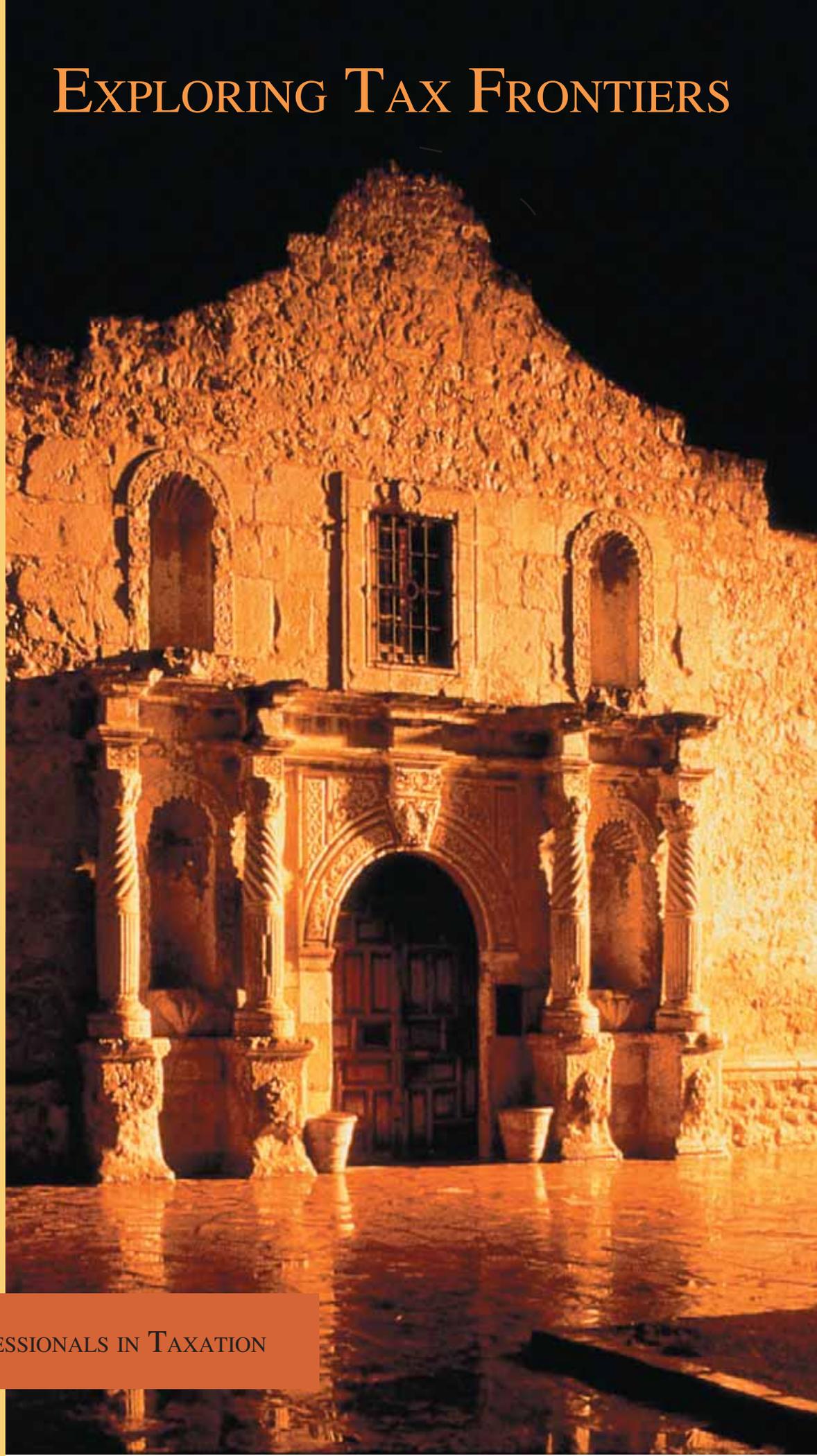


PROPERTY TAX SYMPOSIUM

PRELIMINARY
PROGRAM

SEPTEMBER 18-21, 2005
HILL COUNTRY
HYATT REGENCY
SAN ANTONIO, TEXAS

EXPLORING TAX FRONTIERS



INSTITUTE FOR PROFESSIONALS IN TAXATION

2005 Property Tax Symposium Preliminary Program

SUNDAY, SEPTEMBER 18, 2005

- 2:00-7:00pm Registration
- 4:30-6:00pm CMI Orientation Review
- 5:30-6:00pm New Member
First Time Attendee Orientation
- Anthony R. Thompson, CMI
Overall Chair
Property Tax Education
- Carolyn L. Elerson, CMI
President-Elect
Institute for Professionals in Taxation
- 6:00-7:00pm Networking Social Hour

