



Tompkins County
Assessment Department
fairness & equity

DIRECTOR OF ASSESSMENT

Jay Franklin

ASSISTANT DIRECTOR

Irene Kehoe

128 E. Buffalo St, Ithaca, N.Y. 14850 | Phone: (607) 274-5517 | Fax: (607) 274-5507 | tompskinscountyny.gov/assessment

To: Government Operations Committee
From: Jay Franklin
Date: January 31, 2023
Re: 2023 Annual Equity Maintenance (AEM) Program

As we file the 2023 Assessment Roll, this will be our 54th consolidated Assessment Roll. We were founded because of the 1968 County Charter vote with our office officially forming on January 1, 1970. Every year I recognize Thomas Payne for having the foresight to create this office and that is no different this year. Quite simply, Mr. Payne was a visionary for his ‘shared services’ concept of consolidating the assessment function at the county level. This wasn’t done to save money – this consolidation was done to increase the service to the property owners in Tompkins County. It is an honor to carry on the tradition of doing what it takes to be a true public servant.

The work of the assessor is not always glamorous, but the work of the assessor is one of the most essential functions in government.

“Tax assessment is - - - very nearly - - - the single most responsible function within the administrative scope of municipal government...you are your community’s own best – and very likely, only – expert on the subject. If you default your unique position, if you refuse or reject your responsibility for leadership, then your city and its people for generations to come may suffer.”

Texas Municipal League Executive Director

Steve Matthews 1962

While most property owners may just think that we “jack up assessments” to hide tax levy increases but the Department of Assessment does a lot more than just adjusting values to market value. We also prepare apportionments to allow the equitable distribution of taxes when a buyer purchases a part of a property, we investigate deaths to farm animals caused by rabid wildlife, we administer over 200 unique real property exemption statutes, and we find lower priced cell phone plans for our residents (we get asked the most unique questions and we still try to help our residents).

We also produce and print tax bills to be mailed by the respective towns/villages/schools. We try to assist property owners as they try to obtain area variances/building permits, consolidations/splits of parcels, and we even help trying to get school district and municipal boundaries adjusted. The job of the Assessor is much like any service industry job – there is always something to do, even if it is to clean our records. But the most important part of our job is serving the public. While the public may not always realize that everything we do is for their benefit, we do appreciate the thanks and kudos that we get from our residents. For those that might not like what we do, I’m hopeful that they appreciate how we do it and the service that we do provide to them.



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While the 2022 AEM Program was different than other years in terms of number of changes and dollar amounts, it has been surpassed by the 2023 AEM Program. At no point in my career, and even the careers of real estate professionals who have been doing this a lot longer than myself, have we seen a real estate market as 'hot' as this market has been.

It was not uncommon for a property to sell above list price with multiple bidders willing to go above. We have seen building inspections waived and other contingencies waived too in order to try to be that winning bid. Letters have been written to sellers to try to get that extra edge to be awarded that winning bid. Now, this hasn't happened to every property sale but there is 1 simple fact – the supply of for-sale housing in Tompkins County hasn't kept pace with the demand. We are building houses at a rate that hasn't been seen since World War II. This basic economic principal of supply and demand has been driving up prices even as interest rates have increased to levels that we haven't seen in over a decade. Until we focus some efforts on building wealth in our residents by building new for-sale houses, we will be at a supply deficit for years to come.

Our 2023 AEM program reflects the real estate market as of July 1, 2022. We are still monitoring the market to see where we are going but we haven't seen signs of a downturn yet. We will be monitoring this and if the market does make a downturn, we will gladly reduce assessments.

Introduction

Since 1999, the Tompkins County Department of Assessment has maintained a uniform percentage of value on the assessment roll by thoroughly analyzing the roll and adjusting the assessment roll as needed in order to keep uniformity. Since our failed attempt at a triennial assessment cycle, we have and will continue to maintain a 100% level of assessment. No other assessing unit in NYS has been as diligent as Tompkins County in maintaining a fair and equitable assessment roll. Tompkins County is the only assessing unit that has been awarded the Excellence in Equity Award from NYS every year it has been award (including being the only assessing unit that has received this award when at a fractional level of assessment).

