

Approved April 1, 1992

Minutes of the House Committee on Taxation. The meeting was called to order by Joan Wagnon, Chairperson, at 9:10 a.m. on Wednesday, February 5, 1992 in room 519-S of the Capitol.

All members were present except:

Rep. Joan Adam, excused; Rep. J. C. Long, excused; Rep. Bill Roy, Jr., excused.

Committee staff present:

Tom Severn & Chris Courtwright, Legislative Research; Bill Edds and Don Hayward, Revisors; Linda Frey, Committee Secretary.

Conferees appearing before the committee

Larry Clark, Wyandotte County Appraiser
Karen France, Kansas Realtors Association
Chuck Stone, Kansas Bankers Association
Bev Bradley, Deputy Director of the Kansas Association of Counties
Representative Gwen Welshimer
Sarah Ullman, Register of Deeds for Johnson County
Susie Parmer, Register of Deeds for Leavenworth County
Vic Miller, Shawnee County tax practitioner
David Cunningham, Director of Property Valuation
Bill Mitchell, Kansas Land Title Association

The public hearings were opened on HB 2738 and HB 2818.

Larry Clark, Wyandotte County Appraiser, testified in favor of HB 2738 and HB 2818 (Attachment 1). He said the County Appraisers Association favors making sales information public.

Karen France, Director of Governmental Affairs for the Kansas Realtors Association, testified in favor of HB 2738 and in opposition to HB 2818 (Attachment 2). She said her association sees sale information as a private transaction.

Rep. Jo Ann Pottorff asked about the survey France referred to in her testimony. France elaborated to say the survey was sent to brokers. Rep. Pottorff asked for a copy of the survey.

Chuck Stone, representing the Kansas Bankers Association, testified in favor of HB 2818 (Attachment 3). He said his association did not oppose restrictions last year because they believed appraisers could already access the information. Banks need access to this data because banks

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Taxation, room 519-S, State-house, at 9:10 a.m. on Wednesday, February 5, 1992.

make loans, he said. Stone offered an amendment to HB 2738 (Attachment 4). He said the amendment would prevent the full disclosure of records.

Bev Bradley, Deputy Director of the Kansas Association of Counties testified in favor of HB 2818 (Attachment 5).

Representative Gwen Welshimer testified in regard to a number of questionnaires she had received from her district that overwhelmingly support opening sales information to the public (Attachment 6).

Sarah Ullman, Register of Deeds for Johnson County, testified in regard to HB 2818 (Attachment 7). She said her position was neutral on the issue of making sales information public, but that if such information is to be public then it should be open to all and that the sale price should be put directly on the deed since the questionnaires are only kept for two years. She explained that deeds were used prior to 1968 when certificates of value came into use.

Susie Parmer, Register of Deeds for Leavenworth County, said deeds used to have a documentary stamp tax which was repealed in 1968 when certificates of value came into use.

In response to a question, Parmer said reimbursement fees are charged for reproduction of documents.

Ullman said someone desiring such information was required to sign an affidavit that they would not solicit the people mentioned in the documents. She said the requirement was part of the open records law. It was also stated that currently mortgage amount information can be published in newspapers.

Vic Miller, Shawnee County tax practitioner, testified in regard to HB 2738 and HB 2818. Miller said HB 2738 would create a problem with the appeals board.

The public hearings on HB 2738 and HB 2818 were closed.

Public hearing on HB 2814 was opened.

Clark testified in regard to HB 2814. (Attachment 1).

David Cunningham, Director of Property Valuation, said there is a problem with HB 2814 in that it would cause a large backlog of work for county appraisers offices.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Taxation, room 519-S, State-house, at 9:10 a.m. on Wednesday, February 5, 1992.

Ullman testified in opposition to HB 2814 (Attachment 8).

Bill Mitchell, representing the Kansas Land Title Association, testified in opposition to HB 2814.

The Chair indicated that the bill appeared to be flawed and that no action would be taken on it.

The public hearing on HB 2814 was closed.

The public hearing on HB 2816 was opened.

Cunningham testified in favor of HB 2816. He said the ratio study is a key tool in the Property Valuation Department's determination of accuracy. Current law requires the department to do a ratio study although the department receives sales verification data from the counties. He said the system needs fine tuning.

