

# Winners of property tax appeal may wait 2 years for refund

BY YUDISLAIDY FERNANDEZ

Delay in the tax appeal process is frustrating property owners who've paid their tax bills but, if they were over-assessed, still may not get a refund for up to two years, a tax assessment group says.

Miami-Dade's Value Adjustment Board expects to start hearing its 143,517 total 2009 tax appeals next month as it wraps up 2008 appeals, which means last year's appeals won't be done until sometime in 2011.

The real estate market bust has led many property owners to question the assessed value of their properties and seek an appeal, which has overcrowded the county's valuation board with a record-setting number of appeals filed in 2008 and 2009.

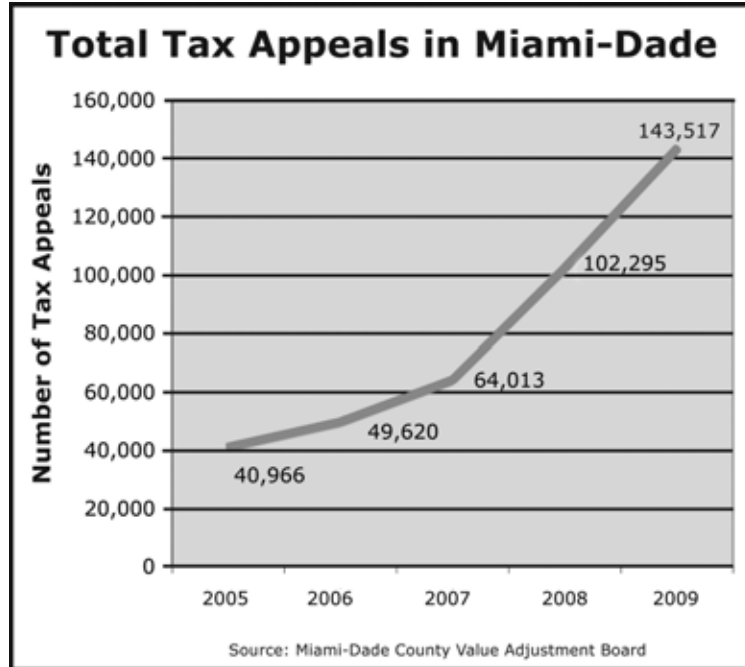
Mitchell Feldman, president of FBS Property Tax Abatement in Miami, says many clients are concerned with the delays in appeal hearings.

If it's taken the board about a year and a half to process about 100,000 appeals for 2008, Mr. Feldman says, the 2009 cycle could be longer, with more than 140,000 petitions filed.

"We will be hearing 2009 appeals for quite some time," he said, unless the valuation board can accommodate more cases.

Mr. Feldman still has some rescheduled 2008 appeal hearings pending that should wrap up soon, he said.

With the valuation board plan-



ning to start hearing 2009 appeals next month, Mr. Feldman says he will be very busy because his firm is handling thousands of cases for 2009.

"Clients are ready for us to start appealing before the Value Adjustment Board," he said. Mr. Feldman said his group filed 2009 appeals in 34 counties and has already completed hearings in about 30 of them.

But with the current delays, he says, it could take up to two years for Miami-Dade County property owners entitled to a reduction to get a refund.

Most property owners who appeal pay their taxes on time to avoid penalties, and many even pay early to get discounts on their property tax bills. Owners

who are successful in an appeal then get a refund.

For some larger commercial properties, the refunds could be substantial.

For example, the 55-story, class A office tower Wachovia Financial Center at 200 S Biscayne Blvd. was awarded a \$286,600 tax saving after appealing 2008 property taxes, according to the county clerk's records. A reduction was awarded after the office building's value was reduced from \$123.9 million to \$111.5 million.

Appeals totals show a steady rise in the past five years, with a sharp increment since 2007, as more property owners are arguing values assessed by the county Property Appraiser's office.

With a record-setting 102,295

appeals in 2008 – almost 40,000 more than 2007 – the 33 magistrates who hear cases from the valuation board have had their hands full.

