

RULE 2.03
ADMINISTRATIVE HEARING ADVISORY BOARD

- A. There is hereby created an Administrative Hearing Board (hereinafter called the Hearing Board) which shall consist of (7) members appointed by the director of the ACD as follows:
- Four Appraisal Managers. One representing each congressional district;
 - One member representing public education;
 - One at-large member that is a property owner and a resident of the state of Arkansas representing taxpayers;
 - One Assessor who has an ACD Level 4 Designation.
- B. Each Hearing Board member will serve for three years except for the first year when the members will draw lots to initiate the necessary staggered terms system. The first working year shall begin immediately upon adoption of this rule and last until the 2nd Monday in January, 2008 when the second year shall begin and each year shall continue in a like manner thereafter.
- C. At the first meeting of the Hearing Board each year, after the new appointees to the Board have taken office, the Board shall elect a Chairman and a Secretary for that year.
- D. Appointment to the Board shall be made by the Director of the ACD, after seeking nominations from organizations or individuals representing each of the required sectors.
- E. A board member may be dismissed by the chairman if they cease to meet eligibility requirements herein or fail to attend 3 consecutive meetings without justification, or for other reasonable cause.

RULE 2.04
ADJUDICATIVE HEARINGS

STATUTORY AUTHORITY ACA 25-15-208.

A. SCOPE

The provisions of the Arkansas Administrative Procedures Act, as amended, are applicable to all final orders and decisions of the Assessment Coordination Department (ACD). This Rule applies to, but is not limited to, all requests for administrative adjudications concerning such decisions and orders resulting from ACD: out of compliance findings and directives for corrective action; termination of reappraisal contracts and plans; removal of appraisal companies from the list of registered contractors; decisions suspending or revoking professional designations of appraisers and appraisal managers; and any impositions of civil penalties. The provisions of the Administrative Procedures Act addressing "licensing" is applicable in situations where ACD rules refer to "professional designations".

B. PRESIDING OFFICER

The Chairman of the Administrative Hearing Advisory Board (Hearing Board) shall request the Attorney General to provide a presiding officer to preside at the hearing. If the Attorney General does not provide a hearing officer the chairman may preside or designate other members of the Board to preside.

C. APPEARANCES

1. Any party appearing in the Department proceeding has the right, at his or her own expense, to be represented by counsel.
2. A party may request a formal hearing, or adjudicatory proceeding, on his or her own behalf or may do so through an attorney.
3. Any attorney representing a party to an adjudicatory proceeding must file notice of appearance promptly upon being retained.
4. Service on counsel of record is the equivalent of service on the party represented.
5. On written motion, served on the party represented and all other parties of record, the presiding officer may grant counsel of record leave to withdraw for good cause shown.

D. CONSOLIDATION

If there are separate matters that involve similar issues of law or fact, or identical parties, the matters may be consolidated if it appears that consolidation would promote the just, speedy, and inexpensive resolution of the proceedings, and would not unduly prejudice the rights of a party.

E. NOTICE TO INTERESTED PARTIES

If it appears that the determination of the rights of parties in a proceeding will necessarily involve a determination of the substantial interests of persons who are not parties, the presiding officer may enter an order requiring that an absent person be notified of the proceeding and be given an opportunity to be joined as a party of record.

F. SERVICE OF PAPERS

Unless the presiding officer otherwise orders, every pleading and every other paper filed for the proceeding, except applications for witness subpoenas and the subpoenas, shall be served on each party or the party's representative at the last address of record.

G. INITIATION & NOTICE OF HEARING

1. An administrative adjudication is initiated by the request of the respondent for a formal hearing and upon which event the ACD shall issue a notice of hearing.
2. The notice of hearing will be sent to the respondent by U.S. Mail, return receipt requested, delivery restricted to the named recipient or his agent. Notice shall be sufficient when it is so mailed to the respondent's latest address on file with the agency.
3. Notice will be mailed at least 20 days before the scheduled hearing.
4. The notice will include:
 - a. A statement of the time, place, and nature of the hearing;
 - b. A statement of the legal authority and jurisdiction under which the hearing is to be held: and
 - c. A short and plain statement of the matters of fact and law asserted.

H. MOTIONS

All requests for relief will be by motion. Motions must be in writing or made on the record during a hearing. A motion must fully state the action requested and the grounds relied upon. The original written motion will be filed with the agency. When time allows, the other parties may, within seven (7) days of the service of the written motion, file a response in opposition. The presiding officer may conduct such proceedings and enter such orders as are deemed necessary to address issues raised by the motion. However, a presiding officer will not enter a dispositive order or decision unless expressly authorized in writing to do so, otherwise the motion must be heard and ruled on by a majority of the members of the Hearing Board that are present.

I. ANSWER

The party filing the request for a hearing shall be called the respondent. A respondent may, but is not required to, file an answer or objection to the action of the department that brought about the request for an adjudicative hearing.

J. DISCOVERY

1. Upon written request, the agency will provide the information designated in A.C.A. §25-15-208 (a) (3).
2. Such requests should be received by the agency at least 10 days before the scheduled hearing.

K. CONTINUANCES

1. The presiding officer may grant a continuance of hearing for good cause shown. Requests for continuances will be made in writing. The request must state the grounds to be considered and be made as soon as practicable and, except in cases of emergencies, no later than five (5) days prior to the date noticed for the hearing. In determining whether to grant a continuance, the presiding officer may consider:
 - a. Prior continuances:
 - b. The interests of all parties:
 - c. The likelihood of informal settlements:
 - d. The existence of an emergency:
 - e. Any objection:
 - f. Any applicable time requirement:

- g. The existence of a conflict of the schedules of counsel, parties, or witnesses;*
 - h. The time limits of the request; and*
 - i. Other relevant factors.*
2. *The presiding officer may require documentation of any grounds for continuance.*

L. HEARING PROCEDURES

- 1. *A simple majority of the Hearing Board shall constitute a quorum. The presiding officer: presides at the hearing; declares a quorum of the Hearing Board present or not present, may rule on motions, require briefs, and issue such orders as will ensure the orderly conduct of the proceedings; provided, however, any presiding officer shall not enter a dispositive order of the case unless expressly authorized in writing by a majority of the Board participating in the hearing to so do.*
- 2. *All objections must be made in a timely manner and stated on the record.*
- 3. *Parties have the right to participate and to be represented by counsel in all hearings or pre-hearing conferences related to their case.*
- 4. *Subject to terms and conditions prescribed by the Administrative Procedure Act, parties have the right to introduce evidence on issues of material fact, cross-examine witnesses as necessary for a full and true disclosure of the facts, present evidence in rebuttal, and, upon request by the Hearing Board or the presiding officer, may submit briefs and engage in oral argument.*
- 5. *The presiding officer is charged with maintaining the decorum of the hearing and may refuse to admit, or may expel, anyone whose conduct is disorderly.*

M. ORDER OF PROCEEDINGS

The presiding officer will conduct the hearing in the following manner:

- 1. *The presiding officer will give an opening statement, briefly describing the nature of the proceedings.*
- 2. *The parties are to be given the opportunity to present opening statements.*
- 3. *The parties will be allowed to present their cases in the sequence determined by the presiding officer.*

4. Each witness must be sworn or affirmed by the presiding officer, or the court reporter, and be subject to examination and cross-examination as well as questioning by the Hearing Board. The presiding officer may limit questioning in a manner consistent with the law.
5. When all parties and witnesses have been heard, parties may be given the opportunity to present final arguments.

N. EVIDENCE

1. The presiding officer shall rule on the admissibility of evidence and may, when appropriate, take official notice of facts in accordance with all applicable requirements of law.
2. Stipulation of facts is encouraged. The Hearing Board may make a decision based on stipulated facts.
3. Evidence in the proceeding must be confined to the issues set forth in the hearing notice, unless the parties waive their right to such notice or the presiding officer determines that good cause justifies expansion of the issues. If the presiding officer decides to admit evidence outside the scope of the notice, over the objection of a party who did not have actual notice of those issues, that party, upon timely request, will receive a continuance sufficient to prepare for the additional issue and to permit amendment of pleadings.
4. A party seeking admission of an exhibit must provide three copies of each exhibit at the hearing. The presiding officer must provide the opposing parties with an opportunity to examine the exhibit prior to the ruling on its admissibility. All exhibits admitted into evidence must be appropriately marked and be made part of the record.
5. Any party may object to specific evidence or may request limits on the scope of the examination or cross-examination. A brief statement of the grounds upon which it is based shall accompany such an objection. The objection, the ruling on the objection, and the reasons for the ruling will be noted in the record. The presiding officer may rule on the objection at the time it is made or may reserve the ruling until the written decision and recommendation of the Hearing Board.
6. Whenever evidence is ruled inadmissible, the party offering that evidence may submit an offer of proof on the record. The party making the offer of proof for excluded oral testimony will briefly summarize the testimony or, with permission of the presiding officer, present the testimony. If the excluded evidence consists of a document or exhibit, it shall be marked as part of an offer of proof and inserted in the record.
7. Irrelevant, immaterial, and unduly repetitive evidence will be excluded. Any other oral or documentary evidence, not privileged, may be received if it is of a type commonly relied upon by reasonably prudent men and women in the conduct of their affairs.

8. Reasonable inferences. The finder of fact may base its findings of fact upon reasonable inferences derived from other evidence received.

O. DEFAULT

If a party fails to appear or participate in an administrative adjudication after proper service of notice, the agency may proceed with the hearing and the Hearing Board may render a decision in the absence of the party.

P. SUBPOENAS

1. At the request of any party, the agency shall issue subpoenas for the attendance of witnesses at the hearing. The requesting party shall specify whether the witness is also requested to bring documents and reasonably identify said documents.
2. A subpoena may be served by any person specified by law to serve process or by any person who is not a party and who is eighteen (18) years of age or older. Delivering a copy to the person named in the subpoena shall make service. Proof of service may be made by affidavit of the person making service. The party seeking the subpoena shall have the burden of obtaining service of the process and shall be charged with the responsibility of tendering appropriate mileage fees and witness fees pursuant to Rule 45, Arkansas Rules of Civil Procedure. The witness must be served at least two days prior to the hearing. For good cause, the department or the presiding officer of the Hearing Board may authorize the subpoena to be served less than two days before the hearing.
3. Any motion to quash or limit the subpoena shall be filed with the agency and shall state the grounds relied upon.

Q. RECORDING THE PROCEEDINGS

The responsibility to record the testimony heard at a hearing is borne by the agency. Upon the filing of a petition for judicial review, the agency will provide a verbatim transcript of testimony taken at the hearing.

R. FACTORS TO BE CONSIDERED IN IMPOSING SANCTIONS

The Hearing Board, in its decision, may recommend that the action of the ACD be sustained or overruled. The Hearing Board may recommend sanctions in addition to or different from those imposed initially by the ACD. The Director may impose sanctions in addition to or different from those recommended by the Hearing Board. The ACD, the Hearing Board, and the Director may take into consideration all substantial evidence of record, including but not limited to the following:

1. The nature and degree of the errors and omissions and/or misconduct for which the action is being taken against the county, contractor, or professional designee;
2. The seriousness and circumstances surrounding the misconduct.
3. The loss or damage to taxpayers, clients or others;
4. The assurance that taxpayers, clients and others will be protected from the type of errors, omissions, and misconduct found;
5. The profit or benefit to the alleged offender;
6. The avoidance of repetition;
7. Whether the conduct was deliberate, intentional, or negligent;
8. The deterrent effect on others;
9. The conduct of the alleged offender during the course of the Proceeding;
10. The alleged offender's prior record, including warnings;
11. Matters offered by the alleged offender in mitigation or extenuation; except that a claim of disability or impairment resulting from the use of alcohol or drugs may not be considered unless the alleged offender demonstrates that he or she is successfully pursuing in good faith a program of recovery.

S. FINAL ORDER

The Hearing Board will submit its recommendations to the Director in writing along with its proposed findings of fact and conclusions of law. The Director will make the final order or decision in writing and serve a copy on the respondent. The order or decision will include a recitation of facts found based on testimony and other evidence presented and reasonable inferences derived from the evidence pertinent to the issues of the case. It will also state conclusions of law and directives or other disposition entered against or in favor of the respondent.

The order will be served personally or by certified mail on the respondent. If counsel represents respondent, service of the order on respondent's counsel shall be deemed service on the respondent.

RULE 2.05

COMPUTER INFORMATION SYSTEM DATA INTEGRITY

Purpose: To provide a common set of reasonable and prudent standards for acquisition and operation of County based computerized information systems; to increase awareness of data security procedures; to support accurate and reliable computerized record keeping; and to insure preservation and effective restoration of computerized records and system operation in the event of a significant disaster.

1. Computer Systems General Policy

- a. County elected officials and all County staff are required to comply with the provisions of these standards to the extent that current staffing and available funds allow.
- b. In order to efficiently and reliably conduct County business and serve the public trust, Computer Information Systems are acquired, deployed, equipped and maintained.
- c. Computer Information Systems are defined as the collection of file servers, desktop personal computers, printers, routers, hubs, switches and wiring commonly referred to as infrastructure. Systems also include file backup and restore capability, uninterruptible power supplies, interconnection to the Internet, software including network and desktop operating systems, communication and application programs.
- d. The function of the computer information system is to accept, store, preserve, manipulate and present data for the benefit of the County and taxpayers.
- e. A county computer information system may be contained and operated by and for a single statutory office, shared by multiple offices or serve an entire courthouse.
- f. Elected officials may further restrict, control or establish policies for their respective offices, but may not disregard the requirements of this policy.
- g. A designated system administrator shall be responsible for managerial control of the computer information system as described herein. The system administrator need not be fully technically skilled and may delegate technical tasks to county employees or to a vendor under contractor with the County.

2. Copyright Policy

- a. Counties shall apply strict adherence to software licensing agreements and copyrights. All elected officials and employees of the County must comply with this policy regardless of being on County time or using County resources.
- b. Making copies of software, operator's manuals, training materials or other related property without the express permission of the software author or owner is strictly forbidden.
- c. Reproduction, forwarding, or, in any other way, republishing or redistributing words, graphics or other materials must be done only with the permission of the author/owner.
- d. Employees should assume that all materials on the Internet are copyrighted unless specific notice states otherwise.

3. Security

Reasonable care must be taken to assure that County records are protected from accidental or mischievous modification or deletion. Security shall be provided in tiered layers to facilitate protection of the data without sacrificing efficiency in the regular operations of the office.

a. Office Environment

- i. Public and private areas of the office shall be designated and clearly delineated by use of walls, doors, counters, furniture arrangement and signs as necessary. This should allow the public to easily identify and avoid entering into non-public areas and the staff to easily observe any violations.
- ii. Computer equipment shall be arranged to prevent observation of sensitive information by persons in the designated public area(s).
- iii. If the public is to directly access the County computer system, separate equipment shall be provided in a designated public area.
- iv. In such cases, public users should have a password which limits their access to those applications, resources, functions and information designated for public use.
- v. The public should never be allowed to introduce media (floppy disks, USB memory card, portable devices, etc.) to any county computer. Computers provided for public use should have media interfaces removed or disabled to prevent the potential for system damage which could arise from foreign media.
- vi. No one shall connect with or otherwise use any County computer, modem, network, or other computing resource without proper authorization; or assist in, encourage, or conceal any unauthorized use, or attempted unauthorized use, of any County computer, modem, network or computing resource.

b. Desktop

- i. Each computer workstation in use by the County for accessing County records shall be secured using password protection as described herein.
- ii. Access to each computer should be limited by desktop security to allow only those applications, controls, functions and resources which are applicable to the user and for which the user has permission of the office holder.
- iii. After a significant period of user input inactivity, the desktop shall be blanked and locked. Returning the desktop to interactive operation shall require re-entry of the security password.

c. Network

- i. Access to the County network shall be limited to authorized users and defined network/Internet connections.
- ii. The system administrator shall maintain a list of all approved connections and connection methods.
- iii. A password as described herein shall be required in order for any user to gain access to the network.
- iv. Network access and other privileges shall be limited by network security to allow only those applications, controls and resources which

are applicable to the user and for which the user has permission of the office holder or system administrator.

