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STATE OF FLORIDA
DEPARTMENT OF REVENUE

PUBLIC WORKSHOP
PROPERTY TAX OVERSIGHT

The above entitled Rule workshop convened at
2450 Shumard Oak Boulevard, Room 1220, Tallahassee,
Florida on the 19th day of July, 2011, commencing at
9:00 a.m.

Reported by:
JEFFREY R. BABCOCK
Court Reporter

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

July 19 Transcript.txt

2 TAMMY MILLER
FRENCH BROWN
3 STEVE KELLER
AL MOBLEY
4 TREY MCNABB
5 SPEAKERS:
6 ANA TORRES
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1 P R O C E E D I N G S
2 MS. MILLER: Okay. we're going to go ahead
3 and get started. Good morning. My name is Tammy
4 Miller, I'm a Senior Attorney with the Executive
Page 2

5 Direction and Support Services Program in the
6 Department of Revenue. I will be the hearing
7 officer today. My role as officer is to preside
8 in a neutral fashion at this hearing -- or
9 workshop. It does not include addressing
10 substantive issues.

11 At this time I would like the other members
12 of the Department of Revenue to introduce
13 themselves, starting with the person on my left
14 and then we'll to move my right.

15 MR. BROWN: French Brown, Deputy Director,
16 Technical Assistance and Dispute Resolution.

17 MR. KELLER: Steven Keller, I'm one of the
18 attorneys with the Department of Revenue.

19 MR. MOBLEY: My name is Al Mobley, I'm a
20 Projects Administrator with the Department of
21 Revenue.

22 MS. MILLER: This is a rule workshop held
23 pursuant to Florida Statutes subsection 120.54
24 Paragraph 3 for the purpose of informing and
25 discussing with interested parties the preliminary

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1 text of a number of proposed rule amendments
2 noticed in the July 1st edition of the Florida
3 Administrative Weekly, volume 37, Number 36, for
4 property tax oversight.

5 Normally we would list out all the rules, but
6 as you can see by the agenda, there's a whole lot
7 of them, so we're going to skip that at this

8 point.

9 The format for this hearing is informal, and
10 the following procedure will be used for receiving
11 your comments today: For any proposed rule in
12 which interest is indicated, technical staff will
13 either present the entire rule, or just those
14 provisions for which someone has indicated an
15 interest. Any comments or discussions regarding
16 the rule provision may be made following it's
17 presentation.

18 Since we're using webex, I'll now ask Trey
19 McNabb to go over the process that will be used
20 for that portion.

21 MR. MCNABB: Good morning, ladies and
22 gentlemen. If you're in webex and you have a
23 phone icon next to your name -- that is, you had a
24 direct-dial line -- to make a comment publicly,
25 you will be able to raise your hand. I'm going to

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1 turn on the option for you to raise your hand now.
2 At the bottom of your screen on the right-hand
3 side, you now have a new row of icons. If you
4 wish to make a comment, you have a phone icon next
5 to your name, you may raise your hand.

6 If you dialed directly into the conference
7 call, or do not have a direct-dial line in which
8 to make a comment, you may do so by sending an
9 email directly to dorpto@dor.state.fl.us.

10 Please use the subject, "Rule Comments
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11 7/19/11" so that we can keep track of when these
12 are coming in. We will read your comment out
13 loud, we will enter it into the record, it will be
14 available for everybody to comment.

15 Please do not write a very long email as we
16 wish to keep this meeting moving along. We will
17 mute and un-mute you here in Tallahassee. Please
18 ignore any instructions your phone is giving you
19 on muting and un-muting.

20 MS. MILLER: Okay. For anyone here in
21 person, when you -- if you'd like to make a
22 comment, please state your name and who you
23 represent. If you have not signed in on the
24 sign-in sheet, please do so. If you don't have a
25 copy of the proposed rules, let me know and we can

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1 provide you with a copy.

2 Is there anyone who doesn't have a copy and
3 needs a copy at this time? No. Are there any
4 questions regarding the procedure that we're going
5 to use? Okay.

6 Before we begin presenting the rules, is
7 there anyone who wishes to submit written comments
8 regarding any of the proposed rules? You'll also
9 be able to submit written comments after today is
10 concluded.