But 2009 tax appeals broke that record, rising another 41,000 and making the task ahead as daunting for the already-overwhelmed valuation board.

Tom Dixon, president of Miami-based Dixon Commercial Real Estate, agrees the work begins now for tax appeal groups, who will represent hundreds of clients, many of them owners of commercial property, in front of the appeals board.

With the board adding eight magistrates and working to set up two more hearing rooms in downtown Miami where it now has six, Mr. Dixon says he hopes the process speeds up.

But he says he understands the process takes time, especially with many more cases in line for the 2009 cycle.

Mr. Dixon is preparing for the 2,000-plus cases he'll be representing in front of the board, of which he said about 70% are commercial, 20% homes and 10% condos.

But the task isn't easy.

It's challenging to find enough examples of comparable sales to determine a property's accurate value as of Jan. 1, 2009, Mr. Dixon said, because residential and commercial sales activity slowed during that period as little financing was available.

"It gets very difficult to deter-



*'We will be hearing 2009 appeals for quite some time.'*

**Mitchell Feldman**

mine what something is worth without having any examples," he said, adding that it's harder to come up with conclusions on fewer examples.

Mr. Dixon says he's using the income approach to establish values for income-producing properties. Appraisers often use the income valuation approach in commercial real estate appraisals that capitalize an income stream into a value indication. For homes and condos, he says he's primarily relying on comparable sales.

Mr. Feldman says next appeal cycle could be more of the same for Miami-Dade because he has already been getting calls from concerned property owners.

"2010 could be another high volume year for Dade County and they should expect, from the phone calls I am receiving, a significant amount of petitions again."

## Mayor sees management company and trust operating marine stadium

BY RISA POLANSKY

In envisioning the now-derelict Miami Marine Stadium re-born, Miami Mayor Tomás Regalado foresees an asset that won't burden city coffers.

"The idea is for the city not to have the marine stadium as part of the general fund, and also having a company that would try to run the stadium as they run the Bayfront Park auditorium," bringing in events and handling logistics, he told commissioners at a meeting last week.

The waterfront stadium on Virginia Key once hosted events including powerboat racing and floating concerts but has been left for dead since Hurricane Andrew wreaked havoc in 1992.

There's been a push in recent years to restore the historic structure, and proponents got a taste of victory last week when a Miami-Dade County committee initially OK'd putting \$3 million in general obligation bond funds toward the anticipated renovation.

A study found that structural work would cost about \$8 million, Mr. Regalado said, with costs such as disabled-access compliance and painting coming in at \$2 million to \$3 million more.

The county money would come only with final approval from both the county commission and the council that oversees the bond program.

"This is the first step in getting

*'Hopefully a trust like the Bayfront Park trust that works really well will run the stadium and hopefully they will find a company that knows what they are doing and not burden the city with the money on all that.'*

**Tomás Regalado**

the funding for the restoration of the marine stadium, or as [architect] Hilario Candela wants to describe [it], Miami Marine Park," Mr. Regalado said.

In that vein, University of Miami students are working on a concept for auxiliary uses near the stadium, he said, such as cafés and a maritime museum.

Once functional again, the stadium itself "is supposed to be rented," Mr. Regalado said. "Hopefully a trust like the Bayfront Park trust that works really well will run the stadium and hopefully they will find a company that knows what they are doing and not burden the city with the money on all that."

The Bayfront Park Management Trust, created in 1987, manages Bayfront and Bicentennial parks and is governed by

a nine-member volunteer board led by a city commissioner.

Events company Live Nation operates, manages and books events for the Bayfront Park Amphitheater.

As for funding stadium rehab and future operation and maintenance, Mr. Regalado said a 501(c)(3) nonprofit organization is in the works to collect donations, with a half-million-dollar offer from a private foundation waiting.

A marine stadium trust would also be in charge of mining other funding opportunities like naming rights, he added.

It's possible the project could also receive state funds, the mayor said, with Gov. Charlie Crist's interest piqued.

