A Fond Farewell

By Sandra Guilfoil, Assistant Director

This is my last correspondence as Assistant Director of the Property Tax Division. Beginning October 21st I will be joining Weyerhaeuser. I will be replacing Jack Chapman, who is retiring in January.

It has been a great seven years. I have come to love this job and the people I work with. I am proud of what the Division has accomplished and excited about its future potential. This 'new and improved' Property Tax Division is becoming a strong professional organization. The re-focusing of our priorities and our attention to the development of our talented staff is paying off. We are better positioned to help the state, the counties, and taxpayers address the challenges of a challenging future. I am very proud to have been a part of this renaissance.

And as much as I might miss everyone here, it is unlikely I'll be missed much. The managers and staff of this Division are all very capable and committed. They have clear visions and are dedicated to meeting their goals. Goals that include quality products, personal development, customer service, and insuring that every tax dollar is spent wisely. You are all in good hands.

As for me, I won't be that far away. Even though the role is different, my beliefs will not change. I will continue to believe that property values should be accurate and supportable; that the integrity of the property tax system must be maintained; and, most importantly, the richest part of this complex system is the people who work in it!

I hope to see many of you at the WACO Conference. I will always be a fan, and appreciate, assessors.

…Sandy✦

Say Hello…

By David Saavedra, Program Coordinator

To Gary O’Neil. Effective October 12, 2002, Gary will be Property Tax’s Acting Assistant Director until such time as a permanent Assistant Director is appointed.

Before coming to Property Tax, Gary was Assistant Director of the Special Programs Division, the Agency’s most diverse division that administers 11 different programs, including unclaimed property and the forest excise tax. He has led this Division, which annually generates more than $900 million in state and local tax, since its inception in 1987.
Gary began his career 33 years ago when he was hired to work in the Department of Revenue’s Research Division as an economic analyst. Through the years, Gary has held several key positions within the Agency, including Deputy Director, Senior Assistant Director of the Operations Division, Taxpayer Policy and Administration Assistant Director, Research Division Assistant Director, and Chief of the Research and Statistics Division. Most recently, Gary was nominated and received the Federation of Tax Administrator’s 2002 award for Leadership and Service in State Tax Administration. He is the current holder of the Department’s "Most Years of Service" clock.

Please join me in welcoming Gary to the world of Property Tax!

First Levy Audit Completed

By Fletcher Barkdull, Levy Auditor

We would like to thank Jefferson County for willingly serving as the first specimen for dissection under our new levy microscope. Our first levy audit was a great learning experience and will serve as an excellent benchmark for the future. But because levy issues will vary from county to county and since this audit was the first of its kind, our procedures for conducting such audits will likely change as we become more experienced. A levy audit manual is currently under construction, and once completed, the process will become more uniform.

In addition to conducting audits and developing audit procedures, we have been busy discussing the answers to several questions that have been asked in recent months. Two of these questions and their answers are as follows:

**Question 1:**
If a city has a firemen’s pension fund, what is the maximum statutory dollar rate even if the city chooses not to levy taxes for the fund (under RCW 41.16.060)?

**Answer 1:**
The maximum statutory rate for a city (which is not annexed to a fire and/or library district) where a firemen’s pension fund exists within its treasury is $3.60. The first paragraph of the statute requires that cities or towns with a firemen’s pension fund levy a rate equal to $.225 for the fund. This levy is within the original $3.375 limit of the city. The second paragraph requires another $.225 levy in addition to the regular levy of $3.375, which brings the maximum statutory levy rate for the city up to $3.60. If a city has a firemen’s pension fund and is annexed to a fire and/or library district, the maximum statutory levy rate is $3.825 less the levy rate(s) of the fire and/or library district(s).

A city is required to earmark a total of $.45 for the firemen’s pension fund unless a report by a qualified actuary states that all or part of this levy rate is not necessary to maintain the fund. If such a report is made, the city may still levy the $.45, or any portion thereof, and use the funds for other municipal purposes.

