

**INDIANA BOARD OF TAX REVIEW**  
**Small Claims**  
**Final Determination**  
**Findings and Conclusions**

**Petitions:** 71-026-12-1-5-00030  
71-026-13-1-5-20408-15  
71-026-14-1-5-20434-15  
**Petitioner:** Susan Mathews  
**Respondent:** St. Joseph County Assessor  
**Parcel:** 71-03-35-404-026.000-026  
**Assessment Years:** 2012, 2013, and 2014

The Indiana Board of Tax Review (Board) issues this determination in the above matter, and finds and concludes as follows:

**Procedural History**

1. The Petitioner initiated her 2012, 2013, and 2014 assessment appeals with the St. Joseph County Assessor on December 6, 2012, December 20, 2013, and November 18, 2014, respectively.
2. It is unclear if the St. Joseph County Property Tax Assessment Board of Appeals (PTABOA) issued a determination for the 2012 assessment year.<sup>1</sup> On July 13, 2015, the PTABOA issued its determination for both the 2013 and 2014 assessment years denying the Petitioner relief.
3. The Petitioner filed Petitions for Review of Assessment (Form 131s) with the Board. For all three years, she elected the Board's small claims procedures.
4. The Board issued notices of hearing on December 9, 2015.
5. Administrative Law Judge (ALJ) Jennifer Bippus held the Board's consolidated administrative hearing on February 10, 2016. She did not inspect the property.

---

<sup>1</sup> According to Ms. Mathews, a PTABOA hearing was held on the September 18, 2013, for her 2012 assessment appeal. At the conclusion of the hearing, she was informed her "appeal was denied." Ms. Mathews also states she never received a written determination from the PTABOA for her 2012 assessment appeal. *Mathews' testimony; Bd. Ex. A (Petitioner's response to the Board's defect notice)*. Accordingly, she filed a Form 131 for the 2012 assessment year with the Board on December 27, 2013. See Ind. Code § 6-1.1-15-1(k) and (o) (allowing a taxpayer to seek review by the Board if a county PTABOA does not hold a hearing within 180 days of the taxpayer filing its notice of review with the county or township assessor, and does not issue a decision within 120 days of the hearing). At the Board's hearing, the Respondent presented a Form 115 for the 2012 assessment year dated September 24, 2013. *Resp't Ex. B*. However, the Form 115 is not signed and appears to have not been processed. The Respondent, who was represented by counsel, did not challenge the timeliness of Form 131 for the 2012 assessment year. The Board will not make a case for a party *sua sponte*. As such, the 2012 Form 131 will be viewed as properly before the Board.

6. Susan Mathews appeared *pro se*. Attorney Frank J. Agostino appeared for the Respondent. Ms. Mathews and Chief Deputy Assessor Patricia St. Clair were sworn as witnesses.

### **Facts**

7. The property under appeal is a single-family rental property located at 909 Beale Street in South Bend.
8. For 2012, the total assessment of record is \$20,500 (land \$8,100 and improvements \$12,400).
9. For both 2013 and 2014, the PTABOA determined a total assessment of \$20,400 (land \$8,100 and improvements \$12,300).
10. On her Form 131s, the Petitioner requested a total assessment of \$10,500 (land \$500 and improvements \$10,000) for each year under appeal.<sup>2</sup>

### **Record**

11. The official record for this matter is made up of the following:
  - a) Petitions for Review of Assessments (Form 131s) with attachments,
  - b) A digital recording of the hearing,
  - c) Exhibits:

Petitioner Exhibit 0:	2012 Form 131,
Petitioner Exhibit 1:	Parcel listing for Neighborhood 7126582,
Petitioner Exhibit 2:	Parcel listing for Neighborhood 7126411,
Petitioner Exhibit 3:	Seven property record cards for various properties in Neighborhood 7126411,
Petitioner Exhibit 4:	“Assessment Date and Valuation Date Relationship” and “Adjustments to Sales Price on Sales Disclosure Form” power-point slides,
Petitioner Exhibit 5:	Sales disclosure forms for the following properties: 941 Beale, 1109 Rose Street, and 817 Roosevelt,
Petitioner Exhibit 6:	Ten 2012 sales disclosure forms for various properties in South Bend,
Petitioner Exhibit 7:	Petitioner’s 2012 valuation calculation with a sales disclosure form and property record card for 909 Roosevelt along with a copy of the subject property record card,

---

<sup>2</sup> At the hearing, the Petitioner requested a different total assessment for each year under appeal.