To provide the public with more information regarding the decision-making aspect of the assessment function, the Department of Assessment started issuing an annual report in 2010.

The main goal of this report is to disseminate accurate information regarding the current state of the assessed values in relation to the current sale prices of real property within Tompkins County. As one does not look to Miami for what weather will occur in Tompkins County, we do not look ***nationally*** when analyzing the current real estate market in Tompkins County. The Department of Assessment is monitoring the national trends in the real estate market and is ready to respond if/when these trends may in fact affect Tompkins County in the future. We look at what is occurring at both the state and federal level in terms of regulation and policy changes to monitor what effect any changes might have on our local real estate market.



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Tompkins County has ~35,768 parcels of real property with a total market value of about \$16 Billion+. The Tompkins County Department of Assessment is the only true countywide assessing unit in New York State with all aspects of the assessment function occurring in this office. By consolidating the assessment function at the county level, approximately \$619,000 per year is saved as compared to the cost of Town/City assessing units that provide the same level of service to their constituents that this office does for ours. And as towns are having a difficult time finding new assessors to hire, by the sheer size of this office, we are able to hire quality individuals who might have zero experience in the appraisal field, and we are able to train them accordingly.

The real property tax is an ad valorem tax (Latin for *according to value*). One important benefit of the real property tax is that the amount collected always equals the amount levied, unlike the sales and income taxes whose collection rates can vary greatly from large windfalls to large shortcomings. An assessment is not a tax but rather a way to apportion the amount of money that the taxing jurisdictions wish to generate. Each assessed value represents the proportionate share of the pie that each property owner will be responsible for. The individual taxing jurisdictions determine the overall size of the pie while the proportionate assessed value cuts the pie into individual pieces.

It is the duty of the Department of Assessment (and all assessing units in NYS) to estimate the market value of all real property each and every year. There are no down years in the Assessment field – we can't simply take a break or else inequity will slam into our roll. Each year assessors must adjust values so that everyone is assessed at the same uniform percentage.

The real estate market within Tompkins County has probably been the strongest that it ever has been. Years of neglecting for-sale housing growth in favor of building apartments have left the county with very little supply of housing which according to the basic economic law of supply and demand will simply drive-up prices.

For residential properties, the job of appraising these properties has become even more complex. Buyers are placing more weight on houses that are “emotionally appealing”. This magnification of this subjective variable into the appraisal question just shows how much of an art and not a science property appraisal is. While data and measurements about a house obviously will get you in the ballpark of that house's value, it is the appraisers experience with the marketplace that allows them to accurately value a piece of property when the numbers will only get you so far. However, there is no way to categorize or record the ‘emotional appeal-ness’ of a property so one really does need to rely on experience and the knowledge of the current real estate market to be able to appraise properties in this market.

Additionally, we have seen the increase in priority given to those external/environmental factors – water features on the property (including wetlands), adjacency to parks/protected land, deck/pool/patio/fire pit/outside kitchen/etc. While size used to matter more in minds of house buyers, all of these ‘extras’ are playing a bigger part than in the past.



2023 Annual Equity Maintenance Program

What could have happened if we didn't stay with the Annual Equity Maintenance Program

In July, the County Legislature was entertaining the notion of abandoning the AEM program and instead going to a fractional level of assessment. Here is what would have happened if the county had continued down that path.