This additional levy for the firemen’s pension fund is still subject to the levy limit set forth in chapter 84.55 RCW. If the total levy for the city and the fund is reduced by the levy limit, the city’s levy and the levy for the firemen’s pension fund shall be reduced in the same proportion. The statute also says that if the additional levy ($.225) causes the combined levies to exceed statutory or
constitutional limits, the additional tax must not be levied.

Question 2:  
A certain fire district with at least one full-time paid employee has a maximum statutory levy rate of $1.50, but the levy limit only allows the district to levy $.64. In 1996, a lid lift was approved by the voters, which authorized a levy of $1.00. In 2001, the levy limit would allow the district to levy at a rate higher than that allowed by the 101% levy limit. A lid lift allows the taxing district to levy up to its statutory maximum levy rate, but does not require it to do so. The words “1996 and thereafter” just distinguish it as a permanent lid lift.

The lid lift brought the levy rate up to $1.00 for 1996 taxes and established a new basis for future levy limit calculations. It did not alter the district’s maximum statutory levy rate. Therefore, the maximum statutory levy rate is $1.50, not $1.00.

If a lid lift can limit a taxing district’s ability to levy in future years, taxing districts would be inclined to do lid lifts up to the statutory maximum levy rate, even if the money is not needed, in order to protect future capacity. Again, the purpose of a lid lift is to increase a district’s levying capacity, not to limit it.

In short, for the years following the approval of a lid lift, taxing districts are only limited to the lesser of the maximum statutory levy rate, the levy limit, and the certified budget. The levy rate specified by the ballot proposition for a lid lift is only relevant to the year for which the lift was approved.

Answer 2:
Even if the proposition stated that the lid lift was for taxes to be “collected in 1996 and thereafter,” the maximum statutory levy rate is still $1.50. The purpose of a lid lift is to allow a taxing district to levy at a rate higher than that allowed by the 101% levy limit. A lid lift allows the taxing district to levy up to its statutory maximum levy rate, but does not require it to do so. The words “1996 and thereafter” just distinguish it as a permanent lid lift.

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If you have any questions regarding the issues discussed above, feel free to contact us, and we will be happy to discuss them with you further. Fletcher Barkdull, Levy Auditor, can be reached at (360) 570-5891 or Kathy Beith, Levy Specialist, can be reached at (360) 570-5864.
The focus of this column is personal property issues. If you have topics or questions that you would like included in a future issue, please contact me at NealC@dor.wa.gov or (360) 570-5881.

PROPERTY IN MOTION: Personal Property Assessment Issues

Assessment of Software

In our research, we recently found that software, including licenses, have received varied treatment by county assessors. Some have handled software and software licenses as either: (1) taxable assets, (2) software, or (3) exempt intangible personal property.

Depending on whether it is custom, canned, or embedded software, some software is taxable and some is exempt. But what about software licenses? Are software licenses exempt because they are an 'intangible'? The answer is 'no' -- they are not an 'intangible' and should be assessed just like software.

What is a software license? Software licenses grant the purchaser of the license the right to use the software. In this sense, a software license is no different than a box of canned software and should be treated as such. A software license is inherent with canned off-the-shelf software, and without the license or the right to use the software, the software has no use or value. (Do you remember clicking the "I AGREE" button when installing or downloading a box of canned software?)

Software and software licenses are often treated as exempt from property tax as intangible personal property. Software should not be included in the exemption for intangible personal property provided by RCW 84.36.070. Instead, there are specific statutes governing the taxation of software in RCWs 84.40.037 and 84.36.600.

The legislation providing for the intangible personal property exemption included a section which stated, "This act shall not be construed to amend or modify any existing statute or rule relating to the treatment of computer software, retained rights in computer software, and golden and master copies of computer software for property tax purposes." (Emphasis supplied.) This language can be found in the notes following RCW 84.36.070. Thus, the intangible personal property exemption does not apply to software. Instead, software and software licenses should be treated as provided under RCWs 84.40.037 and 84.36.600 -- the "software" statutes.