After committee questions, the public hearing on HB 2816 was closed.

Subcommittees will be formed and assigned to look at bills. The Chairs will be Rep. Bruce Larkin, Property Tax Appeals Process; Rep. Wagnon, Sales Verification and Ratio Study; and Rep. Keith Roe, Administration of the Property Tax System. They will report back to the full committee in a couple of weeks.

Rep. Bob Vancrum requested the introduction of a bill regarding Kansas estate taxes. Rep. Krehbiel made the motion which was seconded by Chairman Wagnon. The motion carried.

The meeting was adjourned at 10:42 a.m. The next meeting will be February 6.

GUEST LIST

COMMITTEE: House Inspection

DATE: 2/5/92

| NAME (PLEASE PRINT) | ADDRESS | COMPANY/ORGANIZATION |
|---------------------|------------------|-----------------------------------|
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| Karen L. FRANCE | TOPEKA | KAR |
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| Bill Mitchell | Hatchinson | K L T A |
| BEV BRADLEY | TOPEKA | KS ASSOC of COUNTIES |
| Larry Clark | Kansas City, | Ks County Appraisers Assoc |
| Chuck Stover | Topeka | ICBA |
| KEVIN JOHNSON | TOPEKA | Ks Lodging Assn |
| Ron Smith | " | Ks Bar Assoc |
| Mike Beam | " | Ks. Lark Assn |
| Wes Sutton | " | Ks. Secured Title |
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KANSAS COUNTY APPRAISERS ASSOCIATION

**P.O. Box 1714
Topeka, Kansas 66601**

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(Northwest Region)
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913-877-2844

GARY COLEMAN
(Southwest Region)
Hamilton County Courthouse
Syracuse, Kansas 67878
316-384-5451

To: House Taxation Committee

From: Larry Clark, Wyandotte County Appraiser

Date: February 5, 1992

Madame Chairperson and honorable members of this committee I appreciate the opportunity to offer testimony on the bills listed below.

My name is Larry Clark and I am here representing the Kansas County Appraisers Association as their president. Our executive board met briefly January 29 to discuss many of the proposals discussed below. I will deal with them as shown on the committee calendar.

House Bill 2738 - This bill appears to be an attempt to allow property owners access to the comparative sales report prior to an appeal being filed. That is certainly supported by the appraisers association. However, all three approaches to value, Cost, Comparative Sales and Income, are dependent to some extent on sale information. Depreciation tables are built for the cost approach based on a comparison of the replacement cost new to the selling price. The capitalization rate in the income approach is best determined through a comparison of net income of

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sold properties to their selling price. And the final estimate in all three approaches should be close. Therefore, it is essential for all persons to have access to sales information in order to judge intelligently whether their property is being appraised accurately. This bill simply does not provide sufficient protection to taxpayers.

House Bill 2818 - The appraisers' association strongly supports the passage of this bill. There is a serious ethical problem raised when the only people with free access to sales information are those with a pecuniary interest in it. No one I have heard in these chambers has argued that absolutely no one should have access to any sales information. Without such information realtors, independent appraisers and county appraisers would not be able to function. Whatever the arguments the result has been that the very people who comprise the market are not granted access unless and until they pay for it either through contact with a realtor, hiring an independent appraiser or expending their resources in the hearing and appeals process.

The real estate market is a set of transactions of individuals and groups not the sole province of anyone. I cannot sell my property for any more than what other people owning similar properties have agreed it is worth. The decision to sell is determined by the interplay of many forces; the asking price is set within a range of what other people have been able to achieve and the final selling price is set the same way. If the selling price of a piece of property were to be considered under the exclusive ownership of the buyer no one would have access to it and the market as we know it would disappear because that

market is predicated upon knowledgeable buyers and sellers.

The people who make up the market should have access to information on that market.

House Bill 2814 - This bill would require that all transfer documents be screened by a person in the appraiser's office to determine the adequacy of the property description. Such action would allow the early trapping of errors and thus enhance the tracking of transactions as they influence value. It would benefit all in the county who rely on accurate property descriptions.



