

BERNALILLO COUNTY

ASSESSOR HANDBOOK

**STATE OF
NEW MEXICO**



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April 2008



**Karen L. Montoya, Assessor
Oath of Office Ceremony
January 1, 2007**



**KAREN L. MONTOYA
ASSESSOR
COUNTY OF BERNALILLO**

ASSESSOR AND STAFF
(505) 222-3700

KAREN L. MONTOYA
Assessor

IRENE SERNA
Chief Administrative Officer

TOM SAMS
Chief Information Officer

Forms and instructions available on the County Assessor's website at www.berncogov:

Protest Forms
Head of Family Exemption
Address Change
Livestock Owner's Report
Personal Property Report
Value Freeze Application and Eligibility Requirements
Agriculture Use of Land
Real Property Transfer Declaration Affidavit
Disabled Veteran Property Tax Exemption
Veterans Tax Exemption

ASSESSOR

Q. What does the Bernalillo County Assessor do?

A. The Bernalillo County Assessor:

1. Determines the property values for homes, businesses and other taxable property within Bernalillo County.
2. Prepares the Bernalillo County Property tax roll for the Bernalillo County Treasurer, which includes: real property (land and improvements); personal property (office equipment); live-stock; and manufactured homes.
3. Notifies property owners of their assessed property values.

PROPERTY VALUATION FOR TAX ASSESSMENT

Owners of real property, tangible, moveable business property and/or manufactured homes, are required by New Mexico Statutes Annotated NMSA 1978, Chapter 7-38-8, to declare each year the value (or change(s) in value) their property has undergone within the past year. Valuation date is January 1st.

Q. What does my property valuation mean?

A. The value set for your property by the Bernalillo County Assessor is an estimate of the market value for your home, land, business property or other taxable property. It is used to determine the amount of property tax you will be paying.

Q. What is taxable value?

A. Taxable value is one-third of the total assessed value, minus exemptions such as “Head of Family,” Veterans, etc. This amount is used by the Bernalillo County Treasurer to calculate the property tax you pay to Bernalillo County.

Example of Taxable Value:

Full Value of Property	\$90,000.00
Taxable Value (one-third)	30,000.00
Head of Family Exemption	-2,000.00
Veterans Exemption	-4,000.00
Net Taxable Value	\$24,000.00

Q. How is the value of my property determined by the Assessor?

A. The Assessor must comply with the property tax code. Pursuant to NMSA 1978, Chapter 7-36-16, the Assessor values property at current and correct values, based on sales of property from the previous year (2007 assessed values using 2006 market sales.)

Q. Why does the Bernalillo County Assessor value my property?

A. The Assessor values all tangible property for property tax purposes. Property valued by the property tax code are all Real Property, Manufactured Homes, Business Personal Property and Livestock.

Q. What is a Notice of Valuation?

A. Once a year, you receive a Notice of Value from the Bernalillo County Assessor informing you of the taxable value of your property for that year. It is notification of what the Assessor believes your property is worth. The notice is not a tax bill, but will result in a tax bill from the Treasurer's Office based on your net taxable value.

Q. When are the Notices of Value mailed?

A. The Assessor is required to mail Notices of Value by April 1 of each year, as mandated in NMSA 1978, Chapter 7-38-20.

PROTESTING ASSESSMENT VALUES

Q. What is the protest process if I disagree with the County Assessor's valuation?

A. To start the protest process in Bernalillo County, you should:

1. Completely fill out the protest form that is available at the County Assessor's office located at 501 Tijeras, NW. Protest forms and instructions are also available on the Assessor's website address at www.bernco.gov.
2. The completed form must be returned to the Assessor's office within 30 days of receipt of your Notice of Value.
3. An informal meeting will be made with a field appraiser.
4. A formal hearing with the County Valuation Protest Board will be scheduled if the value is not resolved at the informal meeting.
5. If you do not agree with the Board's decision, you may make an official appeal to the District Court.

Q. May I review my records at the Assessor's office for my protest?

A. Yes.

Q. Is there any other remedy of protesting my values?

A. Pursuant to NMSA 1978, Chapter 7-38-39, Claim for Refund: After receiving your property tax bill and after making payment prior to the delinquency date of all property taxes, you may file a claim for refund in District Court.

EXEMPTIONS

Under New Mexico property tax law, NMSA 1978, Chapter 7, there are two categories of individual property taxation exemptions and several categories of institutional and governmental exemptions. (1) Individual exemptions are available for heads of families and qualifying veterans. (2) Institutional exemptions are available for governmental agencies, schools, churches and special status exemptions.

Q. Who is eligible for the Head of Family exemption and how is it applied?

A. The state statute reads: “As used in this section, Head of Family means an individual New Mexico resident who is either (1) married, (2) widow or widower, (3) head of household furnishing more than one-half the cost of support of any related person, or (4) a single person.”

Those eligible for this exemption must apply for it only once to receive it in subsequent years. Only one family exemption per household is permitted and it can only be applied for one property in the State of New Mexico.

The Head of Household exemption from the net taxable value in 1993 and thereafter will be \$2,000.

