special valuation based on the land's agricultural productivity. The appraisal district is not exempting any value; it is placing a use type value on the property. There is always a market value associated with every property and in the case of properties receiving an agricultural valuation there is a use type value which will apply to qualifying land acreage (ex. Improved pasture, native pasture, dry cropland etc.)

- Agricultural valuation may be allowed on any size property no matter how small.

FALSE. It is possible to receive agricultural valuation on property of any size, if it is used in conjunction with a larger contiguous property. However, if the property in question is a stand-alone property, it should meet intensity standard for the area.

Special Deadlines:

If the appraisal district sends notice of the removal of agricultural appraisal due to the change in use of land, the protest deadline is before the 30th day after the notice of determination was mailed to the property owner. If the ARB sends notice to a property owner of a change that increases their tax liability and the change did not result from a protest that was filed, the deadline is before the 30th day after the notice of the determination mailed.

If a property owner believes the appraisal district or the ARB should have mailed a notice and did not, the property owner may file a protest until the day before the taxes become delinquent (usually February 1st) or no later than the 125th day after the date the owner claims they received a tax bill from one or more of the taxing units that tax the property.

The ARB will decide whether it will hear a protest based on evidence regarding whether a required notice was mailed to a property owner.