- v. The system administrator shall maintain a list of all approved users and their assigned privileges and access levels.
- vi. Network access and privileges shall be assigned in a manner consistent with the designated role of the elected official or employee.
- vii. The use of wireless networks is not encouraged. If a wireless network is employed in the County computer system, it must conform to a high standard of security and reliability. Secure wireless networks are typified by customized and suppressed broadcast SSID, 128 bit WEP encryption, and VPN configurations to eliminate rogue access points.
- viii. Physical security for the network should include the following for file servers and workstations where applicable:
 - 1. Lock the case to prevent unauthorized removal of drives.
 - 2. Lock file server racks to prevent unauthorized access to the drives for removable media.
 - 3. Maintain servers and network equipment in a locked room to prevent unauthorized access.
 - 4. Disable the removable media drives via the BIOS
 - 5. Password protect the BIOS to prevent unauthorized access.

d. Internet

- i. Internet access may be provided by the County to elected officials and staff members, to serve the interests of the County.
- ii. Specific Internet privileges shall be governed by user id and password and may be limited by County policy or the relevant elected official.
- iii. The use of e-mail and instant messaging services may be provided by the County for business purposes. These services are not a job "perk" and not for private, personal use.
- iv. An elected official may grant limited personal use of e-mails in the interest of reducing the need for staff members to be away from County duties.
- v. Users are forbidden from using the County's computer system for chain letters, charitable endeavors, private business activities, political activities or amusement/entertainment purposes.
- vi. E-mail messages generated or received on the County system are considered public property and subject to the Arkansas Freedom of Information Act. They may be viewed by others including the system supervisor and should not be considered private.
- vii. Downloading information to a County computer is allowable only for business purposes and may be regulated by the System administrator by policy or electronic control.
- viii. Using the County computer system to visit non-business websites is not allowed, except to further the interests of the County. Access to specific websites may be regulated by the System administrator by policy or electronic control.
- ix. The system administrator may "block" any website in the interest of preserving the integrity of the County computing system.

e. Application

- i. Computer application programs may be acquired by the County from time to time to facilitate operations of the staff in the creation and application of computerized information.
 - ii. Computer application programs should be evaluated prior to purchase for suitability to the task, compliance with State and County laws and regulations, compatibility with the County computing system, consistency with County security policies and other office efficiency and effectiveness considerations.
 - iii. Application programs shall have internally configurable levels of security, allowing designated users to access the features required for their work while preventing access to those not so designated. Program security shall be sufficiently detailed as to accommodate multiple tiers of access ranging from the administrative and supervisory level down to the public user.
 - iv. Program access levels shall be associated with the user's login ID and protected by a password as described herein.
 - v. Data managed by an application program shall be configured and secured to prevent access or modification any means external to the core application.
 - vi. Application programs shall maintain a "log file" of changes made to the data. This file shall contain sufficient detail to identify the record, date, time, user ID and nature of the change(s) made. The log file shall be readily available to users having administrative privileges.
 - vii. Application providers should provide notification to the County of any changes being made in the program. For changes which could alter the application data or a critical function of the program, the notice should occur within five (5) working days of the change. For non-critical updates, a thirty (30) day notice is sufficient.
- f. Passwords
- i. A user ID and password shall be required in order to gain access to any computer, network, application or other resource which is part of the County computer system.
 - ii. Passwords shall:
 - 1. be governed in all cases except as noted herein.
 - 2. be unique to each user and contain no less than five characters.
 - 3. be changed not less than annually.
 - 4. not be shared or revealed to anyone except the authorized user.
 - 5. not be common words, especially those which relate to the user such as spouse/child/pet name, nickname, hobby, etc.
 - 6. govern the specific rights, privileges and access for each individual user.
 - iii. Access privileges should be revoked and accounts locked for any employee or elected official within thirty (30) days of terminating employment with the County. If termination is involuntary, accounts should be locked within two working days.
 - iv. In keeping with separation of powers, the elected official for a given office may institute a different policy for passwords so long as it

addresses each of the points listed above, is documented in writing and made available to each staff member and to the auditors.

- v. Users shall log out of their computer whenever they expect to be away from their computer or out of the office for any extended period of time. This would include out of the office breaks, lunch, etc. Entry of the password shall be required in order to re-access the system.
- vi. An inactivity time-out, no greater than 30 minutes, shall be used and require entry of the password in order to resume system operation.
- vii. Failed attempts to access the system with an expired or invalid user ID and password will result in the account being locked by the system. The period of time for the lockout shall be set by office policy and is recommended to be not less than thirty minutes.
- viii. A record of failed login attempts should be available to the system administrator on request.
- g. Virus / Spam Protection
 - i. Each workstation or other system connected to the County computer network shall employ and maintain up-to-date antivirus and anti-spam software.
 - ii. Users are discouraged from downloading files from any Internet website or opening attachments to e-mails. The system administrator may block access or remove privileges from users which violate this policy and endanger the function of the system.
 - iii. Except as required for County business, users are prohibited from copying materials or information to or from the County system using floppy disc, CD, DVD, tape, USB memory card or any other medium.

4. Access

a. Office Staff

- i. It is understood that elected officials and office staff will view, edit add and delete records from the County computer system in the normal course of their work.
- ii. Specific rights and privileges will be granted to do so in accordance with this document and published office policies.
- iii. Violation of this and additional policies may result in a user losing access to the computer system.

b. Contractors

- i. It is understood that Contractors may from time to time be required to access the County computer system in the performance of their contracted work.
- ii. Access to the County computer system by the contractor shall be described in the agreement with respect to connected devices, security level, timing, duties, privileges, access methods and schedules.
- iii. Records may be added, edited and deleted by the Contractor in accordance with requirements and restrictions of the governing agreement between the County and the Contractor.

c. Public Users

- i. It is understood that public users may in the course of reviewing County records, use the County computer system.
- ii. Records may NOT be added, edited or deleted by any public user.

- iii. The desktop, network and application security collectively, shall prevent any record modification by a public user.
- iv. Public users shall not introduce foreign media such as floppy disks, CD's, DVD's USB memory devices or any other media to the County system. This practice shall be prohibited by published policy and system configuration.
- v. The County may provide blank media for the purpose of transferring files from the computer system for public consumption. Blank media should be approved in advance by the system administrator.

5. Integrity

a. Desktop

- i. Users should be aware that poor PC performance can have a detrimental effect on the integrity of computer data.
- ii. Users should report incidents of computer lockups, freezes and other unusual behavior to the elected official or system administrator.
- iii. Computers which regularly exhibit these symptoms should be repaired or replaced in order to maintain data integrity.

b. Network

- i. Improperly functioning servers, drives, switches, hubs, etc. can corrupt information and destroy County data.
- ii. Networks must be regularly observed for proper function and performance.
- iii. Networks exhibiting poor performance and or significant downtime should be repaired or replaced in order to maintain data integrity.

c. Internet

- i. Many systems make use of the Internet for connectivity between satellite offices and or access by contractors.
- ii. Poor Internet performance can adversely affect data entry and jeopardize County records. They also delay customer service operations and diminish taxpayer confidence.
- iii. Internet connections which are found to function poorly should be repaired or replaced in order to maintain data integrity and to facilitate efficient customer service.

d. Application

- i. Application programs shall provide limits to user input in order to reduce operator entry errors. These should prevent improper data types such as text in numeric fields, incomplete filling of a date field and invalid entries for which a limited set of correct choices is defined.
- ii. Due to the requirement for flexibility in data entry, certain fields may not be suitable for validation. The system administrator shall maintain a list of fields and reason for which they are exempt from data input validation.
- iii. Except as noted herein, fields which are automatically populated in serial fashion, such as check numbers, receipt numbers, change numbers, etc. shall be validated as to avoid duplication or ambiguity between records. In any case where a unique serialized value is required and has been overridden by the authority of the elected

official, a permanent written record must be kept and provided upon request of auditors.

- iv. Application providers shall supply instruction manuals containing sufficient information to allow users to effectively operate the program. Manuals should be updated or subsidized by update bulletins to reflect program changes made from time to time.
- v. Application providers shall offer training in all aspects of program operation and follow-up training for changes and updates in program function.
- vi. Application providers shall supply a user assistance "help line" to answer questions and address concerns which arise in the use of the programs by the County.

6. Data Storage

a. Active data

- i. Active data is defined as information which is in current use and subject to review or modification on a regular basis.
- ii. Active data must be stored on a reliable fileserver drive whenever possible. Data which is regularly stored on a computer workstation hard drive should be copied to a secure location on the network fileserver on a regular basis.
- iii. Active data should be backed up no less than once per week and preferably once per day.
- iv. Active data backups should be kept on file for each day, for at least a two week period.

b. Data Archive

- i. Archival data is made up of records which are essentially static, maintained for historical reference, but no longer subject to change.
- ii. An archival backup should be created each year representing the year-end position of the records. Archival backups should be stored indefinitely.

c. Backup & Restoration

- i. Data backups may be made on CD, DVD, high density tape or by remote electronic means.
- ii. Backups shall be stored in a secure location, preferably at some distance from the courthouse such as a bank vault, remote data processing center or remote data backup facility.
- iii. Data backups should be validated at least once monthly to assure their integrity and completeness.
- iv. Backup validation should confirm the quality of the backup dataset. Validation should at minimum confirm file names, sizes and dates for all critical files.
- v. All errors observed in the backup procedure or backup validation shall be reported to the elected official and/or system administrator.

7. Disaster Preparedness

a. Preparation

- i. The elected official and/or system administrator shall develop a document which shall be used to prepare and if necessary respond to

- potential disasters which adversely affect the function or integrity of the County computer information system.
- ii. The plan shall identify critical elements and resources, provide for securing significant assets and taking steps to restore functional operation of the county computer information system within one week of the disaster.
 - iii. The County shall maintain sufficient insurance to assure the replacement or restoration of computer equipment, data and service in the event of fire, theft, vandalism, terrorism or act of God.
 - iv. The plan should outline the steps to restoring system function beginning with analyzing the situation and selecting team members; either employees or contractors to carry out each step.
 - v. The plan should be flexible in order to accommodate the unknown aspect of the potential disaster and lack of availability of one or more staff members or other critical resources.
 - vi. The plan should be reviewed and updated periodically, not less than biannually to reflect changes in organization, staffing, methods, technology and priorities.
- b. Personnel
- i. A list of users shall be maintained including a job description security level and contact information for each.
 - ii. Personnel should be cross-trained in all routine system functions to allow continued or restored system operation in the absence of one or more users from their regular job functions.
- c. Facilities
- i. A list of facility requirements for temporary operation of the computer information system shall be developed and kept by the county.
 - ii. Potential alternate facilities should be identified and listed for possible temporary use in the days following a disaster which renders the regular facility unusable.
- d. Equipment
- i. A list of equipment, critical for operation of the computerized information system, shall be kept by the county along with detailed specifications.
 - ii. An inventory of all information system equipment shall be kept on an office by office or county wide basis.
 - iii. Contact information for critical equipment suppliers shall be kept and updated not less than annually.
- e. Data
- i. A list of datasets which are critical to regular county operations shall be kept by the county. These shall include both current and archived records of all data types.
 - ii. Contact information for critical information system suppliers shall be kept and updated not less than annually.
- f. Applications
- i. A list of operating system and application software which are critical to regular county operations shall be kept by the county.

- ii. Contact information for critical application program suppliers shall be kept and updated not less than annually.

8. System Maintenance

a. Definition

- i. System maintenance consists of regular or special actions take to assure the proper operation of the computerized information system.
- ii. Typical system maintenance tasks include administering user access accounts for passwords, privileges, data access and Internet access.
- iii. System maintenance includes observation and application of system performance including but not limited to speed, memory and file storage capacity, protection from virus, spam, and other electronic threats and managing the backup system
- iv. System maintenance may also include communication with hardware, software and operating system vendors and application of new or replacement equipment, programs, updates and patches which are necessary to maintain proper system performance.

b. Methods

- i. System maintenance may be performed by the system administrator, delegated to County staff or contracted to a qualified computer systems vendor.

c. Contracts

- i. Obtaining computer system support from an outside vendor requires evaluation of the vendor as described herein and a written contract.
- ii. Contracts should identify the scope and any limitations of the service provided as well as hours of operation, methods of contact and making requests for service and predicted response times.
- iii. Contracts should define the methods and means by which the Contractor shall access the county computer information system and any restrictions imposed by the County.
- iv. The County may require the Contractor to provide proof of E&O insurance or other proof of financial stability to prevent significant loss to the County in the event of employee error or misdeed arising from computer system access.

d. Vendor requirements

- i. The County should have a policy setting forth minimum qualifications for prospective computer system vendors including:
 - 1. Product applicability to task
 - 2. Professional experience and certifications
 - 3. Arkansas based experience in the area for which a contract is sought.
 - 4. Age and financial stability.
 - 5. Staff size and capacity.
 - 6. Professional references of County offices of similar needs.
 - 7. Vendor policies with respect to support.
- ii. In cases where a vendor is expected to play a large part in disaster recovery, an agreement between the County and the Contractor is suggested. This agreement should be renewed annually and include

the role of the Contractor, the chain of command and line of authority to initiate a recovery effort.

RULE 3.12

REAPPRAISAL MANAGER TO BE NAMED IN REAPPRAISAL PLAN

Each reappraisal plan will name a specific person as the ~~manager of the reappraisal~~ Appraisal Manager, hereafter referred to as Manager. The Manager has overall responsibility for the reappraisal. He or she shall be knowledgeable of and responsible for all aspects of the Reappraisal Plan (Plan). He or she shall assure that all applicable state laws, rules and regulations concerning reappraisals are followed.

A Manager may not delegate his or her responsibilities as a Manager in a county. To this end, in instances where a Manager is responsible for more than one county, he or she shall be present in each county as needed but not less than one day per week or as an alternative at least one week per month. Additionally, when ACD auditors are working in a county the Manager should be physically present or available to be called when auditors wish to make an inquiry about the reappraisal.

A Manager is responsible: for seeing that personnel working under his or her supervision have the training and experience necessary to properly do the work assigned; for supervising the work of personnel working under him or her; for reviewing the work product of personnel working under his or her supervision.

Any violation of law or ACD rules, as well as deviation from sound assessment practices by an employee, as specified in ACD Rule 3.30, shall be reported by the Manager to the county assessor and ACD Field Operations Manager within (60) days from the occurrence.

Violation of any provision of this rule shall cause the Manager to be subject to disciplinary actions, which may include revocation of the Managers designation by the Department.

RULE 3.18

IN-HOUSE REAPPRAISAL PLANS - SIGNATURE REQUIREMENTS

In-house reappraisal plans must bear the notarized signatures of the county assessor, ~~chairman of the Board of Equalization~~, county judge, and the appraisal manager. *The signature of the Appraisal Manager signifies only that he or she is familiar with the terms of the contract and intends to undertake, on this job, the responsibilities of an Appraisal Manager as elsewhere outlined in these rules.*

The plan must be approved by a quorum court appropriation ordinance.

RULE 3.19

CONTRACTED REAPPRAISAL PLANS - SIGNATURE REQUIREMENTS

Contracted reappraisal plans must bear the notarized signatures of the county assessor, ~~chairman of the Board of Equalization~~, county judge, and an agent principal of the reappraisal company performing the reappraisal, and the ~~appraisal manager~~. *The signature of the Appraisal Manager signifies only that he or she is familiar with the terms of the contract and intends to undertake, on this job, the responsibilities of an Appraisal Manager as elsewhere outlined in these rules.*

The plan must be approved by a quorum court appropriation ordinance.

RULE 3.31
FAILURE TO COMPLY WITH STANDARDS OF PERFORMANCE AUDIT

The Director of the Department may, for cause, and after opportunity for a hearing, suspend or terminate the contract of any appraisal firm or county, suspend or terminate the appraisal manager status of an appraisal manager, or remove an appraisal firm from the list of eligible contractors.

Whenever an audit indicates standards established elsewhere in these rules have not been met, the responsible party will be given the opportunity to dispute the audit results. Upon a final determination that standards have not been met, the Director of the Department MAY declare the reappraisal to be out of compliance and/or require corrective action. Factors that can influencing influence the Director's decision shall include, but are not limited to (1) the significance of the problem, (2) the cause of the problem, and (3) previous violations.

Value-related elements are considered significant for these purposes when they are estimated to affect market value by \$2,000 or more.

An insignificant problem can become significant when the county or appraisal firm fails to correct the problem.

When the reappraisal is determined to be out of compliance, that finding will be reported by certified mail to the county assessor and appraisal manager and reappraisal funding will be withheld or terminated. The aforementioned letter will be copied to the board of equalization, county judge, quorum court, and the contractor when applicable.

The aggrieved party shall have 30 days from the date of the certified letter to request a hearing. If a hearing is requested, funds will continue to be withheld pending results of the hearing.

Failure to pass the ratio study causes a county to be out of compliance and reappraisal funding will be withheld immediately when a county fails the study.

If funding ~~has been withheld~~ has not been terminated and out of compliance is due to causes other than a failed ratio study, the responsible party ~~must~~ may sign, date, and return the enclosed Compliance Verification Form (Form A-17) within 30 calendar days of the date of the certified letter and ~~take~~ agree to complete corrective action as required ~~or funding will be subject to termination, pending results of a hearing if one is requested~~ in order to return to compliance without a hearing. Withheld funds will be released and payments will be resumed in accordance with the specifications of the Compliance Verification Form. Termination of funding may occur if the aggrieved party does not either request a hearing or return the signed and dated Compliance Verification Form within 30 days.

If funding has not been terminated and out of compliance is due to a failure to meet the level or uniformity standards for ratio studies, procedures shall apply as outlined in A.C.A. 26-26-304 (f) and (g). The reappraisal shall remain out of compliance and reappraisal funding shall continue to be withheld until completion of proper corrective action as required by a Compliance Verification Form.

For any out of compliance situation, termination of funding may result if the responsible party fails to complete required corrective action.

RULE 3.51

DEFINITIONS RELATING TO CHAPTER 3 RULES

Agricultural lands - Lands used for the production of timber, agricultural crops, or pasture. Each parcel not exceeding five acres in size will be assessed based upon market value, excepting those parcels for which are observed or property owner provided evidence of a genuine agricultural, pasture or timber use. The words agricultural, pasture or timber use mean that the land is managed in a fashion that indicates it is being used in the production of crops, livestock or lumber with a view toward profit.