Q. How is the Veterans’ Exemption Status determined and how does it affect property taxes?

A. The New Mexico Veterans’ Service Commission determines eligibility and issues a certificate to all qualifying veterans. For more information call the Veterans’ Service Commission for details on expanded eligibility by the legislature for veterans (505-346-3986).

This certificate (original copies only) may be used to claim the New Mexico Veterans’ Property Tax Exemption which is up to \$4,000 a year. Once exemption is claimed, it is retained for subsequent years without reapplication.

Veterans with certificates should apply with the Assessor between January 1 and the last day of February for the exemption.

Q. How can I find out if my organization warrants an exemption?

A. If your organization meets the requirements established by the New Mexico State Constitution and is of charitable, religious or educational use, then the property may be eligible for an exemption. The burden of proof is on the property owner to document eligibility on an annual basis.

Q. Is there a Homestead Exemption in New Mexico?

A. No. The New Mexico Legislature instead opted to establish the Head of the Family Exemption.

Q. When may exemptions be claimed?

A. If exemptions are claimed for real property and manufactured homes, they may be claimed during the 30-day period immediately following the mailing date of the Notice of Value, if not earlier.

Q. Who is eligible to receive a Valuation Freeze on their property?

A. Pursuant to NMSA 1978, Chapter 7-36-21.3, property owners who are disabled or senior citizens 65 years or older with a modified annual gross income of \$21,600 qualify to have the value of their property frozen to protect them from future valuation increases. **Update:** During the 2008 Legislative Session, the law was amended so that **beginning in 2009**, seniors and those with disabilities with an annual gross income of \$32,000 can apply for this exemption. Applications for this exemption are available in the County Assessor's office or through the Assessor's website. Verification of income eligibility is required each year.

FOR MANUFACTURED HOMES

Q. Must a Manufactured Home be registered with the County Assessor?

A. Yes, by state law, manufactured homes must be registered with the Assessor for property taxes. The Assessor requires a copy of the manufactured home motor vehicle registration or title and the manufactured home property address or location.

Q. What steps must I take as a manufactured home owner before selling, moving or trading in a manufactured home?

A. By law, before selling, moving, or trading a manufactured home, you must obtain a tax release from the Treasurer stating that all taxes have been paid, including the current year and any prior year taxes. The Assessor will require proof of ownership (title or motor vehicle registration) before issuing a tax release.

Q. For taxation, are manufactured home values determined in the same manner as real estate?

A. Manufactured home and real estate assessed values are both determined by multiplying a structure's square footage by the appropriate square footage value. Real estate square-foot values are generally higher than those of manufactured homes.

Q. Will my bill show the tax for the land as well as the manufactured home?

A. No. The land tax appears on a separate bill.

Q. If I own my land, may I claim my manufactured home as Real Property?

A. Yes, as long as the manufactured home owner and land owner are the same and the requirements are met regarding the conversion process from mobile to real. The property owner must submit a request to the County Assessor's office to have his/her home assessed as Real Property. A copy of the guidelines and procedures can be picked up at the Assessor's office.

AGRICULTURAL AND GRAZING CLASSIFICATIONS

In order to preserve the limited lands available in New Mexico for agricultural purposes and grazing, the New Mexico Legislature has given special valuation status to irrigated agricultural land, dry agricultural land, and grazing land NMSA 1978, Chapter 7-36-20.

Qualified owners of such land must register their land by the last day in February with the Bernalillo County Assessor and be prepared to prove that agriculture is the primary use of the land.

For the purpose of this section, “agricultural use” means the use of land for the production of plants, crops, trees, forest products, orchard crops, livestock, poultry or fish. The term also includes the use of land that meets the requirements to payment or other compensation pursuant to a soil conservation program under an agreement with an agency of the federal government.

Q. What is the difference between “wet” & “dry” agricultural land?

A. As defined in NMSA 1978, Chapter 7-36-20, “wet or irrigated” land is “all agricultural land receiving supplemental water to that provided by natural rainfall.” Dryland is defined as “all agricultural land without a supplemental water supply.”

Q. What if there is an improvement (house) on the agricultural land?

A. One-half acre will be designated as homesite and will be valued at market value. A homesite, as the term is used in NMSA, 1978 Chapter 7-36-20, is the site used primarily as a residence, is more than a boundary of the foundation of an improvement used as a residence, and includes land on which swimming pools, tennis courts and similar non-agricultural facilities are located. It does not include land on which agricultural facilities such as barns, pig pens, corrals, bunk houses, farm equipment, sheds and other outdoor buildings are located. The non-agricultural or improvement portions will be added to the land value. All the remaining land will receive the agricultural

rate, providing that the primary use of the remaining land qualifies as agricultural under the statute.

Q. How is grazing valuation determined?

A. Grazing valuation requires proof of the presence of livestock on the property and proof that the livestock has access to all of the agricultural land for the tax year. This may be in the form of a grazing lease, a personal property declaration of livestock which graze on the land, or some other proof of grazing use. However, grazing must be the primary use of the land in order to qualify.