Petitioner Exhibit 8:	Sales disclosure forms for the following properties: 814 Bryan, 906 West Bryan Street, and 925 Beale Street,
Petitioner Exhibit 9:	Six 2013 sales disclosure forms for various properties in South Bend,
Petitioner Exhibit 10:	2013 Form 131,
Petitioner Exhibit 11:	Petitioner's 2013 valuation calculation with a sales disclosure form and property record card for 814 Bryan along with a copy of the subject property record card,
Petitioner Exhibit 12:	2014 Form 131,
Petitioner Exhibit 13:	Sales disclosure forms for the following properties: 1029 West Rose (two different sale dates), and 1005 West Rose Street,
Petitioner Exhibit 14:	Thirteen 2014 sales disclosure forms for various properties in South Bend,
Petitioner Exhibit 15:	Petitioner's 2014 valuation calculation with s sales disclosure form and property record card for 826 Bryan, along with a copy of the subject property record card,
Petitioner Exhibit 16:	Petitioner's 2014 valuation calculation with a sales disclosure form and property record card for 937 Beale, along with a copy of the subject property record card.
Respondent Exhibit A:	2012, 2013, and 2014 Form 131s,
Respondent Exhibit B:	2012, 2013, and 2014 Notifications of Final Assessment Determinations (Form 115s),
Respondent Exhibit C:	Gross Rent Multiplier Charts for 2012/2013 and 2013/2014,
Respondent Exhibit D:	Parcel listing for Neighborhood 7156582,
Respondent Exhibit E:	Subject property's valuation history,
Respondent Exhibit F:	2012, 2013, and 2014 subject property record cards,
Respondent Exhibit G:	Various spreadsheets indicating property sales in the subject property's neighborhood along with aerial photograph.
Board Exhibit A:	Form 131s with attachments,
Board Exhibit B:	Notices of hearing, dated December 9, 2015,
Board Exhibit C:	Hearing sign-in sheet,
Board Exhibit D:	Notice of Appearance by Frank J. Agostino.

d) These Findings and Conclusions.

### **Objections**

12. Mr. Agostino objected to several of the Petitioner's exhibits. First, Mr. Agostino objected to Petitioner's Exhibits 1, 2, 3, 4, 5, 8, 9, 13, and 14 on the grounds that they are irrelevant. Specifically, he argued that the Petitioner failed to show how those exhibits

relate to and determine the subject property's value. The Petitioner responded by stating, "[H]e is not the assessor, he did not do this." The ALJ took the objections under advisement.

13. The Petitioner offered the exhibits in question in an attempt to prove that the assessment is wrong because the Respondent omitted valid sales from her ratio study. To the extent she succeeded in proving this, it goes to the weight of the evidence rather than its admissibility. The objection is therefore overruled, and Petitioner's Exhibits 1, 2, 3, 4, 5, 8, 9, 13, and 14 are admitted.
14. Mr. Agostino also objected to Petitioner's Exhibits 7, 11, 15, and 16 arguing the exhibits lack "any foundation that Ms. Mathews is an expert as to express an opinion of value of the property." Further, Mr. Agostino argued that Petitioner's Exhibits 11, 15, and 16 "purport to be...expert report[s]." In response, the Petitioner admitted that she is neither a realtor nor a licensed appraiser. The ALJ took the objections under advisement.
15. The Board disagrees with Mr. Agostino's characterization that the exhibits were offered as expert reports. The Petitioner testified that she prepared the reports and conceded that she is not an expert. Moreover, Mr. Agostino failed to point to any authority requiring the Petitioner's evidence to be prepared by an expert to be admissible. Indiana law does not require a taxpayer to submit an appraisal in order to appeal an assessment. Thus, Mr. Agostino's objections are overruled, and Petitioner's Exhibits 7, 11, 15, and 16 are admitted.
16. Ms. Mathews objected to the Respondent's Exhibits E, F, and G because she did not receive the exhibits prior to the hearing as required by the Board's procedural rules.<sup>3</sup> Ms. Mathews further argued that she sent a request to the Respondent, via facsimile, "one-and-a-half to two weeks" prior to the hearing requesting copies of the Respondent's exhibits. In response, the Respondent argued that the exhibits in question are records maintained by the Assessor's office and they are "similar to exhibits the Petitioner had already submitted." As such, the Respondent argued the Petitioner was not prejudiced by the documents. The ALJ took the objection under advisement.
17. The Board's small claim's procedures require parties to provide all other parties with copies of documentary evidence at least five business days before the hearing, if requested. The rule requires that request to be made no later than 10 business days before the hearing. *See* 52 IAC 3-1-5(d). Here, the Petitioner failed to offer any documentation regarding her request for the Respondent's evidence. Further, her testimony that she requested copies of the exhibits "one-and-a-half to two weeks" before the hearing brings into question the timeliness of her request. Even if her request was timely and proper, the objected-to evidence consists of the subject property record card and sales information that Ms. Mathews included along with her own evidence. Therefore, Ms. Mathews' objections are overruled and Respondent's Exhibits E, F, and G are admitted.