City lands - Lands within the limits of an incorporated city.

Contracted reappraisal - A reappraisal conducted by non-county employees, and overseen by an appraisal manager who is an employee or principal in a reappraisal contracting firm.

In-house reappraisal - A reappraisal conducted by employees of the county, and overseen by an appraisal manager. The appraisal manager may be an employee of the county or a contract appraisal manager.

Neighborhood - A portion of a larger community, or an entire community, in which there is a homogeneous grouping of inhabitants, buildings, or business enterprises. It is that area within which any change has an immediate and direct influence on the value of the subject property.

Parcel – All contiguous land capable of being conveyed on a single deed, except when that tract of land crosses taxing unit boundaries, township lines, or section lines. Improvement only assessments are considered a parcel irrespective of the land on which it is located. In circumstances where land otherwise defined as a parcel by necessity and convenience must be listed in more than one of the assessor's books (City and town, Rural, and Rural Platted Sub division) it may be divided into separate parcels; each portion listed in the appropriate assessor book. Any legal description shall not be listed on more than one parcel. Ownership of a parcel by multiple persons does not constitute multiple parcels. Control cards, information cards, and mineral rights parcels are not to be counted as parcels for use when applying Act 1185 of 1999.

Reappraisal - The estimating of the value of all taxable real property within the county as of a given date within a given time frame.

Rurban lands - Lands in a recorded, platted subdivision which lie outside the limits of any incorporated city.

Sectionalized Aerial Photos - the process of drawing and/or displaying linear representations of Section, Township and Range lines on aerial photography and labeling same.

RULE 4.04.1

A. ~~RATIO STUDY PERFORMANCE STANDARDS~~

RULE 4.04.1a

PURPOSE, AUTHORITY, AND OBJECTIVE OF RATIO STUDY RULES

~~1. Purpose, Authority, and Objectives of Rules~~

~~1.1~~ 1. Purpose. The purpose of these rules is to ensure that real property in Arkansas is appraised accurately and uniformly in accordance with constitutional and statutory requirements, most notably A.C.A. 26-26-1902 and A.C.A. 26-26-304(e)(1).

~~1.2~~ 2. Authority. A.C.A 26-26-304 directs the Arkansas Assessment Coordination Department (ACD) to prepare a ratio study by classification for each county and school district in valuation years. These rules set forth the procedures ACD will follow in conducting these studies for properties appraised on a market value standard and the requirements of counties and contractors in assisting ACD in effective completion of such studies.

References to “counties” in these rules include contractors or vendors who work for or assist counties in the revaluation and assessment process.

~~1.3~~ 3. IAAO Standards. A.C.A 26-26-304(a)(3) directs ACD to use generally accepted valuation procedures and techniques found in the International Association of Assessing Officers’ (IAAO) standards on ratio studies. As a general matter, both the assessors and ACD should follow IAAO standards in preparing sales for the ratio study and in conducting such studies. These rules are intended to provide specific guidance and requirements for conducting ratio studies in Arkansas consistent with IAAO standards. However, where there may be differences or discrepancies between these rules and IAAO standards, these rules shall control.

~~1.4~~ 4. Property type. Property values must be uniform among and within major property types. The ACD’s ratio study of real properties appraised on a market value standard shall utilize the following three major types or classes of property (1) residential properties including multi-family properties with four units or less, (2) vacant land regardless of zoning or probable use, and (3) commercial and industrial properties including multi-family properties with five or more units.

~~1.5~~ 5. Market areas. Property values must be uniform across and within major geographic divisions of a county. Each county shall define major geographic areas, termed “market areas”. Each market area shall contain between 1,000 and 20,000 parcels, depending on value patterns and the economic diversity of the county. Market areas can be viewed as groups of neighborhoods in the same geographic area or areas that share similar economic characteristics and price ranges. Smaller or economically homogeneous counties may have a single market area.

~~1.6~~ 6.Technology. The ratio study shall be performed efficiently using modern data processing technology. Counties must submit data to the Department in electronic format in standard formats provided by the Department.

~~2.~~ **REQUIRED DATES**

RULE 4.04.1b
RATIO STUDY REQUIRED DATES

~~2.1~~ 1. January 31. By January 31 of each year *all* counties shall submit to ACD an electronic list of all warranty deeds and special warranty deeds. For counties with 50,000 or more parcels this list shall include all warranty deed and special warranty deed sales of vacant and residential parcels for the *prior* calendar year and all warranty deed and special warranty deed sales of commercial and industrial properties for the prior *two* calendar years. For all other counties the submission shall include all vacant and residential warranty deed and special warranty deed sales for the prior *two* calendar years and all warranty deed and special warranty deed sales of commercial and industrial properties for the prior *three* calendar years. Each sale shall contain the following items.

- Parcel number
- Section, township, and range or subdivision
- The existing land, building, and total value of the property before consideration of value caps, partial exemptions, etc.
- The primary use code of the property
- Market area
- Neighborhood
- School district
- The land size and unit of measurement (acres, square feet, etc.)
- The living area, construction grade, grade adjustment factor, year built if available, and effective age or remaining economic life percentage of the primary building in the case of residential properties
- The Marshall & Swift building class code (A, B, C, D, or S), occupancy type code, gross building area, year built, effective age, and remaining economic life in the case of commercial and industrial properties
- The sale date, deed book and page, deed type, grantor, grantee, and sale validation code for the most recent warranty or special warranty deed sale of the property
- The sale price and any adjustments to the price for personal property, etc.
- Sales/Ratio related comments.

The file shall contain one row per property and must be in ASCII fixed field, ASCII comma separated value (csv), Excel, or Quattro Pro format, or in a format that is directly compatible with Excel.

~~2.2~~ 2. March 1. By March 1 ACD shall prepare a preliminary ratio study for each revaluation county that sets forth the level and uniformity of assessments in the county based on existing assessed values. Sales used in the study will not be adjusted for time.

~~2.3~~ 3. April 1. By April 1 ACD will determine appropriate time adjustment factors for each county for each of the three major property classifications described in 1.4

above based on sales submitted by the county and provide the results to the county.

~~2.4~~ 4. June 1. By June 1 counties must notify the ACD of any disagreements with its time adjustment factors and submit any requested changes or modifications to the adjustments. (See also 4.1 and 4.2 below.)

~~2.5~~ 5. July 1. By July 1 counties conducting revaluations shall submit to ACD an electronic file of all real property appraised on a market value standard. The file shall include the following items for each property:

- Parcel number
- Section, township, and range or subdivision
- The new land, building, and total value of the property before consideration of value caps, partial exemptions, etc.
- The prior land, building, and total value before consideration of value caps, partial exemptions, etc.
- The primary use code of the property
- Market area
- Neighborhood
- School district
- The land size and corresponding unit of measurement
- The living area, construction grade, grade adjustment factor, year built if available, and effective age or remaining economic life percentage of the primary building in the case of residential properties
- The Marshall & Swift building class code (A, B, C, D, or S), occupancy type code, gross building area, year built, effective age, and remaining economic life in the case of commercial and industrial properties
- The sale date, deed book and page, deed type, grantor, grantee, and sale validation code for the most recent warranty or special warranty deed sale of the property
- The sale price and any adjustments to the price for personal property, etc.
- Sales/Ratio related comments.

The file shall contain one row per property and must be in ASCII fixed field, ASCII comma separated value (csv), Excel, or Quattro Pro format, or in a format that is directly compatible with Excel.

~~2.6~~ 6. August 1. By August 1 ACD shall prepare a final ratio study for each evaluation county setting forth the level and uniformity of assessments in the county for the revaluation year.

~~3. Sales Used in Studies~~

RULE 4.04.1c

SALES USED IN RATIO STUDIES

~~3.1.1.~~ Sales time frame. In counties with at least 50,000 real property parcels, the ratio study will use *one* year of sales for vacant and residential properties and *two* years of sales for commercial and industrial properties. For all other counties the study will use *two* years of sales for vacant and residential properties and *three* years of sales for commercial and industrial properties.

~~3.2.2.~~ Audit of county submissions. The ACD will compare county sales submissions against records maintained by county recorders to ensure that all warranty deeds have been timely submitted.

~~3.3 3.~~ Sales validation codes. Counties shall assign one of the following validation codes to each sale to be included on all sales submitted to ACD.

00	UV	Un-validated sale
01	VS	Valid sale
02	GO	Sale to or from a government agency
03	CH	Sale to or from a charitable, religious, or educational institution
04	FI	Sale in which a financial institution is the buyer in lieu of foreclosure, or in which a financial institution is the seller and the property is not exposed to the open market
05	RL	Sale between related parties
06	CV	Sale of convenience, e.g., to correct a title defect or create a joint tenancy
07	ES	Sale settling an estate
08	FS	Forced sale – seller is sheriff, receiver, or court officer
09	DT	Sale of doubtful title
10	TR	Sale involving a trade
11	PI	Sale of a partial interest in the property
12	CT	Sale involving a land contract (including payoff of the contract)
13	CS	Significant improvement (e.g., room addition or renovation) to a property between sale date and assessment date
14	AS	Assemblage sale – purchase of an adjoining property at a premium price
15	MU	Sale of multiple properties that fail to constitute an economic unit (includes bulk sales of properties to a developer or builder)
16	PP	Sale involving personal property of significant but undeterminable value (see discussion in 4.3)
17	OT	Sale involving non-market financing or other non-real estate considerations of significant but undeterminable value (see discussion in 4.4)
18	FD	Future Development/Sale includes new dwelling to be assessed
19	MH	Sale includes mobile home
20	AL	Land priced as AG/ not priced at market value
21	DV	Sale impacted by divorce

22	IS	Sale amount insufficient to be used in sales analysis
23	NM	Property not listed for sale on open market
24	RC	Relocation/Buyback
25	VA	Primary parcel of a group of parcels that have sold
26	AP	Additional parcels that are linked to the primary parcel

~~3.4~~ 4. Audit of county validation codes. The ACD will audit a random sample of at least 50 sales submitted by each revaluation county to ensure that validation codes have been correctly assigned. The sample will include an equal number of sales coded as valid and invalid by the county. The ACD shall share its audit findings with the county and the county shall have an opportunity to dispute its findings. If the ACD determines that more than 10% of sampled vacant, residential, or commercial/industrial sales are incorrectly coded, it shall not use validation codes submitted by the county for that property class, but rather shall use electronic edits, select and validate a random sample of sales, or take other measures deemed appropriate to ensure a valid study.

~~3.5~~ 5. Sales valid for study. The ACD shall use sales coded as 01 (VS) and 00 (UV) in its ratio studies. If there is a disagreement between a county and the ACD as to the proper validation code for a sale, the ACD shall use the code it considers most appropriate. Both 01 (VS) and 00 (UV) sales shall be subject to electronic edits (see 3.11 below).

~~3.6~~ 6. Use of most recent sale. If more than one valid sale occurs for a property during the time frame of the study, only the most recent sale shall be used in the study.

~~3.7~~ 7. Multiple parcel sales. Sales of multiple parcels that constitute a single economic unit should be included in the study by summing the assessments and comparing the total assessed value with the sale price. Such sales should be screened in the same manner as individual parcel sales to determine whether they represent legitimate representations of market value.

~~3.8~~ 8. New construction sales. To help ensure that vacant land sales are not compared with assessments that reflect recent improvements and to prevent the study from being disproportionately influenced by new construction, sales involving new construction (e.g., as indicated by the year built) shall not be used in the ratio study.

~~3.9~~ 9 Low-value properties. The lowest 10% of residential assessed values, the lowest 10% of commercial/industrial assessed values, and the lowest 10% of vacant land assessed values shall be excluded from the study. These properties will be removed prior to conducting electronic edits.

~~3.10~~ 10. High-value commercial properties. Any property that constitutes more than 5% of the total assessed value of commercial and industrial properties in a county will be excluded from the study. These properties will be removed prior to electronic edits.

~~3.11~~11.Electronic edits. The ACD may conduct statistical-based edits to filter properties with atypical features, sales prices, or assessment-to-sale ratios from the study. Not more than approximately 5% of sales shall be filtered from the study based on ratio alone.

~~3.12~~12.Appraisals. In order to achieve adequate sample size and representativeness for commercial and industrial properties, the ACD may appraise a random sample of such properties. All three approaches to value shall be considered. The approach emphasized in a particular appraisal shall be appropriate for the type of property in question. The assessor and appraisal contractor shall be afforded an opportunity to review the appraisals and to submit information supporting different value conclusions. Conflicts will be resolved by an independent third party review if different value conclusions will materially affect the outcome of the study. The appraisal will serve as surrogate commercial/industrial sales in the study. The ACD will not conduct appraisals of vacant or residential properties.

4.—— Adjustments to Sales

RULE 4.01.1d

ADJUSTMENT OF SALES FOR RATIO STUDIES

- 4.4 1. Time adjustments. All sales used in the ratio study shall be adjusted for time as necessary to January 1 of the assessment year. The ACD shall conduct time analysis studies using the techniques set forth in the IAAO *Standard on Ratio Studies* and the IAAO textbook, *Mass Appraisal of Real Property* (1999). Counties may submit documented time adjustments to ACD, which ACD may rely on if it finds that the adjustments are based on sound methodology and adequately reflect the market. The ACD shall have authority to determine final time adjustments used in its ratio studies.
- 4.2 2. Time adjustment categories. The ACD will conduct time adjustment analyses for residential properties, vacant properties, and commercial/industrial properties. For purposes of these analyses, it may combine properties of the same type in counties that are similar in terms of their economic base and geographic location.
- 4.3 3. Personal property adjustments. If a sale includes personal property of significant value and the value of the personal property can be determined with reasonable accuracy, the value of the personal property shall be subtracted from the sale price and the adjusted price used in the study. If the value of the personal property appears to be 5% or more of the sale price but its value cannot be determined with reasonable accuracy, or if the value appears to exceed 25% of the price, the sale shall be excluded.
- 4.4 4. Other adjustments. Counties may also make adjustments to sales prices for cash equivalency, assumed leases, and other non-real estate considerations that significantly affect the price paid for a property. The basis for these adjustments must be documented and available for inspection by ACD. As a general principle, sales that require difficult or subjective adjustments should be excluded from the study (assign validation code 17 or 'OT').

5. Compliance Standards

RULE 4.04.1e

COMPLIANCE WITH RATIO STUDIES STANDARDS REQUIRED

5.4 1. Level of compliance. Counties conducting a revaluation must comply with ratio study standards for real property appraised on a market value basis both on an overall basis and for each of the following three major property type strata: (1) residential, (2) vacant land, and (3) commercial and industrial. In addition, ratio study standards must be achieved for residential properties and vacant land within each market area.

No county will be bound by this rule, for the market area provision only, on its first ratio study after passage of this rule.

5.2 2. Overall level of assessment. The overall level of assessment must be from .18 to .22. The overall level of assessment shall be computed as a weighted average of the median ratio determined for each of the three major classes: residential, vacant, and commercial/industrial. The weight assigned to each major class shall be proportionate to the estimated market value of the class. Any property that constitutes more than 5% of the assessed value of its class shall be omitted for purposes of the calculation.

5.3 3. Level of assessment of class. The level of assessment for each major class (residential, vacant, and commercial/industrial) must be from .18 to .22. ACD shall conclude that a county has failed this requirement if statistical analysis reveals with 95% confidence that the true median assessment level is below .18 or above .22 (or equivalently that a 90% confidence interval for the median falls entirely below .18 or entirely above .22).

5.4 4. Level of assessment of market area. The level of assessment for residential properties and vacant land within each market area of a county must be from .18 to .22. ACD shall conclude that a county has failed this requirement if statistical analysis reveals with 95% confidence that the true median assessment level is below .18 or above .22 (or equivalently that a 90% confidence interval for the median falls entirely below .18 or entirely above .22).

No county will be bound by this rule on its first ratio study after passage of this rule.

5.5 5. Uniformity of assessment. The coefficient of dispersion (COD) must meet the standards shown below. The ACD shall conclude that these standards are not met when a statistical analysis reveals with 95% confidence that the true COD is greater than the required COD. The procedure outlined in Robert J. Gloudemans, "Confidence Intervals for the COD: Limitations and Solutions", *Assessment Journal* (IAAO, November/December 2001) will be used for this purpose.

- Residential property. The COD must be 15.0 or less in market areas with a median year built of 1960 or greater and a median sale price of \$60,000 or more. Other residential CODs must be 20.0 or less.
- Vacant land. CODs must be 25.0 or less in each market area.
- Commercial property. The COD must be 20.0 or less in counties with 50,000 or more parcels and 25.0 or less in smaller counties.

As experience is gained, the ACD may tighten these standards so that they are closer to or equivalent with IAAO standards for the COD.

No county will be bound by this rule, for the market area provision only, on its first ratio study after passage of this rule.

~~5.6~~ 6. Failure to comply. If a county fails to meet the level or uniformity standards set forth in ~~5.2~~ through ~~5.5~~ above, the ACD shall promptly notify the county assessor, the appraisal manager, the Board of Equalization, and the county judge of the out of compliance status and withholding of funding, and shall invoke the corrective actions outlined in A.C.A. 26-26-304(f).