A computer software license is also different than retained rights or golden or master copies of computer software, which are exempt under RCW 84.36.600. Retained rights or a golden or master copy are property rights of software developers and are exempt.

Sometimes software or a software license will show up as a separate item on an asset listing and should be reported as part of a taxpayer’s personal property affidavit. In some instances, the software license will be taxable under the provisions in RCW 84.40.037. In other occurrences, it will be exempt under the provisions in RCW 84.36.600. Regardless of which provision it falls under, it is important for software and software licenses to be assessed under these provisions.

PROPERTY IN MOTION: Personal Property Assessment Issues

Assessing Leasehold Improvements

This can sometimes be a confusing area within the assessment function. Keeping track of whether a leasehold improvement is properly taxed, not double assessed, or incorrectly assessed to the wrong taxpayer can be a challenge.

What is a Leasehold Improvement?

Simply stated, leasehold improvements are alterations, improvements, or additions made to leased property by or for a lessee/tenant. There is an entire array of possibilities that may be regarded as leasehold improvements. The most common leasehold improvements are the alterations made to leased office or retail space where the tenant completes all or part of the interior of a building. However, these alteration/additions and improvements tend to range from relatively short-lived trade fixtures and décor to entire buildings.

Should Leasehold Improvements be assessed as Real Property or Personal Property?

All leasehold improvements should be assessed as personal property unless the taxpayer or assessor can confirm that property has been assessed and valued.
Merely assuming that a leasehold improvement has been assessed as real property can result in permanent omissions. To determine whether personal or real, the Uniform Standards of Professional Appraisal Practice “Guide Note 7" provides some direction relating to appraising and identifying leasehold improvements. This note states in pertinent part:

Leasehold items differ physically from trade/domestic fixtures in that they are constructed on site rather than merely installed (or modified and installed). For example, a tavern’s bar might be constructed on the premises whereas the barstools would merely be installed as delivered. Such distinctions are not useful in the appraisal analysis, although a client may have some other justification for differentiation.

Most single-family dwellings, factories, amusement facilities, farms, and ecclesiastical properties, and many office and retail buildings are appraised to include some affixed tangible personality (e.g., bookshelves, carpet). But, often, some items of affixed personality are to be removed (or separately sold) by the grantor and should be excluded from the appraisal opinion. In all such cases, specificity is necessary. It is of great importance to the appraiser whether, for example, the gas range, the leaded stained glass window, and the dining room light fixtures are to be included in, or excluded from, the appraisal opinion. On the other hand, the contributory value of these items in no way depends upon whether each or any of the items is legally realty or personality.

What Valuation Table/Column Should Be Used For Leasehold Improvements?

The appropriate table is the one that is appropriate for the specific asset. That is, the appraiser should consult the Department’s Index to Personal Property Valuation Indicators (Index), and use the indicated table/column for the type of property being assessed. However, there are occasions when a taxpayer lists the property simply as “leasehold improvements.” When this occurs, the Index may be used by identifying the nature or type of business activity, e.g. the rate for “Office Furniture and Fixtures” could be utilized to value leasehold improvements of an office building tenant.

An alternative method would be to value the assets on the basis of the lease term. Let’s assume a tenant has a 10-year lease with one 5-year option to extend the lease for a total of 15 years. The unidentifiable leasehold improvements could be viewed as having a 15-year life. By consulting the “Combined Table” attached to the Index, the appropriate table/column can be selected. The economic life in years is noted at the top of each column of percent good factors, immediately under the rate. The rate that most closely matches the 15-year lease term is the 10% column.

In either case, the economic life of the leasehold improvements is the primary basis by which the rate should be chosen. There is no way that a single rate or method can be appropriately applied to all situations. The important factor to keep in mind is that leasehold improvements be properly assessed and ensuring that they are neither double assessment nor omitted from assessment.◆

Do You Know the Phone Number…

The Property Tax Division receives many phone calls from county offices and taxpayers asking for telephone numbers of different programs within the Department of Revenue.

