

Institute for Professionals in Taxation



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IPT Property Tax Symposium September 16-19, 2003

Preliminary Program

**Marriott Harbor Beach
Fort Lauderdale, Florida**

IPT 2003 Property Tax Symposium

Marriott Harbor Beach — Fort Lauderdale, Florida

Tuesday, September 16, 2003

- 4:00-7:00 p.m.** **Registration**
- 5:30-6:00 p.m.** **IPT Primer: An Introduction to IPT for New Attendees**
Warren W. Schick, Sr., CMI
Overall Chair
Property Tax Education
Richard V. Carlson, CMI, CPA
President
Institute for Professionals in Taxation
- 6:00-7:00 p.m.** **Opening Informal Social Hour**

Wednesday, September 17, 2003

- 6:30-8:00 a.m.** **Continental Breakfast**
Hotel guests registered for IPT Symposium
- 7:00-4:00 p.m.** **Registration Continues**
- 8:15-8:45 a.m.** **Official Opening of Symposium**
Welcome by IPT President and Symposium Chair
Dominick Bonaiuto, CMI
Manager, Property Taxes
International Paper Company
Memphis, TN
Richard V. Carlson, CMI, CPA
Principal
Ryan & Company
Los Angeles, CA
- 8:45-10:15 a.m.** **General Session**
“Sizzle or Fizzle” – Leadership Southern Style
Many believe the road to success belongs to the individual that can make the bottom line boom. This is simply not true. Growing organizations realize that to get to the top floor of success requires you to take the stairs. The future belongs to the listeners, the communicators, and those passionate and dedicated leaders who not only have an enormous amount of energy, but who can energize those around them. This program is designed to help

leaders: listen; expect the unexpected; admire those around them; be determined; embrace change; and be resourceful. Look inside at the person you want to be—a Leader. Leadership in any occupation means staying on top and being profitable into the next decade and beyond.

Keynote Speaker:

Dr. Dale Henry
Your Best Unlimited
Kingston, TN

10:30-12:00 Noon

General Session

States' Budget Crises

Speakers:

William F. Fox, Ph.D.
Center for Business & Economic Research
University of Tennessee
Knoxville, TN

Joseph Huddleston, Esq.
Partner, State & Local Tax
Grant Thornton LLP
Nashville, TN
(Former Commissioner of Revenue
Tennessee Department of Revenue)

12:00-1:15 p.m.

Lunch

1:15-2:45 p.m.

Concurrent Breakout Sessions

• **Controlling Small Property Values**
(Repeated at 3:00 — 4:30 p.m.)

Appeal costs often render small property assessments uncontrollable. Here are some suggestions for modeling and negotiating that reduce the costs. Add your experience and solutions to this interactive discussion.

Session Leaders:

James M. Dombrowski, ASA, CAE
Property Tax Manager
Verizon Communications
Albany, NY

Jeffrey D. Gordon, Esq.
Attorney At Law
Archer & Greiner, P.C.
Princeton, NJ

Paul A. Tucker
Property Tax Manager
American Tower Corporation
Boston, MA

Moderator:

Leonard J. Patcella, Jr., CMI, MAI
Partner
Equity Appraisal Co., Inc.
Springhouse, PA

• **Business Enterprise Value/ Going Concern Value**
(Repeated at 3:00 — 4:30 p.m.)

This program will provide an overview of current approaches to analyzing the relationship between the value of a going concern (or business enterprise) and the separate values of its various components. There will be a short discussion of concepts and terminology, followed by a case study example showing the mechanics of removing non-realty assets from the total assets of a business - in this case a hotel. The last part of the program will be a discussion of several recent property tax cases involving intangible asset allocations. Might these cases have been decided differently in light of information presented in the day's program?

Session Leader:

Maureen Mastroieni, MAI, CRE
President
Mastroieni & Associates, Inc.
Plymouth Meeting, PA

• **Equipment Valuation**
(Repeated at 3:00 — 4:30p.m.)

This presentation will discuss depreciation tables used around the country for high tech equipment. The speakers will discuss varying approaches used to challenge the validity of the reported schedules. There will be discussions about the successful and not so successful results. The speakers will discuss the reliability of accounting concepts for valuation purposes, as well as published trending factors and how they may be flawed.

Session Leaders:

Kevin B. Snow
Director - Property Tax
Verizon Wireless
Bedminster, NJ

Jerome C. Weinert, ASA, CDP, PE
Executive Vice President, Valuation Services
AUS Consultants
Moorestown, NJ

Moderator:

Michael J. Mupo, Esq., CMI, CPA
Executive Director of Property Tax
Verizon Wireless
Bedminster, NJ

- **FASB 144, GAAP, IRS, VS Property Tax Values**

(Repeated at 3:00 — 4:30 p.m.)