~~5.7~~ 7. Selective appraisal of sold properties. The ACD shall vigilantly monitor whether counties are appraising unsold properties in the same manner as sold properties. Such tests shall include but not be limited to a comparison of percentage changes in value for sold and unsold properties of the same property type in the same market area (excluding new parcels and parcels with new construction). The ACD may also employ other tests of selective appraisal outlined in IAAO ratio study standards and the IAAO textbook, *Mass Appraisal of Real Property* (1999). If the ACD determines that a county is not appraising unsold properties in a property type, market area, or other property stratum in the same manner as sold properties, the ACD shall deem that the county has failed that portion of the ratio study and its responsibility to appraise properties uniformly at market value. ACD shall invoke the corrective actions outlined in A.C.A. 26-26-304(f).

6. Appeal of Findings

RULE 4.04.1f

APPEAL OF RESULTS OF RATIO STUDY FINDINGS

6.4 1. Appeals to ACD Director. A.C.A. 26-26-304(g) provides that a county that is aggrieved at the findings of the ratio study may appeal the results to the Director of ACD and have the right to examine ACD's records.

6.2 2. Openness. The ACD shall provide the results of its statistical analyses to counties and, upon request, shall provide the underlying data and statistical algorithms used in its calculations.

6.2 3. Further appeal. At their option, counties may pursue other avenues of appeal of the findings of the Department as provided by the laws and courts of the State of Arkansas.

B. OTHER COMPONENTS OF COUNTY RATIO

RULE 4.04.1g

OTHER COMPONENTS OF RATIO STUDY

A. AGRICULTURAL LAND CLASSIFICATION

1. METHOD OF CONDUCTING AGRICULTURAL LAND CLASSIFICATION

In conducting this component of the ratio study, the Arkansas Assessment Coordination Department shall use generally accepted valuation procedures, statistical compilation, and analysis techniques found in the International Association of Assessing Officers standards on ratio studies. (See *Standard on Ratio Studies*, approved July 1990, International Association of Assessing Officers or the current edition of same, hereafter referred to as "SORS", which incorporates selected chapters and appendices of the *Property Appraisal and Assessment Administration*, published by the International Association of Assessing Officers, 1990 edition or current edition, hereafter referred to as "PAAA").

~~1.a.~~ **DEFINITION OF TERMS:** Terms used in connection with the ratio study on market value real property shall be as defined in Section 14, "SORS" and "PAAA"

~~2.b.~~ The ratio study on agriculture land shall be based on a physical examination of the records of each assessor's office to determine the degree of compliance with the criteria established in the Assessment Coordination Department Agricultural Land Values Publication.

~~3.c.~~ Agriculture samples are pulled in the year preceding the ratio study. Sales are not used.

2. METHOD OF DETERMINING AGRICULTURAL LAND SAMPLES

If it is determined that a County had adopted the schedule of values established by the ACD, a minimum of fifty agricultural parcels shall be selected from each county; however, if it is determined that the County has not adopted the schedule of values, seventy-five samples shall be selected. If the county's ratio is below fourteen percent, 100 samples shall be selected. If the County has adopted the schedule of values established by the ACD and there are minor problems relating to disparity, 60 samples shall be selected. A rural parcel count shall be taken of the county. The appropriate number of samples shall be divided in accordance with the proportion of rural parcels per school district.

3. SELECTION OF SAMPLES

At the same time as the other real estate sample requirements are provided the Field Auditor, instructions as to the number of agriculture samples to be obtained shall be provided.

Prospective samples shall be selected at random. Those which bear a notation that the values have been modified for reasons other than poor management by the property owner shall not be used in the study. Any prospective sample to be excluded in this manner shall be recorded and documentation as to the validity of the exclusion obtained, otherwise the sample shall be included.

The Field Auditor shall be provided a County map with school districts denoted thereon. Each year for a period of three years, the Field Auditors shall note thereon the sections from which each year=s samples have been pulled. A parcel shall not be included in the sample more than once in a three-year period. Field Auditors must visually inspect each parcel site to determine its use.

4. PROCEDURE

In July of each year the ACD will perform a ratio study to determine whether the county has used the Agriculture Land Value Tables published by the ACD in compliance with Arkansas code 26-26-407. The following is the procedure used by ACD in determining each county=s Agricultural Land ratio:

1. a. Publications by the Assessment Coordination Department containing the Agricultural Land Value Tables for the Southwest, Delta, Ozark and Ouachita regions of Arkansas shall be used to determine land values for agricultural land. The tables represent the Land Capability Classification System, as designated by the U.S. Department of Agriculture=s Natural Resource and Conservation Service (NRCS). There are four categories of agricultural land consisting of Crop, Rice, Pasture, and Timber, each with a value representing the productivity of the eighteen soil classes, if applicable (represented by an *ACD NUMBER*). This is in compliance with Arkansas code 26-26-407.
2. b. For each sample, a ratio is computed using the county=s assessed value and the total parcel value calculated by the ACD Field Auditor.
3. c. To determine the county assessment ratio on agricultural land of the samples being used, totals are calculated of the county=s assessments and of the total land values as determined by the ACD Field Auditors. The total assessment is then divided by the ACD total land values, and that total is multiplied times 100 to establish the percent ratio for the county.
4. d. Field Auditors will discuss their findings regarding irregularities in agricultural land with the Assessor prior to August 1.

B. BUSINESS PERSONAL CLASSIFICATION

1. EXAMINATION OF RECORDS

This component of the ratio study shall be based on a physical examination of the current year=s records of each assessor's office to determine the degree of compliance with the criteria established in the Commercial Personal Property Appraisal Manual published by the Arkansas Assessment Coordination Department.

When the fieldwork commences for the current year, instructions as to the number of business personal commercial samples shall be provided.

2. METHOD OF DETERMINING NUMBER AND LOCATION OF SAMPLES

The minimum sample size for each county shall be determined by the population of the county as reflected in the latest final census figures and the number of businesses therein. Those counties with populations: of 29,999 and below shall have 20 samples; of 30,000 through 69,999 shall have 40 samples; of 70,000 through 199,999 shall have 50 samples and of 200,000 and above shall have 90 samples.

3. SELECTION OF SAMPLES

After determining the total business personal parcels in the county, the number of samples needed shall be divided into that figure to set the selection interval; however, if a business tentatively selected by this method results in a sample that does not fit into a category recognized in the square foot section of Commercial Personal Property Appraisal Manual, then the next business shall be selected.

4. PROCEDURE

4. a. When the Commercial Personal Property Sample Form has been completed on all of the businesses selected for use in the study, the Field Auditor shall go to the business site, compute the square footage, grade the inventory and the furniture and fixtures as to density and quality.
2. b. In July the Field Auditor shall return to each county, after the county has completed its personal property assessments for the current year, and complete the Commercial Personal Property Takeoff Form.

5. RATIO COMPUTATION

4. a. If the county has been provided a good rendition by the business which included a fixed assets' listing and applied the ACD's suggested depreciation schedule to those assets, the County shall automatically receive a twenty percent on those fixed assets and the inventory; if not,

the proper assessment shall be computed by the square foot method described in the manual.

- ~~2.~~ b. A comparison of the actual assessed value and the value computed by the Field Auditor produces the ratio.
- ~~3.~~ c. The ratios for all of the businesses are then ranked and the median ratio is determined by county, by school district and by cities in that county. This results in the Current Year Commercial Personal Property Median Ratio.

C. AUTO/OTHER CLASSIFICATION

This component of the ratio study shall be based on a physical examination of the current year's records of each assessor's office to determine the degree of compliance with the criteria established in the current year edition of the Personal Property Assessment Manual published by the Arkansas Assessment Coordination Department.

1. METHOD OF DETERMINING NUMBER AND LOCATION OF SAMPLES

The minimum sample size for each county size shall be determined by the population of the county as reflected in the latest final census figures and the number of businesses therein. Those counties with populations: of 29,999 and below shall have 40 samples; of 30,000 to 69,999 shall have 70 samples; 70,000 to 199,999 shall have 100 samples and of 200,000 and above shall have 180 samples.

2. SELECTION OF SAMPLES

The Field Auditor shall be instructed to get samples of automobiles from the current year through the last fifteen years and of trucks from the current year through the last fourteen years. Only one vehicle shall be taken from each assessment.

3. PROCEDURE

Since there is no consistent method of filing assessments containing automobiles, i.e., some being filed alphabetically by school district, some alphabetically by county and in many instances, the computer is available for us, samples shall be selected randomly by the Field Auditor who notes the method chosen.

4. RATIO COMPUTATION

A comparison of the actual assessed value and the value computed utilizing the manual by the Field Auditor produces the ratio by county, by school districts and by cities in that County.

III. 5. FORMULAS UTILIZED AND TESTS CONDUCTED

1. a. *Median* (See section 7.3.1 *Standard on Ratio Studies*, approved July 1999, International Association of Assessing Officers or current edition)
2. b. *Coefficient of Dispersion* (See section 7.4.2 *Standard on Ratio Studies*, 1999, International Association of Assessing Officers or current edition)
3. c. Not required, but also computed:
 - 1) *Mean* (See section 7.3.2 *Standard on Ratio Studies*, approved July 1999, Association of Assessing Officers or corresponding provisions contained in any superseding edition of same)
 - 2) *Average Absolute Deviation* (Chapter 20, Page 532-534, *Property Appraisal and Assessment Administration*, published by the International Association of Assessing Officers, 1990 edition or current edition)
 - 3) *Coefficient of Concentration*:
 - a) Of the samples that are used, the percentage of observations which are within plus or minus ten percent of the legal ratio of twenty percent.
 - b) Of the samples that are used, the percentage of observations which are within plus or minus ten percent of the median ratio.
 - 4) *Weighted Mean* (See section 7.3.3 *Standard on Ratio Studies*, approved July 1999, International Association of Assessing Officers or current edition)
 - 5) *Standard Deviation* (Chapter 20, Page 535,536, *Property Appraisal and Assessment Administration*, published by the International Association of Assessing Officers, 1990 edition or current edition)
 - 6) *Price-Related Differential* (See section 7.6 *Standard on Ratio Studies*, approved July 1999, International Association of Assessing Officers)

- 7) *Coefficient of Variation* (See section 7.4.2 *Standard on Ratio Studies*, approved July 1999, International Association of Assessing Officers or current edition - to select sample sizes)

IV. 6. DEFINITION OF TERMS

Terms used in connection with the ratio study on market value real property shall be as defined in Section 14, "SORS" and "PAAA"

**RULE 5.02
FORMS**

FOR USE BY ASSESSORS OR REAPPRAISAL FIRMS:

- A- 1. COMMERCIAL/INDUSTRIAL REAL ESTATE RECORD CARD
- A- 2. RESIDENTIAL REAL ESTATE RECORD CARD
- A- 3. RURBAN REAL ESTATE RECORD CARD
- A- 4. RURAL REAL ESTATE RECORD CARD
- A- 5. MANUFACTURERS= INVENTORY REPORT
- A- 6. COMMERCIAL PERSONAL PROPERTY ASSESSMENT FORM
COMMERCIAL PERSONAL PROPERTY ASSESSMENT INFORMATION
- A- 7. ASSESSOR=S ABSTRACT (A.C.A. 26-26-304)
- A- 8. SUMMARY REPORT OF COUNTY ASSESSMENTS
- A- 9. IN-HOUSE COUNTYWIDE REAPPRAISAL PLAN
- A-10. CONTRACTED COUNTY-WIDE REAPPRAISAL PLAN
- A-11. PLANNED PROGRESS REPORT
- A-12. MONTHLY PROGRESS REPORT
- A-13. PARCEL COUNT FORM A
- A-14. PARCEL COUNT FORM B
- A-15. NOTICE OF REAL ESTATE VALUE CHANGE
- A-16. CERTIFICATION OF COUNTY AS TO COMPLETION OF
COMPREHENSIVE COUNTYWIDE REAPPRAISAL
- A-17 COMPLIANCE VERIFICATION FORM
- A-18 HOMESTEAD CREDIT APPLICATION/SALES VERIFICATION

FOR USE BY COUNTY CLERK:

- CC-1. SUMMARY REPORT OF COUNTY ASSESSMENTS FOR THE YEAR

CC-2. PERSONAL PROPERTY INTERIM MILLAGE ADJUSTMENT (A.C.A. 25-26-405)

CC-3. FRINGE DISTRICT ROLLBACK

CC-4. CERTIFICATION OF ASSESSED VALUE DATA (A.C.A. 26-26-403)

CC-5. SCHOOL DISTRICT CALCULATION TO DETERMINE MINIMUM MILLAGE REQUIRED BY AMENDMENT 74

FOR USE BY GOVERNING BODIES OF TAXING UNITS:

GB-1. COMPUTATION AND CERTIFICATION FORM. BASE YEAR MILLAGE ROLLBACK COMPUTATION AND CERTIFICATION FORM (A.C.A. 26-26-404)

FOR USE BY EQUALIZATION BOARD & COUNTY CLERK AS EX-OFFICIO SECRETARY OF THE COUNTY EQUALIZATION BOARD:

E-1. EQUALIZATION BOARD MEMBERS AND ADDRESSES

E-2. EQUALIZATION BOARD ABSTRACT OF ADJUSTED ASSESSMENT (A.C.A. 26-26-304, 26-27-319)

E-3. EQUALIZATION BOARD RESOLUTION

MISCELLANEOUS:

M-1. APPLICATION FOR ADMISSION - ARKANSAS ASSESSMENT TRAINING PROGRAM

M-2. TRAINING AND CERTIFICATION ~~PROGRAM~~ DESIGNATION PROGRAM

FOR USE BY THE PREPARER OF THE TAX BOOK:

P-1 COUNTY TAX SETTLEMENT REPORT TEMPLATE

Contracted Countywide Review Reappraisal Plan (Three Year)

_____ County, Arkansas



Submitted to the Assessment Coordination Department on _____,
20_____

Approved by the Assessment Coordination Department on _____,
20_____

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PREFACE

In accordance with Act 1185 of 1999, as amended, _____ County Arkansas (hereinafter referred to as “County”) is submitting the following Contracted Countywide Review Reappraisal (hereinafter referred to as “Plan”) to the Arkansas Assessment Coordination Department (hereinafter referred to as “ACD”) for approval. The reappraisal conducted in accordance with this Plan shall be completed within 36 months, from January 1, 2007. In addition, the provisions of Amendment 59 to the Arkansas Constitution and Arkansas Code Title 26, Chapter 26, Sub-chapter 4 relative to the adjustment or rollback of millage levied for ad valorem tax purposes shall be applied.

The County acknowledges, understands and agrees as follows:

1. The Preliminary Plan consists of the Preface, Three Year Countywide Review Reappraisal Plan and Bid Specifications herein contained. The Final Plan will consist of additional items including a Contract between the Appraisal Firm and the County and a Planned Progress report approved by the ACD.
2. Any proposed deviation from the Plan by the county or the appraisal company awarded the contract (i.e., amendments to the Plan) must be submitted in writing and approved by the ACD. The proposal must clearly state the factor(s) necessitating the deviation. After preliminary approval of deviation from this plan, an addendum to the contract with the Appraisal Company must then be prepared immediately, along with the amended Plan, both of which are to be executed in the same manner as the original contract. The ACD shall then issue its approval provided the final documents comport with the proposed deviation.
3. Failure of the contractor to abide by provisions of it shall result in the termination of the Plan and immediately cause the termination of the contract.
4. Prior to termination of the Plan, the ACD shall notify the Contractor setting out the factors giving rise to the preliminary decision to terminate the Plan and afford the Contractor an opportunity to appear before the Director of the ACD to show cause why the Plan should not be terminated.

CONTRACTED COUNTYWIDE REVIEW REAPPRAISAL 3 YEAR PLAN

The Appraisal Company agrees to abide by the International Association of Assessing Officers (IAAO) Standards. The Company is aware that its failure to abide by all terms of the contract with the County, including a failure to abide by the foregoing standards, shall be sufficient cause to allow the ACD to withhold approval of any future contracts until the Appraisal Company has fully complied with its past contractual obligations.

WORK IN KIND-The County may make available to the contractor any employee or employees who are qualified appraisers or data entry personnel to assist in the reappraisal project, so long as such county employees are available and qualified under the ACD rules. The contractor shall have the right, in its sole discretion, to refuse or discontinue a county employee's participation in the reappraisal only after submitting, in writing, to the county assessor the reasons for refusal or discontinuance. During the reappraisal project, such employees shall remain county employees and be paid by the county. For each county employee who performs work for the contractor, the contractor shall reimburse the county for the actual hours worked by the county employee. The rates of reimbursement shall reflect those paid by the county, at a rate that equals the employees' current pay at the time of bid solicitation, and with current County benefits.

This "Work in Kind" provision is an arrangement between the county and contractor that allows a County employee to regularly participate, which is defined as working for more than 40 hours in any single month, in the reappraisal project to help lessen the expense of the reappraisal for the County. Reimbursement shall be accomplished by a credit to the county on each monthly invoice submitted to the county by the contractor.

The contractor shall reimburse the county for the total number of business miles driven in a county owned vehicle by a county employee while performing work for the company. Additionally, the contractor shall reimburse a county employee for the total number of business miles driven should the employee use their personal vehicle performing work for contractor, in either case, the automobile reimbursement rate will be based upon the Internal Revenue Service Code. Employees are to maintain daily logs documenting the number of business miles driven while performing work for contractor.

