

## **OHIO BOARD OF TAX APPEALS**

### **Annual Report Fiscal Year 2016**

R.C. 149.01 requires the Ohio Board of Tax Appeals to file an annual report with the governor, the secretary of state and the state library, on every August first summarizing the official acts of the board...“and any suggestions and recommendations that are proper.”

This report fulfills the annual reporting requirement for the fiscal year ending June 30, 2016.

**Governor John R. Kasich  
Secretary of State Jon Husted  
State Librarian Beverly Cain**

## Executive Summary:

Building upon provisions enacted in House Bill 138, and operational improvements developed in a kaizen event with LeanOhio (both in July, 2013), the board has developed and implemented a case management system that is cloud-based, user-driven and accessible to everyone 24/7/365 from anywhere in the world with internet access. This transformation has allowed the board to streamline processes and change long-held practices to better serve parties to tax appeals.

The BTA has now fully leveraged its case management system to drive efficiencies and customer service improvements. The appeals process is now largely party-driven, yielding improved operational efficiency and shortened resolution times. Results are reflected in a completely current active case docket and an average resolution time of less than nine months from filing to resolution. The larger result is greater clarity for all Ohio regarding tax related matters.



Jim Williamson  
Chairperson



David Harbarger  
Vice-Chairperson



Jasmine Clements  
Member

## **Mission**

The mission of the Board of Tax Appeals, as Ohio's administrative tax court, is to provide taxpayers and taxing authorities with an accessible, fair and efficient appeals process and to resolve appeals in a timely and judicious manner by facilitating settlement or by issuing comprehensive written decisions, which are based upon Ohio statutes, case law, and board precedent.

## **Function**

The BTA is Ohio's administrative tax court. It is a quasi-judicial body established by Ohio Revised Code 5703.02, and comprised of three (3) members appointed by the governor to overlapping six-year terms. The BTA adjudicates state tax disputes, relieving an overburdened state judicial system and providing taxpayers with a non-partisan forum in which to resolve tax disputes. In this forum, taxpayers are assured appeals will be addressed by individuals with considerable expertise focused exclusively on tax issues.

The BTA adjudicates appeals of all tax types from Ohio's 88 counties and various levels of government. The vast majority (about 90%), are appeals of county Boards of Revision (BOR) decisions regarding real property valuation. Other appeals are of final determinations of Ohio's Tax Commissioner, decisions of municipal boards of appeal, and actions of county budget commissions.

## **Process**

Most appeals involve real property valuation disputes, for which the process is as follows:

1. A notice of appeal from a decision of a BOR is filed with the BTA.
2. Depending on the appellant's choice, the board establishes either an evidentiary hearing date to accept new evidence, or a date by which all written argument is due from the parties to the appeal.
3. The BOR files a transcript of the proceedings that occurred at the county level with the BTA.
4. The discovery process is completed.
5. All evidence is considered and a decision is rendered by the board after the BTA hearing or written argument deadline.

Filers enter appeal information directly into the BTA's cloud-based case management system from anywhere at any time. Once submitted, reviewed and accepted, all parties are notified electronically that an appeal has been filed, the case number assigned and the evidentiary hearing or written argument date assigned.

