



Laws, Rules, & the Assessor's Responsibilities

Department of Revenue website:
<https://dor.wa.gov>

Property Tax Resource Center
<https://propertytax.dor.wa.gov>

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This section is a high-level overview of the legal basis for property tax and to provide a foundation for the remaining sections of this class. I will talk about the organization of state and county government, the Department of Revenue's role, the assessor's role, and the resources that will be helpful for you as an employee of the assessor's office.

Included in this slide are the websites for the Department of Revenue, and for the Property Tax Resource Center. Both sites will be mentioned throughout this class.

Property Tax Facts

- Property tax is the oldest tax in the state, predating the Washington State Constitution and statehood.
- Property tax is an “ad valorem” tax – meaning it is based on the value of the property.
- Property tax is primarily administered by counties, but it is governed by the State Constitution, State Laws (RCW), and State Rules (WAC).

- In a customer survey the Department conducted a number of years ago, property tax was ranked as the most hated tax.

Property Tax Acronyms

- AGO – Attorney General Opinion
- AV – Assessed Value
- BOE – Board of Equalization
- BTA – State Board of Tax Appeals
- DNR – Department of Natural Resources
- DOR – Department of Revenue
- EMS – Emergency Medical Services
- FLAV – Forest Land Assessed Value
- PTA – Property Tax Advisory
- SEG – Segregation
- RCW – Revised Code of Washington
- TCA – Tax Code Area
- WAC – Washington Administrative Code

We use a number of acronyms here at property tax, here are a few.

Some that I will be talking about in this section are:

DOR – Department of Revenue, may also be called the Department

PTA – Property Tax Advisory

RCW – Revised Code of Washington, may also be called statute or law.

WAC – Washington Administrative Code, may also be called rule.

Department of Revenue

Department of Revenue

- Washington State's primary tax agency
- General supervision and oversight authority over the administration of property tax (RCW 84.08.010)
- Appointed Director – Drew Shirk

Property Tax Division

- 56 Employees
- Office Locations - Bothell, Tumwater, Richland, Spokane, Tacoma, Vancouver, and Wenatchee
- Contact Information – “Contact Us” section of the PTRC – propertytax.dor.wa.gov

WASHINGTON STATE DEPARTMENT OF REVENUE

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The Governor is responsible for enforcing the laws of the state, and to accomplish this directors of administrative agencies with statewide jurisdiction are appointed. We are your resource regarding local administration of property tax. We also directly administer some programs.

These are some of the most significant roles of the Property Tax Division, often working together with other DOR divisions and the Attorney General's Office:

- General Supervision and Oversight, Property Tax Rules, Boards of Equalization, Education
- Accreditation, Publications/Forms, Ratio, Revaluation, Levies
- Current Use & DFL, Advisory Appraisals, Personal Property, Exemptions/Deferrals, Nonprofit Exemptions
- Centrally Assessed Utilities

Legal Framework

- Washington State Constitution
- Statutory Law (RCW)
- Rules (WAC)
- Case Law
- Property Tax Advisories (PTA's)
- State Board of Tax Appeals (BTA)
- Attorney General Opinions (AGO's)

Washington's legal framework includes:

- Washington State Constitution
- Statutory Law
- Rules
- Case Law
- Property Tax Advisories (PTA's)
- Board of Tax Appeals (BTA)
- Attorney General Opinions (AGO's)

Legal Framework, continued

Revised Code of Washington (RCW)

- Also known as Statutory Law
- Property Tax – Title 84 RCW

Washington Administrative Code (WAC)

- Also known as Rule
- Property Tax – Title 458 WAC

RCW 84.08.010 provides DOR with general supervision and oversight authority over the local administration on property tax, including rule making authority.

RCW 84.08.080 provides DOR with the authority, in consultation with the Attorney General, to decide matters of interpretation.

Authority for Property Tax

1889 Washington State Constitution

Washington State Constitution Article 7, Section 1

- Creates a property tax to be levied and collected for public purposes only.

Washington State Constitution Article 7, Section 2

- Requires uniformity and equality in taxation.