MONDAY, SEPTEMBER 19, 2005

- 7am-4pm Registration Desk Open
- 8:15-8:45am Opening of Symposium
- Carolyn L. Elerson, CMI**
President-Elect
Institute for Professionals in Taxation
- Alexander L. Hazen**
Program Chair
2005 Property Tax Symposium
- 8:45-10:15am **GENERAL SESSION**

How to Build a Better You

Keynote Speaker:

Bryan Dodge
Bryan Dodge Development Inc.
Duncanville, TX

Bryan Dodge delivers a much-needed professional development program that will benefit all who attend. Mr. Dodge will focus on three key areas. First, he

will show you how to have your best year ever by creating consistent upward growth in your life. Next, he will reveal the three main laws of leadership, explaining how to take ownership of leadership in your own life. Finally, Mr. Dodge will teach you the importance of setting goals and using time control so your dreams can become realities. You will also learn about the power of personal energy and where it comes from. This session will conclude with a powerful demonstration of memory skills, known only to a handful of top executives. His program is refreshing and entertaining, yet informative and educational. His lively and spirited delivery style makes learning fun and memorable.

10:30am -
12 Noon

GENERAL SESSION

If You Don't Know the Highest & Best Use – You Can't Know the Value!

This session will be a discussion of the correct application of a highest and best use analysis. If you don't know the six steps to establishing the highest and best use of a property, you don't know highest and best use. With this foundation, from one of the Appraisal Institute's top instructors, we will discuss which states do not use H&B use as part of their assessment valuation process as well as ways to identify an incorrectly applied H&B analysis, creating an opportunity to present alternative valuation scenarios to the assessor.

Speaker:

David C. Lennhoff, MAI, CRE
President, Appraisal Division
Delta Associates, Inc.
Vienna, VA

1:15-2:15 Use and Misuse of the Cost Approach

While the Cost Approach is most often taught and used to determine property tax value, this session will examine misconceptions dealing with the development of cost new and depreciation estimates, highest and best use, and other issues that are vital to reliability. Consideration will also be given to the impact of local law, custom and policy as well as recent case law when applying this approach. You may also find information on how to counter or correct application of the Cost Approach done by others.

Session:

Leaders: **Philip J. Giannuario, Esq.**
Partner
Garippa, Lotz & Giannuario, P.C.
Montclair, NJ

Eliot L. Johnson
Senior Manager, Property Tax
Marriott International Inc.
Washington, DC

1:15-2:15 Don't Miss the Boat – Learn How to Navigate Inventory Valuation and Freeport Exemptions

Proper inventory valuation and freeport exemptions can easily be the largest tax savings opportunities in your portfolio. The session will cover the essentials of taking deductions for inventory shrinkage, spoilage, and markdowns. Additionally, learn how to navigate the Freeport Exemption filing process - non-compliance with filing requirements can cost you money.

Session

Leaders: **Kay Dixon**
Tax Incentives Manager
Wal-Mart Stores Inc.
Bentonville, AR

Donald L. Lippert, Jr., CMI
Manager
General Electric Company
Chicago, IL

1:15-2:15 To Settle or Not to Settle – The Appeal Process, Knowing when Enough is Enough

Repeated at 2:30pm

Because only roughly 10% of cases actually proceed to trial, appeals are often won or lost in the initial stages. This session will take you through the three main interrelated stages of the appeal process and provide you with best practices from both a corporate/consultant and attorney/appraiser point of view in order to maximize your chances of success at each level. The panel will focus on the three main stages of an appeal: (1) Preparation & Informal Negotiations, in which the foundation of the case should be laid and strengths and weaknesses assessed; (2) The Local Hearing, in which the case is first fully presented to the opposing party; and (3) Litigation, during which the case is ultimately tried. Experienced professionals will discuss the appeal process and what actually happens during these stages, focusing on strategy do's and don'ts, where efforts to settle are most successful, unexpected pitfalls, and overall best practices. This session will arm you with the knowledge you need to be able to evaluate your case and establish an efficient strategy for a successful resolution.