There’s a wealth of contact information available at your fingertips on the Department’s website. Here’s some links:

◆ Taxes, Programs and Services Directory
◆ State Government Telephone Directory
◆ DOR Field Office Directory

Check these out…they might come in handy next time that phone rings!◆
Okanogan County Assessor's Office

By Cindy Boswell, County Review Program

Okanogan County Assessor Scott Furman is running for office as an unopposed candidate for 2002. A very different picture emanated from Okanogan County during the election four years ago. Three people working in the assessor’s office were running for the position of assessor. Each person with a somewhat different platform, but all promoted their individual belief that they, as assessor, would be able to ‘improve efficiency, improve customer service and provide effective administration of a fair and uniform property tax system for Okanogan County.’ Scott was elected assessor in 1998, and it was time to act on those campaign promises.

So what has happened in the assessor’s office during the past four years? A lot.

Scott identified two primary resources that needed immediate attention -- staff and technology.

Staff was in a state of flux, with three upcoming vacant appraiser positions including the commercial position (Scott’s former position) and the upcoming retirement of the chief appraiser. Also, the chief deputy position would soon be vacant.

The computer system was developed and maintained by an in-house programmer who was looking at retirement in the very near future. There was no assessor web site, and the county web site was in its infancy. Assessment maps consisted of hand-drawn Mylars and aerials. The county GIS system was just in the planning stage.

Initially, the group developed a plan to improve utilization of limited office space and also improved working conditions by:

Reorganizing the office placement of people in proximity to their primary function. Customer service functions revolve around computer terminals, maps, and field books. These customer service tools are located near the entrance and are all easily accessible by the public, realtors, surveyors, developers, land use specialists, and government agencies.

Improving workstations for most of the office staff. However, the appraisers remained in a fairly cramped space.

Purchasing digital cameras, an office fax machine, printers (both laser and color), and adding direct phone lines, voice mail, and e-mail to each employee workstation.

The result of these changes was improved efficiency and improved office morale at a minimal cost. The additional equipment freed up time for the front counter folks to focus on customer service and office support. Direct phone lines, e-mail, and digital cameras enhanced the use of the appraisers' time when dealing with property owners and in preparation for appeals.

Staff “Buy-in” to Technological Change

People can learn a process and learn the software but the mental concept of acceptance has to be cultivated. Typically, the biggest barrier associated with technological change is adaptivity of the workforce to the idea of change. Okanogan’s management team recognized this and began early to work toward “buy-in” of the office staff to the idea and benefits of technological change. Also important is the “buy-in” of other county officials, county property owners, and real estate professionals that are served by the functions of the assessor’s office.

Management concentrated on involving all people in the improvement process. Four themes emerged during the transition period -- preparation for change, staff buy-in and acceptance of new technology, developing partnerships, and growth.

Preparation for Change

Scott recognized that he would need motivated and dependable leads for each office function and promoted two qualified employees to key supervisory positions: Jim (J.W.) White as Chief Appraiser and Dee Wood as Chief Deputy, while Rosella Swallom continued the lead in drafting and property transfers, and Lorene Rendon continued the lead in personal property.
In preparation for the retirement of the Central Services Director, the team began to explore new computer systems. It was agreed that continuation of the existing program would be impossible to maintain and would be prohibitive to growth. Although very functional during its time, the program had been encumbered with modifications over the years and lacked written supporting documentation. During the research phase, management focused on involving all staff in the brainstorming sessions. Discussions included topics such as options, existing problems, frustrations, patience, setbacks, prioritizing problems, training, learning, growth, and taking ownership in the process. Staff was involved in many of the software demos and county visits.

After researching a number of programs, Okanogan County chose the Terrascan software program, which has the potential to handle the assessment and administrative functions as well as all appraisal functions. The quoted price, including conversion, for this system was $140,000. Although other systems were available that would provide very sophisticated features, their bids were too high and exceeded Okanogan’s budget. For the price quoted by Terrascan, the software fit the needs of Okanogan County. Also, Franklin, Adams, and Douglas Counties were already experienced users of the Terrascan program.