All credits given to the county by the contractor shall be for work done to help the cause of the current reappraisal only. General duties in the assessor's office that do not directly relate to the current reappraisal, such as personal property assessments, general taxpayer inquiries of non-reappraisal value issues, filing, and general assessment office duties shall not be credited back to the county.

Contracted Reappraisal Plan requires that the Appraisal Company performs the following:

1. Contractor shall physically inspect and estimate the value of _____real estate parcels, and the data shall be entered into the County's CAMA system. This number represents the ACD's taxable parcel count. In order to determine the physical characteristics of improvements, a thorough visual review of each property is a minimum requirement. For purposes of this Plan a thorough visual review of each property means the contractor will ensure that improvement characteristics are accurately accounted for and improvement measurements are maintained within one foot of actual dimensions at a 95% accuracy rate.
2. Derive appropriate values and mail notices of revaluation on aforementioned parcels no later than ten working days after July 1 of the valuation year.
3. Complete Board of Equalization hearings by a date no later than the date prescribed by law.
4. The values of all real estate parcels reappraised in accordance with this Plan shall be adjusted to reflect market values as of January 1 of the valuation year.
5. In keeping with the intent of Act 1440 of 1999, newly discovered and newly constructed property shall be appraised and assessed at prevailing values until such time as all real estate parcels have been revalued.
6. All bona fide agricultural land, timberland, and pastureland will be valued in accordance with the Arkansas Constitution and A.C.A. 26-26-407.
7. After the completion of the reappraisal, millage rates for each taxing unit shall be adjusted in accordance with Amendment 59 to the Arkansas Constitution and A.C.A. 26-26-400 series.
8. The Appraisal Company will submit monthly progress reports to the Assessment Coordination Department, on forms designated by the department.
- 9. All electronically stored real estate parcel information will be made available to the ACD. Access to information will be made available through electronic transmission, and the contractor will ensure that current data and valuation information collected will be accessible in the county assessors office no later than 30 days after its collection or determination.**
10. The Appraisal Company will abide by the Standards and Procedures described herein.

BASIC STANDARDS & PROCEDURES TO BE FOLLOWED WHEN CONDUCTING A COUNTYWIDE REAPPRAISAL

1. Public Involvement and Community Relations: Success of the countywide reappraisal program is dependent on the level of understanding and support given by the general public.

For this reason, the contractor will develop a complete and effective public relations program including the following activities:

- (A) Informational materials will be prepared for use in conjunction with public appearances and for handouts.
- (B) Talks will be scheduled before service clubs, civic organizations, and neighborhood groups as often as possible.
- (C) The news media will be kept informed as to program objectives, progress, and accomplishment.

Recognizing that a taxpayer contact represents a public relations opportunity, employees shall be trained:

- (A) to be completely familiar with the countywide reappraisal program;
- (B) in telephone and face-to-face communication etiquette;
- (C) to alert neighborhoods as to the field activities which shall occur in their area.

Public relations will be the responsibility of all employees involved in the countywide reappraisal program. The fundamental responsibility for implementation belongs to the County Assessor.

2. Valuation Methodology: The first phase of the valuation component will be data collection and analysis. The physical data and an analysis of all market/economic data, will render an appraised value calculated by CAMA, or for special purpose or unique properties by support staff, for each property. All three approaches (sales comparison, cost and income) will be used, depending upon the applicability of the approaches to specific properties or classes of property. The final valuation will be carefully reviewed and field checked for any changes that have occurred to properties since the time of the last field inspection.

On completion of the valuation process, the Appraisal Company will be responsible for a careful review of the estimates for each appraised parcel. The review and inspection shall be conducted by members of the appraisal staff, and is intended to identify any errors that may have occurred, to ensure accuracy and quality of data collected. The Appraisal Company shall consider the indicated value of the structure and indicated value of the land against sales information concerning comparable parcels. The reviewer is to ensure that each property has been valued in relation to other properties and in accordance with state law. Fifty percent (50%) of parcels will be completed immediately before April 19 of the valuation year and the remainder before the change of value notification deadline.

(A) Appraisal of Land: A separate estimate of fair market value shall be made for each parcel of non-agricultural land as if it were vacant. The sales data covering fair market sales of vacant non-agricultural land in all property classifications shall be secured from all available sources and shall be compiled, checked, and analyzed for use in the determination of non-agricultural land values and their units of comparison throughout the county. In the interest of fairness, equalization, and accuracy the base lot method shall be employed to determine the valuation of all market value land. IAAO defines the base lot method as: "...the standard or "base" in each stratum through a traditional sales comparison analysis with the base lot serving as the subject parcel. Once the base lot is established, it is used as a benchmark to establish values for individual parcels."¹

The Appraisal Company shall carefully consider all factors affecting the value of land (such as zoning, location, shape, size, topography, access to railroads, roads, waterways, present use, etc.) and will make appropriate adjustments when establishing final values.

To the extent practical, land value computations shall be made in accordance with four categories, as follows:

- City and Rurban Residential - front foot, square foot, or lot values
- Rural residential - per acre or lot values
- Commercial - front foot or square foot values
- Industrial - square foot or acreage values

All established base land values for vacant and improved parcels shall be recorded on the appropriate fields of the record card and carefully checked for accuracy. All land values shall be reviewed with the same accuracy and diligence as the buildings in conjunction therewith.

(B) Improved property: In arriving at the value of each parcel of improved property, the Appraisal Company will consider all three approaches to value where applicable. The Company shall make a careful analysis of the replacement cost of newly constructed buildings by using the 1995 edition of the Arkansas Assessors Real Estate Manual or a cost manual otherwise approved by the Assessment Coordination Department. Local sales data will be used to arrive at appropriate local market adjustment factors required to calibrate the cost system. The contractor shall develop appropriate local market adjustment factors by analyzing fair market value sales. These sales shall be validated by at least one of the approved ACD methods, and shall be adjusted for time as needed. All sales validation coding shall be reflected in the CAMA system. The Appraisal Company will employ the age-life method of depreciation using the observed condition of the property and total life expectancies based on state standards.

(1) Residential Property: The Appraisal Company shall inspect the exterior of each structure. Interior data shall be obtained through personal interviews when possible. Construction features, characteristics, appendages, accessory buildings or irregularities for each property shall be recorded on the data collection card. Grade classification shall be distinctly considered and state appraisal guidelines followed for each building. Periodic inspections of work of all appraisal personnel shall be

¹ Property Appraisal and Assessment Administration 1990 p. 188

made by the project supervisor in the grading (or classifying) of dwellings to insure correct, uniform, and consistent grade classification use.

A perimeter sketch of each residential building will be drawn in the graph on the data collection card and all necessary dimensions and identification symbols shall be placed on this sketch. Appendages such as attached garages, porches, etc. shall be carefully shown with dimensions and labeled accordingly. All other information on the data collection card will be filled out completely.

(2) Multi-family Income Producing Property: All income producing multifamily residential properties shall be inspected and appraised at market value. All building features, components, or characteristics as outlined shall be identified, measured and listed. The year of construction of the building shall be obtained. Other improvements such as paved drives, fencing, pools, patios, tennis courts, etc. shall be identified, measured and listed. Occupancy units of each building shall be determined at the time of inspection and recorded along with any other pertinent information that could affect value or be used as the basis for units of comparison. Rental data shall be extracted from reliable sources. The income approach, cost approach, and sales comparison approach will be considered in arriving at the final property value, when sufficient data is available. The appraised value of all properties shall be reviewed during final review by supervisory personnel and adjustments or corrections made where applicable.

(3) Commercial/Industrial Property: All commercial/industrial properties will be inspected and appraised at market value. All building features, components, or characteristics as outlined will be identified and listed. The year of the building construction will be obtained. Other improvements such as paved drives, fencing, mechanical features, equipment, etc. shall be identified, measured and listed. Occupancy of each building will be determined at the time of inspection and recorded along with other pertinent information that could affect value. Lease or rental information shall be extracted from reliable sources. The income approach, cost approach, and sales comparison approach will be considered in arriving at the final property value, when sufficient data is available. The appraisal of all commercial property will be supported by detailed computations.

(4) Rural Property: All improvements on agricultural properties will be inspected and appraised at market value. **A sketch of the dwelling and other improvements with value exceeding \$5,000 will be drawn,** and dwellings and improvements will be described and valued in the same manner as residential property. The object is to establish a fair, equitable, and realistic value by comparing properties with other like properties, and to maintain the same level of market values placed on all other classes of property within the taxing jurisdiction.

The use value of all bona fide agricultural land will be calculated using the most recent (valuation year) per acre estimates furnished by the ACD. The acreage of each soil type will be calculated and its use determined by physical inspection or recent aerial photographs. The determination of a property's use shall be discovered by visual inspection whenever possible. Determination of use by aerial photograph shall be used as last resort only when the subject property cannot be accessed by vehicle.

3. Notification and Hearings: A change of value report will be generated by July 1 of the valuation year. Notices will then be mailed to all property owners having an increase in valuation, no later than ten working days after July 1 of the valuation year. These notices will show the appraised value, classification(s) of the parcel, assessed value, and a statement that the property owner has a right to appeal to the equalization board, including the dates when the equalization board shall meet, and other requirements of Act 572 of 1999. The notice form shall be that found in the ACD rules or an alternative form approved by the ACD. ACD approval shall be in writing.

The taxpayer shall be given the opportunity to informally appeal the new assessed value. A taxpayer may file a complaint if the valuation of property has not increased or has decreased from the previous year. The taxpayer must petition to appear before the equalization board by the third Monday in August, after which no petition for appeal shall be accepted.

4. Property Classifications: All property classifications shall be reviewed and revalued as required using means of accepted standards for mass appraisal practice.

5. CAMA and Data Accuracy Control: The Appraisal Company acknowledges that the CAMA system provides the county with complete computer-assisted mass appraisal support by providing cost, market, and income valuation support. It is capable of assisting in valuation of residential, commercial, industrial, agricultural and special purpose real estate properties.

The contracted reappraisal Plan shall have quality assurance, performance analysis, and accuracy control for data entry.

(A) Quality assurance is the primary responsibility of the records control section. This section will check all property record cards for missing data, etc., returning all incomplete or incorrect record cards to the field section for correction.

(B) Performance analysis will be accomplished using a CAMA system or by means of manual calculations necessary for comparative analysis.

(C) Accuracy control will be the responsibility of personnel who receive, store, dispense, monitor, and review the data.

6. Sales Questionnaire and Sales Data Collection Process: The Appraisal Company will develop a comprehensive data collection program using the sales questionnaire. This data and other data shall be included from sources such as:

- (A) Buyers of Real Estate
- (B) Sellers of Real Estate
- (C) Real Estate Brokers
- (D) Mortgage Companies
- (E) Builders
- (F) Real Estate Sales Listings (e.g. multiple listing services).
- (G) ACD Sales Verification Form

The sales questionnaire phase will be on going throughout the cycle. In the field, a detailed interview will be conducted (when possible) with the resident in lieu of an interior inspection of each home. When data is in doubt a postage-paid questionnaire will be left on the door if no one is at home and the data collector has left the neighborhood.

Since the data collection will occur over an extended period and property characteristics may change during that period, a sales data maintenance program shall be established.

7. Employee Training and Education: A training program will be developed which will teach basic procedures. The appraisal company will provide on the job training to new employees and on a continuing basis to existing employees. Additionally, appraisers must attend IAAO and Assessment Coordination Department courses necessary for attaining and maintaining levels of professional accreditation.

8. Employee Accreditation: Employees will be accredited in the Training and Certification Program provided by the Assessment Coordination Department.

9. Newly Discovered and New Constructed Property: The contractor will be responsible for the appraisal of new construction and newly discovered property. The contractor shall maintain a list and dollar summation of that amount. Appraisal estimates of existing properties shall be documented in such a way that changes in value will not appear before the valuation year. New construction or newly discovered property shall be valued by considering existing methods and economic forces employed during the most recent reappraisal completion year.

BID SPECIFICATIONS FOR CONTRACTING

THE REVIEW REAPPRAISAL OF _____ COUNTY, ARKANSAS

1.0 Purpose and General Information. The purpose of the contract will be to fulfill the need to reappraise property in _____ County, Arkansas in accordance with Act 1185 of 1999, as amended, and the rules implementing that Act as prescribed by the Assessment Coordination Department (ACD). The reappraisal shall be conducted over a three-year period and shall progress in two phases commencing in 2007. Phase 1 of the reappraisal project will be conducted over the first two calendar years of the three-year period. The contractor shall provide data collection and Computer Assisted Mass Appraisal (CAMA) System data entry for all real parcels during Phase 1. Phase 2 of the reappraisal project shall be during the third calendar year of the three-year period. The contractor shall estimate the value of all real parcels in the county, send reappraisal notices to property owners as required by Arkansas law, and defend value estimates before the county equalization board and county court during Phase 2.

2.0 The Contractor will provide the following services.

2.1 The contractor, in conjunction with the Assessor, shall develop a reappraisal plan to be submitted to the ACD. No contract shall be in force until such time as the proposed reappraisal plan is approved by the ACD.

2.2a Phase 1 – Field collection and CAMA entry of relevant data about the land, buildings and improvements of all residential properties in the County in accordance with ACD Rules implementing Act 1185 and ACD approved reappraisal plan. In order to determine the physical characteristics of improvements, a thorough visual review of each property is a minimum requirement. For purposes of this Plan a thorough visual review of each property means the contractor will ensure that improvement characteristics are accurately accounted for and improvement measurements are maintained within one foot of actual dimensions at a 95% accuracy rate.

2.2b Phase 2 – Estimate the value of land, buildings and improvements of all residential properties in the County in accordance with ACD Rules implementing Act 1185 and ACD approved reappraisal plan.

2.3a Phase 1 – Field collection and CAMA entry of relevant data about the land, buildings and improvements of all commercial/industrial properties in the County in accordance with ACD Rules implementing Act 1185 and ACD approved reappraisal plan. In order to determine the physical characteristics of improvements, a thorough visual review of each property is a minimum requirement. Individual perimeter measurements shall be made as necessary so that at least a 95% accuracy rate for data and measurements are maintained. **Interior inspection of commercial/industrial improvements is required.**

2.3b Phase 2 - Estimate the value of land, buildings and improvements of all commercial/industrial properties in the County in accordance with ACD Rules implementing Act 1185 and ACD approved reappraisal plan.

2.4a Phase 1 – Field collection and CAMA entry of relevant data about the land, buildings and improvements of all agricultural and farm properties in the County in accordance with ACD Rules implementing Act 1185 and ACD approved reappraisal plan. In order to determine the physical characteristics of improvements, a thorough visual review of each property is a minimum requirement. **A sketch of the dwelling and other improvements with value exceeding \$5,000 will be drawn.** Individual perimeter measurements shall be made as necessary so that at least a 95% accuracy rate (within one foot) is maintained.

2.4b Phase 2 – Estimate the value of market value based land, buildings and improvements of all agricultural and farm properties in the county in accordance with ACD Rules implementing Act 1185 and ACD approved reappraisal plan.

2.5 Update all bona fide agricultural, timber, and pastureland values in the County. All land will be inspected, when possible to determine use. Aerial photographs no older than one year may be used to determine if its use has changed since the last update. Should a change in land use of any parcel be discovered, the county records will be made to reflect that change in the year of phase 2.

3.0 The following defined terms shall apply unless otherwise specifically provided herein.

3.1 “Apartment Real Property” or “Apartments”, including apartment complexes, means a class of parcels used as dwelling structures which were originally constructed with four (4) or more dwelling units therein, the structure of which is primarily non-resident owned.

3.2 “Commercial Real Property” or “Commercial Property” means a class of property consisting of parcels used for business or commercial purposes, including, but not limited to, stores, service centers, restaurants, and other structures designed or used for commercial purposes. Commercial real property includes:

A. All land, buildings, and other structures thereon, used or usable for commercial purposes.

B. Special purpose buildings, not classified as industrial buildings, shall be included in the appraisal of commercial property.

C. Vacant lots or other parcels of real estate in areas used for commercial purposes, or in predominantly commercial areas, or which are used in connection with commercial enterprises, or which are primarily suited for commercial developments shall be classified as commercial property except where there is another actual bona fide use in place which should be valued under that use as provided by law.

3.3 “Industrial Real Property” or “Industrial” means a class of property consisting of parcels used for industrial production or service, including plants, shops, processing establishments, and other structures designed or used for industrial purposes.

3.4 “Residential Real Property” or “Residential Property” means a class of property consisting of parcels used for residential purposes as dwellings, including houses, condominiums, and other structures designed or used for residential or dwelling

purposes. The term “residential real property” additionally means all lots, parcels or tracts of land, and all dwelling houses located in the County, which are not herein defined as apartments or commercial real property.

3.5 “Agricultural Land” is land employed to generate income from growing crops, timber, or livestock or livestock feed. There is no minimum or maximum acreage.

3.6 “Rural Improvements” are improvements, including residential improvements, to land other than residential, rural, or commercial land.

3.7 “Rural Properties” are lands and/or improvements situated in platted subdivisions outside of city limits.

3.8 “Market Value” is defined by the International Association of Assessing Officers as “the most probable price, expressed in terms of money, that a property would bring if exposed for sale in the open market in an arms-length transaction between a willing seller and a willing buyer, both of whom are knowledgeable concerning all the uses to which it is adapted and for which it is capable of being used.”

