

WHEREAS, the Board of Review of Real Estate Assessments for the City of Hampton, Virginia, was created pursuant to Section 6.06 of the Charter of the City of Hampton; and

WHEREAS, Sections 58.1-3370, et seq., inclusive, of the Code of Virginia, 1950, as amended, Section 6.06 of the Charter of the City of Hampton, and Sections 37-18 to 37-23, inclusive, of the Code of the City of Hampton confer certain powers upon the Board of Review of Real Estate Assessments, including the authority to adopt or amend rules and regulations of procedure pertaining to requests for review or appeal of real estate assessments made by the Office of the Assessor of Real Estate for the City of Hampton.

NOW, THEREFORE, pursuant to Section 6.06 of the Charter of the City of Hampton, Virginia, the Board doth hereby adopt the following rules and regulations of procedure pertaining to requests for review or appeal of real estate assessments, which rules and regulations of procedure herein below set forth are intended and shall rescind, upon adoption of same, all previously adopted rules and regulations of procedure.

#### Division I. GENERALLY

##### RULE I. Duties of Officers of Board.

The Chairman shall preside over the meetings of the Board, prepare the agenda, sign all necessary forms, and shall have the same right to vote and speak therein as other members. The Chairman shall be elected at the first meeting after June 30<sup>th</sup> of each year. The term of office shall be for one (1) year unless otherwise voted upon by the Board.

The Vice-Chairman shall, in the absence or disability of the Chairman, perform the duties of the Chairman. The Vice-Chairman shall be elected at the first meeting after June 30<sup>th</sup> of each year. The term of office shall be for one (1) year unless otherwise voted upon by the Board.

The Secretary shall be elected at the first meeting after June 30<sup>th</sup> of each year. The term of office shall be for one (1) year unless otherwise voted upon by the Board. The Secretary shall attend all regular meetings and special meetings of the Board. The Secretary shall record the proceedings of such meetings. The Secretary shall also furnish a copy of the minutes to Board members and the Office of the Assessor of Real Estate. The Secretary shall keep a roll of the Board for each meeting, and shall enter therein the names of the members in alphabetical order. The Secretary shall use this roll in alphabetical order in recording all votes, except the Chairman shall be called upon last to vote on any motion.

The Secretary, in conjunction with the Office of the Assessor of Real Estate, shall ensure the following duties are performed:

- (1) Upon receipt of an application for review of assessment, number the application according to the time and date received and furnish a copy to the Office of the Assessor of Real Estate.
- (2) Reserve Council Chambers or other designed meeting place.
- (3) Submit a legal notice to be published in the local newspaper. Such notice shall be published in the local newspaper ten (10) days prior to the hearing date.

(4) Notify the property owners by regular United States mail, facsimile transmission, electronic mail and/or hand-carried to, the Office of the Assessor of Real Estate, Board members and City Attorney's Office of the date and time of the hearing.

(5) The Secretary, in conjunction with the Office of the Assessor of Real Estate, shall furnish the following to each Board member prior to the public hearing:

- (a) Application for review by the Assessor.
- (b) The Office of the Assessor's of Real Estate's report.
- (c) Property information sheet.
- (d) Application for review by the Board.
- (e) Agenda.

(6) Prepare State Form 907 "Order Equalizing Real Estate Assessment" when review results in change of assessment.

The original will be sent to the property owner with a copy furnished to the Assessor and a copy attached to the minutes.

The property owner will be notified of the Board's decision and any change in assessment by regular United States mail.

Upon request of the Board, the Office of the Assessor of Real Estate shall perform such other administrative duties on behalf of the Board.

## **RULE II. Meetings.**

The regular meetings of the Board shall be held during the months of May and June pursuant to a schedule agreed upon by the Board.

Special meetings may be held at such a time as may be designated by the Board.

Meetings shall be held in the City Council Chambers or in such a meeting place as the Board may determine.

No new item of business shall be begun after 9:00 p.m. except by unanimous consent of all members present. Unfinished business shall be carried over to the next meeting unless otherwise directed by the Board.

Annually each Board member shall participate in a program of continuing education instruction provided by the Department of Taxation pursuant to Va. Code § 58.1-206.

#### RULE III. Quorum.

A majority of the members of the Board shall constitute a quorum for the transaction of business.

#### RULE IV. Order of Business Generally.

At every stated meeting the order of business shall be as follows:

- (1) Roll call of members.
- (2) Approval of minutes of preceding meeting.
- (3) Unfinished business.
- (4) Appeals.
- (5) New business.
- (6) Announcements.
- (7) Adjournment.

**RULE V. Voting and Motions Generally.**

**(1) Voting.**

All decisions of the Board shall be by majority vote of those members present.

**(2) Motions Generally.**

No motion shall be considered by the Board unless and until a second to such motion is obtained. The motion must be stated by the Chairman before the motion is voted upon.

**RULE VI. Appeal and Review – Procedure.**

No appeal of an assessment shall be considered by the Board until the Office of the City Assessor has reviewed same and rendered a written report thereon. Provided, the Board may waive the requirement that such report be in written form and may receive an oral report in lieu thereof.

Appeals to the Board shall be filed with the Secretary to the Board on or before May 1st of each year upon a form to be furnished by the Office of the Assessor of Real Estate. Disposition of appeals shall be made by the Board on or before June 30<sup>th</sup> of each year.

**RULE VII. Order of Appeal.**

The Chairman shall call the appeal case. The property owner shall be given the opportunity to present evidence and argument in support of the appeal. The Office of the Assessor of Real Estate shall next be given the opportunity to present evidence and argument in support of its recommendation. The Board shall have the right to propound

questions and hold discussion on the matter. The Board shall then take appropriate action on the appeal.

**RULE VIII. Perfection or Withdrawal of Appeal.**

**(1) Withdrawal of Appeal.**

Any person who intends to withdraw an appeal shall notify the Secretary of the Board of Review of Real Estate Assessments of such intention in writing prior to the scheduled hearing date. Such notices may be sent via regular United States mail, facsimile transmission, electronic mail and/or hand-carried to:

The Secretary of the Board of Review  
Of Real Estate Assessments  
1 Franklin Street, Suite 602  
Hampton, Virginia 23669

Upon failure to give notice of intent to withdraw the application, the Board shall retain the appeal on its agenda for disposition on the scheduled hearing date.

**(2) Inspection of Property.**

In any case in which inspection of the interior or exterior of the premises of the applicant is necessary for making a determination of the appeal, the applicant shall cooperate to allow access and view of the said premises to members of the staff of the Office of the Assessor of Real Estate and to members of the Board of Review of Real Estate Assessments upon proper identification by such individuals. Should any applicant refuse or deny access to such persons upon reasonable advance notice of their request, the Board may summarily deny such appeal.

RULE IX. Application of General Principles of Parliamentary Procedure.

Roberts Rules of Order, Newly Revised, shall be the final authority as to all such general principles of parliamentary procedure as are not set forth in these rules.

RULE X. Reserved

RULE XI. Suspension of Rules.

Any of the rules of the Board may be suspended by an affirmative vote of at least four (4) members present at any regular or special meeting.


RULE XII. Amendment of Bylaws.

These bylaws may be amended at any regular meeting of the Board by a two-thirds vote, provided that the amendment has been submitted to the Secretary, in writing at the previous regular meeting.

Adopted at a meeting of the Board of Review of Real Estate Assessments on the 22 day of June, 2010.

  
Chairman

ATTEST:

  
Secretary