KANSAS ASSOCIATION OF REALTOR

Executive Offices:
3644 S. W. Burlingame Road
Topeka, Kansas 66611
Telephone 913/267-3610

TO: THE HOUSE TAXATION COMMITTEE
FROM: KAREN FRANCE, DIRECTOR, GOVERNMENTAL AFFAIRS
DATE: FEBRUARY 5, 1992
SUBJECT: HB 2738; 2818 SALES VALIDATION QUESTIONNAIRES

On behalf of the Kansas Association of REALTORS®, I appear today to support HB 2738 and to oppose HB 2818.

As many of you may or may not know, KAR has opposed many Certificate of Value bills in the past. However, we supported the one passed in 1989, because it permitted access to the certificates for taxpayers in the process of protesting their valuations. We believe HB 2738 further clarifies the ability of taxpayers who are appealing or are considering appealing their valuations to have access to the sales information.

We oppose HB 2818 because it goes far beyond clarifying access for taxpayers who have a genuine need to know and actually serves as an invasion of privacy for property owners across the state.

The issue of making the sales information a public record has been discussed many times. We have always opposed it on the basis of privacy. Kansans are very protective about certain things, one of which is the subject of the amount of money which they earn and another is the price of property which they have bought or sold.

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Perhaps property owners have become more tolerant of having their privacy invaded due to the reappraisal process. We encourage you to ask your constituents if they would mind having the local paper publish all the details of their recent real estate transactions. We think you will find they would be very uncomfortable with this.

We took an informal survey of buyers and sellers this summer to see what the people who would be most effected by this change in law had to say about it. Six-hundred-thirty-two buyers and sellers were interviewed and 520 or approximately 82% of those asked said that access to this information should be restricted. Sixty-six people, or approximately 10% said that public access should be allowed while 46 persons or approximately 7% were unsure. (Percentages were rounded and thus will not add to a perfect 100%.) It was interesting to note that when we broke it down further, 86% of the sellers interviewed and 78% of the buyers interviewed wanted the information to remain private.

While we know that our survey was not scientifically conducted, we believe it provides you with more insight than any proponent can provide you, into how the people who would be directly affected by making this information public, feel about changing the law.

As I stated earlier, we have been willing to support permitting persons to have access to sales information on a "need to know" basis, such as the addition in 1989 which permitted persons in the appeal process to have access, in addition to all of the people at the county level. We do not understand how making the information a public record, subject to publication in the newspapers, will facilitate the reappraisal process. Some explanations appear to argue that if the information were made public, then neighbors who saw a sale in their neighborhood might call the county and let them know that a sale price had been incorrectly reported, thus helping to "straighten out" the sales records for the

county appraiser. Most taxpayers who have attempted to go through the appeal process would tell you that the problems arise when county appraisers ignore actual sales in their neighborhood for one reason or another. The "comparable sales" which the CAMA system spits out, often bear no similarity to the subject property. Making this information public has no correlation on the correct use of each sale in having the computer locate "comparable property sales". It would only seem to encourage a "rat on your neighbor" mentality.

We do not publish the private contracts involved in car purchases, appliance purchases or most other private contracts when it comes to purchases. Why should real estate be singled out? While it would be nice to know exactly what kind of deal the purchaser ahead of us in the automobile showroom got on their car, we have no right of access to that information and it does not show up in the daily newspaper. Why should real estate sales between private parties be any different? Will the government want to publish our incomes in the newspaper next so that they can make sure we are reporting that correctly? It seems to be a logical progression if you choose to make this sales information public.

House Bill 2818, at line 39, deems that there is still some privacy right for sales information "pertaining to real estate transactions between spouses and lineal ascendants and descendants." The language would prevent them from showing up in the private record. Why are these transactions any more "private" than ones between neighbors, or for that matter, strangers who have come to an agreement? This distinction seems to be a curious one and perhaps even violates the equal protection provisions of the constitution--why are some real estate transactions protected from public inspection while others are not?

The sense of privacy does not stop at family gatherings. The sales price involved in a real estate transaction is a private matter which should only be

disclosed when the parties involved choose to share the information with others. If you believe that the buying and selling public would not have a problem having this published in the paper, perhaps you could start it on an experimental basis at first. Ask each buyer and seller in a transaction to sign a release to have it made public. In transactions where both buyer and seller agree to do so, then the document would be made public, subject to being printed in the newspaper. It would be interesting to see how many sales would actually become "public".