11 Okay, the way we're going to do this is -- as
12 I noted, there's a number of rules -- so I'm just
13 going to start at the top, give you the rule

14 number and name. If there's any questions or
15 you'd like the rule presented in it's entirety or
16 anything discussed about it, please let us know.
17 We will then go over it. If not, we will just
18 keep moving down through the list.

19 The first rule, 12D-1.009(1)(b)3, Mapping
20 Requirements. Would anyone like that presented?
21 Yes?

22 MS. TORRES: I think I may be the only one
23 here in person. My name is Ana Torres, I'm here
24 on behalf of the Property Appraisers Association
25 of Florida. We would like some clarification on

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1 the revision. We've had some questions from some
2 of our counties on the phrase, "All areas within
3 the county boundary." We're concerned whether
4 this requires right-of-way parcels or not. So I
5 don't know if somebody here can answer that
6 question.

7 MR. KELLER: Actually, I appreciate that
8 input and I will say that this -- the notice was
9 for (1)(b)3. This text that you see there on
10 (1)(b), prior to the numeric 1 is simply a draft,
11 and it is not part of this -- what was being
12 presented here today. So we are considering
13 removing that from the rule and very well -- quite
14 probably will -- and place it in other documents
15 and bulletins and what not. So I'll make that
16 representation to you right now that that

17 particular coded --

18 MS. TORRES: (b) in it's entirety, Mr.
19 Keller?

20 MR. KELLER: Well, just --

21 MS. TORRES: It's not --

22 MR. KELLER: Just (b) prior to the 1.

23 MS. TORRES: Okay, so it's in --

24 MR. KELLER: In other words, where it ends
25 with "cartographic elements."

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1 MS. TORRES: Okay.

2 MR. KELLER: That text there we're
3 considering removing from this rule and just
4 simply going with (1)(b)3 which is the -- after
5 the numeric 3 down there.

6 MS. TORRES: Okay, great. Thank you.

7 MS. MILLER: Are there any other comments on
8 this first one?

9 Okay, second: 12D-1.010, Reconciliation of
10 Interim Tax Rolls-Form of Notification.

11 Okay. Next, 12D-2.001, Definitions. As you
12 can tell, I'm giving a couple seconds to let the
13 webex people, if they want to, you know, raise
14 their computer hand, to let us know they have a
15 comment. Also for the people on webex, if we do
16 go ahead to the next one and you didn't have time
17 to send us a question, we will be happy to go back
18 if need be.

19 Next rule, 12D-5.004, Other Factors that May
Page 7

20 Become Applicable to Classification of
21 Agricultural Land.

22 MS. TORRES: Ana Torres on behalf of PAAF
23 again. We are concerned with including a
24 statutory factor in this particular rule that's
25 intended to be just additional factors or other

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1 factors besides the statutory factors in 193.461.
2 we think it's unnecessary to emphasize one
3 particular criterion that's in the statute. All
4 the ones that are in this rule currently are
5 either attorney general opinions, or derived from
6 case law. We just don't think it belongs in the
7 rule at all.

8 MS. MILLER: Okay. Thank you. Any other
9 comments on this rule?

10 Okay. Next, 12D-5.014, Conservation
11 Easement, Environmentally Endangered or Outdoor
12 Recreational or Park Property Addressed under
13 Section 193.501, Florida Statutes. This has two
14 forms as well listed: Form DR-482C Land Used for
15 Conservation, Assessment Application; and Form
16 DR-482CR Land Used for Conservation, Assessment
17 Reapplication.

18 Okay. Next, 12D-7.0055, Exemption for
19 Deployed Service Members. Includes Form DR-501M,
20 Deployed Military Exemption Application.

21 MS. TORRES: Are you taking up the form at
22 the same time as the rule?

23 MS. MILLER: Yes.

24 MS. TORRES: Okay. Ana Torres on behalf of
25 PAAF again. You're proposed form at the top reads

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1 "Exemption for Service Members who receive
2 Homestead Exemption and were deployed last year
3 outside of the U.S." A lot of my counties are
4 interpreting that as the service member having
5 had -- or being required to have Homestead the
6 prior year; meaning, they had received Homestead
7 in 2010 and were deployed. As a, you know,
8 conjunctive requirement, not -- I just would like
9 clarification from the Department whether you need
10 to have Homestead for the prior year. That's not
11 in the statutes, so I just think maybe you need to
12 clarify that opening paragraph in your form.