Our level of assessment would have decreased from 100% of the full market value of the property to a 90% level of assessment. While the majority of residential parcels would have seen their assessment go unchanged, they would have experienced a ~10% increase in their market value without any notification sent to them. So, if a property was assessed at \$200,000 at a 100% level of assessment, it was worth \$200,000. Now, that same \$200,000 assessment is now worth \$222,222 at a 90% level of assessment ($\$200,000 \div 90\%$). Some residential properties still would have seen an increase in their assessment in order to get to the 90% level of assessment. So, if say the house that was worth \$300,000 is now worth \$360,000, the assessment would have been increased from \$300,000 to \$324,000 at a 90% level of assessment. The \$324,000 assessment at 90% level of assessment means the property is worth \$360,000 ($\$324,000 \div 90\%$). That's not confusing by any stretch of the imagination.

For the majority of commercial properties, we would have ended up decreasing their 2022 Assessment since they did not see an increase in their market value. So, if an assessment was \$500,000 for an office building, they would have seen a reduction in their assessment to \$450,000. A \$450,000 assessment at a 90% level of assessment equals a value of \$500,000. So, we would have been sending out a reduction in assessment to simply keep the market value the same. Again, not confusing by any stretch of the imagination.

While the County Legislature could have been very deceptive by reducing the level of assessment instead of sticking with the Annual Reassessment Program, the Legislature did the right thing and stayed with staying with up-to-date assessments that reflect the market value of the property without having to do any other calculations. It is beyond debate that a full value assessment program done yearly is the most accurate way and the least confusing way to distribute the tax burden. It is a complete shame that a significant amount of towns has opted out of the annual reassessment program in favor of playing the Equalization Rate game that some communities feel is the only way to accurately distribute the tax burden when some other communities neglect their statutory duty of maintaining an equitable assessment roll without having to play games.

A wise old man once said, you can't control what you can't control and you can only control what you can control. We can't control what other government entities do but we can ensure that we do the right thing for our citizens and we can hope that other entities will ultimately do right by their citizens too.



Now, getting back to the issue at hand – this is what we did to maintain a full value equitable assessment roll.

Since New York State adopted the Cyclical Re-Assessment Program (CRAP) to try to get municipalities that have not performed a revaluation in many years, some since the Civil War, to update their assessment rolls, Tompkins County lost approximately \$150,000/year in state aid by maintaining an up-to-date assessment roll, *the equivalent of 2 full time appraisers*. While this new program might push some municipalities to update their rolls occasionally, it adversely affected those municipalities that have maintained an accurate and equitable assessment roll on a yearly basis which is still the most equitable way to assess properties according to the International Association of Assessing Officers (IAAO).

The CRAP has also increased the amount of work that is required of the NYS Office of Real Property Tax Services. By not having cyclical reassessments occurring on a regular basis by the local towns, NYSORPTS is forced to perform full value measurements which require office staff to perform appraisals of property in the various towns that have not kept their values up-to-date. This has required the training and hiring of new personnel who must spend time traveling across the state to perform site visits and valuation estimates to confirm the local assessment roll. More and more towns have dropped out of maintaining up-to-date assessments as they are forced to play the ‘equalization rate game’ much to the detriment of their property owners.

While the amount of state aid available is “*up-to-\$5/parcel*”, the actual amount received will vary greatly depending on the number of parcels in this program each year. For instance, for the 2012 Assessment Roll the state aid was only approximately \$2.25/parcel as New York City received the maintenance aid. This uncertainty of aid can amount to upwards of \$100,000 in loss of anticipated aid, all depending on circumstances beyond our control. There is simply no way to budget for anywhere between \$50,000 and \$150,000 that will come in year 3 but the work must be accomplished in year 1 (the revenue will come after the assessment roll is verified and long after the work is done).

Instead of joining the CRAP, the Department of Assessment has decided to maintain the work processes that made the Annual Equity Maintenance Program (AEM) in Tompkins County so successful. The CRAP was determined to be costlier to administer with no increase in accuracy or equity. The largest expense in participating in CRAP would be to re-measure at least 2 sides of every structure in the county once every 4 years or to perform updated oblique aerial imagery flights. At least in Tompkins County, we have found that buildings do not grow absent a significant construction project, which would require a building permit.