We ask that you support HB 2738 and oppose HB 2818.

Thank you for the opportunity to testify.

The Kansas Bankers Association

1500 Merchants National Bank Bldg.

Topeka, KS 66612

913-232-3444

2-5-92

TO: House Taxation Committee
FROM: Chuck Stones, Director of Research

RE: HB 2818

Madam Chairperson and Members of the Committee,

The Kansas Bankers Association appreciates the opportunity to appear on behalf of HB 2818. As you know under the Real Estate Sales Questionnaire legislation passed last year only certain public officials, those officially protesting their property taxes, *and certified or licensed appraisers* are allowed to review the document. At the time the law was passed, it was assumed that nearly all real estate transactions in which a bank was involved would require the use of a certified or licensed appraiser after January 1, 1992. In the "Federal Deposit Insurance Corporation Improvement Act of 1991" that was passed by Congress in November, the effective date for use of certified or licensed appraisers was postponed until January 1, 1993. Included in your packet of information is the January Newsletter from the Kansas Real Estate Appraisal Board supporting that fact. In addition, federal banking regulators have set or are on the verge of setting a higher minimum level for required appraisals. The Federal Reserve has implemented rules stating that a licensed or certified appraisal is not needed on transactions below \$100,000. Both the FDIC and the OCC have proposed a similar minimum level and are expected to announce their final rulings soon.

Thus, banks and other financial institutions are permitted to do in-house appraisals on all transactions for another year and on a permanent basis for transactions below a certain dollar amount. However, to complete such an appraisal requires access to the information contained in the real estate sales questionnaires. By allowing a bank employee to complete the appraisal can be a significant saving to the bank customer. The cost of an appraisal can be a significant contributor to the closing costs of obtaining a real estate loan.

This issue is becoming increasingly important for many reasons. Two of which are: 1) Kansas banks are making more and more real estate loans. Real estate loans held on the books of Kansas bank have increased by 46.5% since 1988. As banks make more and more loans access to the information on the real estate sales questionnaire becomes increasingly critical; and 2) Rural areas are especially hard hit by this situation. As referenced in the letter found in your information packet from a banker in Ellsworth county, and illustrated by the enclosed map, many rural counties do not have an appraiser located within their boundaries. This situation can be the cause of time delays and increased costs for the real estate borrower. If the banker could have access to the information this issue could be easily and cheaply resolved.

It is important for you to know that appraisals done in-house by bankers would not affect the legitimacy or the accuracy of the appraisal. Since August 1990 all appraisals, no matter who does them, must meet federal requirements as to content and form. This continues to be in effect. In other words, appraisals done by bankers in-house will still be required to meet stringent federal guidelines.

House Bill 2818 would meet our needs and allow banker's access to the real estate sales questionnaire. In many cases this would allow appraisals to be done in a more cost effective manner for the consumer and it would go a long way in alleviating a major time-delay problem in the rural counties of Kansas.



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1/1/92
Henry
Boyer
revised

KANSAS REAL ESTATE APPRAISAL BOARD

NEWSLETTER

January 1992

Federal Extension

Title XI has been amended to state: "Not later than December 31, 1992, all appraisals performed in connection with federally related transactions shall be performed only by individuals certified or licensed in accordance with the requirements of this Title."

The Appraisal Subcommittee urged states to proceed in their efforts to implement Title XI as soon as reasonably possible. The Kansas Real Estate Appraisal Board has notified the Appraisal Subcommittee that our state system is operative even though state law does not require licensure or certification until the federal deadline.

A roster of all appraisers licensed and certified by Kansas is being sent to the Appraisal Subcommittee with the annual registry fee. This means that Kansas licensed and certified appraisers will be placed on the National Registry.

Renewal Applications - Continuing Ed

All licenses and certificates expire on June 30, 1992. Renewal applications must be filed no later than May 31, 1992. Renewal applications will be mailed to your residence address in mid-April.

Your license or certificate expires on June 30, 1992. You must file a renewal application by May 31, 1992 with evidence of ten hours of approved continuing education.