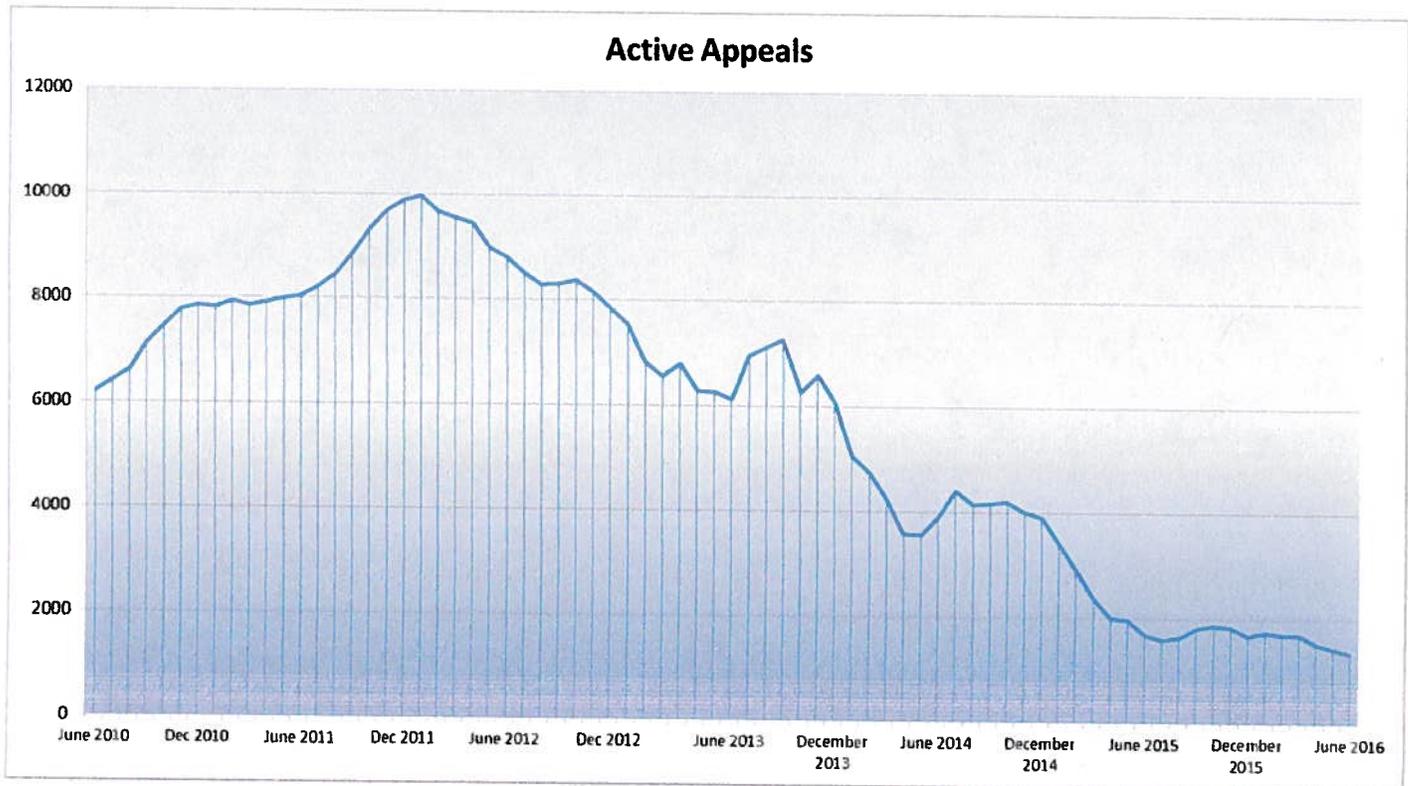
After the evidentiary hearing or the written argument date, an Attorney Examiner reviews the entire record and drafts a decision for the board to consider. After consideration, the decision of the board is announced.

<b><u>Statistical Summary - Fiscal Year</u></b>	<b><u>2016</u></b>	<b><u>2015</u></b>	<b><u>2014</u></b>	<b><u>2013</u></b>	<b><u>2012</u></b>
<b>Appeals Filed</b>	<b>2,588</b>	<b>3,030</b>	<b>6,803</b>	<b>5,388</b>	<b>5,232</b>
<b>Appeals Resolved</b>	<b>2,782</b>	<b>5,502</b>	<b>8,905</b>	<b>7,856</b>	<b>4,489</b>
<b>Active Appeals</b>	<b>1,430</b>	<b>1,624</b>	<b>4,096</b>	<b>6,198</b>	<b>8,666</b>

In FY2016, the BTA implemented the following changes:

- The board continued refining its online case management system, to include allowing cases to be consolidated, simpler entries for changing counsel, electronic submission of subpoena requests, electronic submission of notices of appeal to higher courts, and internal workflow improvements
- The board completely revised and reorganized its administrative rules to accommodate electronic filing, better advise parties as to allowable representative activities, and clarify case management schedule deadlines

Technology enhancements and procedural efficiencies have enabled the board to eliminate its previous backlog, and to resolve new appeals, on average, in less than nine months. New Board of Revision appeals are lower than previous years due to the rebounding real estate market and the rotating county real property valuation cycle. Appeals from final determinations of Ohio's Tax Commissioner are also fewer but represent an increasing share of the board's docket. The improvements the board has made will enable it to continue to provide a high level of service in the face of this shift in its docket toward more complex cases of statewide application.

**Results – Active Case Docket FY2011-FY2016****Official Acts**

The BTA met 12 times in FY2016. During the fiscal year, the board issued 2782 decisions and orders which resolved active appeals. The board also made rule changes to support the passage of Sub. HB 138 and other operational changes at the BTA.

**Suggestions and Recommendations**

The board looks forward to broader use and acceptance of the BTA's new case management system as parties adopt the self-service capabilities of the system. BTA board and staff members will focus on value-added activities, increasing process efficiency and keeping the board's docket current while issuing high quality decisions.