As anticipated, the conversion process was a frustrating procedure. At one point, about one month into conversion, the entire process was dumped. This was considered the cleanest way of correcting developing problems. The conversion was restarted and completed in about two months. Although Okanogan was preceded in conversion by Franklin, Adams, and Douglas Counties, none of these counties or the Nebraska-based company had previously dealt with the issue of timberland which is so prevalent in Okanogan County. The software had a provision for timberland that had not been activated. Once the timberland feature was activated, Okanogan moved forward with conversion. Scott credits Steve Marks and Piper Mitchell from Franklin County, as well as Pat Dull from Douglas County, with having immense patience and being a great help during Okanogan’s conversion as well as providing assistance even to this day.

The Okanogan Assessor’s conversion to the Terrascan system was started March 2001. According to Scott, the new program really took off when he relinquished some of the administrative ownership to others in the management team. Each lead person has ‘ownership’ of his or her area of expertise within the system, and the overall system has benefited greatly. Another important decision was to abandon the old system altogether so all employees had no choice but to learn the new system.

**Partnerships**

Another prevalent theme throughout the past four years has been “forming partnerships.” This is especially evident in the area of GIS. Shortly after Scott assumed office, control and maintenance of the county GIS parcel layer map was transferred from the Planning Department to the assessor under the management of Larry Gilman, commercial appraiser, and Rosella Swallom, drafting supervisor. The assessor has teamed with real estate businesses and government agencies for the mutual benefit of all partners. The assessor’s office uses ESRI software to maintain and update the parcel layer map. This system has been enhanced by partnerships with other government agency users of ESRI software. The DNR and the Forest Service have provided additional overlays (ortho/aerial flight overlays and road overlays) that have been used with the parcel layer map. Together, the maps provide needed information for appraisal issues as well as timberland and wildfire analysis.

**Growth**

The fourth area identified as a theme during the past four years was web site growth and utility of the web site. A link was developed to access specific data in Terrascan and place it in a database that then could be accessed through a search engine on the assessor's web site. The cost of the link was $3,500 and was jointly funded by the assessor, two title companies, and the Okanogan Multiple Listing Service. As previously mentioned, Okanogan County covers a large geographic area, often involving a 1.5 to 2 hour drive from the outlying areas to reach the courthouse. Internet access of county information is a real timesaver for many of the citizens, government agencies, and real estate professionals. Information is available on parcels through a search based on parcel number, owner's name, or physical address. Another feature is a complete listing of all current year comparable sales thus far in 2002. This is maintained by Chief Appraiser, Jim White.

Plans for the future include continued growth of the web site and continued enhancements to the GIS system. Acquisition of
GIS & Mapping - Harnessing Technology

By Steve Yergeau, Utility Valuation Program Manager

The Department is currently building a long awaited interactive GIS web site for Property Tax. The initial focus will be tied to the valuation and taxation of inter-county utility companies. By moving to a GIS system (in an ArcView environment), the Department will have set a solid technological foundation to take advantage of additional data mining and storage capabilities for future applications.

Advantages of moving to a GIS system include: decreasing turnaround times in extracting current assessment data, creating a streamlined property tax reporting process for utility companies, and providing the ability to view and download all 28 different taxing district boundaries, such as school, fire, city, library, to name a few, on a statewide basis. Other useful functions include the ability to identify a particular Tax Code Area (TCA) by using a zoom-in function on the map, an address look-up function, a Section/Township/Range look-up, and a Latitude/Longitude look-up.

Over the next couple months, each county will be receiving updated and converted paper maps, along with a request to verify that the converted information is accurate and up to date in comparison with each county’s maps.

If you have any questions about the details of this project, please feel free to give Jane Ely, Cartographer for the Department’s Property Tax Division, a call at (360) 570-5894 or you can reach me at (360) 570-5877.

The Property Tax GIS site is scheduled to go live this winter!
With the demise of Wall Street’s hot stocks, such as WorldCom and Global Crossing to name a couple, and new technology that is creating large amounts of excess fiber optic capacity, the telecommunication industry saw significant downward pressures in valuation.