Certificate(s) showing completion of ten hours of continuing education courses approved by the Board must be filed with your renewal application. A list of currently approved courses is attached. You may request an updated list at any time. If you have any questions, call Sally at the Board office (913/296-0706).

the Kansas state system is operative

Residence Address

Business Address

Be sure to notify us in writing of a change in either your residence or business address. Help us keep our records up to date and ensure that you will receive information disseminated by the Board.

Certificate/License No.

Appraisers have asked for guidance on exactly how and where their certificate or license should be noted. The only reference in the Kansas law is subsection (b) of 58-4115:

"Each state certified or licensed appraiser shall designate the appraiser's classification on any appraisal report or in any contract or other instrument used by the appraiser in conducting real property appraisal activities and shall place the appraiser's certificate or license number adjacent to or immediately below the classification."

Wall Certificate

An amendment to the law is being requested to allow us to collect a fee of \$10 to provide you with a beautiful 8 x 10 certificate with a gold Kansas state seal. The certificate will have no expiration date -- a one-time deal -- and it will be your option to order one or not. We regret that funds don't allow us to issue them without additional cost to you (\$8 of the fee will go to the appraiser fee fund and \$2 to the general fund). If the legislation is passed, the certificates will be available by July.

Roster

You may be interested in the attached roster which shows licensed and certified appraisers with the county designation ["R" = nonresident].



July 10, 1991

Mr. James S. Maag
Senior Vice President
Kansas Bankers Association
1500 Merchants National Bldg.
Topeka, KS 66612

Dear Jim:

This letter is to request your assistance with a problem we are experiencing obtaining comparable sales data from our County Appraiser's office. Apparently, as of July 1, 1991, banks no longer have access to comparable sales data from local county appraiser offices as evidenced by a memorandum from the Department of Revenue to county appraisers which I have enclosed for your review.

It is unfair that licensed fee appraisers have access to this data, while real estate lenders do not. We fully intend to continue preparing real estate appraisals in-house for loans falling below the minimum level established by bank regulators.

I have also enclosed a copy of a comparable sales form for a subject property in Ellsworth, KS. As you can see, this form provides five comparable sales from which we can easily prepare our in-house appraisals. This form is no longer available to non-licensed appraisers.

Thank you very much for any assistance you might be able to provide in allowing bankers access to this data. Presently, we do not have a licensed real estate appraiser in Ellsworth County nor do I expect there to be one in the foreseeable future.

Kindest regards,

David W. Brownback
Senior Vice President & Cashier

Enclosure

DWB/dv

3-3

IV-6

HOUSE BILL No. 2738

By Representative Wagnon

1-22

8 AN ACT relating to property taxation; concerning accessibility to
9 contents of real estate sales validation questionnaires; amending
10 K.S.A. 1991 Supp. 79-1437f and repealing the existing section.

11
12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. K.S.A. 1991 Supp. 79-1437f is hereby amended to
14 read as follows: 79-1437f. The contents of the real estate sales val-
15 idation questionnaire shall be made available to the county clerk for
16 the purpose of preparing the report to the director of property
17 valuation as provided for in K.S.A. 79-1436 and amendments thereto,
18 any property owner who has ~~appealed~~ *and property the appraised*
19 *value of which was determined upon the basis of comparison with*
20 *property similar thereto* for the ~~sole purpose purposes~~ of prose-
21 ~~cuting such an~~ appeal of the valuation of *such* property pursuant to
22 K.S.A. 79-1448, 79-1606, 79-1609, and 79-2005, and amendments
23 thereto, or ~~such owner's representative as evidenced by such~~
24 ~~owner's affidavit, and determining whether to make such an appeal,~~
25 *but* only to the extent of the contents of those certificates concerning
26 the same constitutionally prescribed subclass of property as that of
27 ~~the such owner's comparable property being appealed,~~ the county
28 appraiser and appraisers employed by the county for appraisal of
29 property located within the county, appraisers licensed or certified
30 pursuant to K.S.A. 58-4101 *et seq.*, and amendments thereto, ~~and~~
31 the board of county commissioners, but such contents shall not be
32 otherwise disclosed by any party having access to anyone other than
33 the director of property valuation, the county appraiser or the ap-
34 praiser's designee, hearing officers or panels appointed pursuant to
35 K.S.A. 79-1602, and amendments thereto, or to the board of tax
36 appeals or county board of equalization in the event of proceedings
37 before such boards, except that appraisers licensed or certified pur-
38 suant to K.S.A. 58-4101 *et seq.*, and amendments thereto, may
39 consider and include such contents in an appraisal report.