This presentation will discuss the competing interests between fixed asset accounting for books, income taxes and property taxes. Additionally, the recent economic downturn has caused many firms to be affected by FASB 144, which requires a write down of assets to “fair market value” if certain cash flow projections are not met. This becomes problematic in property tax management, because the definitions of “fair market value” in appraisal and accounting have material differences that could affect the resulting values.

Session Leaders:

Kent E. Howerton, CPA

Vice President - Tax
Accor North America, Inc.
Dallas, TX

Jeffrey D. Symes, CPA

Vice President/Assistant Controller
FelCor Lodging Trust Incorporated
Irving, TX

W. Terence Welsh, CMI

Director
Welsh & Associates
Newcastle, WA

Moderator:

Michael L. Hunter

Vice President of Taxes
FelCor Lodging Trust Incorporated
Irving, TX

3:00-4:30 p.m.

Concurrent Breakout Sessions

- **Controlling Small Property Values**
(Repeated from 1:15 p.m.)
- **Business Enterprise Value/Going Concern Value**
(Repeated from 1:15 p.m.)
- **Equipment Valuation**
(Repeated from 1:15 p.m.)
- **FASB 144, GAAP, IRS, VS Property Tax Value**
(Repeated from 1:15 p.m.)

Thursday, September 18, 2003

6:30-8:00 a.m.

Continental Breakfast
Hotel guests registered for IPT Symposium

8:15-12:00 Noon

General Session

Attacking & Defending an Appraisal

Speaker:

Ted Whitmer, Esq., CRE, MAI

Attorney
Ted Whitmer Associates
College Station, TX

12:00-1:15 p.m.

Lunch

1:15-2:45 p.m.

Concurrent Breakout Sessions

- **Branding (Retail/Lodging/Restaurants/Public Storage)**

This presentation will discuss the element of intangible value branding creates through perception as it relates to real property tax valuation. Initially common in the hotel industry, branding has become pervasive in shopping centers, malls, office complexes, assisted living facilities and a variety of other business segments. The program will examine specific examples of branding, discuss methods of quantifying the intangible value element (often exempt from ad valorem taxes) it contributes, and explore ways to successfully utilize this concept in property tax assessment administration and negotiations with taxing officials.

Session Leaders:

Laurence R. May, CMI

Director of Property Tax
Kindred Healthcare, Inc
Louisville, KY

Heather J. Reichardt

Director, Lodging Property Tax
Marriott International, Inc.
Washington, DC

Moderator:

James J. Sinnott, CMI

President
Tax Management Associates Inc.
Greenwich, CT

- **Tax Abatements/ Exemptions**

(Repeated at 3:00-4:30 p.m.)

This session will focus on the business incentive programs available in many states throughout the country. Become acquainted with "Tax Increment Financing," "Tax Allocation Districts," "Redevelopment Zones" and also a comprehensive presentation on using "Industrial Development Bonds,." Opportunities for big tax savings will be presented.

Session Leaders:

Terry E. Garibaldi

State and Local Tax
Southeastern Practice Leader Negotiated Incentives
Ernst & Young LLP
Atlanta, GA

Ernest G. Wilson, Esq.

Partner
McGuireWoods LLP
Baltimore, MD

- **Valuation of Older Properties - End of Useful Life**

Cost Approaches for a 100-year-old manufacturing building. Trended costs for obsolete equipment. What other methods have you observed to maintain a high assessment? The presenters have dealt with the issues but ask for your help in exposing other tactics for dealing with extreme obsolescence.

Session Leaders:

Jonathan Ponader, MAI

Manager - Property Taxes
General Electric Company
GE Corporate Taxes
Ft. Myers, FL

Kenneth J. Ungar, CMI

Vice President
Ad Valorem Tax, Inc.
Aurora, OH

Moderator:

Michael D. Larson, CMI, ASA

Manager, Tax Policy & Programs
Xerox Corporation
Rochester, NY

- **Current Audit Trends**
(Repeated at 3:00-4:30 p.m.)

This session will explore what is happening with the personal property tax audits in the Southeast with a focus on North Carolina and Georgia. It will be an update on the various jurisdictions' use of third party auditors, both contingency fee and contract fee basis, major audit issues, audit defense strategy, current case law and legislative developments. These same audit issues and strategies are common to many states that tax personal property.