---

<sup>3</sup> While the exhibits in question apply to all three years under appeal, the Petitioner only objected to them as they relate to the 2012 appeal.

## Contentions

### 18. Summary of the Petitioner's case:

- a) The subject property's assessment is too high. The Respondent's income approach to value for rental properties does not provide "good market values." The Respondent "manipulates" the value of rental properties by utilizing a gross rent multiplier (GRM). While the Petitioner charged \$525 per month for rent during the years under appeal, there were "interruptions" in rent collections. *Mathews' argument; Pet'r Ex. 4.*
- b) Sales should be used to determine value. However, the Respondent erroneously "omits valid sales from its ratio study." Certain sales are deemed "invalid" for various reasons, but "mostly because they are rentals." All neighborhood property sales should be included "unless it is a sheriff's sale or bank sale." Conversely, other sales are included that should not apply to the subject property's neighborhood. The Petitioner argues the Respondent simply "picks and chooses" which properties are valid in trending. *Mathews' argument; Pet'r Ex. 5, 6, 8, 9, 13, 14.*
- c) The subject property's current land assessment is \$8,100. Other rental properties in the same neighborhood "code 7216582" carry the same land assessments. But, "some of the non-rental properties are worth much more than the rentals, and skew the land values." The subject property should be valued based only on the properties "within her own little area." *Mathews' argument; Pet'r Ex. 1.*
- d) Other non-rental properties located in neighborhood "code 7126411" have land assessments of \$6,600. These lots are the same size as the subject property. Several of these properties are assessed as non-rental properties but "are actually rental properties." Ms. Mathews argues her land should be assessed at \$6,600. *Mathews' argument; Pet'r Ex. 2, 3.*
- e) The Petitioner computed what she contends is the property's correct assessment for each year under appeal. For 2012, she compared the subject property to a property located at 909 Roosevelt Street. The Roosevelt Street property sold on March 24, 2011, for \$11,000. This property's lot is the same size as the subject property's lot. The size of the home, the foundation, and number of rooms are all similar to the subject property. The Roosevelt Street property does not include a garage. After considering "the difference between the Roosevelt Street assessment and its sale price," Ms. Mathews is requesting a total assessment of \$10,190 for 2012. *Mathews' testimony; Pet'r Ex. 7.*
- f) For 2013, Ms. Mathews compared the subject property to a property located at 814 Bryan Street. The Bryan Street property sold on a land contract for \$12,000 on May 25, 2012. Both homes are situated on a concrete foundation and have attic space; however, the Bryan Street house is bigger. Again, the Petitioner "considered the

difference between the assessments and the sale price” and is requesting a total assessment of \$9,510 for 2013. *Mathews’ testimony; Pet’r Ex. 11.*

- g) For 2014, Ms. Mathews compared the subject property to a property located at 826 Bryan Street. This property sold on April 23, 2013, for \$10,000. The lot size and land assessment are the same. Similar to the subject property, the Bryan Street property has no basement, no attic, and two bedrooms. The Bryan Street property has extra cement work and porches, but is still “very similar.” Based on this comparison, Ms. Mathews is requesting a total assessment of \$9,025 for 2014. *Mathews’ testimony; Pet’r Ex. 15.*
- h) Ms. Mathews also compared the subject property’s 2014 assessment to the assessment of a property located at 937 Beale. The Beale property has a current total assessment of \$11,000. Similar to the subject property, this is a one-story home with two bedrooms, no attic, asphalt shingles, concrete foundation, some carpeting, and vinyl floors. Her value estimate for the subject property based on this “very strong comparison is \$11,174.” *Mathews’ testimony; Pet’r Ex. 16.*