Officials have made the ask, and "the governor said they would look and respond... He was very interested in helping us," Mr. Regalado said, adding later that Mr. Crist hopes to visit the now-battered and shuttered stadium within a few weeks.

During the stadium update, Commission Chair Marc Sarnoff also brought up parking.

He noted that the nearby Rusty Pelican restaurant and Rickenbacker Marina have agreed to contribute a combined \$6 million for an area garage.

It's time get to it, Mr. Sarnoff said – it's a fully paid-for garage that would serve the area "and take up this lunar landing field."

## FILMING IN MIAMI

These film permits were issued last week by the Miami-Dade County Mayor's Office of Film & Entertainment, (305) 375-3288; the Miami Mayor's Office of Film, Arts & Entertainment, (305) 860-3823; and the Miami Beach Office of Arts, Culture and Entertainment-Film and Print Division, (305) 673-7070.

PICTURE PERFECT PRODUCTIONS. Miami. Commercial for Wal-mart. Country Walk.

CONCENTRATED. Chicago. Commercial for Belks. Crandon Park Beach.

IOVATE HEALTH SCIENCES INC. Oakville, Canada. Commercial for Hydroxycut. Haulover Beach Park. Matheson Hammock Park.

KIRKSTALL ROAD ENTERPRISES INC. New York. Danger Coast. Countywide, City of Miami citywide, Miami Beach citywide, Miami-Dade Fire Department resources.

EI ENTERTAINMENT/M CABLE TELEVISION INC. Van Nuys, CA. Kourtney and Khloe Take Miami 2. City of Miami citywide, countywide, Miami Beach citywide, Miami International Airport.

DELIVER OR DIE PRODUCTIONS. Emeryville, CA. Color Splash Miami. Miami Beach citywide, countywide, City of Miami citywide.

THE MIAMI PROJECT LLC. Los Angeles. Untitled Miami Project. City of Miami citywide, countywide, Miami Beach residential, Miami Beach citywide.

TELEMUNDO NETWORK. Hialeah. Nitido. Miami Beach citywide, Amelia Earhart Park.

S&S ENTERTAINMENT INC. Coral Gables. Livin' La Vida Miami. City of Miami citywide, countywide, Miami Beach citywide.

CINELOG INC. Miami. En 1ra Fila. Design District. Coconut Grove Sailing Club, Miami Beach citywide. Design District.

CINEFLIX INC. Toronto. Python Hunters. Crandon Park Beach, Opa Locka West.

TVM PRODUCTIONS INC. Miami. Burn Notice Season Four. Collins Avenue between first and fifteenth streets, Miami-Dade County off-duty police, Opa-Locka Airport, Port of Miami.

PLUM TV. New York. Plum TV. City of Miami citywide, countywide, Miami Beach citywide.

QUEBECOR STUDIO. Montreal. 48 Hours in Miami. City of Miami citywide, countywide, Miami Beach citywide.

M CABLE TELEVISION. Van Nuys, CA. The Bad Girls Club Season Five. North Bay Road between 41st and 64th streets.

WORLD CLASS DRIVING/WATV SPEED CHANNEL. Newark, DE. Battle of the Supercars. TNT Airport.

DADDIES DOLL PRODUCTIONS. East Hanover, NJ. The Dirty Project. City of Miami citywide, countywide, Miami Beach citywide.

UNIVERSITY OF MIAMI. Coral Gables. Calvin. South Florida Evaluation Center.

MIAMI DADE COLLEGE. North Miami. Throwing Stones. Black Point Marina, Homestead Bayfront Park.

UNDERGROUND FILM PRODUCTIONS. Miami. Frank Reyes music video. Downtown.

THE NORTH FILMS. Ashburn, VA. Jorge's Tips: How to Kendall Soccer Park.

FLORIDA MARLINS LP. Miami. Marlins Stadium Construction Cam. Robert King High.

STONE COLD 2 LLC. Miami Beach. Stock footage volume one. City of Miami citywide, countywide, Miami Beach citywide.

MIAMI WORLD CINEMA CENTER. Miami. South Beach Trailer. Miami Beach citywide, Miami Beach driving shots.