3.9 “Data Collection” means the process of gathering or confirming existing information about the physical characteristics of a property by inspection at its location.

3.10 “To Value” means to employ the information gathered from a physical inspection of property and from market research to estimate the market value of property as of the appropriate property tax lien date.

3.11 “Reappraisal” means the estimating of the value of all taxable real property within the county as of a given date within a given time frame.

3.12 “Parcel” means all contiguous land capable of being conveyed on a single deed except when the land crosses a taxing unit or section lines. An “Improvement Only” is considered a separate parcel from the land. The legal description of each parcel shall be unique to that parcel. Ownership of a parcel by multiple persons does not constitute multiple parcels. Control cards, information cards, and severed mineral rights are not parcels as used herein.

3.13 “Neighborhood” is a portion of a larger community, or an entire community, in which there is a homogeneous grouping of inhabitants, buildings, or business enterprises. It is that area within which any change has immediate and direct influence on the value of the subject property. Neighborhood delineation shall be in accordance with ACD Rules implementing Act 1185 of 1999, as amended.

3.14 “Thorough Visual Review” means the contractor will ensure that improvement characteristics are accurately accounted for and improvement measurements are maintained within one foot of actual dimensions at a 95% accuracy rate.

4.0 Base Services.

4.1 Contractor shall reappraise each parcel of real property in _____ County, in a sequence specified by the Reappraisal Plan as approved by ACD and in the manner prescribed by ACD Rules implementing Act 1185 of 1999, as amended.

4.2 The county WILL or WILL NOT (circle one) provide office space. A contractor that employs off site data entry shall ensure that new construction and newly discovered parcels are accurately reflected in the Assessor's office. The contractor will provide a computer terminal in the assessor's office where updated parcel data, including value changes, will be stored and accessible by the assessor and ACD employees. At no time shall the information stored in the assessor's office be more than thirty (30) days out of date compared to the information maintained at the off site data entry point.

4.3 Fifty percent (50%) of the parcel values of real property shall be completed by April 19 of the valuation year, and values of all parcels made available for placement in the assessment rolls by July 1 of the Phase 2 year

4.4 For purposes of estimating property values, the Contractor shall employ a CAMA System which shall be based upon ACD approved cost manuals, adjusted for locational differences and other appropriate valuation models, which will estimate property market values.

4.5 Contractor shall be responsible for sending notices of value changes to property owners. The notices shall comply with Act 572 of 1999 and shall be sent no later than ten (10) business days after July 1 of the valuation year. The notice form shall be that found in the ACD rules or an alternative form approved, in writing, by the ACD.

4.6 Contractor shall defend property value estimates beginning with informal appeals commencing after the mailing of notices of value change and continuing through county court hearings with ample number of qualified staff available. Defense of property value estimates at the Circuit Court level shall be separately billed and shall be negotiated by the contractor and the county.

4.7 All county records removed from the courthouse by the Contractor shall be sufficiently insured at full replacement value. In the event that county records are lost or destroyed after being removed from the courthouse by the contractor, it shall be the contractor's responsibility to replace said records or to pay the full cost of replacement.

4.8 All records, working documents, manuals, pricing data, maps, aerial photographs, plats, and other materials shall be the property of the county and shall be considered official courthouse records at the conclusion of the project.

4.9 Contractor shall make every possible attempt to answer public inquiries on a timely basis.

4.10 Appraisal manager or senior representative of the Appraisal Company shall, upon request, give presentations to civic groups in the county. **Notification of requests for presentations must be given to assessor no later than one week before any civic group presentation is made.** All public relations decisions concerning the reappraisal project shall be agreed upon by the Assessor before implementation.

5.0 The following approaches will be used to estimate property values.

5.1 Cost Approach: Manuals developed by the ACD will be used for dwellings and normally associated structures. Marshall-Swift Valuation Service or other ACD approved valuation services and/or cost systems shall be used for all other properties. Contractors shall develop appropriate local market adjustment factors by analyzing fair market value sales. These sales shall be validated by at least one of the approved ACD methods, and shall be adjusted for time as needed. All sales validation coding, and confirmation sources shall be reflected in the CAMA system. For improvements not covered by the manual, the Contractor shall make a careful investigation of construction costs in the County and may reference other cost manuals.

Depreciation will be estimated by using the most applicable of the condition, age-life, and/or market abstraction techniques to properly reflect physical, functional, and economic depreciation of the subject property.

5.2 Sales Comparison Approach: Major emphasis will be placed on the sales comparison approach to value residential property and where applicable to commercial and industrial property. The Contractor shall physically delineate neighborhoods in accordance with ACD Rules implementing Act 1185 of 1999, as amended.

Sales of comparable properties will be made available on request of residential property owners, unless the subject property is so unique that no comparable sales exist.

5.3 Income Approach: Contractor will develop valuations considering the income capability on all appropriate commercial properties, as well as on multifamily residential properties. The values indicated by the income capability of the property will be correlated with those indicated by the cost and comparable sales approaches in order to determine a final estimate of property values.

6.0 Valuation of Land. Contractor shall supply services of its qualified appraisers for the valuation of land in the County for all parcels to be appraised as specified in the Proposal. All factors affecting the market value of lots and parcels (such as: location, size, and shape of parcel, topography, new developments, and other factors) shall be carefully considered in the final field inspection and review. All vacant land shall be appraised at its “typical” or “most probable use” value in money as of appropriate tax lien date. The typical use of vacant residential or commercial land shall be determined by considering the primary current use of adjacent lands.

6.1 Base lot method for market value land. In the interest of fairness, equalization, and accuracy the base lot method shall be employed to determine the valuation of all market value land. IAAO defines the base lot method as: “...the standard or “base” in each stratum through a traditional sales comparison analysis with the base lot serving as the subject parcel. Once the base lot is established, it is used as a benchmark to establish values for individual parcels.”²

6.2 Agricultural Use Land Determination. Contractor shall properly class by property use (timber, pasture, and crop lands) and soil code all bona fide agricultural properties within the county. The determination of a property’s use shall be discovered by visual inspection whenever possible. Determination of use by aerial photograph shall be used when the subject property cannot be accessed by vehicle.

² Property Appraisal and Assessment Administration 1990 p. 188

7.0 Property Record Cards. Contractor will use the standard property record card (PRC) format approved by ACD for data collection.

8.0 Valuation Date. Estimate of value of each parcel shall be as of January 1 of the Phase 2 year, or in respect to new construction or newly discovered property as of January 1 of first year placed on the assessment roll.

9.0 Sales Information. County shall continually and concurrently provide copies of all sales information available to it with respect to transfers of parcels occurring from the beginning through the duration of the Contract. The Contractor shall verify selling prices indicated in public records and confirm physical data and other relevant information about the property as of the date of sale.

10.0 Sales Ratio Study. Contractor shall generate and supply to the County an appraisal-to-sales price ratio study in compliance with the standards provided under Act 1131 of 2001. The study shall include a list of sales considered to be valid by the Contractor, occurring during the year in which the contract commences until the completion date of the contract. The listing shall include parcel identification number, month and year of sale, property classification, selling price, appraised value of land and building, if applicable, total assessed value, ratio of appraised value to selling price, and aggregate mean and median ratios expressed as percentages.

A summary by taxing district shall include number of sales, vacant and improved, aggregate total selling price by class, average selling price, aggregate total appraised value, aggregate ratio, median ratio, coefficient of dispersion, and weighted coefficient of dispersion.

11.0 Progress Reports. Contractor shall make monthly progress reports to the County Judge, County Assessor, and ACD, and will hold meetings with the same as may be required or requested. Each monthly progress report shall indicate the type or types of work performed, the number and type by class of parcels appraised, and a summary showing the percentage of total project completion.

12.0 Newly Discovered and New Constructed Property. Contractor shall be responsible for the appraisal of new construction and newly discovered property while the contract is in force. The Contractor shall maintain a list of and dollar summation of the amount of newly constructed and discovered property. The Contractor shall, from available public records and other public sources, discover all newly constructed property and any other property which had previously escaped assessment in the county; collect data on the same; enter data into the CAMA system; value and cause that property to be placed on the assessment roll during the current year. The Contractor shall comply with Act 572 of 1999 in respect to property owner notification and hearings.

12.1 Newly Discovered and New Construction Administration. Appraisal estimates of existing properties shall be documented in such a way that changes in value will not appear before the valuation year. New construction or newly discovered property shall be valued by considering existing methods and economic forces employed during the most recent reappraisal completion year.

13.0 Quality Control. Contractor shall implement a proven system of quality control for all major phases of the revaluation program. All work performed shall comply with requirements

and standards established and promulgated by the ACD and the appropriate Standards promulgated by the International Association of Assessing Officers and adopted by ACD.

13.1 Off Site Data Entry. Contractors maintaining CAMA data off site from the assessor's office will employ a system of compare routines that insure the Assessor and the contractor match data regarding owner name, sales data, billing addresses, and current year valuation amounts.

13.1a New Construction, Newly Discovered Entry. Projects that employ off site entry shall take special care to see that the new construction and newly discovered parcels are accurately reflected in the Assessor's office.

14.0 Data Entry. Data entry is the responsibility of the contractor.

15.0 Qualifications of Contractor.

15.1 Contractor shall submit to the county and ACD a statement of qualifications of all employees who will be involved in the reappraisal project. The qualifications shall meet those established in ACD Rules implementing Act 1185 of 1999, as amended.

15.2 The ACD or county, upon written notice to the Contractor's Reappraisal Manager, or the principle of the company, may request the removal of any person or persons that the ACD or county considers to be incompetent or negligent in the performance of their duties, or who shall be deemed to be guilty of misconduct. Such written notice shall state in detail the basis for the request with justification indicating the facts of the request, **and when at the request of the county shall be signed by the county assessor and a majority of the equalization board.**

15.3 Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin and will take affirmative action to insure that applicants are employed and are treated during employment, without regard to race, color, religion, sex or national origin. Such action shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the county setting forth the provisions of the nondiscrimination clause. Contractor will, in all solicitations or advertisements for employees placed by or in behalf of the Contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin.

16.0 Conflict of Interest. Contractor shall not contract with or employ a county official or immediate relative of a county official in connection with the revaluation project. The contractor may contract with or employ employees of county officials if the following criteria are met: 1) The county official approves the contract or employment, 2) The county employee's work for the contractor is not done in the county official's office, and 3) The county employee's work for the contractor is done outside normal business hours of the county. This provision does not bar county employees from resigning their positions with the county and subsequently becoming employees of the contractor, nor does it bar employees of the county from participating in the project. when the contractor compensates the county for work done by a county employee.

16.0a The County may make available to the contractor any employee or employees who are qualified appraisers or data entry personnel to assist in the reappraisal project, so long as such county employees are available and qualified under the ACD rules. The contractor shall have the right, in its sole discretion, to refuse or discontinue a county employee's participation in the reappraisal only after submitting, in writing, to the county assessor, the reasons for refusal or discontinuance. During the reappraisal project, such employees shall remain county employees and be paid by the county. For each county employee who performs work for the contractor, the contractor shall reimburse the county for the actual hours worked by the county employee. The rates of reimbursement shall reflect those paid by the county at a rate that equals the employees' current pay and current County benefits at the time of bid solicitation.

This "Work in Kind" provision is an arrangement between the county and contractor that allows a County employee to regularly participate, which is defined as working for more than 40 hours in any single month, in the reappraisal project to help lessen the expense of the reappraisal for the County. Reimbursement shall be accomplished by a credit to the county on each monthly invoice submitted to the county by the contractor.

The contractor shall reimburse the county for the total number of business miles driven in a county owned vehicle by a county employee while performing work for the company. Additionally, the contractor shall reimburse a county employee for the total number of business miles driven should the employee use their personal vehicle performing work for contractor. In either case, the automobile reimbursement rate will be based upon the Internal Revenue Service Code. Employees are to maintain daily logs documenting the number of business miles driven while performing work for contractor.

All credits given to the county by the contractor shall be for work done to help the cause of the current reappraisal only. General duties in the assessor's office that do not directly relate to the current reappraisal, such as personal property assessments, general taxpayer inquiries of non-reappraisal value issues, filing, and general assessment office duties shall not be credited back to the county.

17.0 Relationship of Parties. The relationship of the contractor to the county shall be that of an independent contractor, and no principal-agent or employer-employee relationship will be created by the agreement. The contractor shall not subcontract any work under contract without written approval of the county and the Director of the Assessment Coordination Department.

18.0 Subletting and Assigning Contract. Contractor shall not assign or transfer the contract or any interest without first receiving written approval from the county and the Director of the Assessment Coordination Department.

19.0 Change in Contract. Changes in the contract shall be permitted only upon written mutual agreement of the Contractor, the county, and the Director of the Assessment Coordination Department.

20.0 Standards. In performing any obligation provided for this specification, the Contractor agrees to comply with any and all rules, regulations, and standards of the Assessment Coordination Department. Changes to or deviation from the specifications contained herein must be submitted to and approved by the Director of the Assessment Coordination Department, prior to implementation of those changes or deviations.

21.0 Surety and Insurance. Contractor shall carry public liability and workman's compensation insurance which shall save harmless the county from claims, demands, and causes of action arising from any act of commission or omission of the Contractor, its agent or employees, in the execution of their work under the terms of this agreement, including claims relating to labor and materials furnished.

22.0 Force Majeure. If, because of force majeure, any party hereto is rendered unable, wholly or in part, to carry out its obligations under the contract, then such party shall give to the other party prompt written notice of the force majeure with reasonably full details concerning it. Thereupon, the obligation of the party giving the notice, so far as they are affected by the force majeure, shall be suspended during, but not longer than, the continuance of the force majeure. The affected party shall use all possible diligence to remove the force majeure as quickly as possible, but his obligation shall not be deemed to require the settlement of any strike, lockout, or other labor difficulty, or other dispute regarding contributory payment by contributors to cost of the operation of the county contrary to the wishes of the party involved. The term "force majeure" as used herein means any act of God, strike, lockout, or other industrial disturbance, act of a federal, state, or local legislature, act of a public enemy, war, blockade, public riot, lighting, fire, storm, flood, explosion, governmental restraint, unavailability of equipment, gasoline rationing, and any other cause, whether of the kind specifically enumerated above or otherwise, which is not reasonably within the control of the party claiming suspension.

23.0 Laws to Govern. Contract shall be governed by the laws of the State of Arkansas, as both to interpretation and performance. The contractor shall conduct operations under the contract in compliance with all applicable laws.

24.0 Compliance with Assessment Coordination Department Rules. Upon finding and notification by the ACD that proper reappraisal procedures are not being followed, the contractor shall bring the reappraisal into compliance within the legally established thirty (30) day period. The return to proper procedure must include implementation of the corresponding ACD Compliance Verification Form (Form A-17). Should the contractor not bring the reappraisal into compliance within that time frame, the contract will be terminated.

25.0 Indemnity. The contractor will defend, save harmless and exempt _____ County Government, its officers, agents, and employees from and against any and all damages, costs, expenses and attorney's fees resulting from injury to persons or damage to property suffered in connection with work done in the performance of the contract. The county reserves the right to retain counsel of its choice at its own expense or, in the alternative, approve counsel obtained by the contractor.

26.0 Cancellation. The contract can be terminated by either party upon thirty-day (30) written notice in the event of noncompliance with the terms of the contract.

27.0 Taxpayer Litigation. Any litigation against the county and/or its officials, challenging the county's authority on the timing of placing particular parcels on the tax rolls, shall in no event, affect the contract, except as such litigation is occasioned by or due to contractor's noncompliance with the contract.

28.0 Payment. Payment by the county to the contractor shall be made monthly based on (Choose one: “equal payments over the term of the contract” or “production level”). Payments are subject to the “hold back” provisions of ACD Rule 3.17. **The last four (4) payments of the contract amount will be held back until such time as the reappraisal is deemed completed by the ACD.**

29. Late Charge. Contractor will complete the work within the time frame specified in ACD Rules implementing Act 1185 of 1999, as amended. If the contractor fails to complete the work within the time specified, the contractor shall pay the county, as liquidated damages, and not in the nature of a penalty, the sum of \$500.00 for each day delayed, (Saturdays, Sundays, and official state holidays excluded) which shall be deducted from the final amount to be paid under the contract. The County Judge reserves the right to relieve the Contractor of said late charge.

30. Checklist for Services to Be Provided. The following checklist must be submitted as part of the bid specifications:

1. Contractor Required Services

Finished Property Record Cards
Sectionalized Aerial photos (If county does not already have most current)
(Sectionalized is defined as – The process of drawing and/or displaying linear

representations of Section, Township and Range lines on aerial photography and labeling same.)

Real estate appraisal
Field data collection
CAMA system data entry
Agricultural, timber & pasture land value update
Appraisal notice mailing
Value estimate defense
Public inquiries about property values (informal appeals)
Property sales verification
Sales ratio study (compliance with 10.0 of the bid Specifications)
Progress reports to county officials and ACD
Discovery of new construction from public records and sources
Valuation of newly discovered property in the current assessment year
Property addresses where reasonably attainable
Most recent ACD soil summary
Quality Control (compliance with 13.0 of the Bid Specifications)
Liability and workman’s compensation insurance (compliance with 21.0 of the Bid Specifications)

Reappraisal Planned Progress submitted to ACD

Office space

Office furnishings

CAMA Computer software maintenance

2. County Required Services

Sales information (compliance with 9.0 of the Bid Specifications)

Ownership records

Combine parcels in accordance with Act 2090, 2005.

