

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDER NO. _____

Rescinding Order 2010-129 and Authorizing Cancellation of the Comcast Tax Appeal Reserve Account

The Multnomah County Board of Commissioners Finds:

- a. Under ORS 311.814, the County may set aside in an interest bearing reserve account a dollar amount representing that portion of property taxes paid by the petitioner in a property tax appeal that is attributable to the amount of value in dispute for each tax year that the appeal remains unresolved.
- b. On September 2, 2010, by Order 2010-129, the County directed the Chief Financial Officer to create such a reserve account commencing in the 2010-11 tax year for the property tax appeal filed by a consortium of business entities that may be referred to collectively as Comcast.
- c. Chapter 112, 2011 Oregon Laws (HB 2569), relating to property tax appeals, provides a new means for addressing the circumstances surrounding large-value property tax appeals that is beneficial both to taxpayers and to local governments. The new law, which takes effect on September 29, 2011, allows for deferred payment of taxes attributable to disputed value. This deferred payment allows taxpayers to retain their money during the pendency of the appeal and protects local governments from the accrual of substantial interest debt associated with large property tax refunds.
- d. The County's application of the authority granted in HB 2569 to the property tax appeal filed by Comcast as well as cancellation of the reserve account established by Order 2010-129 is appropriate under the circumstances.

The Multnomah County Board of Commissioners Orders:

1. The Chief Financial Officer is directed to cancel the reserve account established by Order 2010-129 and return all funds from the cancelled reserve account to the unsegregated tax collections account, for use in the assessor's implementation of Chapter 112, 2011 Oregon Laws (HB2569).
2. This Order is effective and Order 2010-129 is rescinded on October 6, 2011.

ADOPTED this 6th day of October, 2011.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Jeff Cogen, Chair

REVIEWED:
HENRY H. LAZENBY, Jr., COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Jed Tomkins, Assistant County Attorney

SUBMITTED BY:
Joanne Fuller, Director, Dept. of County Management