13 MR. KELLER: Thank you. We will consider
14 that.

15 MS. TORRES: Thank you.

16 MS. MILLER: Are there any other comments on
17 this rule?

18 Okay. Next, 12D-7.006, Exemption for Totally
19 and Permanently Disabled Persons. Includes three
20 forms: Form DR-416, Physician's Certification of
21 Total and Permanent Disability; Form DR-416B,
22 Optometrist's Certification of Total and Permanent
23 Disability; Form DR-501A, Statement of Gross
24 Income.

25 Okay, Form DR -- I'm sorry, excuse me. Next
Page 9

1 rule, 12D-7.013, Homestead Exemptions-Abandonment.

2 Next, Rule 12D-7.0142, Additional Homestead
3 Exemption.

4 Next, Rule 12D-7.0143, Additional Homestead
5 Exemption up to \$50,000 dollars for Persons 65 and
6 Older whose Household Income Does Not Exceed
7 \$20,000 dollars per year. Includes Form DR-501SC,
8 Adjusted Gross Household Income Sworn Statement
9 and Return.

10 Okay, moving right along. Next, Rule
11 12D-7.019, Tangible Personal Property Exemption.
12 Includes two forms, Form DR-405 Tangible Personal
13 Property Tax Return; and Form DR-405W, Notice to
14 Taxpayers whose Tangible Personal Property Return
15 was waived in the Previous Year.

16 Okay. Again, just to let you know, webex, if
17 you do have comments and you need some extra time
18 to type, please feel free to go ahead and send us
19 something and we'll be happy to go back if needed.
20 We're just going to keep moving.

21 Rule 12D-7.020, Exemption for Real Property
22 Dedicated in Perpetuity for Conservation.
23 Includes two forms: Form DR-418C, Real Property
24 Dedicated in Perpetuity for Conservation; Form
25 DR-418CR, Real Property Dedicated in Perpetuity

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1 for Conservation, Exemption Renewal.
2 Okay. Next, 12D-8.0061, Assessments;
3 Homestead Property Assessments at Just Value.
4 Next rule, 12D-8.0065, Transfer of Homestead
5 Assessment Difference; "Portability;" Sworn
6 Statement Required; Denials; Late Applications.
7 Includes two forms: Form DR-501RVSH, Certificate
8 for Transfer of Homestead Assessment Difference;
9 Form DR-501T, Transfer of Homestead Assessment
10 Difference, Attachment to Original Application for
11 Homestead Tax Exemption.
12 Next rule, 12D-8.00659. Notice of Change of
13 Ownership or Control of Non-Homestead Property.
14 Includes two forms: Form DR-430, Change of
15 Ownership or Control Non-Homestead Property; Form
16 DR-430M, Change of Ownership or Control, Multiple
17 Parcels.
18 MR. KELLER: I'd like to point out for the
19 record that we did receive an email comment, a
20 written comment as to this rule, and we will make
21 that part of the record of proceedings. And if I
22 forget to say so, we will -- we've received other
23 emails for some of these other rules that we will
24 also make part of the record of proceedings.
25 MS. MILLER: Okay. Next, Rule 12D-8.022.

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1 Reporting of Fiscal Data by Fiscally-Constrained
2 Counties to the Department of Revenue. Includes

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3 Form DR-420FC, Distribution to
4 Fiscally-Constrained Counties Application.

5 Next rule, 12D-9.015, Petition; Form and
6 Filing Fee.

7 MR. KELLER: We did receive an email comment
8 on this rule which we will make part of the record
9 of proceedings.

10 MS. MILLER: Okay. Next, 12D-9.036
11 Procedures for Petitions on Denials of Tax
12 Deferrals.

13 Next rule, 12D-13.042, Delinquent Personal
14 Property Taxes, Warrants, Seizure, Fees of Tax
15 Collectors; Attachment of Personal Property in
16 Case of Removal.

17 Next rule, 12D-13.063, Sale at Public
18 Auction.

19 MR. KELLER: We did receive an email comment
20 on this rule, which we will make part of the
21 record of proceedings.

22 MS. MILLER: Next rule, 12D-13.066,
23 Procedure, Tax Deed Corrections and Cancellations.

24 Next rule, 12D-16.001, Administration of
25 Forms.

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1 Next, Rule 12D-16.002, Index to Forms.