3. Additional Services to be provided by:	Contractor	County
Reappraisal plan submitted to ACD	_____	_____
Office Space	_____	_____
Office furnishings	_____	_____
Digital photography	_____	_____
<i>Computer hardware</i>	_____	_____
<i>Computer software maintenance</i>		
<i>CAMA Reappraisal</i>	_____	_____

PLANNED PROGRESS REPORT

As a part of this plan, the Contractor will submit a Planned Progress Report, which will list anticipated progress of the reappraisal by month. The form and specific requirements for this report will be prescribed by the ACD.

MONTHLY PROGRESS REPORTS

The Contractor agrees to provide a monthly progress report to the ACD detailing work completed that month. The form and specific requirements for this report will be prescribed by the ACD.

REQUISITE SIGNATORIES

The county acknowledges that under A.C.A. 26-26-307, the County must file a reappraisal Plan with the Assessment Coordination Department. No one county official has been charged with that responsibility under the law. The parties hereto recognize that the filing of an acceptable Plan and the implementation of that Plan is the joint responsibility of the County Officials, and the success or failure of the Plan is dependent on the cooperation and effort of the County Officials, the Municipal Officials and School Superintendents and that each person whose signature appears on this Plan has fully read and understands its terms and the commitment of the County, the cities, and the schools and their resources to the successful implementation of this Plan. Further, the County Officials and others signing this document agree to assist in its implementation within the parameters of their official positions.

To qualify a Contracted Plan for consideration, it must at a minimum be signed by the County Assessor, County Judge, ~~Chairman of the Equalization Board~~, and agent **Principal** of the Appraisal Firm, and the reappraisal manager, unless a waiver of the requirement is obtained from the Director of the ACD for good cause shown. Signatures of the county’s Board of Equalization, Quorum Court, and school district Superintendents are also requested. In the event one of the aforementioned does not sign the Plan, the Assessor must certify that the member(s) received a copy of the Plan.

Signature pages follow.

SIGNATURE PAGE: COUNTY ASSESSOR

(County Assessor signs here)

Signature

(Print name)

SIGNATURE PAGE: COUNTY JUDGE

(County Judge signs here)

Signature

(Print name)

SIGNATURE PAGE: COUNTY EQUALIZATION BOARD CHAIRMAN

(Equalization Board Chairman Judge signs here)

Signature

(Print name)

SIGNATURE PAGE: APPRAISAL FIRM

Company Name

~~Agent~~ Principal Signature

(Print name)

SIGNATURE PAGE: COUNTY BOARD OF EQUALIZATION

(Board of Equalization Members sign here)

Signature

(Print Name)

Signature

(Print Name)

Signature

(Print Name)

Signature

(Print Name)

Signature

(Print Name)

Signature

(Print Name)

Signature

(Print Name)

Signature

(Print Name)

Signature

(Print Name)

Signature

(Print Name)

Signature

(Print Name)

Signature

(Print Name)

SIGNATURE PAGE: COUNTY QUORUM COURT MEMBERS

(Quorum Court Members sign here)

Signature

(Print Name)

Signature

(Print Name)

Signature

(Print Name)

Signature

(Print Name)

Signature

(Print Name)

Signature

(Print Name)

Signature

(Print Name)

Signature

(Print Name)

Signature

(Print Name)

Signature

(Print Name)

Signature

(Print Name)

Signature

(Print Name)

SIGNATURE PAGE: COUNTY SCHOOL SUPERINTENDENTS

(School Superintendents sign here)

Signature

(Print Name)

Signature

(Print Name)

Signature

(Print Name)

Signature

(Print Name)

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(Print Name)

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(Print Name)

Signature

(Print Name)

I, _____, _____ County assessor, hereby acknowledge that copies of the above Reappraisal Plan and Bid Specifications have been provided to the _____ County Equalization Board, _____ County Quorum Court, the affected School District Superintendents in _____ County and the Mayors of the affected cities in _____ County. Additionally, copies of the Plan and Bid Specifications have been sent to each registered reappraisal company in Arkansas, and each has been requested to bid upon the project described above.

_____ County Assessor

Upon acceptance of a proposal by a reappraisal company, the following signatures shall be added to the Plan. ~~A separately signed contract will be attached hereto.~~ The Appraisal Manager signing below is not obligated in a fiduciary fashion beyond his or her obligation to his or her employer and will not be held personally financially liable for the contract by signing below. By signing below the Appraisal Manager acknowledges a professional obligation to complete the reappraisal of _____ County in accordance with state law and the Code of Professional Conduct ascribed by the International Association of Assessing Officers. Failure by the Reappraisal Manager to fulfill the obligations, either by commission or omission, under state law or IAAO Code of Professional Conduct will lead to possible suspension or termination of the Reappraisal Manager's designation in accordance with the ACD Training Program rules, or other sanctions the ACD may find suitable.

SIGNATURE PAGE: APPRAISAL FIRM

Company Name

Company Principle Signature

(Print name)

Reappraisal Manager Signature

(Print name)

**TRAINING AND CERTIFICATION DESIGNATION
PROGRAM**

FOR

APPRAISERS EMPLOYED BY

STATE AND COUNTY OFFICIALS



**ASSESSMENT COORDINATION DEPARTMENT
1614 WEST THIRD STREET
LITTLE ROCK, AR 72201
(501) 324-9240**

Revised November 2006

**STATE OF ARKANSAS
ASSESSMENT COORDINATION DEPARTMENT**

FOREWORD

~~The Arkansas Training and Certification Program has been prepared by the Assessment Coordination Department as directed by Act 48 of 1980. Pursuant to Section 3 of Act 48, the advice of the Legislative Council has been sought, obtained, and followed in all aspects in the development of this program.~~

~~———The training consists of both state and professional level courses. Many of these are the same courses that have been given in the past, while others are additions to the program. Changes have been made as needed in the state courses to reflect proper market value appraisals.~~

~~———Professional level courses are sponsored by the ACD and are conducted by the International Association of Assessing Officers. These courses are directly related to ad valorem taxation and administration and are used as the foundation for assessment technology and theory. The state courses are supplemental to the IAAO courses, and relate the technology and theory to state standards and practices. Proper appraisal training requires both the state and the professional level courses.~~

The Arkansas Training and Designation Program has been designed by the Assessment Coordination Department (ACD) as directed by Act 48 of 1980. The training consists of both ACD and International Association of Assessing Officers (IAAO) courses.

IAAO Courses are sponsored by the ACD and offered free to county officials and employees. These courses explore fundamental ad valorem tax appraisal and administration and serve, in combination with the ACD Courses, as a foundation for improving property assessments in Arkansas. ACD courses instruct property assessment employees in the application of state standards and practices and define IAAO standards in the local context.

**STATE OF ARKANSAS
ASSESSMENT COORDINATION DEPARTMENT
TRAINING & CERTIFICATION DESIGNATION PROGRAM**

~~01. CERTIFICATION BOARD - MEMBERS - APPOINTMENTS - TERMS OF OFFICE - CHAIRMAN - SECRETARY~~

~~a. There is hereby created a Certification Advisory Board (hereinafter called the Board) which shall consist of seven (7) members appointed as follows:~~

~~One member shall be appointed from each of the four congressional districts.~~

~~One member shall be appointed as a representative of the schools, and will be an at large member.~~

~~One member shall be appointed as a representative of the various cities, and will be an at large member.~~

~~One member shall be appointed as a representative of the various counties, and will be an at large member.~~

~~b. Each Board member will serve for three years except for the first year when the members will draw lots to initiate the necessary staggered terms. The working year shall begin in September and end the following September.~~

~~c. At the first yearly meeting in September, after the new appointees to the Board have taken office, the Board shall elect one of its members to act as Chairman for that year.~~

~~d. Appointments to the Board shall be made by the Director of ACD (hereafter referred to as Director), by seeking nominations from organization or individuals representing each of the required sectors (cities, counties, schools and the four congressional districts).~~

~~e. The Training Coordinator (hereafter referred to as Coordinator) shall act as Secretary to the Board. The Coordinator shall keep minutes of all meetings, and supply such assistance as may be necessary to the work of the Board.~~

02. MEETING OF THE BOARD

~~—The Board shall meet in June each year. The date of the meeting shall be chosen by the Director, and the time and place shall be arranged by the Coordinator at a suitably available location.~~

03. DUTIES

~~It shall be the duties of the Board to evaluate all persons applying for Certification, and to recommend the applicant for the proper Certification Level based on the requirements for each level. In evaluating each applicant, the Board shall consider all material, experience, education and recommendations by the Coordinator.~~

04. CERTIFICATION PROCEDURES – APPLICATIONS

- ~~a. Applications for Certification shall be submitted in writing to the Coordinator on forms provided for such purpose. The Coordinator shall submit a report to the Board on each applicant, giving such assistance and comment as may be necessary to assist the Board in its work. The Coordinator shall keep such records on each applicant of training, experience, and other pertinent information as may be necessary to report to the Board.~~
- ~~b. Qualified applications for Certification shall be submitted to the Board by the Coordinator for their recommendation. After a careful review of the applicants' qualifications, the Boards' recommendation shall within ten (10) working days, be passed on to the Director for final action. If the Board takes no action after ten (10) working days the application shall pass without recommendation to the Director for final action.~~
- ~~c. Upon final approval by the Director, each applicant shall be certified to perform appraisals only on the type of properties he or she has qualified for, and shall be issued a certificate for that level of qualification.~~

~~d. — Appraisers receiving certification to any level shall be expected to conduct themselves in a professional manner at all times and maintain a good moral character and standing in the community. Any certified appraiser may have his or her certification revoked upon the recommendation of the Board and/or Director if it has been shown that the individual has not conducted himself/herself in a professional manner. The Board and/or Director may also place in suspension the certification of any appraiser for any period of time deemed necessary for unprofessional conduct or lack of appraisal ability.~~

~~e. — Any appraiser that has had his or her certification suspended or revoked may, upon written request, appear before the Board and/or the Director to appeal such suspension or revocation order.~~

1. REQUIREMENTS FOR ADMISSION TO THE TRAINING AND CERTIFICATION DESIGNATION PROGRAM

Each applicant must meet the following basic requirements:

- a. Be at least 18 years of age.
- b. Be of good moral character.
- c. Be employed by any governmental jurisdiction or Board involved in the valuation or equalization of property for ad valorem tax purposes, or,
- d. Be an employee or owner of a professional reappraisal firm that works or intends to work in this state on contracted reappraisal projects.

062. LEVELS OF CERTIFICATION DESIGNATION AND REQUIREMENTS

- a. Two Tracks, Appraisal and Administration, each with their own education requirements are recognized in the Program.
- ba. There shall be no substitution for the ACD courses.
- cb. The following substitutions may be made for the IAAO courses.
 - (1) Equivalent courses given by Appraisal Foundation member associations.
 - (2) Appraisal courses given by a recognized College or University as part of an appraisal program.
 - (3) Other professional level training may be accepted at the discretion of the Board and the Director, but in all cases, the training must be equivalent to the IAAO courses.

- c. The following levels of ~~Certification~~ Designation shall be issued following the completion of each minimum training and experience requirement.

Note: ~~Each course is designated by an initial regardless whether the course is produced by the ACD, the IAAO, or some other vendor. Successful completion of IAAO Courses is required. Experience requirements in real property mass appraisal are subject to verification. ACD courses are designated by alpha characters and IAAO courses by the numeric characters the IAAO assigns. IAAO Courses are tested and qualifying credit will only be granted when the test is passed.~~

Experience requirements are obtained by mass appraisal or assessment administration tenure only and are subject to verification.

APPRAISAL TRACK

Level 1 - Residential Appraiser Trainee

Requirements:

**Courses A, B, C
No experience requirement**

Level 2 - Residential Appraiser

Requirements:

**Courses A, B, C, ~~D~~ IAAO 101.
6 months real property mass appraisal experience**

Level 3 - Realty Appraiser

Requirements:

**Courses A, B, C, ~~D, E, FR~~ IAAO 101, Marshall & Swift
Commercial Cost Workshop, IAAO 201, IAAO 102.
1 year real property mass appraisal experience**

Level 4 - Senior Appraiser

Requirements:

**Courses A, B, C, ~~D, E, FR, GR, H~~ IAAO 101, Marshall & Swift
Commercial Cost Workshop, IAAO 201, IAAO 102, IAAO 300.**

2 years real property mass appraisal experience

Level 5 - Designated Appraiser

Requirements:

**Be designated by the IAAO as a CAE
(Certified Assessment Evaluator)**

No substitutions will be allowed for the CAE designation.

APPRAISAL MANAGER

Requirements:

**Level 4 or 5 who passes the Appraisal Manager Exam
4 years real property mass appraisal experience are required
before an applicant can sit for the exam. NOTE: Each County is
required to have an Appraisal Manager.**

ADMINISTRATIVE TRACK

Level 1 - Assessment Administration Trainee

Requirements:

**Courses A, B, C
No experience requirement**

Level 2 - Administrative Clerk

Requirements:

**Courses A, B, C, ~~D~~ IAAO 101
6 months assessment experience**

Level 3 - Assessment Administrator

Requirements:

**Courses A, B, C, ~~D, E~~, FA-IAAO 101, Marshall & Swift
Commercial Cost Workshop, IAAO 500.
1 year assessment experience**

Level 4 - Senior Administrator

Requirements:

Courses A, B, C, D, E, FA, GA, H IAAO 101, Marshall & Swift Commercial Cost Workshop, IAAO 500, IAAO 400, IAAO 300.
2 years assessment experience

- d. ~~Training or courses taken, and experience obtained, prior to the inception of this program shall count toward certification upon approval of the Board and/or the Director.~~

073. COURSE DESCRIPTIONS

Course A - Maps, Legal Descriptions and Assessment Administration

Elementary course on discovery and listing of real property. Land identification systems, the rectangular survey, metes and bounds, and platted subdivision methods, are explained. Hands on applications of each identification system are parts of the classroom instruction. General principles of assessment administration, including rules, laws and constitutional requirements for managing an assessment office are also studied.

Prerequisite: None

Course B - Valuation Principles

Introduction to appraisal concepts, including economic theories underlying the appraisal process. Land valuation and the proper use of the ACD cost manual are emphasized. It also serves as a primer for Course D (IAAO 101).

Prerequisite: Course A

Course C - The Assessment of Personal Property in Arkansas

The assessment of personal property, with particular emphasis on commercial personalty. The course includes lecture in the areas of discovery and listing of personal property, property classifications, and particular emphasis on statutory provisions regarding assessment of personal property. Extensive application of depreciation schedules is included.

Prerequisite: Courses A & B

IAAO 101 - Fundamentals of Real Property Appraisal

Basic appraisal course ~~for appraisers~~, with an emphasis on the theory and techniques of the cost and comparative sales approaches to value. Review of terminology and basic appraisal principles. General principles

of land valuation, the assessment function, and the mass appraisal process.

Prerequisite: Courses A, B, C

Course E Marshall & Swift Cost Approach — Commercial Marshall & Swift Commercial Cost Workshop

Two day workshop designed to teach participants how to use the Marshall & Swift Commercial Valuation Guide. Participants will spend time working several case studies applying the cost service.

Prerequisite: Courses A, B, C, ~~D~~-IAAO 101

Course GR-- IAAO 201 - Appraisal of Land

This course on land valuation includes such areas as legal descriptions and maps, single property techniques and mass appraisal of land. It also includes a case study to provide application of methodology used in mass appraisal of land.

Prerequisite: Courses A, B, C, ~~D~~, IAAO 101, Marshall & Swift Commercial Cost Workshop E, FR

Course FR-- IAAO 102 - Income Approach to Valuation

Theories and techniques of estimating value ~~of the capitalized earnings using the income approach to valuation~~. Includes selection of interest and recapture rates, analysis of income and expenses for determination of income to be capitalized, capitalization methods and techniques. ~~Deals with rental units of comparison~~. Includes real estate finance and investment theory.

Prerequisite: Courses A, B, C, ~~D~~, IAAO 101, Marshall & Swift Commercial Cost Workshop E, IAAO 201.

Course FA-- IAAO 500 - Assessment of Personal Property

Course 500 provides a comprehensive program of study for those who assess personal property for ad valorem tax purposes. After a review of property tax administration and the nature of value, the following aspects of personal property assessment are covered: categories of personal property, discovery, the valuation process, valuation guidelines and quality control, depreciation methods, and special problems.

Prerequisite: Courses A, B, C, ~~D~~-IAAO 101, Marshall & Swift Commercial Cost Workshop.

Course GA-- IAAO 400 - Assessment Administration

Course 400 provides a comprehensive program of study for those who administer assessment programs. After an introduction to property tax

administration, the course provides detail in the areas of planning and organization, together with directing and controlling assessment activities. The subject of public relations is explored.

Prerequisite: Courses A, B, C, D, E, FA IAAO 101, Marshall & Swift Commercial Cost Workshop.

Course H - IAAO 300 - Fundamentals of Mass Appraisal

Providing a foundation for education in the mass appraisal process, IAAO 300 includes data collection, management and analysis, statistical applications, assessment-ratio analysis, and administrative procedures. The course material includes application of the three approaches to mass appraisal and selection of a mass appraisal system.

