BOE-68 (FRONT) REV. 5 (8-07)

CLAIM FOR BASE YEAR VALUE TRANSFER - ACQUISITION BY PUBLIC ENTITY

(Article XIII A section 2(d), California Constitution; section 68, Revenue and Taxation Code; Property Tax Rule 462.500)

DENNIS DRAEGER
ASSESSOR-RECORDER-COUNTY CLERK
COUNTY OF SAN BERNARDINO
ASSESSOR'S OFFICE
172 West Third St.
San Bernardino, CA 92415-0310
www.sbcounty.gov/assessor

A. REPLACEMENT PROPERTY

COUNTY IN WHICH LOCATED		ASSESSOR'S PARCEL NUMBER	
DATE OF PURCHASE	PURCHASE PRICE $	CONSTRUCTION COST *(if applicable)* $	COMPLETION DATE

PROPERTY ADDRESS *(street number, street name, city, state, zip code)*

DEED VESTING *(names of owners exactly as they appeared on deed)*

USE OF PROPERTY *(residence, apartment building, store, factory, farm, etc.)*

B. TAKEN PROPERTY

ASSESSOR'S PARCEL NUMBER	COUNTY IN WHICH LOCATED

PROPERTY ADDRESS *(street number, street name, city, state, zip code)*

DEED VESTING *(names of owners exactly as they appeared on deed)*

DATE YOU ORIGINALLY ACQUIRED PROPERTY	PRICE YOU ORIGINALLY PAID FOR PROPERTY $

USE OF PROPERTY *(residence, apartment building, store, factory, farm, etc.)*

NAME OF PUBLIC AGENCY ACQUIRING PROPERTY

DATE OF DISPLACEMENT	PURCHASE PRICE PAID *(excluding relocation benefits)* $

C. DOCUMENTATION

Please submit:

(1) A copy of the last tax bill you received on the taken property.
(2) Documentation from acquiring public agency verifying the price paid and relocation cost paid, if any.
(3) A certified copy of one of the following:
- Final order of condemnation
- Order for possession
- Recorded deed showing acquisition by a public entity
- Judgment of inverse condemnation
- Such other document which clearly indicates the name of the acquiring agency, the date condemnation proceedings began, and the date of possession by the acquiring agency

CERTIFICATION

I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing and all information hereon, is true, correct, and complete to the best of my knowledge and belief.

SIGNATURE OF CLAIMANT ▶	DATE
HOME PHONE NUMBER	DAYTIME PHONE NUMBER

MAILING ADDRESS

ASSESSOR'S USE ONLY

NAME OF COUNTY CONTACT PERSON	TELEPHONE NUMBER

BOARD OF EQUALIZATION'S USE ONLY

☐ A prior inquiry **has not** been received on this property.

☐ A prior inquiry **has** been received on this property. *See attached form(s) for particulars.*

REVIEWED BY	DATE

All information provided on this form is subject to verification.
IF YOUR APPLICATION IS INCOMPLETE, YOUR CLAIM MAY NOT BE PROCESSED.

GENERAL INFORMATION

California law provides that under certain conditions a person may transfer the base year value of his or her property to a comparable replacement property if that original property has been taken by eminent domain proceedings, acquisition by a public entity, or governmental action resulting in a judgment of inverse condemnation.

To be considered comparable, a replacement property acquired by a person displaced under one of the three conditions above must be similar in size, utility, and function to the taken property. Replacement property is similar in size if its full cash value does not exceed 120 percent of the award or purchase price paid for the property taken. Replacement property is similar in utility and function if it is, or is intended to be, used in the same manner as the property taken. Property is similar in utility and function if the property taken and the replacement property fall into the same category: Category A - single family and duplex; Category B - commercial, investment, income, or vacant property; Category C - agricultural property. If replacement property is not similar in size, function, and utility, the excess portion is considered to have undergone a change in ownership and will be subject to reappraisal.

The base year value of the replacement property will be determined by comparing the award or purchase price paid for the taken property with the full cash value of the replacement property:

- If this value does *not exceed* 120 percent of the award or purchase price paid for the taken property, then the adjusted base year value of the taken property becomes the replacement property's base year value.
- If the full cash value of the replacement property *exceeds* the 120 percent level, the amount of full cash value in excess of 120 percent will be added to the base year value of the taken property. This sum becomes the base year value of the replacement property.
- If the full cash value of the replacement property is *less* than the base year value of the property taken, that lower value becomes the base year value of the replacement property.
- If there is no award or price paid for the property taken (i.e., an exchange), the Assessor must determine the full cash value of both the property taken and the replacement property.

Only the owner(s) of the property taken may receive this property tax relief. *Owner* means the fee owner or life estate owner of the real property taken.

For replacement property acquired on or after January 1, 1983, a request for relief is considered timely if made within four years of one of the following dates, whichever is applicable:

- The date the final order of condemnation is recorded or the taxpayer vacates the replaced property, whichever is later.
- The date of the conveyance or the date the taxpayer vacates the replaced property, whichever is later.
- The date the judgment of inverse condemnation becomes final or the date the taxpayer vacates the replaced property, whichever is later.

Replacement property is eligible for relief if acquired after March 1, 1975, and on or after the earliest of:

- The date the initial written offer is made by the acquiring entity.
- The date the acquiring entity takes final action to approve a project leading to the offer.
- The date the "Notice of Determination," "Notice of Exemption," or similar notice, as required by the California Environmental Quality Act (CEQA), is recorded by the public entity acquiring the taxpayer's property and the public project has been approved.
- The date, as declared by the court, that the replaced property was taken.

Any new construction required to make the replacement property comparable to the taken property will be eligible for this property tax relief, if the new construction is completed after March 1, 1975, is completed on or after the earliest of the four dates listed above, and a timely claim for relief is filed.

Relief is limited to the date of displacement, which is the earliest of:

- The date of conveyance to the acquiring entity or the recording of the final order of condemnation.
- The date of actual possession by the acquiring entity.
- The date on or after which an order for possession authorizes the acquiring entity to take the property.

You must provide the Assessor a certified copy of the final order of condemnation or order for possession; a certified copy of the recorded deed showing acquisition by a public entity; a certified copy of the judgment of inverse condemnation; or a certified copy of a document which clearly indicates the name of the acquiring agency, the date condemnation proceedings began, and the date of possession by the acquiring agency

The Assessor will forward information relative to each claim for property tax relief under this program to the Board of Equalization, County-Assessed Properties Division, MIC:64, P.O. Box 942879, Sacramento, CA 94279-0064, which will determine whether more than one claim for such assessment relief has been made and, if so, will notify the appropriate Assessor(s).