

This is an example of how to present your evidence using comparable sales evidence.

Reason for objection —

That the capital value assigned to my property is too high.

Details of comparable sales evidence for property:

Address: 13 Jones Street, The City, Tas, 7000

Sale price: \$250,000

Date of sale: 25/06/2014

Land area: 1000m²

Building area: 250m²

Attributes of the sale property (if known): The sale property is a 2 storey, brick and tile home, located within two streets of my home, with 4 bedrooms, a double garage and separate granny flat.

Comparison to your property:

My land is 809m², which is smaller than the sale land and I have a smaller brick and tile 3 bedroom home, of 210m² with a single garage. The sale property has better water views and has the same zoning as my property.

Can I get someone else to lodge my objection?

If you have a formal arrangement with a solicitor or property agent, that person can lodge an objection and sign as your agent.

Can I withdraw an objection?

You can withdraw from the objection process by writing to the Valuer-General and requesting the matter be withdrawn.

Can I appeal the final decision of the Valuer-General?

Yes. You have 30 days following receipt of the notice of decision to require the Valuer-General to refer the matter to the Land Valuation Court. The Court will then decide the matter.

It is up to you to justify the objection to the Court and prove that the valuations made by the Valuer-General are wrong and that the values or matters stated in your objection were correct. You must confine your case to only those matters listed in your objection.

The Valuer-General will be represented by the Office of the Director of Public Prosecutions and a qualified property valuer will provide expert testimony. You may need to retain the services of a property valuer to prepare your appeal for Court. You are responsible for your legal costs and the costs of retaining a property valuer.

Where can I get an objection form and lodge my objection?

Objections can be lodged online at www.nre.tas.gov.au/ovg. Objection forms can be downloaded from the website and posted to the address denoted on the form. If you experience issues please email ovg@nre.tas.gov.au or phone 6165 4444 (Option 2)



Owner's Guide

OBJECTION TO VALUATION

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Objection to Valuation – What is it?

The Valuer-General determines statutory valuations for properties in Tasmania in accordance with the *Valuation of Land Act 2001*. Following completion of a six-yearly revaluation (fresh valuation) or when an interim supplementary valuation is made, each property owner is issued with a Notice of Valuation.

If you disagree with a valuation, you have 60 days from receipt of the *Notice of Valuation*, to lodge an objection with the Valuer-General. An objection is a formal legislative process with specific requirements on both parties.

Can I discuss my concerns with somebody before lodging an objection?

If you have general questions about the Notice of Valuation you can call this Office (contact details are on the back of this brochure). If your question is about the property values, you will be transferred to a property valuer.

What are the grounds for an objection?

An objection can only be based on one, or more of the following 7 grounds for an objection set out in legislation. That the:

- land value, capital value or assessed annual value assigned to any land is too high or too low;
- interests of the several persons having an interest in any land have not been correctly apportioned;
- apportionment of any valuation is not correct;
- lands which should be included in the one valuation have been valued separately;
- lands which should be valued separately have been included in the one valuation;
- person named in any *Notice of Valuation* is not an owner of the land to which the notice relates; and/or
- area, dimensions or particulars of any land are not correctly described.

No other basis for an objection can be accepted, for example you cannot object about your land tax or local council rates. These are matters you need to take up with the relevant authority.

How long do I have to make an objection and can I get an extension?

You have 60 days to lodge an objection from when the *Notice of Valuation* is deemed to have been received. Objections which are received in the mail on the morning after the closing date are accepted however; objections made online must be received on the closing date.

Forms received after the closing date may still be reviewed by the Valuer-General, however they are treated as correspondence and the property owner does not have statutory rights of appeal to the Land Valuation Court.