2 Next, Rule 12D-17.004, Taxing Authority's
3 Certification of Compliance; Notification by
4 Department. This includes several forms: Form
5 DR-420, Certification of Taxable Value; Form

6 DR-420DEBT, Debt, Certification of Voted Debt
7 Millage; Form DR-420MM, Maximum Millage Levy
8 Calculation, Final Disclosure; Form DR-420MM-P,
9 Maximum Millage Levy Calculation, Preliminary
10 Disclosure; Form DR-420S, Certification of School
11 Taxable Value; Form DR-420TIF, Tax Increment
12 Adjustment Worksheet; Form DR-421, Certification
13 for Taxing Authorities that do not Levy Ad Valorem
14 Taxes; Form DR-422, Certification of Final Taxable
15 Value; Form DR-422DEBT, Debt, Certification of
16 Final Voted Debt Millage; Form DR-428B, Maximum
17 Millage Calculation, General Information for
18 Fiscal Year 2009 to '10 and Thereafter; Form
19 DR-487, Certification of Compliance; and Form
20 DR-487V, Vote Record for Final Adoption of Millage
21 Levy.

22 All right. Next rule, 12D-17.005, Taxing
23 Authorities in Violation of Section 200.065,
24 Florida Statutes.

25 Next rule, 12D-17.006, Notification of

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1 Noncompliance, withholding and Escrow of State
2 Revenue Sharing Funds.

3 And the last rule, 12D-18.012, Tax Collector
4 Non-Ad Valorem Assessment Roll Reports. Includes
5 Form DR-503NA, Tax Collector's Report on Non-Ad
6 Valorem Assessments Collected on the Notice of
7 Taxes.

8 MR. BROWN: Do we want to give everybody a

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minute to --

MS. MILLER: Yeah.

MR. BROWN: -- check?

MS. MILLER: We've run through these pretty fast. I want to stress again, we are happy to take your comments. If you needed time, we'll be happy to go back on any of these.

MR. BROWN: If you're on webex and you have a phone icon next to your name, feel free to raise your hand if you have any comments; or you can email us at dorpto@dor.state.fl.us with any comments that you have.

That was the bulk of a lot of rules. We still have a lot of forms to kind of go through at this workshop, but just wanted to give everybody a second to maybe catch their breath and wake up if need be. Okay.

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MS. MILLER: All right. We'll go ahead and get started with the forms. We'll do it the same way, I guess. We'll just read each one, give you a couple seconds. Again, if that's not enough, feel free to go ahead and send us something, if you need to. We'll be happy to take it.

As you can see from the agenda, there are a whole lot more forms than there were rules, so -- but we'll get through them all.

So okay, first one: Form DR-401, Private Car and Freight Line Equipment Company's Annual Report

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to the State of Florida.

Next, Form DR-403, Tax Role Certification.

Next, Form DR-403AC, Revised Recapitulation of the Ad Valorem Assessment Roles, (County Values)(repealing.) Repealing?

MR. KELLER: That form is being repealed, yes.

MS. MILLER: Yeah, okay. Also being repealed, Form DR-403AM, Revised Recapitulation of the Ad Valorem Assessment Rolls (Municipality Values.)

Next form, Form DR-403BM, Recapitulation of Taxes as Extended (Municipalities.)

Next, Form DR-403CC, Recapitulation of Taxes

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as Extended (Counties.)

Next, Form DR-403EB, Assessment Roll Exemption Breakdown.

Next, Form DR-403PC, The Value and Number of Parcels on the Real Property Countywide Assessment Roll by Category.

Next, Form DR-403V, The Revised Recapitulation of the Ad Valorem Assessment Roll Value Data.

Next, Form DR-404PA, Property Appraiser Budget Amendment/Transfer.

Next, Form DR-404TC, Tax Collector Budget Amendment/Transfer.

Next, Form DR-409, Certificate of Correction

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15 of Tax Roll.

16 Next, Form DR-410, Application for Certified
17 Florida Collector or Certified Florida Collector
18 Assistant.

19 Next, Form DR-415, Application for Department
20 of Revenue Approved Bidder's List. This rule --
21 or form, excuse me, is being repealed.

