

City of West Fargo

Improvements of Existing Buildings Exemption Policy and Guidelines

The City Commission finds that the present method of assessment and taxation of real property does not encourage the investment of capital in the rehabilitation and remodeling of commercial buildings and structures with the result that such properties have been allowed by their owner to decay, become in need of repair and modernization, and such conditions have resulted in a decreased tax base.

The City finds it is in the public interest and welfare of the City and its citizens to encourage the investment of private capital in improvements to commercial buildings and structures, enhancing living conditions and preserving and increasing the property tax base.

It is the intent of the City to use this property tax exemption as a tool for economic development. This exemption may be used as an alternative or in conjunction with other exemptions and incentives.

IMPROVEMENTS WHICH QUALIFY

1. To qualify for the exemption of an improvement to a commercial building, the building must be renovated, remodeled or altered. It cannot be the complete replacement of one building with another.
 - **Renovation defined** - to restore to a previous condition or to a good state of repair.
 - **Remodeling defined** - changing the plan, form or style of a building to correct functional deficiencies.
 - **Alteration defined** - to effect change, modify or vary, to change materially.
2. A new addition to an existing commercial building does qualify. However, the City has adopted the policy that the Application for Property Tax incentives for New and Expanding Businesses must still be completed and filed with the Assessors' Office on all commercial additions.
3. Commercial improvements must meet or exceed a \$50,000 increase in true and full value to qualify for an exemption of up to five years. Residential property must be 25 years old to qualify. Residential properties with a \$25,000 increase in true and full value are eligible for up to five years. Residential properties with less than a \$25,000 increase in true and full value are eligible for up to three years.

APPLICATION FOR EXEMPTION

1. An application must be filed with the City Assessor.
2. The assessor must determine if the improvements qualify for the exemption; however, the governing body must approve the exemption before it becomes effective.
3. If the renovation, remodeling or alterations qualify, the last assessment on the building would remain the same for up to five years unless an equalization percentage change is made or a reevaluation program for commercial buildings is completed.
4. The land values are adjusted periodically in accordance with market values of property in the area.

Any exemption granted will be in compliance to NDCC Chapter 57-02.2



Guideline

Property Tax Exemption of Improvements to Commercial & Residential Buildings

North Dakota Century Code § 57-02.2

Cory Fong
Tax Commissioner

July 2007

Requirements

1. The governing body of the county, for property outside city limits, or the governing body of the city, for property within city limits, must pass a resolution to allow the exemption.
2. The governing body may limit or impose conditions upon exemptions, including limitations on the length of time during which an exemption is allowed, not exceeding five years. The requirements must be applied equitably to all applicants.
- *3. The exemption is valid for the prescribed period and does not terminate upon the sale or exchange of the property. It is transferable to subsequent owners.
4. The resolution may be rescinded or amended at any time by the governing body of the county or city.

Improvements that Qualify

5. Improvements to commercial or residential buildings or structures by renovation, remodeling, alteration or an addition may qualify for exemption.
 - a. Renovation - Restoring to a previous condition or to a good state of repair.
 - b. Remodeling - Changing the plan, form or style of a building, to correct functional deficiencies.
 - c. Alteration - Changing, modifying or varying; changing materially.
 - d. Addition - A structure attached to an existing building to increase its size.
6. A residential building must be 25 years old or older on the assessment date to qualify for the exemption. This provision does not apply to commercial buildings.
7. The renovation, remodeling or alteration of an apartment or residential building into a commercial building or structure is eligible for exemption, whether or not the apartment or residential building is 25 years old. However, if a commercial building is renovated, remodeled, or altered into an apartment or residential building, the commercial building must be 25 years old or older to qualify for the exemption.

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Improvements that Do Not Qualify

8. Improvements begun before the governing body passed the resolution do not qualify for exemption.
9. The complete replacement of one building with another building does not qualify for exemption.
10. A separate structure that is not attached to the existing building does not qualify for exemption.

Procedures

11. The property owner files an application with the assessor of the assessment district where the property is located.
12. The assessor determines if the improvements qualify for exemption. The governing body of the county or city must approve the exemption before it becomes effective.
13. If the renovation, remodeling, alteration or addition qualifies, the last assessment on the building prior to the start of making the improvement remains for the prescribed period unless equalization or reevaluation of building values is necessary.
14. The exemption is effective beginning with the first assessment date following the date of commencement of making the improvements.
15. Land values may be changed on any assessment date when justified.

Appeal, Correction and Abatement

16. The decision of the governing body regarding the exemption is subject to appeal, correction and abatement in the manner provided by law.
17. Appeal, correction and abatement procedures are available to the property owner even though an application for exemption was not filed prior to the current assessment date.
18. The abatement procedure is available to the property owner with regard to the value of the building prior to the renovation, remodeling, alteration or addition.

**Application For Property Tax Exemption For Improvements
To Commercial And Residential Buildings**

N.D.C.C. ch. 57-02.2

(File with the city assessor or county director of tax equalization)

Property Identification

1. Legal description of the property for which exemption is claimed _____ _____	
2. Address of Property _____	
3. Parcel Number _____	
4. Name of Property Owner _____	Phone No. _____
5. Mailing Address of Property Owner _____	

Description Of Improvements For Exemption

6. Describe type of renovating, remodeling, alteration or addition made to the building for which exemption is claimed (attach additional sheets if necessary). _____ _____	
7. Building permit No. _____	8. Year built (residential property) _____
9. Date of commencement of making the improvements _____	
10. Estimated market value of property before the improvements	\$ _____
11. Cost of making the improvement (all labor, material and overhead)	\$ _____
12. Estimated market value of property after the improvements	\$ _____

Applicant's Certification And Signature

13. I certify that the information contained in this application is correct to the best of my knowledge.	
Applicant _____	Date _____

Assessor's Determination And Signature

14. The assessor/county director of tax equalization finds that the improvements described in this application do <input type="checkbox"/> do not <input type="checkbox"/> meet the qualifications for exemption for the following reason(s): _____ _____	
Assessor/Director of Tax Equalization _____	Date _____

Action Of Governing Body

15. Action taken on this application by the governing board of the county or city: Approved <input type="checkbox"/> Denied <input type="checkbox"/>	
Approval is subject to the following conditions: _____ _____	
Exemption is allowed for years 20 __, 20 __, 20 __, 20 __, 20 __.	
Chairperson _____	Date _____