GEIP SOUTH FLORIDA. Hollywood. Catch Me If You Can. Bayside Marina, Beachfront between 5th and

17th streets, Lummus Park, Miami Beach Marina, South Pointe Drive between Alton Road and Ocean Drive.

45° SUD PRODUCTIONS. Paris. Stills for Daxon Catalog. Design District streets, Miami Beach citywide, Overtown streets.

MOBILE ARTS INC./MOBILE ARTS PRODUCTION SERVICE. Miami Beach. Stills for Target. City of Miami citywide, countywide, Miami Beach citywide, Crandon Park Beach.

MARKUS MUELLER PRODUCTIONS. Miami Beach. Stills for Heine. North Bay Road between 41st and 64th streets.

TROPICAL PRODUCTIONS INC. Wellington. Stills for STS. Design District, Highland Oaks Park.

THE BOLLOCKS PRODUCTION LLC. Asheville, NC. Stills for LFL. North Bay Road between 41st and 64th streets.

MONIQUE ROBERTSON PRODUCTIONS. Miami Beach. Stills for Fashion Catalog. City of Miami citywide, countywide, Design District sidewalks, Fashion District sidewalks, Miami Beach citywide.

HG PRODUCERS INC. Miami Beach. Stills for Box Prix. Amelia Earhart Park. City of Miami citywide, countywide, Crandon Park Beach, Miami Beach citywide.

AMERICAN GREETINGS CORP. Cleveland. Stills for Greeting Card photo shoot. Crandon Park Beach, Miami Beach citywide.

FIRST OPTION PRODUCTIONS INC. Miami Beach. Stills for Winners. City of Miami citywide, countywide, Miami Beach citywide.

SELECT SERVICES INC. Miami. Stills for Select. City of Miami citywide, countywide, Miami Beach citywide.

P. STUDIO PRODUCTIONS INC. Miami Beach. Stills for Studio Team 3. Biscayne Boulevard, Brickell Avenue, countywide, Design District, Miami Beach citywide, Virginia Key Beach.

FIRST OPTION PRODUCTIONS INC. Miami Beach. Stills for Wal-mart. City of Miami citywide, countywide, Miami Beach citywide.

MOBILE ARTS INC./MOBILE ARTS PRODUCTION SERVICE. Miami Beach. Stills for Charming Shoppes. Brickell Avenue sidewalks, City of Miami citywide, countywide, Miami Beach citywide.

STONEHENGE CIRCLE CORP. Miami. Stills for Bon Prix. City of Miami citywide, countywide, Miami Beach citywide.

CHRISTINE KELLY INC. Miami Beach. Stills for Christine Kelly Production. Greynolds Park East.

MOBILE ARTS INC./MOBILE ARTS PRODUCTION SERVICE. Miami Beach. Stills for Jade Jean. City of Miami citywide, countywide, Miami Beach citywide.

PICTURE PERFECT PRODUCTIONS. Miami. Belk "Father's Day." Crandon Park Marina.

PRO ONE PRODUCTIONS INC. Miami Beach. Stills for Essentials. City of Miami citywide, countywide, Miami Beach citywide.

LOCKBOX PRODUCTIONS. New York. Famous footwear. Miami Beach citywide.

COLLABORATION MIAMI EANNACE & ASSOCIATES INC. Miami Shores. Stills for CVI Print. Chapman Field.

MAHER AND MAHER. Atlantic Beach. Stills for Starbuck's. Crandon Park Beach, Miami Beach citywide, Virginia Key Fishing Village.

FIRST OPTION PRODUCTIONS INC. Miami Beach. Stills for Zoot Magazine. Miami Beach citywide.

BRODER PRODUCTIONS. Miami Beach. Stills for Belk. Countywide, Miami Beach citywide.

STONEHENGE CIRCLE CORP. Miami. Stills for Hungarian Elle. City of Miami citywide, Miami Beach citywide.

PRO ONE PRODUCTIONS INC. Miami Beach. Stills for Fashion. City of Miami citywide, Miami Beach citywide, countywide.