Q. What is the minimum acreage that qualifies for an agricultural/grazing valuation?

A. One acre - non-improved - is the minimum acreage that can be used as agriculture and 80 acres for minimum grazing.

Q. What does “agricultural products” mean?

A. Agricultural products include: plants, crops, trees, forest products, orchard crops, livestock, wool, mohair, hides, pelts, poultry, fish, dairy products and honey.

Q. Does the Assessor’s Office have the right to request income and expense information from a taxpayer who is applying for agricultural valuation?

A. Yes. Pursuant to NMSA 1978, Chapter 7-36-20, the application form may contain a request for providing information as the owner’s farm income and farm expenses reported to the U.S. Internal Revenue Service on Schedule F.

BUSINESS PERSONAL PROPERTY

Business personal property is defined as tangible moveable items not permanently affixed to, or parts, of real estate.

The Assessor is required by law to assess business equipment. Tangible personal property “that is used, produced, manufactured,

held for sale, leased or maintained by a person for purposes of the person's profession, business or occupation; and for which the owner has claimed a deduction for depreciation for federal income tax purposes during any federal income taxable year occurring in whole or in part during the twelve months immediately preceding the first day of the property tax year," NMSA 1978, Chapter 7-36-8.

A business is required to inform the Assessor's Office of the current status of the business and of its equipment by the last day of February each year.

Q. What personal items should be reported?

A. Following is a partial list of items that should be reported:

1. Office furniture and fixtures, including file cabinets, books and book cases, desks and decorative items.
2. Store equipment such as racks, shelves, shopping carts, display tables, lamps, cash registers, sewing machines, drafting equipment, typewriters, time clocks and teller machines.
3. Restaurant equipment including tables, booths, chairs, drink dispensers, freezers, appliances, sinks and cookware.
4. Apartment, motel and hotel equipment including furniture, exercise equipment, appliances, linens, lighting and decorative items.
5. Machinery and heavy equipment as well as shop tools, dental tools, drilling equipment, portable sheds, dumpsters, golf carts, fork lifts, engraving machines, welding equipment and mortuary equipment.
6. Electronic equipment, such as sound systems, alarm systems, musical instruments, fax machines, computers, camera equipment, postage scales, vending machines, hair removal machines, radios, televisions, small tools and video recorders.
7. Leased equipment is also assessable.

Q. What type of personal property is exempt from taxation?

A. Personal property exempt from taxation: Inventories that are for sale or resale at wholesale, retail or consignment; motor vehicles that are registered under the provisions of the Motor Vehicle Code, except for manufactured homes; aircraft registered under the Aircraft Registration Act.

COMMONLY ASKED QUESTIONS

***Q** I recently moved. Who should be notified of my change of address?*

A. The County Assessor's Office will signed accept mailing address changes in person or through the mail. There is a change of address form provided within your Notice of Value by the Assessor or you can download the change of address form from the Assessor's website address at www.bernco.gov.

***Q.** What dates are pertinent regarding my property valuation?*

A. Critical Dates:

January 1: Property is assessed to the owner of record and in accordance with the condition as of that date. For example, if property is vacant on January 1, it will be assessed as vacant land even if a building is constructed on that property some time during the tax year after January 1.

Last day in February: Cut-off date for applications for agricultural valuation; church, charitable, educational and personal property exemptions; head of family and veterans exemptions; report of manufactured homes; and livestock. This date also applies to loss of status for eligibility for exemptions; reporting improvements costing more than \$1,000; and/or statement of decrease in value.

June 15: The County Assessor certifies the full valuation of Bernalillo County to the State Property Tax Division.

September 1: The New Mexico Department of Finance and Administration sets the tax rates for the year's property taxes, county by county.

October 1: Deadline for County Assessor to deliver tax schedule and abstract of tax schedule to County Treasurer. After October 1, the Assessor has only limited authority to request changes to the tax schedule.

FREQUENTLY CALLED CITY NUMBERS

Better Business Bureau	346-0110
City Council Offices	768-3100
City Information	768-2000
Fire (Non-emergency)	243-6601
Fire Marshal's Office	764-6300
Garbage Collection Problems	311
Graffiti Removal Services	311
Graffiti 24 Hour Hotline	311
Housing Code Enforcement	924-3450
Landlord/Tenant Hotline	998-4529
Main Library Info. & Ref.	768-5100
Mayor's Office	768-3000
Mosquito/Fly Spraying	768-4736
Parks Management	857-8650
Police Fire & Rescue (emergency)	911
Police (non-emergency)	242-2677
Recycling Information	761-8100
Ridepool	243-7433

FREQUENTLY CALLED COUNTY NUMBERS

County Manager/County Commission	468-7000
Assessor's Office	222-3700
County Clerk	468-1290
Treasurer	468-7031
Sheriff's Office	768-4100
Finance	468-7020
Zoning	314-0350
Public Works	848-1500
Housing	314-0200
Environmental Health	314-0310
Juvenile Detention and Youth Services Center	761-6600
Parks & Recreation	314-0400
Legal Department	314-0180
Fire & Rescue Department	833-7300
Personnel Department	468-1500
Building Maintenance & Operations	768-5310
Information Technology	468-7999
Animal Care & Regulations	316-0280
Shops & Transportation	224-1600
Public Information	468-7246