Despite the tragic events of September 11th, by and large, the airline assessments in Washington remained relatively stable in 2002. This is due to the fact that several airlines have a major presence on the West Coast and that there is a major carrier based here. If airline usage stabilizes at the current economic levels, however, the assessed values of airplane companies could be significantly impacted in the coming assessment years.

The Utility Section is now in the process of apportioning (distributing) the assessments to the respective counties and taxing districts. This process should be completed in early December.

How are we doing?

We’d love to hear what you think about The Property Tax Review, so we have a couple different ways for you to send us your comments, questions and requests:

1. Send us an e-mail at: davids@dor.wa.gov

2. Fill out the form at the right, place it in an envelope and mail it to:

   Department of Revenue
   Property Tax Division
   Attn: The Property Tax Review
   PO Box 47471
   Olympia, WA 98504-7471

We hope to hear from you soon!

What I like best about the newsletter is:

What I don't like about the newsletter is:

I wish you would include an article about:

- I'd like to talk to a DOR representative about ________________________
  Name: ________________________________
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<td>Property Tax Administration/Policy</td>
<td>Gary O’Neil Assistant Director</td>
<td>(360) 570-5860</td>
<td><a href="mailto:GARYO@dor.wa.gov">GARYO@dor.wa.gov</a></td>
</tr>
<tr>
<td>Property Tax Program Coordinator</td>
<td>David Saavedra</td>
<td>(360) 570-5861</td>
<td><a href="mailto:DAVIDS@dor.wa.gov">DAVIDS@dor.wa.gov</a></td>
</tr>
<tr>
<td>General Information – Receptionist FAX</td>
<td>Cathy Berry</td>
<td>(360) 570-5900</td>
<td>(360) 586-7602</td>
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### Specific Topics