Session Leaders:

Mary T. Benton, Esq.

Attorney
Alston & Bird, LLP
Atlanta, GA

Charles H. Mercer, Jr., Esq.

Member
Moore & Van Allen, PLLC
Raleigh, NC

3:00-4:30 p.m.

Concurrent Breakout Sessions

- **Current Audit Trends**

(Repeated from 1:15 p.m.)

- **Tax Abatements/ Exemptions**

(Repeated from 1:15 p.m.)

- **Negotiation Strategies/ Settlement Strategies**

A successful negotiation strategy begins with the sound analysis of a tax assessment. Following a decision to appeal an assessment, careful preparation is critical to a productive negotiation. Once negotiations commence, a taxpayer must be prepared to respond promptly to assessors' inquiries and to be creative in finding ways to achieve positive settlements.

Session Leaders:

John Lynch, Esq.

Partner

Lynch, DeSimone & Nysten LLP

Boston, MA

Louis P. Napoli

Assistant Vice President, Property Tax

The TJX Companies, Inc.

Framingham, MA

- **Managing the Property Tax Function**

This presentation will discuss the difficulties in managing a property tax department. We will discuss the potential answers to the following questions:

- How to get the data you need to complete each assignment?
- How to deal with the accounting function that may not need the same level of detail that you require?
- How do you get other departments to support your efforts if the tax liability is not part of their responsibility?
- How do you deal with an assessor who thinks FMV is equal to Net Book Cost?
- How do you maintain your sanity after years of valuation work?

These Property tax professionals will discuss the answer to these questions and develop the discussion around their personal experiences in the field. Audience participation will be welcomed.

Session Leaders:

Gary J. McCabe

Senior Manager, Property Taxes

American Tower Corporation

Boston, MA

Edward W. Noonan, CMI

Director-Property Taxes

Cingular Wireless

Atlanta, GA

Tracey Rossow, Esq.
Director of Property Tax Compliance
Verizon Wireless
Bedminster, NJ

Moderator:

Michael J. Mupo, Esq., CMI, CPA
Executive Director of Property Tax
Verizon Wireless
Bedminster, NJ

• **CMI Orientation Review — Property Tax**

A review of the property tax professional designation program, its experience and education requirements, problem solving exercises, and questions and answers. This session will give guidance to members interested in pursuing the CMI property tax professional designation.

**Presented by the CMI Professional Designation Committee —
Property Tax**

Samuel P. Birchfield, CMI, ASA
Principal
Ryan & Company
Dallas, TX

6:00-7:00 p.m.

Informal Social Hour

Friday, September 19, 2003

6:30-8:00 a.m.

Continental Breakfast
Hotel guests registered for IPT Symposium

8:15-9:45 a.m.

General Session
Sarbanes/Oxley Act

Speaker:

Eric Swenson, Esq.
Attorney
Gray, Cary, Ware & Freidenrich LLP
San Diego, CA

Criminal Issues in State & Local Tax Matters

Speakers:

Fred Marcus, Esq.
Managing Partner
Horwood, Marcus & Berk
Chicago, IL

Mark F. Sommer, Esq.

Member, Chair Tax & Employee Benefits Group, and SALT Team Leader
Greenebaum Doll & McDonald PLLC
Louisville, KY

10:00-12:00 Noon General Session

**Overview of Current Legislative and Judicial
Developments in the Fifty States & District of Columbia**

This presentation will cover some of the major legislative and judicial
developments in the property tax area

Speakers:

John Brusniak, Jr., Esq.

Principal
Brusniak McCool & Blackwell, P.C.
Dallas, TX

Patrick Derdenger, Esq.

Partner
Steptoe & Johnson LLP
Phoenix, AZ

Todd W. Sleggs, Esq.

Attorney
Todd W. Sleggs & Associates
Cleveland, OH

Moderator:

Brian T. Howes, CMI, Esq.

Counsel
Shughart Thomson & Kilroy, P.C.
Kansas City, MO

12:00 Noon: Symposium Concludes

2003 Annual Symposium Program

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International Paper Company
Memphis, TN

Vice-Chair:

Paul D. Griffith, CMI
Integra Realty Resources
Cranberry Township, PA

Overall Chair Property Tax Education:

Warren W. Schick, Sr., CMI
American Electric Power

REGISTRATION INFORMATION

Any IPT member or employee of a member company/firm that has members in the Institute may register for the Symposium. The registration fee provides for the usual Symposium expenses and also includes two luncheons, two receptions, refreshment breaks, and Symposium materials. The registration fee for IPT members is \$550 **before** August 15, 2003 and \$575 **after** August 15, 2003. Symposium registration fees received after August 15, 2003 are \$25 higher in order to encourage early registration. Individuals who are not members of IPT, but whose company or firm has members in IPT, may attend the symposium for an additional \$200 charge. In this case, the total Symposium fee would be \$750 before August 15, 2003 and \$775 after August 15, 2003. If the registrant so elects, they may join as an Associate Member (providing their company already has a member in IPT) for annual dues of \$225. In this case, the total Symposium fee would be \$775 before August 15, 2003 and \$800 after August 15, 2003. Please see registration form.