19. Summary of the Respondent’s case:

- a) The subject property is assessed correctly. Initially, in 2012 the property was valued utilizing the cost approach because the Petitioner failed to provide any property income reports. Due to a general reassessment, the 2012 assessment increased to \$38,000. As a result of the 2012 PTABOA hearing, the total assessment was lowered to \$20,500 “presumably because the Petitioner then provided that information.” For 2013 and 2014 the Respondent utilized a GRM to value the subject property as a rental. The GRM is determined by “taking the sale price of a property and dividing it by the annual rent provided by landlords.” *Agostino argument; St. Clair testimony; Resp’t Ex. C.*
- b) Neighborhoods are determined by the information obtained from the sales disclosure forms. The subject property’s neighborhood is classified as a rental neighborhood. The properties are grouped as such and assessed similarly. Sales for the subject property’s neighborhood ranged from \$399 to \$59,000. *St. Clair testimony; Resp’t Ex. D, G.*
- c) Most of the properties the Petitioner argues are “erroneously being left out of the ratio study” sold for more than the subject property’s current assessment. For example, 929 Bryan Street sold for \$37,050, 626 Beale Street sold for \$31,199, and 937 Roosevelt sold for \$26,470. If the Respondent had included these properties in the ratio study, the subject property’s assessment would have increased drastically. *Agostino argument.*
- d) In the Petitioner’s “computation of her requested assessments,” she only utilized one purportedly comparable property for 2012 and 2013. Further, she only utilized two purportedly comparable properties for 2014. The Petitioner failed to include enough

properties for a valid analysis. Additionally, the properties she utilized are not comparable to the subject property. Finally, the Petitioner is not an appraiser or realtor, and she lacks any formal training to accurately appraise property. *Agostino argument*.

### **Burden of Proof**

20. Generally, the taxpayer has the burden to prove that an assessment is incorrect and what the correct assessment should be. *See Meridian Towers East & West v. Washington Twp. Ass'r*, 805 N.E.2d 475, 478 (Ind. Tax Ct. 2003); *see also Clark v. State Bd. of Tax Comm'rs*, 694 N.E.2d 1230 (Ind. Tax Ct. 1998). The burden-shifting statute as recently amended by P.L. 97-2014 creates two exceptions to that rule.
21. First, Ind. Code § 6-1.1-15-17.2 “applies to any review or appeal of an assessment under this chapter if the assessment that is the subject of the review or appeal is an increase of more than five percent (5%) over the assessment for the same property for the prior tax year.” Ind. Code § 6-1.1-15-17.2(a). “Under this section, the county assessor or township assessor making the assessment has the burden of proving that the assessment is correct in any review or appeal under this chapter and in any appeals taken to the Indiana board of tax review or to the Indiana tax court.” Ind. Code § 6-1.1-15-17.2(b).
22. Second, Ind. Code § 6-1.1-15-17.2(d) “applies to real property for which the gross assessed value of the real property was reduced by the assessing official or reviewing authority in an appeal conducted under IC 6-1.1-15.” Under those circumstances, “if the gross assessed value of real property for an assessment date that follows the latest assessment date that was the subject of an appeal described in this subsection is increased above the gross assessed value of the real property for the latest assessment date covered by the appeal, regardless of the amount of the increase, the county assessor or township assessor (if any) making the assessment has the burden of proving that the assessment is correct.” Ind. Code § 6-1.1-15-17.2(d). This change was effective March 25, 2014, and has application to all appeals pending before the Board.
23. Here, the parties agree that the assessed value of the subject property did not increase by more than 5% from 2011 to 2012. In fact, the assessment decreased from \$29,700 in 2011 to \$20,500 in 2012. Thus, the Petitioner will have the burden for the 2012 assessment year. The burden for the 2013 assessment year will depend on the Board’s findings from the prior year’s appeal. Likewise, the burden for the 2014 assessment year will depend on the Board’s findings from the immediately preceding year’s appeal.