The Washington State Constitution was established in 1889.

The portions of the State Constitution pertaining to property tax are:

Washington State Constitution Article 7, Section 1

- Creates a property tax to be levied and collected for public purposes only.

Washington State Constitution Article 7, Section 2

- Requires uniformity and equality in taxation.



Revised Code of Washington (RCW) 84.34.020

Authorized by the Washington State
Legislature

Title: 84

Chapter: 84.34

Section: 84.34.020

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Instructor Notes:

RCW's are laws that are written/re-written/edited/amended as a result of bills passed in the legislature each year

State laws and rules are codified using a specific structure. The title generally refers to a general area of law. In this example, Title 84 refers to Property Taxes

The Chapter generally refers to a more specific program or area under the Title subject. In this example, Chapter 34 refers to the Open Space/Current Use program.

There are 28 Chapters in Title 84 dealing directly with property tax administration.

The section contains specific statutory provisions. In this example, Open Space/Current Use terms are defined.

Washington Administrative Code (WAC)

Written by State Agency

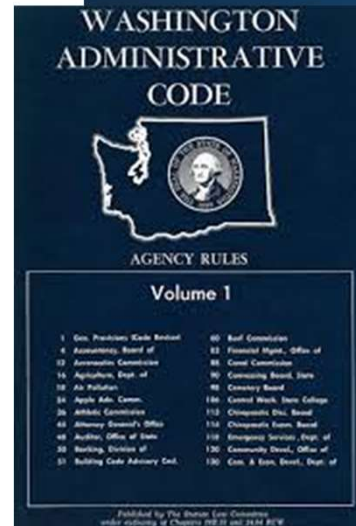
Considered a source of primary law

458-30-275

Title: 458

Chapter: 458.30

Section: 458.30.275



Example:

Title 458

Chapter 458-30 Open Space Taxation Act

Section 458-30-275 Continuing classification in open space after change in ownership

Written by Agency with public input, considered a source of primary law in WA

Title 458

Chapter 458-30

Section 458-30-275

Created or updated if:

New legislation

A taxpayer petitions DOR to adopt or amend rule

A court issues a final order that impacts an existing rule

DOR determines that a rule is needed or an existing rule needs to be revised

Administrative rules provide additional clarification to laws, and follow a similar organizational structure as laws. They can include examples, annual updates of information without requiring legislative action (such as interest rates for refunds), processes used to administer laws, and similar provisions.

Rules cannot be more permissive or restrictive than the laws they are clarifying. The rulemaking process is public and subject to requirements for notification, public comment, etc.

For this example 458-30-275 is continuing classification in open space after change in ownership.

Case Law

Establishes a legal precedent

- There are not a lot of court cases directly related to property tax
- Sanitized cases are published on the Department's website
- Can provide an educational resource for taxpayers and the Department



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Case Law is legal precedent established by court cases. There aren't a lot of court cases directly related to property tax,.

Most come as a result of an appeal to the Administrative Review and Hearing Division, or ARHD division

Sanitized cases are published on DOR's website

Educational resource for taxpayers and DOR

Property Tax Advisories (PTA)

RCW 34.05.230



- PTA's are formal, interpretive statements issued by the Department
- Address and/or clarify the administration of Washington State property taxes
- There are currently 21 PTA's on the Department's website

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- PTA's "are formal interpretative statements issued by the Department that addresses and/or clarifies the tax administration of Washington property taxes"
- Formerly known as Property Tax Bulletins (1970-1997)
- If still relevant, PTB's were filtered into WAC's or PTA's
- Currently 21 PTA's on our website

RCW 84.08.080 provides DOR with the authority, in consultation with the Attorney General, to decide matters of interpretation.