The 2023 Assessment Roll is based upon the economic value as of July 1, 2022 and the physical conditions of the property that are present on March 1, 2023. On July 1, 2022, we were still experiencing a hot real estate market and subsequently while there are articles describing a downturn in other areas and a pending downturn all over our country, we have not yet seen that downturn yet, but we are starting to see a slowing of the appreciation.

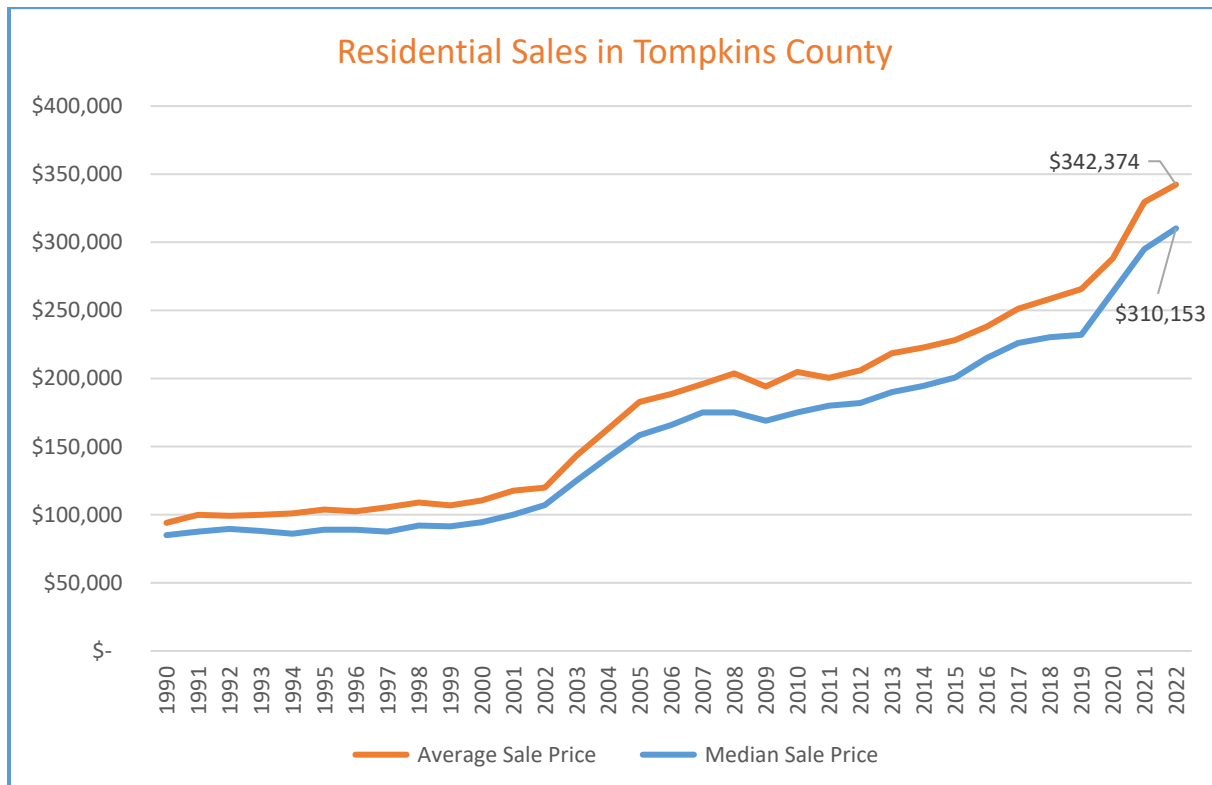


But what happens next? That's a good question and one that this office does not know the answer. Is this a bubble that will burst? We have many forces that are causing the value to increase (affluent buyers both local and new residents), low supply of for-sale housing, and an economy that has relatively remained unscathed by the effects of COVID (medical/educational). But there are also factors that are driving down the price (higher interest rates, effects of COVID-19 on the general economy, cost to renovate increasing, etc).