### **Analysis**

24. The Petitioner failed to make a prima facie case for reducing the 2012, 2013, and 2014 assessments.
  - a) Real property is assessed based on its market value-in-use. Ind. Code § 6-1.1-31-6(c); 2011 REAL PROPERTY ASSESSMENT MANUAL at 2 (incorporated by reference at 50 IAC 2.4-1-2). The cost approach, the sales comparison approach, and the income

approach are three generally accepted techniques to calculate market value-in-use. Assessing officials primarily use the cost approach, but other evidence is permitted to prove an accurate valuation. Such evidence may include actual construction costs, sales information regarding the subject or comparable properties, appraisals, and any other information compiled in accordance with generally accepted appraisal principles.

- b) Regardless of the method used, a party must explain how the evidence relates to the relevant valuation date. *O'Donnell v. Dep't of Local Gov't Fin.*, 854 N.E.2d 90, 95 (Ind. Tax Ct. 2006); *see also Long v. Wayne Twp. Ass'r*, 821 N.E.2d 466, 471 (Ind. Tax Ct. 2005). For a 2012 assessment, the valuation date was March 1, 2012. *See* Ind. Code § 6-1.1-4-4.5(f). For a 2013 assessment, the valuation date was March 1, 2013. *Id.* For a 2014 assessment, the valuation date was March 1, 2014. *Id.*
- c) As stated above, the Petitioner had the burden of proof for the 2012 assessment year, so the Board will begin by examining her argument and evidence for 2012. A substantial amount of the Petitioner's case related to how the mass appraisal system was applied, and how annual trending and ratio studies should be done. Specifically, the Petitioner "disagreed" with using the income approach to value her property, and alleged that sales were erroneously excluded from the ratio study to "manipulate assessments."
- d) In Indiana, the GRM method is the preferred method for valuing rental property that has one (1) to four (4) units. Ind. Code § 6-1.1-4-39(b). Thus, the Petitioner failed to prove that the assessment is wrong by claiming that the Respondent erroneously utilized the preferred method.<sup>4</sup>
- e) The Petitioner also argued that the Respondent omitted sales from its ratio study that should have been included. "Ratio study" is a generic term for a sales-based study designed to evaluate assessment performance. It is a study of the relationship between appraised or assessed values and market value-in-use as reflected by sales or other information. 50 IAC 27-2-10. The Petitioner's opinion that sales were erroneously omitted from the Respondent's study is conclusory. Moreover, the Petitioner failed to offer any evidence or explanation as to how the allegedly omitted sales affected either the ratio study or, more importantly, the subject property's value. Therefore, she failed to show the assessment was in error by raising this argument.
- f) The Petitioner did offer some market-based evidence in an attempt to prove what the assessment should be. For 2012, she offered the sale of a purportedly comparable property. In doing so, the Petitioner essentially relies on a sales-comparison approach to establish the market value-in-use. *See* 2011 REAL PROPERTY ASSESSMENT MANUAL at 9 (incorporated by reference at 50 IAC 2.4-1-2)(stating that the sales-comparison approach relies on "sales of comparable improved properties

---

<sup>4</sup> The Board is left to assume that for 2012 the PTABOA based their determination upon utilizing the GRM.



and adjusts the selling prices to reflect the subject property's total value.”); *see also Long*, 821 N.E.2d 466, 469.

- g) To effectively use the sales-comparison approach as evidence in a property tax appeal, the proponent must establish the comparability of the properties being examined. Conclusory statements that a property is “similar” or “comparable” to another property are not sufficient. *Long*, 821 N.E.2d at 470. Instead, the proponent must identify the characteristics of the subject property and explain how those characteristics compare to the characteristics of the purportedly comparable properties. *Id.* at 471. Similarly, the proponent must explain how any differences between the properties affect their relative market values-in-use. *Id.*
- h) Here, the Petitioner presented what purports to be a comparison between the subject property and a purportedly comparable property located at 909 Roosevelt Street. While her methodology is not entirely clear, it appears the Petitioner determined the subject property’s current assessment is 2% lower than the purportedly comparable property’s assessment. Therefore the subject property’s assessment should be reduced to an amount that is 2% lower than the purportedly comparable property’s sale price of \$11,000.
- i) For several reasons, the Petitioner’s computation lacks probative value. First and foremost, little is known about the sale of the 909 Roosevelt property. The record lacks any evidence regarding such things as the specific terms of the sale, whether the property was listed on the open market, whether the parties to the sale were typically motivated, and whether the sale was an arm’s-length transaction. Thus, it cannot be determined whether the \$11,000 selling price represented the market value-in-use of that property.
- j) Further, while the Petitioner testified as to some similarities and differences between the properties, it is not apparent that she actually made adjustments for specific differences. To the extent the Petitioner intended her 2% adjustment for the difference in the properties’ assessments to substitute for a detailed analysis, the Board has repeatedly held that type of analysis does not suffice. At best, it provides a mix of market-based and cost-based theory and values. Further, it does not account for all of the differences that may affect a property’s market value-in-use. For example, while the market likely yields different values for two-bedroom and three-bedroom ranches, the cost manual, which is based on square-footage, contains no adjustment for such a difference.
- k) Finally, the Petitioner offered no support for the notion that analyzing the sale of only one purportedly comparable property yields a reliable value, or comports with generally accepted appraisal principles. The Petitioner failed to make a prima facie case for reducing the 2012 assessment. Therefore, the 2012 assessment shall remain at \$20,500.