Find a law or rule

Taxpedia
Search for information regarding laws, rules, Washington tax decision, etc.
[Taxpedia](#)

Washington Administrative Code (WAC)
[Excise tax rules \(WACs\)](#)
[List of all WACs](#)
[WAC 458-20 Index \(pdf\)](#)

Revised Code of Washington (RCW)
[Excise tax laws \(RCWs\)](#)
[List of all RCWs](#)

Washington Tax Decisions (WTDs)
[Recently published](#)
[List of all WTDs \(Taxpedia\)](#)

Current and expected activities
[Overview of rule making](#)
[Rule making agenda](#)
[Recent adoptions and repeals](#)
[Draft tax advisories \(ETAs and PTAs\)](#)

Interpretive statements
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[Property Tax Advisories \(PTAs\)](#)

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Tax research index

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This information is from the Department of Revenue's Website.

Guidance on how property tax should be administered takes on many forms.

- State Constitution
- RCW's & WAC's
- WA State Supreme Court & State Court of Appeals cases
 - Decisions made by the State Court of Appeals and the State Supreme Court are precedent setting and binding to other taxpayers.
 - Decisions made in Superior Court, the Board of Tax Appeals, and the Boards of Equalization are not precedent setting and are not binding to other taxpayers.
- Attorney General Opinions (AGO)
- Property Tax Advisories (PTA)
- Special Notices
- Past advice

Hierarchy of Guidance

1. RCW (Law)
2. WAC (Rule)
3. PTA (Department formal action)
4. Department informal actions: Manuals, webpages, trainings, etc.
5. BTA Decisions (State Board of Tax Appeals)

BTA decisions are considered to be persuasive authority, but the decision really only applies to the property being appealed, for the tax years being appealed.

County Assessor's Role & Responsibility



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- The Assessor's primary duty is to discover, list and value all taxable real and personal property located within the county every year.
- The assessment process includes all facets of discovering, listing and valuing property.
- It also includes preparing the assessment roll, notifying taxpayers and defending valuation methods and estimates.
- Valuation is the primary function, but only one aspect of the assessment process
- There are a lot of other processes you will learn about that contribute to and support this primary role.

Assessor's Associations

- WACO: Washington Association of County Officials
- WSACA: Washington State Association of County Assessors
 - WSACA is an affiliate of WACO
- Assessment professionals have an international association with local chapters:
 - IAAO (International Association of Assessment Officers)

Assessors are independently elected officials, but benefit from working together on common issues through their associations.

Such issues can consist of:

- promotion of legislation
- coordination of uniform assessment practices
- cooperation with DOR

What Property is Taxable?

State Constitution Article 7, Section 1

- Such property as the legislature may by general laws provide shall be exempt from taxation.

RCW 84.36.005

- All property is taxable unless otherwise exempted by law from taxation.



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Here are some interesting statistics, just to provide a little perspective:

- Statewide, there is about \$1.1 trillion dollars of assessed value that is subject to property tax.
- As you will learn later in class, there are a lot of exemptions. Statewide, there is an estimated 3.6 trillion dollars of property value.
- Of this total, nearly 70%, or 2.5 trillion dollars, is exempt from property tax through various exemption laws.
- The biggest exemption? Intangible personal property, which is an estimated 1.9 trillion dollars in value.

Basis of Valuation – Real Property

RCW 84.40.030: All property must be valued at one hundred percent of its true and fair value in money and assessed on the same basis unless specifically provided otherwise by law.

Assessment Year: The year in which property taxes are assessed. It precedes the year the taxes are collected.

Tax Year: The year in which taxes are due and payable. It follows the year in which taxes are assessed.

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Property Tax is administered based on an orderly and systematic progression of specific processes.

It is important to distinguish between the assessment year and the tax year to understand when those processes take place.