22 Next, Form DR-431, Voluntary Disclosure of
23 Property.

24 MR. KELLER: I think you may -- there are two
25 other forms here that I'm showing on the other

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1 list: DR-430 and DR-430M.

2 MS. MILLER: I think we might have discussed
3 those earlier.

4 MR. BROWN: They were during the rules?

5 MS. MILLER: Yes, we got those up under --

6 MR. KELLER: All right, thank you.

7 MS. MILLER: Next, Form DR-452, Return of
8 Real Property in Attempt to Establish Adverse
9 Possession Without Color of Title.

10 Next, Form DR-462, Application for Refund of
11 Ad Valorem Taxes.

12 Next, Form DR-470, Railroad Tax Return. This
13 rule -- excuse me, this form is being repealed.

14 Next, Form DR-470A, Railroad Company Annual
15 Report to the State of Florida.

16 Next, Form DR-474, Notice of Proposed
17 Property Taxes.

18 MR. KELLER: We did receive a email comment
19 concerning this form and that email will be made
20 part of the record of proceedings.

21 MS. MILLER: Next, Form DR-474M, Amended
22 Notice of Proposed Property Taxes.

23 Next, Form DR-474N, Notice of Proposed
24 Property Taxes and Proposed or Adopted Non-ad
25 Valorem Assessments.

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1 Next, Form DR-484, Budget Form for Property
2 Appraisers.

3 Next, Form DR-485M, Notice of Decision of the
4 Value Adjustment Board.

5 Next, Form DR-485V, Decision of the Value
6 Adjustment Board-Value Petition.

7 Next, Form DR-458WCN, Value Adjustment
8 Board-Clerk's Notice.

9 Next, Form DR-485XC, Decision of the Value
10 Adjustment Board-Exemption, Classification, or
11 Assessment Difference Transfer Petition.

12 Next, Form DR-486DP, Petition to the Value
13 Adjustment Board Tax Deferral or Penalty -- excuse
14 me, Penalties Request for Hearing.

15 Next, Form DR-489 series: Form DR-489, Tax
16 Roll Certification.

17 Next, Form DR-489AC, Preliminary
18 Recapitulation of Ad Valorem Assessment Rolls
19 County. This form is being repealed.

20 Also being repealed, next form, DR-489AM.

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21 Preliminary Recapitulation of Ad Valorem
22 Assessment Roles Municipality.
23 Next, Form DR-489EB, Assessment Rolls
24 Exemption Breakdown.
25 Next, Form DR-489PC, The Value and Number of

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1 Parcels on the Real Property Countywide Assessment
2 Roll by Category.
3 Next, Form DR-489V, the Preliminary
4 Recapitulation of the Ad Valorem Assessment Role,
5 Value Data.
6 Next, Form DR-490, Notice of Disapproval of
7 Application for Property Tax Exemption or
8 Classification by the County Property Appraiser.
9 Next, Form DR-492, Return of Pollution
10 Control Devices for Ad Valorem Tax Purposes.
11 Next, Form DR-493, Adjustments Made to
12 Recorded Selling Prices or Fair Market Values in
13 Arriving at Assessed Value.
14 MS. TORRES: Ana Torres on behalf of PAAF
15 again. We are a little bit concerned because your
16 prior version of this form was titled "Adjustments
17 Made to Recorded Selling Prices in Arriving at
18 Assessed Value."
19 I'm aware that the statute and the rule both
20 state the alternative, you can either do an
21 adjustment to a recording selling price or to fair
22 market value. I don't see in your new form where
23 the property appraiser can indicate what the

24 adjustment is being made to; sort of left up in
25 the air. So we'd like to see somewhere in this

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21

1 form where the PA can check off it's either, you
2 know, to fair market value, recorded selling
3 prices, or both.

4 MR. KELLER: I'd also like to point out that
5 somehow this form got an extra "S" in the title
6 where it says "Fair Market Values," plural. That
7 should be singular, and we will be considering
8 removing the "S" on the value there in the title.

9 MS. MILLER: Thank you. Next, Form DR-498AR,
10 Automatic Renewal or Removal for Total or Partial
11 Tax Exemption.

12 Next, Form DR-499AR, Automatic Renewal or
13 Removal for Agricultural or High-Water Recharge
14 Classification of Lands.

