

# Property Owner's Affidavit of Evidence to the Appraisal Review Board

Tax Year

Appraisal District's Name

Phone (area code and number)

Address, City, State, ZIP Code

**GENERAL INFORMATION:** This form is for property owners to use to offer and submit evidence and/or argument for an appraisal review board (ARB) protest hearing by telephone conference call or by review of submitted written materials. Property owners are not required to use this form, but may instead submit evidence or argument with a written, signed, sworn statement that identifies the protesting party; describes the property under protest; and otherwise meets the requirements of Tax Code Section 41.45.

**FILING INSTRUCTIONS:** Property owners must complete sections 1, 2 and 7 of this affidavit form. At least one of Sections 3, 4 or 5, must also be completed. Property owners who intend for the ARB to consider their evidence must complete section 4 and submit evidentiary materials with this affidavit **before** the ARB hearing.

**FILING DEADLINE:** The affidavit must be submitted **before** the hearing on the protest begins.

**EVIDENCE OR ARGUMENT FOR HEARINGS:** Property owners not appearing in person at a scheduled ARB protest hearing are required to offer and submit evidentiary materials (such as documents, photographs, etc.) or argument (such as a written statement that specifies the action of the appraisal district relating to the property from which relief is sought) by written affidavit delivered to the ARB **before** the hearing.

Evidence for the hearing may be submitted with this affidavit either in paper or on a small portable electronic device (such as a CD, USB flash drive or thumb drive) which will be kept by the ARB. Evidence should NOT be provided on a smart phone. Review the ARB's hearing procedures regarding the requirements to properly submit evidence on a small portable electronic device.

## SECTION 1: Property Owner or Lessee's Information

Name of Property Owner or Lessee

Mailing Address, City, State, Zip Code

Primary Phone Number (area code and number)

Email Address \*

\* An email address of a member of the public could be confidential under Government Code Section 552.137; however, by including the email address on this form, you are affirmatively consenting to its release under the Public Information Act.

## SECTION 2: Property Description

Provide the descriptive information requested below for the property that is the subject of this protest.

Physical Address City, State, Zip Code (if different than above)

If no street address, provide legal description.

Identify property type (such as single-family residential, commercial, etc.): \_\_\_\_\_

Appraisal District Account Number (if known)

Mobile Home Make, Model and Identification Number

## SECTION 3: Protested Action or Decision

I seek relief from the following determination or other action of the appraisal district relating to my property described in section 2.

- |   |   |
|---|---|
| <input type="checkbox"/> Incorrect appraised (market) value.  | <input type="checkbox"/> Ag-use, open-space or other special appraisal was denied, modified or cancelled.                                       |
| <input type="checkbox"/> Value is unequal compared with other properties.   | <input type="checkbox"/> Change in use of land appraised as ag-use, open-space or timber land.  |
| <input type="checkbox"/> Property should not be taxed in _____<br>(name of taxing unit)   | <input type="checkbox"/> Incorrect appraised or market value of land under special appraisal for ag-use, open-space or other special appraisal. |
| <input type="checkbox"/> Property is not located in this appraisal district or otherwise should not be included on the appraisal district's record. | <input type="checkbox"/> Owner's name is incorrect.   |
| <input type="checkbox"/> Failure to send required notice. _____<br>(type)   | <input type="checkbox"/> Property description is incorrect.   |
| <input type="checkbox"/> Exemption was denied, modified or cancelled.   | <input type="checkbox"/> Other: _____   |

## SECTION 4: Evidence

Briefly identify the types of evidentiary materials (such as letters, receipts, deeds, photographs, etc.) submitted with this affidavit to the ARB for consideration. Evidentiary materials must be submitted with this form to complete this section.

Provide the total number of pages or images submitted as evidence with this affidavit: \_\_\_\_\_

## SECTION 5: Statement of Facts or Arguments

State all facts or arguments that may help resolve your case.

## SECTION 6: Statement of Intent Regarding Hearing Participation

Indicate how you intend to participate in the ARB hearing regarding your protest (select only one box).

- I do **not** intend to appear at the hearing, either in person or by telephone conference call.  
This affidavit and the evidence and/or argument submitted with it may be used for the hearing if I do not appear in person at the hearing.
- I intend to appear **in person** at the hearing.  
This affidavit may not be used for the hearing if I do appear in person at the hearing.
- I intend to appear **by telephone conference call** for the hearing.  
This affidavit and the evidence submitted with it may be used for the hearing if I do not appear in person at the hearing.

I understand that the ARB will provide a telephone number for me to call to participate in the hearing. Please provide a telephone number that the ARB may use to contact you:

(\_\_\_\_\_) \_\_\_\_\_  
Telephone Number (with area code)

If you decide later to appear by telephone conference call, you must provide written notice to the ARB at least 10 days before the hearing date and submit your evidence with an affidavit (if not previously done).

**Please note:** You may change your mind and appear in person at the ARB hearing. You do not waive the right to appear in person at the hearing by submitting this affidavit to the ARB. If you indicate that you intend NOT to appear at the hearing or you do not complete this section of the form and you do not elect to appear by telephone conference call, the ARB is not required to consider the affidavit at a scheduled hearing, and may consider the affidavit at a hearing designed for the specific purpose of processing affidavits.

SECTION 7: Certification and Signature

State of Texas

County of \_\_\_\_\_

Before me, the undersigned authority, personally appeared \_\_\_\_\_, who, being by me duly sworn, deposed as follows:

Name of Affiant

- 1. My name is \_\_\_\_\_. I am of sound mind, capable of making this affidavit, and personally acquainted with the facts stated in this affidavit as well as any materials attached to this affidavit. I am submitting and offering any materials as evidence or argument to the ARB for consideration at the protest hearing for the property described in Section 2 of this affidavit.
- 2. Any materials submitted with this affidavit as evidence were generated or collected by me or for me, and are the original or exact duplicates of the original.
- 3. Any materials I am submitting as evidence comprise a total of \_\_\_\_\_ pages or images and are described in Section 4 of this affidavit. I am attaching any materials in paper form or on a small portable electronic device (such as a CD, USB flash drive or thumb drive) onto which images of the materials have been loaded as prescribed by the ARB's hearing procedures.
- 4. The facts contained in this affidavit are true and correct, and the information reflected in any evidentiary materials attached to this affidavit are true and correct.

Name of Affiant

Signed on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Signature of Affiant

SWORN TO AND SUBSCRIBED before me on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public, State of Texas

My Commission expires: \_\_\_\_\_

Notary's printed name: \_\_\_\_\_