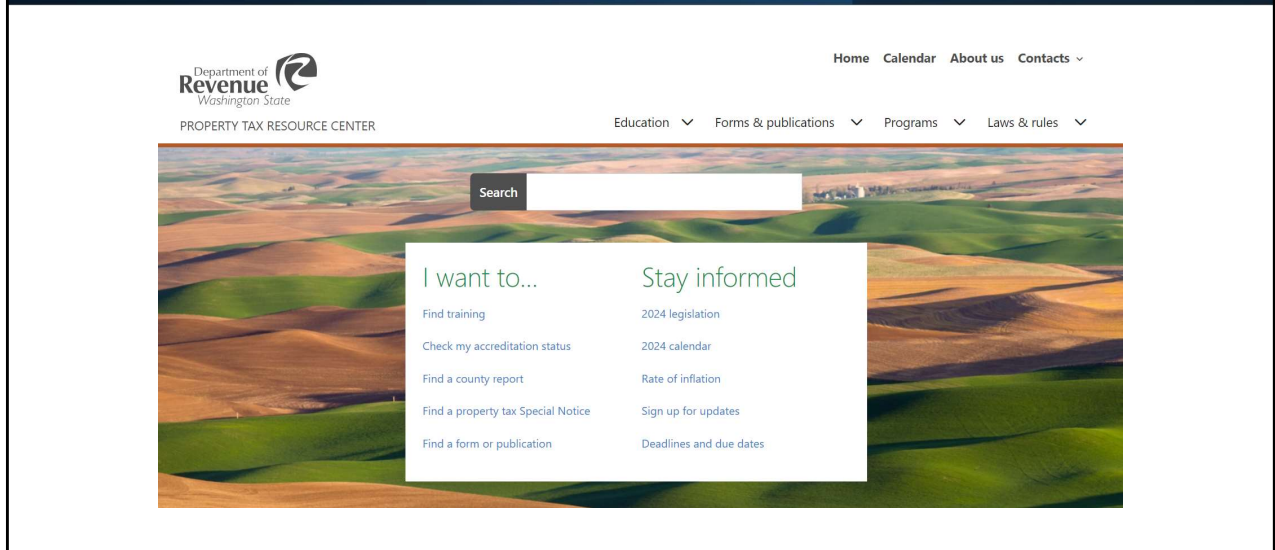
Assessment Year: The year in which property taxes are assessed. It precedes the year the taxes are collected

Tax Year: The year in which taxes are due and payable. It follows the year in which taxes are assessed

Not all real property is valued at 100% of true and fair market value.

Some exceptions include Designated Forest Land, Current Use, Senior Exemption Frozen Value, and Historic Property.

<http://propertytax.dor.wa.gov/>



PTRC has been revamped, and it now mobile.

This is an invaluable resource.

The PTRC contains all public information, however we don't widely publicize this website. It is designed to provide resources to counties in a more accessible format than the DOR website.

Information includes county contact information including direct phone numbers for some assessors, Education Calendar, Legislation (official legislative info available on Legislature's site.)

- County Contacts
- Forms & Publications
- Education Calendar
- Special Notices
- Legislation

2025 Property Tax Calendar

January

- 1 *All taxable real and personal property is valued as of Jan. 1 of the assessment year for taxes due Jan. 1 and payable in the following tax year (RCW 84.36.005 and RCW 84.40.020).
- 1 *Personal property listing forms are mailed by Jan. 1 (RCW 84.40.040).
- 1 *(On or before Jan. 1) DOR will mail an annual renewal reminder postcard to nonprofits (RCW 84.36.820).
- 15 County assessor delivers tax roll to county treasurer and provides county auditor with an abstract of the tax rolls showing total amount of taxes collectible in each taxing district (Jan. 15) (RCW 84.52.080).

Also in January

- Property taxes can be paid once the treasurer has provided notification that the tax roll (based on last year's assessments) has been completed (RCW 84.56.020).
- Renewals for deferral participants who received deferral in previous year are mailed — Deferral for Senior Citizens and Disabled Persons and Deferral Program for Homeowners with Limited Income (RCW 84.37.050 and RCW 84.38.050).
- DOR mails renewals for prior year participants in the Property Tax Assistance Program for Widow/Widowers of Qualified Veterans (RCW 84.39.030).

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5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

The Property Tax Calendar is published by Department of Revenue annually.

- Available on the PTRC
- State law provides deadlines for assessors to complete certain processes.
- Provides dates and processes important for the administration of property tax.



Contact Us

For any questions or to get help
from our tax experts



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www.dor.wa.gov



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