Prerequisite: Courses A, B, C, D, E, FR/FA, GR/GA IAAO 101, Marshall & Swift Commercial Cost Workshop, IAAO 201/400, IAAO 102/500

08. RECERTIFICATION/CONTINUING EDUCATION PROGRAM

~~Beginning January 1, 1987, there will be a recertification/continuing education program for appraisers certified under the provisions of Act 48 of 1980.~~

~~Beginning January 1, 1987, for those appraisers currently at a Level 3 or a Level 4 under the provisions of Act 48 of 1980, and each succeeding January 1 for those later to receive a Level 3 or Level 4 certification, there will be education requirements that each appraiser must fulfill in order to maintain that level of certification.~~

~~During succeeding 3 year periods, a Level 3 or Level 4 appraiser must attend 30 hours of continuing education or is subject to decertification. If an appraiser is decertified and wishes to re-enter the certification program, he or she will receive no credit for courses previously taken before decertification, though experience requirements previously obtained will be accepted.~~

~~Courses that apply to certification are all those offered by the Assessment Coordination Department, excluding the Equalization Board Seminar and the Millage Rollback workshops, all courses and workshops offered by the International Association of Assessing Officers, and other courses and workshops as deemed appropriate by the Director of the Assessment Coordination Department and/or the Certification Advisory Board.~~

~~In addition to those listed previously, courses currently sponsored by the ACD and the credit received from each follows:~~

~~Fall Assessors' Seminar Workshops _____ 15
Comprehensive Review - Summary of Courses D, FR, & H. The course provides 30 hours recertification credit.~~

~~At the time that an appraiser attends his or her first course aimed at recertification, he or she shall apply for recertification with the training coordinator. Credit for courses not sponsored by the Assessment Coordination Department, if approved courses, will be given upon proof that the appraiser successfully completed such course.~~

4. DESIGNATION RENEWAL & CONTINUING EDUCATION PROGRAM

Beginning January 1, 1987, there will be a designation renewal & continuing education program for appraisers certified under the provisions of Act 48 of 1980.

Beginning January 1, 1987, for those appraisers currently at a Level 3 or a Level 4 under the provisions of Act 48 of 1980, and each succeeding January 1 for those later to receive a Level 3 or Level 4 Designation, there will be education requirements that each appraiser must fulfill in order to maintain that level of Designation.

During succeeding 3 year periods, a Level 3 or Level 4 appraiser must attend 30 hours of continuing education or is subject to termination of his or her Designation. If an appraiser's designation is terminated and wishes to re-enter the Designation program, he or she is required to retake and pass exams for IAAO courses. Experience requirements previously obtained will be accepted.

Courses that apply to Designation renewal are all those offered by the Assessment Coordination Department, excluding the Equalization Board Seminar and the Millage Rollback workshops, all courses and workshops offered by the International Association of Assessing Officers, and other courses and workshops as previously noted.

At the time that an appraiser attends his or her first course aimed at Designation, he or she shall apply for Designation with the training coordinator. Credit for courses not sponsored by the Assessment Coordination Department, if approved courses, will be given upon proof that the appraiser successfully completed such course.

095. STATUTORY PROVISION OF RECERTIFICATION/CONTINUING FOR PROPERTY ASSESSMENT EDUCATION PROGRAM

26-26-503. Appointment and training of personnel.

(a) The county assessor in each county may employ such personnel as the assessor deems necessary to reappraise taxable property in the county in compliance with the court order in Arkansas Public Service Commission, et al v. Pulaski County Board of Equalization, et al and to thereafter maintain a proper appraisal of property in the county.

(b)(1)(A) The Assessment Coordination Department of the Arkansas Public Service Commission shall prescribe an appropriate course of training to qualify persons employed by elected county assessors to conduct appraisals of property for ad valorem tax purposes and shall issue a certificate of qualification to each person who successfully completes the course of training or is otherwise determined by the department to be qualified to conduct appraisals.

(B)(i) Only those persons who hold certificates of qualification issued by the department as provided for in this section shall be employed by the elected county assessors for or undertake the appraisal of property for ad valorem tax purposes in any county.

(ii) This section only applies to persons employed by elected county assessors, and the elected county assessors are not themselves required to be certified by the department.

(2) The department shall seek the advice of the Legislative Council prior to the final adoption of training criteria for persons to be employed by county assessors to appraise property for ad valorem tax purposes.

County Name **SAMPLE**

SCHOOL DISTRICTS	REAL ESTATE									
	MILLAGE RATE	ORIGINAL CHARGE		ADDED REAL		ERRORS AND CREDITS		DISABLED VETERANS		
		VALUATION	TAX	VALUATION	TAX	VALUATION	TAX	VALUATION	TAX	
School District #1			0.00		0.00		0.00		0.00	
School District #2			0.00		0.00		0.00		0.00	
School District #3			0.00		0.00		0.00		0.00	
School District #4			0.00		0.00		0.00		0.00	
School District #5			0.00		0.00		0.00		0.00	
School District #6			0.00		0.00		0.00		0.00	
School District #7			0.00		0.00		0.00		0.00	
School District #8			0.00		0.00		0.00		0.00	
School District #9			0.00		0.00		0.00		0.00	
School District #10			0.00		0.00		0.00		0.00	
School District #11			0.00		0.00		0.00		0.00	
School District #12			0.00		0.00		0.00		0.00	
Total Schools			0.00		-		-		-	

SCHOOL DISTRICTS	PERSONAL PROPERTY									
	MILLAGE RATE	ORIGINAL CHARGE		ADDED PERSONAL		ERRORS AND CREDITS		DISABLED VETERAN'S		
		VALUATION	TAX	VALUATION	TAX	VALUATION	TAX	VALUATION	TAX	
School District #1			0.00		0.00		0.00		0.00	
School District #2			0.00		0.00		0.00		0.00	
School District #3			0.00		0.00		0.00		0.00	
School District #4			0.00		0.00		0.00		0.00	
School District #5			0.00		0.00		0.00		0.00	
School District #6			0.00		0.00		0.00		0.00	
School District #7			0.00		0.00		0.00		0.00	
School District #8			0.00		0.00		0.00		0.00	
School District #9			0.00		0.00		0.00		0.00	
School District #10			0.00		0.00		0.00		0.00	
School District #11			0.00		0.00		0.00		0.00	
School District #12			0.00		0.00		0.00		0.00	
Total Schools			-		-		-		-	

School Districts	UTILITY REAL					UTILITY PERSONAL				
	MILLAGE RATE	ORIGINAL CHARGE UTILITY AND CARRIER TAX			ORIGINAL CHARGE UTILITY AND CARRIER TAX		ADDED PERSONAL		ERRORS PERSONAL	
		VALUATION	TAX		VALUATION	TAX	VALUATION	TAX	VALUATION	TAX
School District #1			-		0.00		0.00		0.00	
School District #2			-		0.00		0.00		0.00	
School District #3			-		0.00		0.00		0.00	
School District #4			-		0.00		0.00		0.00	
School District #5			-		0.00		0.00		0.00	
School District #6			-		0.00		0.00		0.00	
School District #7			-		0.00		0.00		0.00	
School District #8			-		0.00		0.00		0.00	
School District #9			-		0.00		0.00		0.00	
School District #10			-		0.00		0.00		0.00	
School District #11			-		0.00		0.00		0.00	
School District #12			-		0.00		0.00		0.00	
Total Schools			-		0		-		-	

SCHOOL DISTRICTS	COMBINE										
	NET TAX COLLECTED REAL	NET TAX COLLECTED PERSONAL	NET TAX COLLECTED UTILITY REAL	NET TAX COLLECTED UTILITY PERSONAL	MISC DEBITS/ CREDITS	HOMESTEAD CREDIT	COLLECTOR'S/ TREASURER'S INTEREST	NET TREASURER'S COMMISSION TAKEN	EXCESS COLLECTORS COMMISSION	DELINQUENT PERSONAL	
School District #1											
School District #2											
School District #3											
School District #4											
School District #5											
School District #6											
School District #7											
School District #8											
School District #9											
School District #10											
School District #11											
School District #12											
Total Schools	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	Rule 6.2.1	Rule 6.2.1	Rule 6.2.1	Rule 6.2.1	Rule 6.2.1	Rule 6.2.1, Rule 6.2.5	Rule 6.2.6	Rule 6.2.7	Rule 6.2.1	Rule 6.2.2 Rule 6.2.8	

SCHOOL DISTRICTS	DELINQUENT REAL	COMMISSIONER OF STATE LAND	COLLECTOR'S COMMISSION	ASSESSOR'S SALARY AND EXPENSE	COST PRORATED REAL	COST PRORATED PERSONAL	CLERK'S FEES	EQUALIZATION BOARD	REAPPRAISAL EXPENSE	MISC
	School District #1									
School District #2										
School District #3										
School District #4										
School District #5										
School District #6										
School District #7										
School District #8										
School District #9										
School District #10										
School District #11										
School District #12										
Total Schools	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	Rule 6.2.3	Rule 6.2.4								

SCHOOL DISTRICTS	REAL ESTATE			PERSONAL		UTILITY REAL		UTILITY PERSONAL		TOTAL	
	MILLAGE RATE	ADJUSTED ORIGINAL CHARGE		ADJUSTED ORIGINAL CHARGE		ADJUSTED ORIGINAL CHARGE		ADJUSTED ORIGINAL CHARGE		ADJUSTED ORIGINAL CHARGE	
		VALUATION	TAX	VALUATION	TAX	VALUATION	TAX	VALUATION	TAX	VALUATION	TAX
School District #1	0	0	0.00	-	0	-	0	-	0	0.00	0
School District #2	0	0	0.00	-	0	-	0	-	0	0.00	0
School District #3	0	0	0.00	-	0	-	0	-	0	0.00	0
School District #4	0	0	0.00	-	0	-	0	-	0	0.00	0
School District #5	0	0	0.00	-	0	-	0	-	0	0.00	0
School District #6	0	0	0.00	-	0	-	0	-	0	0.00	0
School District #7	0	0	0.00	-	0	-	0	-	0	0.00	0
School District #8	0	0	0.00	-	0	-	0	-	0	0.00	0
School District #9	0	0	0.00	-	0	-	0	-	0	0.00	0
School District #10	0	0	0.00	-	0	-	0	-	0	0.00	0
School District #11	0	0	0.00	-	0	-	0	-	0	0.00	0
School District #12	0	0	0.00	-	0	-	0	-	0	0.00	0
Total Schools		-	-	-	0	-	0	-	0	0.00	0

SCHOOL DISTRICTS	TOTAL NET TAX COLLECTED	PERCENT OF ORIGINAL CHARGE COLLECTED BEFORE PRORATIONS	TOTAL PRORATIONS	NET TAX COLLECTED AFTER PRORATIONS	PERCENT OF ORIGINAL CHARGE COLLECTED AFTER PRORATIONS
School District #1	0.00	-	0.00	0.00	-
School District #2	0.00	-	0.00	0.00	-
School District #3	0.00	-	0.00	0.00	-
School District #4	0.00	-	0.00	0.00	-
School District #5	0.00	-	0.00	0.00	-
School District #6	0.00	-	0.00	0.00	-
School District #7	0.00	-	0.00	0.00	-
School District #8	0.00	-	0.00	0.00	-
School District #9	0.00	-	0.00	0.00	-
School District #10	0.00	-	0.00	0.00	-
School District #11	0.00	-	0.00	0.00	-
School District #12	0.00	-	0.00	0.00	-
Total Schools	0.00	-	0.00	0.00	-
	Rule 6.2.1	Rule 6.2.1		Rule 6.2.1	Rule 6.2.1

SCHOOL DISTRICTS	NET TAX COLLECTED INCLUDING DELINQUENT COLLECTIONS (AFTER PRORATIONS)	PERCENT OF ORIGINAL CHARGE COLLECTED AFTER PRORATIONS INCLUDING DELINQUENT COLLECTIONS	NET TAX COLLECTED INCLUDING DELINQUENT COLLECTIONS (BEFORE PRORATIONS)	PERCENT OF ORIGINAL CHARGE COLLECTED BEFORE PRORATIONS INCLUDING DELINQUENT COLLECTIONS
School District #1	0.00	-	0.00	-
School District #2	0.00	-	0.00	-
School District #3	0.00	-	0.00	-
School District #4	0.00	-	0.00	-
School District #5	0.00	-	0.00	-
School District #6	0.00	-	0.00	-
School District #7	0.00	-	0.00	-
School District #8	0.00	-	0.00	-
School District #9	0.00	-	0.00	-
School District #10	0.00	-	0.00	-
School District #11	0.00	-	0.00	-
School District #12	0.00	-	0.00	-
Total Schools	0.00	-	0.00	-

SAMPLE COUNTY
ANALYSIS OF TAXES COLLECTED
TAXES COLLECTED IN 2005

SCHOOL DISTRICTS	2004 ASSESSMENT COLLECTIBLE 2005			NET TAX COLLECTED 2005 FINAL TAX SETTLEMENT						NET TAX COLLECTED INCLUDING DELINQUENT COLLECTIONS			
	ORIGINAL ASSESSMENT	ADJUSTED ASSESSMENT	%	ADJUSTED ORIGINAL CHARGE	PRE-PRORATION		POST PRORATION		PRE-PRORATION		POST-PRORATION		
					TAXES COLLECTED	%	TAXES COLLECTED	%	TAXES COLLECTED	%	TAXES COLLECTED	%	
School District #1	0.00	0.00	-	-	0.00	-	0.00	-	0.00	-	-	-	
School District #2	0.00	0.00	-	-	0.00	-	0.00	-	0.00	-	-	-	
School District #3	0.00	0.00	-	-	0.00	-	0.00	-	0.00	-	-	-	
School District #4	0.00	0.00	-	-	0.00	-	0.00	-	0.00	-	-	-	
School District #5	0.00	0.00	-	-	0.00	-	0.00	-	0.00	-	-	-	
School District #6	0.00	0.00	-	-	0.00	-	0.00	-	0.00	-	-	-	
School District #7	0.00	0.00	-	-	0.00	-	0.00	-	0.00	-	-	-	
School District #8	0.00	0.00	-	-	0.00	-	0.00	-	0.00	-	-	-	
School District #9	0.00	0.00	-	-	0.00	-	0.00	-	0.00	-	-	-	
School District #10	0.00	0.00	-	-	0.00	-	0.00	-	0.00	-	-	-	
School District #11	0.00	0.00	-	-	0.00	-	0.00	-	0.00	-	-	-	
School District #12	0.00	0.00	-	-	0.00	-	0.00	-	0.00	-	-	-	
Total Schools	0.00	0.00	-	0.00	0.00	-	0.00	-	0.00	-	0.00	-	

RULE 6.001
UNIFORM REPORTING OF ASSESSMENTS

STATUTORY AUTHORITY ACA 26-28-108

STATUTORY AUTHORITY ACA 26-28-304

On or before March 15th of each year the Preparer of the Tax Books for each county shall provide a copy of the Abstract of Assessments ~~that reflects~~ to the Assessment Coordination Department. Said copy of Abstract of Assessments shall be the same as reported to the Arkansas Department of Education on or before March 15th of each year and shall include the total assessment by school district that was delivered to the County Tax Collector ~~to the Assessment Coordination Department~~ (Tax Books) for tax collection purposes.

Adopted and implemented 6/16/06 by emergency procedure

RULE 6.12
UNIFORM REPORTING OF DELINQUENT TAXES

On or before March 15th the County Collector of Taxes shall provide a report by school district to the Assessment Coordination Department of the following items:

- 1. Current collection year delinquent collections*
- 2. Previous collection year delinquent collections*
- 3. Delinquent collections certified to the State of Arkansas Office of Commissioner of State Lands.*

Adopted and implemented 6/16/06 by emergency procedure

RULE 6.23
UNIFORM REPORTING OF COUNTY TAX SETTLEMENTS
STATUTORY AUTHORITY ACA 26-26-2001

On or before February 15 the Preparer of the Tax Books shall provide to the Assessment Coordination Department:

1. A copy of the final tax settlement filed with and approved by the County Court on or before December 31 of the previous year.
2. Delinquent personal tax collected in the previous calendar year as reflected ~~in~~ on the County Clerks monthly distributions to the taxing districts;
3. Delinquent real estate taxes collected in the previous calendar year as reflected ~~in~~ on the in the County Clerks monthly distributions to the taxing districts. The monthly distribution information provided shall be for January through December collections, regardless of actual distribution date.
4. Delinquent real estate taxes distributed in the previous calendar year by the County Treasurer from real estate taxes collected by the State of Arkansas Office of the Commissioner of State Lands;
5. Homestead taxes received by the State of Arkansas distributed in the previous calendar year to the taxing districts by the County Treasurer;
6. Interest earned on funds by the County Tax Collector and or County Treasurer for the previous calendar year that were distributed to the taxing districts;
7. The net County Treasurer's commission allocated to the taxing districts for the previous calendar year;
8. County Tax Collector's excess commission for the previous year that was distributed to the taxing districts.
9. The preparer of the tax book shall use the template provided in ACD Rule 5.02 P-1 for reporting purposes.

Adopted and implemented 6/16/06 by emergency procedure