Faxed registrations are subject to the payment due date and cancellation fees. There is a cancellation charge of \$100. Any faxed registration that is not cancelled in writing prior to the September 9, 2003, cut-off date is subject to the entire Symposium fee. All requests for refunds must be in writing. No refunds for cancellations will be given after September 9, 2003 (5:00 p.m. EST). All registrations are to be handled in **ADVANCE** through the IPT office. If a person is not registered in advance, a surcharge of \$25 will be assessed over and above the late registration fee. Admission to all social functions and sessions is by display of badge (tickets when applicable).

All fees must be in U.S. funds. The following credit cards may be used: American Express, VISA and Master Card. In order for credit cards to be processed, it is important that the information requested on the registration form be filled out completely. If the address on your registration form differs from the billing address for your credit card, you must provide IPT with the credit card billing address.

There is a substitution charge of \$40 on or before August 15, 2003; \$50 charge after that date (a substitute must be someone from your company). All

registrations must be paid in full within three weeks of acceptance and prior to symposium (\$25 surcharge applies to any payment received after August 15, 2003; \$50 surcharge if payment is still outstanding as of September 19, 2003). A confirmation of acceptance will be sent.

Make checks payable to:

Institute for Professionals in Taxation
One Capital City Plaza
3350 Peachtree Road, NE, Suite 280
Atlanta, GA 30326-1040

Telephone: 404-240-2300 **Fax:** 404-240-2315

Dress: For the Symposium, sportswear or informal business dress is appropriate throughout the daytime sessions.

Climate: In Fort Lauderdale the average low temperature in September is 70 degrees and the average high temperature is 80 degrees.

Hotel Information and Reservations: The Institute's Twenty-Seventh Annual Symposium is being held at the Harbor Beach Marriott Resort, 3030 Holiday Drive, Fort Lauderdale, Florida, 33316. The hotel is eight miles from the Fort Lauderdale-Hollywood International Airport FLL. Cab fare from the airport to the hotel averages \$13 one way. Parking is available at the hotel: self-parking is \$16 per day and valet is \$20 per day. If you have further questions, please contact the hotel directly at: (954) 525-4000.

Business travelers will appreciate the "rooms that work," offering a combination desk/dining table, convenient electrical outlets, direct internet access, and Web TV with a wireless keyboard. Every room at Harbor Beach features a Sony PlayStation; cable television, hairdryer, iron and ironing board, and coffee maker.

Rooms may not be available for check-in until after 4:00 p.m. Checkout time is 11:00 a.m. Room reservations should be made directly with the hotel by returning the special hotel reservation form. Special requests should be made directly with the hotel. Reservations requested beyond the cut-off date (August 22, 2003) or after the room block is filled, whichever comes first, are subject to availability. Rooms may still be available after the cut-off date, but not necessarily at the group rates. All reservations are

subject to a local room tax. Please mention that you are attending the Institute's program in all contact with the hotel. Single or Double Occupancy Non-View: \$159; Intercostal View: \$179; Pool View \$189 and Ocean View \$199.

Hotel Address:

Marriott's Harbor Beach Resort
3030 Holiday Drive
Fort Lauderdale, Florida 33316
Phone: 954-525-4000
www.marriottharborbeach.com

Continuing Education Credits: The Institute for Professionals in Taxation is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be addressed to the National Registry of CPE Sponsors, 150 Fourth Avenue North, Nashville, TN, 37219-2417. Telephone: (615) 880-4200. Web site: www.nasba.org. Nineteen (19) CPE credits are available for full attendance. In accordance with the standards of the National Registry of CPE Sponsors, CPE credits are granted based on a 50-minute hour.

Registrants who wish to obtain credit from other organizations may have their particular forms signed by the IPT staff. CMIs will receive hour for hour continuing education credits for actual session attendance upon submittal of the appropriate continuing education form.

Prerequisites: None

Program Level: Multiple

Field of Study: Taxation

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