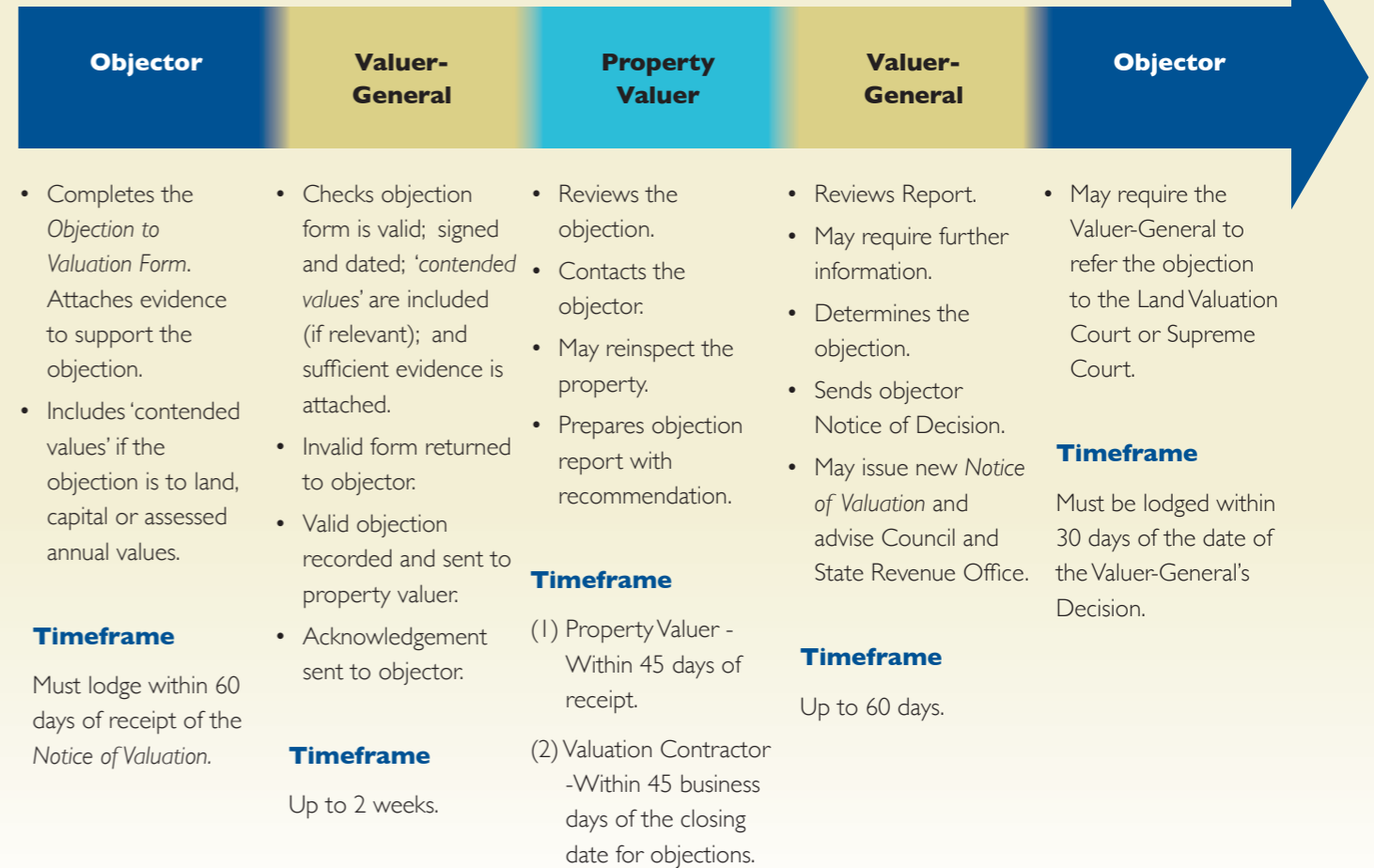
The Valuer-General has unconditional discretion to extend the 60-day objection period and this discretion is exercised reasonably, in light of relevant circumstances. A request for an extension must be in writing and should be accompanied by a statutory declaration setting out the reasons for seeking an extension.

The Land Valuation Court may also extend the 60-day objection period.

What happens when I make an objection?

The diagram summarises the steps involved in an objection. The key facts are:

- Your objection form must be fully completed. The grounds for objection must be valid, the reasons fully explained and evidence supporting your claims must be attached. If the objection does not satisfy these requirements, it is not a valid objection and may be returned to you.
- A valid objection is reviewed and assessed by either a Valuation Contractor or a property valuer within the Office of the Valuer-General.
- The property valuer will phone the 'contact person' to discuss the grounds for objection. In some cases, a suitable time will be arranged for a reinspection of the property to view any issues of concern.
- The property valuer prepares a formal objection report and recommendation based on their investigations. The report is reviewed by the Valuer-General who may require additional information.
- The Valuer-General will inform you of the decision in writing and if the valuation or property information is adjusted, a new *Notice of Valuation* will be issued. The changes will be backdated to the original valuation date.
- The *Notice of Decision* which accompanies the new *Notice of Valuation* will explain the reasons for the decision and your appeal rights.
- Any change in valuation is automatically sent to the relevant Council and to the State Revenue Office.



How long does the objection process take?

The length of time depends on the complexity of the objection and the type of property involved. However, as an indication:

- Objections to Fresh Valuations (Revaluations)* can take up to 6 months depending on the number of objections lodged following the issue of a revaluation.
- Objections to Supplementary Valuations* can generally be completed within 3 months from receipt of the objection.

What type of evidence do I attach to support my objection?

The most common reasons for objections and the type of evidence which needs to be supplied are:

- The values are either too high or too low.* Three examples of comparable market sales/lease evidence of properties sold/leased close to the date of valuation and an explanation about how each sale/lease compares to your property.
- I am not an owner of the land.* Proof that you are not the owner of the property.
- The lands should be separately valued.* Sufficient written evidence and details of the properties concerned.

Where can I obtain comparable market sales evidence and how do I present it?

You can obtain property sales information from the LIST at www.thelist.tas.gov.au. Administrative fees may apply. Data about property sales is also available from a range of commercial organisations.

The most relevant comparable sales/leases are those transacted:

- prior to, or near the date relating to 'Level of Values as at' shown on your *Notice of Valuation* (sales after this date may not reflect the market as of the date of valuation); and
- with similar general attributes to your property. This allows a comparison of your property and the sale/leased property. Example attributes are - land area, building size and construction; location, views and aspect; access to services (water supply, sewerage, electricity, roads); and the present use of the land, its zoning and the land's highest and best use.

Properties 'for sale' are not valid sales evidence and should not be used.