15 Next, Form DR-500, Renewal Application for
16 Homestead and Related Tax Exemptions.

17 Next, Form DR-500AR, Automatic Renewal or
18 Removal for Homestead and Related Tax Exemption.

19 Next, Form DR-501, Original Application for
20 Homestead and Related Tax Exemptions.

21 Next, Form DR-501CC, Ad Valorem Tax Exemption
22 Application Proprietary Continuing-Care Facility.

23 Next, Form DR-501DV, Application for
24 Homestead Tax Discount, Veterans Age 65 and Older
25 with a Combat-Related Disability.

1 Next, Form DR-501PGP, Original Application
2 for Assessment Reduction for Living Quarters of
3 Parents or Grandparents.

4 Next, Form DR-501S, Eligibility Criteria to
5 Qualify for Property Tax Exemption. This form is
6 being repealed.

7 Next, Form DR-504S, Affidavit for Ad Valorem
8 Tax Exemption.

9 Next, Form DR-510, Cancellation or Correction
10 of Tax Sale Certificate.

11 Next, Form DR-516, Application for Certified
12 Florida Appraiser.

13 Next, Form DR-516E, Application for Certified
14 Florida Evaluator.

15 Next, Form DR-528, Notice of Ad Valorem Taxes
16 and Non-Ad Valorem Assessments.

17 Next, Form DR-534, Notice and Application for
18 Alternative Payment of 2011 Property Taxes.

19 The next listed item, Form DR-535 on the
20 agenda, I was told was put there by mistake. That
21 should not be there, so we're just going to skip
22 that.

23 Next, Form DR-546, Agricultural home and --
24 excuse me, Agricultural Income and Information.

25 Next, Form DR-570, Application for Homestead

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1 Tax Deferral.

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2 Next, Form DR-570AH, Application for
3 Affordable Housing Property Tax Deferral.
4 Next, Form DR-570WF, Application for
5 Recreational and Commercial Working Waterfronts
6 Property Tax Deferral.
7 Next, Form DR-571A, Disapproval of
8 Application for Tax Deferral-Homestead, Affordable
9 Rental Housing, or Working Waterfront.
10 Next, Form DR-584, Budget Form for Tax
11 Collectors.
12 Next, Form DR-585, Minimum Standards
13 Contract. This form is being repealed.
14 And last form, DR-591, Application for
15 Certified Cadastralists of Florida. I probably
16 butchered that word.
17 Okay, that's the full list. Again, if you
18 have any comments and we went through them too
19 fast, we'll be happy to take them if you send
20 them. If you'd like to submit written comments on
21 any of the rules or forms that we very quickly
22 went over, please send them to us no later than
23 July 29th.
24 Written comments may be mailed or faxed.
25 Written comments should be addressed to Janice

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1 Forrester, F-o-r-r-e-s-t-e-r, Florida Department
2 of Revenue, Property Tax Oversight, PO Box 3000,
3 Tallahassee, Florida, 32315-3000.

4 If you would prefer to fax your comments on
 Page 21

5 any of these rules or forms, the fax number is
6 (850)617-6122 -- excuse me, 6112. That fax number
7 again, (850)617-6112.

8 On behalf of the Department, I would like to
9 thank each of you for taking the time to be here
10 either in person or via webex and making your
11 comments and concerns known. It's invaluable to
12 the Department to have participation from taxpayer
13 representatives and from private industry. We
14 will do our best to resolve any questions and
15 address any concerns that have been brought up, or
16 will be brought to our attention via written
17 comment within the current statutory provisions.

18 Thank you for participating, this concludes
19 the rule workshop.

20 (Whereupon, the proceedings were concluded at
21 10:00 a.m.)

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1 CERTIFICATE OF REPORTER

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5 I, JEFFREY R. BABCOCK, do hereby certify that
6 I was authorized to and did report the foregoing
7 proceedings, and that the transcript, pages 1 through

8 24, is a true and correct record of my stenographic
9 notes.

10

11 Dated this 2nd day of August, 2011 at
12 Tallahassee, Leon County, Florida.

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15 JEFFREY BABCOCK

16 Court Reporter

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