40 Sec. 2. K.S.A. 1991 Supp. 79-1437f is hereby repealed.

41 Sec. 3. This act shall take effect and be in force from and after
42 its publication in the Kansas register.

, financial institutions conducting appraisals as required by federal and state regulators, which submit an affidavit stating the intent to use the information for appraisal purposes, signed by the financial institution or an agent thereof,

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"Service to County Government"

1275 S.W. Topeka Blvd.
Topeka, Kansas 66612
(913) 233-2271
FAX (913) 233-4830

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(316) 223-3800, ext 54

NACo Representative
Keith Devenney
Geary County Commissioner
(913) 238-7894

Executive Director
John T. Torbert, CAE

To: Representative Joan Wagnon, Chairperson
Members House Taxation Committee

From: Bev Bradley, Deputy Director
Kansas Association of Counties

Re: HB 2818

The Kansas Association of Counties is in support of HB 2818. We have a convention adopted policy which states, "In order to avoid unnecessary appeals and in the interest of assisting taxpayers fully, the KAC urges the legislature to make the sales validation questionnaire an open public record which can be given to an interested taxpayer without additional verification and appeal".

We feel this would be an important step in solving many of the taxpayer concerns. More and more special groups are seeking access to these records. It seems that everyone except the "public" can already use them. For those reasons, we support HB 2818 and urge your support of it also.

TSB2818

House Taxation
Attachment 5
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GWEN WELSHIMER
 REPRESENTATIVE, EIGHTY-EIGHTH DISTRICT
 SEDGWICK COUNTY
 6103 CASTLE
 WICHITA, KANSAS 67218
 316-685-1930
 DURING SESSION
 LEGISLATIVE HOTLINE
 1-800-432-3924



TOPEKA

HOUSE OF
 REPRESENTATIVES

COMMITTEE ASSIGNMENTS
 MEMBER: TAXATION
 INSURANCE
 LOCAL GOVERNMENT
 ADMINISTRATIVE RULES & REGULATIONS

HOUSE BILLS 2818 AND 2738

FEBRUARY 5, 1992

DURING THESE PAST MONTHS FOLLOWING THE 1991 SESSION AND THE DECISION OF THIS COMMITTEE TO CLOSE IMMEDIATE PUBLIC ACCESS TO THE COUNTY APPRAISER'S SALES INFORMATION ON REAL ESTATE, I HAVE BEEN TALKING WITH VOTERS, PUBLIC OFFICIALS, AND PROFESSIONALS ABOUT THIS ISSUE. I HAVE DEVOTED MUCH EFFORT TO BE SURE THAT I WASN'T SUPPORTING ACCESS WHEN THE PUBLIC WANTED PRIVACY.

MY FIRST CONTACT WAS A WOMEN'S GROUP, PROFESSIONAL BUSINESS WOMEN'S ASSOCIATION, WICHITA CHAPTER. THERE WERE MOANS OF DISMAY UPON BEING TOLD WHAT NOW HAS TO BE DONE TO GAIN ACCESS TO SALES INFORMATION. I THEN COVERED THE SUBJECT WITH CHURCH GROUPS, RETIREMENT GROUPS, AND FORUMS IN MY DISTRICT. THE REACTION WAS THE SAME.

MY NEXT EFFORT WAS TO PREPARE A QUESTIONNAIRE FOR MY DISTRICT. THE RESULTS ON THIS ONE QUESTION ON THE QUESTIONNAIRE HAVE BEEN PREPARED FOR YOU BY MY LEGISLATIVE INTERN, A GRADUATING LAW STUDENT AT WASHBURN. OUT OF 3,000 QUESTIONNAIRES MAILED WITH 347 RESPONSES, 93% DID NOT OPPOSE HAVING SALES INFORMATION PUBLIC, 79% THOUGHT SALES PRICES SHOULD INDEED BE PUBLIC AND 7% SAID NO.