If the real estate market were to burst and property values were to fail in future years, just like we did during the 1990s after the bubble burst in 1989, we will drop assessed values to reflect the market value of the property. During this market decline, the City of Ithaca saw a tax base that shrunk every year but 1 from 1990 to 1997. The Department of Assessment has never faced any political influence to raise values and we will not have that into the future either. Our duty is to reflect the market value of the property and we will do so in an appreciating, depreciating, or a level market.

Sales vs Assessment Analysis

As a trend, both the average selling price and median selling price are increasing although variations in the type of property being sold might show a decrease from year to year.





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Because Tompkins County reassesses all properties each year to reflect a property's current market value, it is very crucial that the Department of Assessment analyze the real estate market in depth. In the financial environment of today, it is important that the tax burden be distributed equitably and is the reason why the International Association of Assessing Officers asserts that annual reassessment is the best way to ensure an equitable distribution of the tax burden.

Many reports¹ have been written about what happens when assessing units do not adjust values to reflect the current market value of the property. In most instances, the higher appreciating neighborhoods are typically those that are valued higher than others. The neighborhoods where values do not appreciate as quickly as the higher valued neighborhoods are the lower valued neighborhoods. If values are not adjusted yearly, the result will be that the lower priced neighborhoods will have a larger share of the tax burden than what they should have. Some municipalities haven't performed a revaluation since the American Civil War. It is reprehensible that New York State allows this mistreatment of property owners to still occur.

It is nearly impossible to measure the level of assessment for Commercial properties by using any sort of sales ratio approach. Most of today's commercial sales are affected by outside influences such as 1031 exchanges, purchase of leases vs real estate, interest only loans, future appreciation, and owner financing.

The sale prices that are often reported do not reflect what a 'prudent' buyer would purchase that property for. For instance, the new City Centre building in downtown Ithaca was sold for \$75 million after being constructed for around \$50 million. Despite the large sale price, the IDA tax abatement was extended for this property whereby they will pay a fraction of what they would if the abatement was removed at the time of this sale. Maybe the buyers were banking on future appreciation but as the assessor, I don't feel that we can say the property is worth more today as we feel it will be worth more in the future. Assessors do not predict the future – only what would have happened in the past based upon what has occurred already.

In many townships/counties in Indiana, Michigan, and Texas, millions of dollars of refunds have had to be issued when a large Big Box Store has successfully convinced a court that their value should be significantly less than the cost to build their store. NYS should not get into the business of valuing a piece of paper (ie a lease) but instead we should continue the practice of valuing real property. NYS has recently limited the assessor's ability to value big box stores by limiting what it considers a comparable

¹ [Opinion | How Lower-Income Americans Get Cheated on Property Taxes - The New York Times \(nytimes.com\)](https://www.nytimes.com)

[NYC Equity Firm Makes Multi-Million Dollar Bet on Binghamton's Student Rental Market: Outdated, Inequitable Assessment System Exposed - The Bridge \(binghamtonbridge.org\)](http://binghamtonbridge.org)



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 property by passing Chapter 497 of 2021. This Chapter will have zero influence on the assessment challenges that the Big Box Stores will file but it will limit what the assessor can consider as a

comparable as most assessing unit do not have enough similar properties (based upon location, age, condition, use) in their communities to be able to make a comparison without adjusting for those differences. Tompkins County has not had a sale of a Big Box Store since 2016 so without any local comparable properties, according to this new section of law, I'm not entirely sure how I can value the Big Box Stores without using properties outside of Tompkins County. Hopefully the NYS Legislature will review this issue again.

With some student housing in the heart of Collegetown, the land is worth more than the value of the current use of the building (which is how we must value the property – the current use value). Unfortunately, the database provided by NYS does not allow a land value that is greater than the total value. I have never been given an answer by NYS as to what to do when the dirt is worth more than the economic income producing ability of the improvement.