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<td>Velinda Brown</td>
<td>(360) 570-5865</td>
<td><a href="mailto:VELINDAB@dor.wa.gov">VELINDAB@dor.wa.gov</a></td>
</tr>
<tr>
<td>Accreditation Testing</td>
<td>Linda Cox</td>
<td>(360) 570-5866</td>
<td><a href="mailto:LINDAC@dor.wa.gov">LINDAC@dor.wa.gov</a></td>
</tr>
<tr>
<td>Advisory Appraisals</td>
<td>Mark Maxwell</td>
<td>(360) 570-5885</td>
<td><a href="mailto:MARKMAX@dor.wa.gov">MARKMAX@dor.wa.gov</a></td>
</tr>
<tr>
<td>Appraisals &amp; Audits for Ratio Study</td>
<td>David Saavedra</td>
<td>(360) 570-5861</td>
<td><a href="mailto:DAVIDS@dor.wa.gov">DAVIDS@dor.wa.gov</a></td>
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<td>Kathy Beith</td>
<td>(360) 570-5864</td>
<td><a href="mailto:KATHYB@dor.wa.gov">KATHYB@dor.wa.gov</a></td>
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<td>Boards of Equalization</td>
<td>Kathy Beith</td>
<td>(360) 570-5864</td>
<td><a href="mailto:KATHYB@dor.wa.gov">KATHYB@dor.wa.gov</a></td>
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<td>(360) 570-5865</td>
<td><a href="mailto:VELINDAB@dor.wa.gov">VELINDAB@dor.wa.gov</a></td>
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<td>County Review Program</td>
<td>Shawn Kyes</td>
<td>(360) 570-5862</td>
<td><a href="mailto:SHAWNK@dor.wa.gov">SHAWNK@dor.wa.gov</a></td>
</tr>
<tr>
<td>Current Use/Open Space Assessment</td>
<td>Velinda Brown</td>
<td>(360) 570-5865</td>
<td><a href="mailto:VELINDAB@dor.wa.gov">VELINDAB@dor.wa.gov</a></td>
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<td>Destroyed Property</td>
<td>Shawn Kyes</td>
<td>(360) 570-5862</td>
<td><a href="mailto:SHAWNK@dor.wa.gov">SHAWNK@dor.wa.gov</a></td>
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<td>Education &amp; Training for County Personnel</td>
<td>Linda Cox</td>
<td>(360) 570-5866</td>
<td><a href="mailto:LINDAC@dor.wa.gov">LINDAC@dor.wa.gov</a></td>
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<td>Forest Tax General Information</td>
<td>Steve Vermillion</td>
<td>(360) 664-8432</td>
<td><a href="mailto:STEVEY@dor.wa.gov">STEVEY@dor.wa.gov</a></td>
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<td>(360) 570-5865</td>
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<td>Industrial Property Valuation</td>
<td>Mark Maxwell</td>
<td>(360) 570-5885</td>
<td><a href="mailto:MARKMAX@dor.wa.gov">MARKMAX@dor.wa.gov</a></td>
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<td>Legislation</td>
<td>Peri Maxey</td>
<td>(360) 570-5868</td>
<td><a href="mailto:PERIM@dor.wa.gov">PERIM@dor.wa.gov</a></td>
</tr>
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<td>Levy Assistance</td>
<td>Kathy Beith</td>
<td>(360) 570-5864</td>
<td><a href="mailto:KATHYB@dor.wa.gov">KATHYB@dor.wa.gov</a></td>
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<td>(360) 570-5881</td>
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<td>Nonprofit/Exempt Organizations</td>
<td>Harold Smith</td>
<td>(360) 570-5870</td>
<td><a href="mailto:HAROLDS@dor.wa.gov">HAROLDS@dor.wa.gov</a></td>
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<td>Neal Cook</td>
<td>(360) 570-5881</td>
<td><a href="mailto:NEALC@dor.wa.gov">NEALC@dor.wa.gov</a></td>
</tr>
<tr>
<td>Railroad Leases</td>
<td>Jay Fletcher</td>
<td>(360) 570-5876</td>
<td><a href="mailto:JAYF@dor.wa.gov">JAYF@dor.wa.gov</a></td>
</tr>
<tr>
<td>Ratio Study</td>
<td>Deb Mandeville</td>
<td>(360) 570-5863</td>
<td><a href="mailto:DEBM@dor.wa.gov">DEBM@dor.wa.gov</a></td>
</tr>
<tr>
<td>Real Property</td>
<td>Mark Maxwell</td>
<td>(360) 570-5885</td>
<td><a href="mailto:MARKMAX@dor.wa.gov">MARKMAX@dor.wa.gov</a></td>
</tr>
<tr>
<td>Revaluation</td>
<td>Cindy Boswell</td>
<td>(509) 663-9747</td>
<td><a href="mailto:CINDYB@dor.wa.gov">CINDYB@dor.wa.gov</a></td>
</tr>
<tr>
<td>Senior Citizens/Disabled Homeowners, Exemption/Deferral</td>
<td>Mary Skalicky</td>
<td>(360) 570-5867</td>
<td><a href="mailto:MARYS@dor.wa.gov">MARYS@dor.wa.gov</a></td>
</tr>
<tr>
<td>Utilities</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Certification of Utility Values to Counties</td>
<td>Ha Haynes</td>
<td>(360) 570-5879</td>
<td><a href="mailto:HAH@dor.wa.gov">HAH@dor.wa.gov</a></td>
</tr>
<tr>
<td>- Code Area/Taxing District Boundary Changes &amp; Maps</td>
<td>Jane Ely</td>
<td>(360) 570-5894</td>
<td><a href="mailto:JANEE@dor.wa.gov">JANEE@dor.wa.gov</a></td>
</tr>
<tr>
<td>- Public Utility Assessment</td>
<td>Steve Yergeau</td>
<td>(360) 570-5877</td>
<td><a href="mailto:STEVEY@dor.wa.gov">STEVEY@dor.wa.gov</a></td>
</tr>
<tr>
<td>- PUD Privilege Tax</td>
<td>Chuck Boyce</td>
<td>(360) 570-5878</td>
<td><a href="mailto:CHUCKB@dor.wa.gov">CHUCKB@dor.wa.gov</a></td>
</tr>
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</table>

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