FOR YOUR INFORMATION, THE QUESTIONNAIRES ARE HERE AND AVAILABLE FOR YOU TO CHECK OVER.

HOUSE BILL 2738 WILL NOT GIVE THE PUBLIC WHAT IT REALLY NEEDS. IN TODAY'S WORLD THE PUBLIC KEEPS AN EYE ON PROPERTY VALUES IN THE SAME MANNER IN WHICH IT KEEPS AN EYE ON INTEREST RATES.

HOUSE BILL 2738 WILL CONTINUE THE STRESSFUL AND TIME-CONSUMING PROCESS THE PUBLIC NOW MUST GO THROUGH TO CONDUCT THEIR OWN RESEARCH. THEY MUST SEARCH OUT DATES OF SALES IN THE TRANSFER BOOKS IN THE COUNTY CLERK'S OFFICES, THEN TAKE EACH DATE OF SALE TO THE REGISTER OF DEEDS. THERE IS NO LIST, NO PRINTOUT UNDER THESE RESTRICTIONS WHICH MAKES THEIR RESEARCH MOST OFTEN INCONCLUSIVE. THEY TAKE OFF WORK, SUFFER FRUSTRATION, AND OFTEN GIVE UP.

IF THE COMMITTEE CHOOSES TO SUPPORT HOUSE BILL 2738 RATHER THAN 2818, THEN I WOULD ASK THAT YOU INCLUDE LICENSED REAL ESTATE PROFESSIONALS IN THOSE HAVING ACCESS TO SALES INFORMATION. THESE PEOPLE WORK WITH SALES EVERY DAY. REAL ESTATE VALUES ARE THEIR PROFESSION. CLOSING THEM OUT CREATES ANOMOSITY.

House Taxation
 Attachment 6
 02-05-92

Re: Poll Results--Should Real Estate Prices Be Made Public?

| | | | | | |
|----------------------------|------|-----------|----|------------|-----|
| → Yes-- | 78% | 248 | 21 | 269 | 79% |
| → No-- | 8% | 27 | 4 | 31 | 7% |
| → U-- | 14% | 46 | 1 | 47 | 14% |
| Total-- | 100% | 321 | | <u>347</u> | |
| | | <u>26</u> | | | |
| Compiled by Robert Beattie | | 347 | | | |

Attachments

93% do not oppose

REGISTER OF DEEDS

KANSAS

ASSOCIATION

PRESIDENT
VICE-PRESIDENT

SECRETARY
TREASURER

The Register of Deeds Association is taking a neutral stand on treating the Real Estate Questionnaire as an open record as proposed in H.B. 2818.

If you decide to view this as an open record, it should be open to everyone. We do not feel that we should be asked to make a determination as to the relationship of the parties involved or be asked to separate documents on this basis.

We suggest that if you do wish to have the sales amounts as an open record, that the sale price be placed directly on the deed. Our constituents could then reference the deed for use in computing capital gains tax or for any other reason. Currently, the Real Estate Questionnaire is destroyed after two years. Placing the sales price on the deed would make it a readily accessible permanent record.

We would be happy to stand for any questions.

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Attachment 7
02-05-92

REGISTER OF DEEDS

KANSAS

ASSOCIATION

PRESIDENT
VICE-PRESIDENT

SECRETARY
TREASURER

The Register of Deeds Association is in opposition to H.B. 2814. The Register of Deeds are already bound by statute to notify the grantee if there is an apparent error on any document presented for filing and are doing so.

We feel that this bill would present a delay in the process of timely filings and the disbursement of monies.

This bill would appear to be a duplication of the duties already performed by our office. A copy of all deeds, affidavits of equitable interest and death certificates are already sent to the appraiser's office with the Real Estate Questionnaire under a directive by P.V.D.

If there is a problem that this bill is trying to address, we would appreciate being contacted so that we could try to take care of the problem internally.

We do not really understand the intent of this bill since we feel that the statutes already address all of these provisions.

We will be happy to stand for any questions.

House Taxation
Attachment 8
02-05-92