Analysis of Level of Assessment and Uniformity

The Department of Assessment has analyzed all the valid arms-length transactions of residential properties between March 1, 2022 and July 1, 2022. The mean and median Assessment to Sale Price Ratio (AVSP) along with the price related differential (PRD) and coefficient of dispersion (COD) was determined for the county.

Mean Assessment to Sale Price Ratio	=	0.73
Median Assessment to Sale Price Ratio	=	0.73
Price Related Differential	=	1.04
Coefficient of Dispersion	=	18.0256

An AVSP under 1.00 indicates that the sale prices are greater than the current assessments while conversely, an AVSP over 1.00 indicates that the sale prices are less than the current assessments. For a non-heterogeneous area such as Tompkins County, a coefficient of dispersion of under 15 is acceptable. A price related differential between 0.98 and 1.03 will show no vertical inequity in the assessment roll. Vertical equity means that lower priced properties are not valued differently than higher priced properties. There is a tendency in mass appraisal to not be able to value low- and high-priced properties accurately as it is hard to branch out from the 'middle' and has the market has been overpriced for some, that has caused upward pressure on the low end of housing the county.

Based upon a countywide analysis, it is determined that the 2022 Assessment Roll would not be considered at 100% fair market value as of July 1, 2022. Statistically speaking for the purposes of level of assessment, an AV/SP of +/- 5% would be considered at 100% based upon the overall static that is within the real estate market but as we were outside of those boundaries, work was needed to be done to maintain 100% fair value assessments for all property in the county.



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The median sales price has increased just over \$15,153 from the previous years (or a 5.1% increase from the previous year’s median sale price) which shows that the overall market value for residential properties within the county are strongly increasing however there are still pocket areas where this statement is not correct; either the market value has increased more within the past year **OR** the market value has increased enough over the past few years to make a change for the 2022 Assessment Roll **OR** that no market change has occurred.

Reassessment Projects for 2023 Assessment Roll

While overall the Assessment to Sale Price Ratio (AVSP) indicated that the assessment roll was at 89% fair market value, the increase has been spread out throughout the whole county. For this year, we reviewed the AVSP ratio. These ratios were much higher than we have seen in the past and rather than just apply those percentage increases, we went one step further. We also sampled all of the neighborhoods in Tompkins County and reappraised a diverse group of properties in each neighborhood to determine if the whole neighborhood was increasing in value or a segment of that neighborhood.

After the sampling, we reviewed the new appraised value for those parcels, and we created a trend that was then applied to all properties in that neighborhood code. If the assessment was correct last year, barring any physical changes to the property that we are unaware of, the new 2023 Assessment should also be correct too. We reviewed the trended values parcel by parcel to ensure that the trending percentage applied to each parcel was correct.

Residential

All residential parcels were reviewed

Commercial (countywide)

Mini-Storage – data collected, and value reviewed

Cell Towers – data collected, and value reviewed

Vacant Land

All vacant land was reviewed.

Results of the Reassessment Projects

Based upon the projects undertaken above, we maintained a 100% level of assessment for the 2023 Assessment Roll. While we are still 3 months away from filing the Tentative Assessment Roll, so far we have made 26,053 changes to the assessed value. Of this only 210 were decreases in assessment while the vast majority (26,053 were increases in assessment).

The mean and median Assessment to Sale Price Ratio (AVSP) along with the price related differential (PRD) and coefficient of dispersion (COD) was determined for the county after the revaluation.

Median Assessment to Sale Price Ratio	=	1.04
Price Related Differential	=	1.0174
Coefficient of Dispersion	=	7.5632



There are ~35,768 parcels within Tompkins County and there will be properties that are either over assessed or under assessed. With each passing year, the Department of Assessment tries to smooth out these inequities.

Additionally, we are constantly monitoring the "For Sale" properties on the Multiple Listing Service to help determine the movement of the real estate market when no sales occur. The Department of Assessment does not value property based upon listings, however listing prices in respect to the current assessed values does shed light on the current state of the real estate market.