- l) For 2013, the assessment decreased from \$20,500 to \$20,400. Therefore, the Petitioner again bears the burden to prove the 2013 assessment is incorrect. The record for 2013 includes the same evidence and argument as for 2012, except that Ms. Mathews compared the subject property to a property located at 814 Bryan. The Bryan property sold for \$12,000 on May 25, 2012. Based on the same methodology as detailed above, Ms. Mathews requested a 2013 total assessment of \$9,510. Thus, for the same reasons as detailed above, the Petitioner failed to make a case for reducing the 2013 assessment. Therefore, the 2013 assessment shall remain \$20,400.
- m) For the 2014 appeal, the Petitioner had the burden of proof because the total assessment remained at \$20,400. Again, the record for 2014 contains the same evidence and argument as the prior two years, except for 2014 Ms. Mathews compared the subject property to two other purportedly comparable properties. Specifically, she compared the subject property to a property located at 826 Bryan Street, which sold for \$10,000 on April 23, 2013. Using the same methodology as above, she computed a requested 2014 total assessment of \$9,025. For the same reasons as discussed above, that computation lacks probative value.
- n) Ms. Mathews also performed what appears to be an assessment comparison for 2014. She compared the subject property to a property located at 937 Beale. The Beale property was assessed at \$11,000 in 2014. Based on that comparison, she concluded that “an acceptable value” for the subject property would be 6% higher, or \$11,174. It is unclear how the Petitioner determined 6% was an appropriate percentage because she did not elaborate.
- o) Parties may offer the assessments of comparable properties to prove the market value-in-use of the property under appeal. Ind. Code § 6-1.1-15-18(c). But just as in using the sales-comparison approach, the party offering the assessment data must show that the properties are comparable, and explain and quantify any relevant differences that affect market value-in-use. *Long*, 821 N.E.2d at 470-71.
- p) Again, the Petitioner failed to do that. She did not prove that the properties are comparable, and she offered only the 6% unexplained adjustment, which the Board can only assume was intended to account for unspecified differences. Thus, the Petitioner’s assessment comparison lacks probative value.
- q) Further, for 2014, the Petitioner offered two analyses that resulted in two different estimated values. Ms. Mathews failed to offer any explanation as to which value she deemed accurate or what total value she was requesting for 2014. “[I]t is the taxpayer’s duty to walk the Indiana Board...through every element of its analysis.” *Indianapolis Racquet Club, Inc. v. Washington Twp. Ass’n*, 802 N.E.2d 1018, 1022 (Ind. Tax Ct. 2004).
- r) For these reasons, the Petitioner failed to make a prima facie case for reducing the 2014 assessment. As such, the 2014 assessment shall remain at \$20,400.

## Conclusion

25. The Board finds for the Respondent.

## Final Determination

In accordance with these findings and conclusions, the 2012, 2013, and 2014 assessments will not be changed.

ISSUED: May 10, 2016

---

Chairman, Indiana Board of Tax Review

---

Commissioner, Indiana Board of Tax Review

---

Commissioner, Indiana Board of Tax Review

### - APPEAL RIGHTS -

You may petition for judicial review of this final determination under the provisions of Indiana Code § 6-1.1-15-5 and the Indiana Tax Court's rules. To initiate a proceeding for judicial review you must take the action required not later than forty-five (45) days of the date of this notice.

The Indiana Code is available on the Internet at <<http://www.in.gov/legislative/ic/code>>. The Indiana Tax Court's rules are available at <<http://www.in.gov/judiciary/rules/tax/index.html>>.