

YOU MAY APPEAL THE DECISION OF THE BOARD OF EQUALIZATION (CBOE) BY SELECTING ONLY ONE OF THE THREE OPTIONS OUTLINED BELOW. YOU HAVE A THIRTY DAY PERIOD FOLLOWING THE MAILING DATE OF THE CBOE DECISION TO APPEAL TO DISTRICT COURT, THE COLORADO BOARD OF ASSESSMENT APPEALS, OR TO NOTIFY THE CBOE OF YOUR INTENT TO PURSUE ARBITRATION.

BOARD OF ASSESSMENT APPEALS

You have the right to appeal the CBOE decision to the Board of Assessment Appeals (BAA) pursuant to Section C.R.S.39-8-107(5)(a)(I). If you appeal the valuation of rent-producing commercial real property to the Board of Assessment Appeals, you must provide the following information to the County Board of Equalization within 90 days after the appeal is filed.

For two full years including the base year for the relevant property tax year:

- (1) Actual annual rental income
- (2) Tenant reimbursements
- (3) Itemized expenses
- (4) Rent roll data, including the name of any tenants, the address, unit, or suite number of the subject property, lease start and end date, option terms, base rent, square footage leased, and vacant space.

The BAA is the final hearing at which testimony, exhibits or any other evidence may be introduced. If the decision of the BAA is further appealed to the Court of Appeals pursuant to Section 39-8-108(2) C.R.S., only the record created at the BAA hearing shall be the basis for the Court's decision. No new evidence can be introduced at the Court of Appeals.

Appeals to the BAA must be made on forms furnished by the BAA, and must be delivered within thirty days of the mailing date of the CBOE decision to:

Board of Assessment Appeals
1313 Sherman Street, Room 315
Denver, CO 80203
Phone (303) 864-7710
www.dola.colorado.gov/baa

OR

DISTRICT COURT

You have the right to appeal the valuation for assessment set by the Assessor or the valuation for assessment as adjusted by the CBOE decision, as the case may be, to the District Court in the county where your property is located for a trial de novo. You may wish to consult with your attorney about the requirements for filing an appeal in District Court. Pueblo County District Court address is 501 N. Elizabeth, Pueblo, Colorado 81003, Telephone: 719-404-8700.

OR

BINDING ARBITRATION

You have the right to submit your case to arbitration, pursuant to Section 39-8-108.5, C.R.S. If you choose this option, the arbitrator's decision is final and your right to appeal your current valuation ends.

Selecting the Arbitrator

In order to pursue arbitration, you must notify the CBOE of your intent within 30 days of the mailing date of the CBOE decision. You and the CBOE must agree on an arbitrator from the official list of qualified people or the district court of the county in which the property is located will select an arbitrator from the list.

Arbitration Hearing Procedure

Arbitration hearings are held within sixty days from the date the arbitrator is selected. Both you and the CBOE are entitled to participate. The hearings are informal. The arbitrator has the authority to issue subpoenas for witnesses, books, records, documents and other evidence. The arbitrator also has power to administer oaths and determine all questions of law and fact.

The arbitration hearing may be confidential and closed to the public, upon mutual agreement. The arbitrator's written decision must be delivered to both parties personally or by registered mail within ten (10) days of the hearing. Such decision is final and not subject to review.

Fees and Expenses

The arbitrator's fees and expenses shall be agreed upon by you and CBOE prior to the hearing. In the case of residential real property, such fees and expenses cannot exceed \$150.00 per case. A full deposit will be required prior to the hearing being scheduled. The arbitrator's fees and expenses, not including counsel fees, shall be paid as provided in the decision.

Enclosed please find a copy of the Resolution and the Pueblo County Board of Equalization Referee's Finding and Recommendation