All property owners in the county are encouraged to review the data that is on file at the Department of Assessment. Any corrections to the inventory on file are welcomed. If a property owner wishes to have a member of the professional appraisal staff inspect their property, a request may be made with the Real Property Appraiser responsible for that town.

The Department of Assessment will mail out a Preliminary Notice of Assessment Change to all property owners whose assessment changed since the 2022 Final Assessment Roll starting on February 10. We will stagger the mailings so that each municipality will be able to have a dedicated 3-week period for property owners to make an appointment to discuss their value over the phone. Change notices will be mailed on a Friday and property owners will have 1 week before appointments are open to them. They then will have 3 weeks to schedule an appointment. These appointments are the property owners' opportunity to present information to the Department of Assessment to take into consideration when reviewing the assessed value. In order to accommodate all of the potential reviews, all informal review meetings will occur over the phone. This office simply lacks the space and employees that would be needed to cycle in 6-8 new property owners every 10 minutes.

The deadline to file an informal review application is April 14th. The formal review period when a property owner can file a grievance application with the Board of Assessment Review is from May 1 to May 23. Appointments for the County Board of Assessment Review grievance day will be able to be scheduled starting on May 1.

Outlook for 2024 Annual Equity Maintenance Program

Based upon sales from July 1, 2022 to the end of December 2022, the real estate market appears to be leveling off but not decreasing yet. The Assessment to Sale Price Ratio for this period is still 0.814 which is lower than our ratios from July 1, 2021 to July 1, 2022 but still shows an appreciation over the 2022 Assessment Roll. We will be monitoring the real estate market as we get closer to July 1, 2023 in order to determine what we need to do for our 2024 Annual Equity Maintenance Program to keep an equitable assessment roll.

After a few years have gone by, we can continue to say that we have not seen any noticeable effect of the elimination of the SALT deductions on the local real estate market – if anything the SALT deduction have proven to be very beneficial to the typical property owner in Tompkins County. Between January 1, 2020 through December 1, 2021 we have seen 10 sales of residential houses over \$1 million. Just in



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the calendar year of 2022, we have seen 10 residential sales over \$1 million. Prior to 2021 and back to 1990, we had 28 sales over \$1 million in the last 30 years.

The Department of Assessment is committed to maintaining an equitable assessment roll. The Department is constantly analyzing the local real estate market and will make the necessary adjustments needed to maintain a full value equitable assessment roll.

Our biggest struggle today is the evolution of how the assessment function gets done. The days of cold-calling properties and if someone is not home, the appraiser/data collector would simply run a tape measure around the building to measure the structures have come and gone. Today, where privacy is almost non-existent; with the information that can be obtained on the internet, property owners are much more protective of their personal privacy than ever before. And rightfully so. We are respectful of the issue of privacy, and we try hard to balance that with trying to create an equitable assessment roll.

As Director of this office, I will not put my people at risk in the field. If at any point, they do not feel safe while in the field, they are instructed to leave as quickly and as safely as possible.

We have realized this change in the public, have respected this change, and we have changed how we do things because of this change. But this has affected our product by having to paint with a larger brush and making bigger assumptions about the condition of the property, about whether a building permit was completed or not etc. We have adjusted from cold-calling properties to sending out postcards asking for information as opposed to leaving door hangers. We firmly believe that for us to continue to provide such a high standard product, that we need the input of the public in reviewing our information and our values.

We are also adjusting to being inundated with information – however none of the data is integrated together and unlike the past, is spread out amongst many applications. We now have access to listing information, recorded documents at the County Clerk's office, local planning/zoning board information, aerial imagery, 3rd party websites etc. While we have access to all this information, none of it is integrated completely and much time is spent searching for information that may or may not prove to be important when valuing property.

We are constantly looking to improve upon our service to the community and we welcome any suggestions.