Session

Leaders: **Mark A. Engel, Esq.**
Partner
Bricker & Eckler LLP
Columbus, OH

Todd S. Liebow, MAI
Principal
PGP Valuation, Inc.
Portland, OR

2:30-3:30pm CONCURRENT BREAKOUT SESSIONS:

2:30-3:30 Use and Misuse of the Sales Comparison Approach

The Sales Comparison approach is often the most complex and troublesome valuation approach encountered by property tax practitioners. The comparable selection and adjustment processes, the use of leased fee sales, bankruptcy sales and other atypical transactions, and highest and best use will all be explored to a useful level for IPT members. Common errors and omissions in this approach will be shared. Consideration will also be given to the impact of local law, custom and policy as well as recent case law when applying and explaining the Sales Comparison approach to taxing bodies, the courts, and other parties.

Session Leaders:

Benjamin K. Phipps, Esq., CMI
Attorney
The Phipps Firm
Tallahassee, FL

Anthony J. Rinaldi, ASA, MAI
President
Miller-Rinaldi & Co.
Edgewater, NJ

2:30-3:30 To Settle or Not to Settle – The Appeal Process, Knowing when Enough is Enough

Repeated from 1:15pm

2:30-3:30 Audit Management and Performance Tracking

Repeated at 3:45pm

Do you know where you stand with all your open audits? If asked, could you tell your CFO how much your audit liability has been reduced over the past year? Don't feel overwhelmed if you are unsure about these questions - get educated. The session will focus on the

proper setup and maintenance of an audit system. Items to be covered will be documentation, file management, and performance reporting.

Session Leaders:

James D. Barton, CMI, CPA, CMA
Director, Property Tax
Grant Thornton LLP
Dallas, TX

Adriana Gonzalez
Director Property Tax
Wal-Mart Stores, Inc.
Bentonville, AR

3:45-4:45PM CONCURRENT BREAKOUT SESSIONS:

3:45-4:45 Use and Misuse of the Income Approach

The Income Approach is a strong argument for value when properly developed and applied. However, misapplication leads to enormous problems. We will address practical problems faced by practitioners when dealing with income and expense estimates, development of capitalization rates, and the role of highest and best use as related to this approach. Consideration will also be given to the impact of local law, custom and policy as well as recent case law when applying this approach.

Session Leaders:

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

William C. Severson, Esq.
Of Counsel
Garvey Schubert Barer
Seattle, WA

3:45-4:45 **Audit Management and Performance Tracking**
Repeated from 2:30pm

3:45-4:45 **Telling Your Story Persuasively to a Busy Tribunal**

Often times, the hearing tribunal—whether it be a board of equalization or a court—has a crowded docket with many cases to dispense. Where only limited time is available, the taxpayer must have a strategy to quickly get attention and persuade the judges to adopt your theory and conclusions. This session will discuss the need to have a simple yet powerful “handle” to persuade the court as to the merits of your appeal. Perspectives from a judge and a frequent presenter to the courts will give you useful insight for both formal and informal tribunals. You will glean concrete ideas about what works and what doesn’t—and why.

Session Leaders:

Jeffrey S. Mattson
Magistrate
Oregon Tax Court
Salem, OR

Larry J. Tapanen, ASA
Chief Executive Officer
Tapanen Group, Inc.
Portland, OR

TUESDAY, SEPTEMBER 20, 2005

8:45-10:15am **GENERAL SESSION**

BEV & Intangible Values - Could this be the Last Word?

Two real estate academicians debate the business value/intangible value issue as it relates to real estate tax assessments. How does the “Total Assets of a Business” (TAB) impact the assessment or should it? See two different presentations that attempt to identify (or

not) business value for a going concern. From an academic perspective, how should assessors apply a standardized valuation process on properties with a major management component?

Speakers:

Dr. Norman G. Miller
Director of Real Estate Center
College of Business
Department of Finance
University of Cincinnati
Cincinnati, Ohio

Dr. Marvin Wolverton, MAI
Visiting Associate Professor
College of Business – Department of Finance
University of Nevada, Las Vegas
Las Vegas, NV

Moderator:

Raymond R. Gray, Esq.
Partner
Popp & Ikard, LLP
Austin, TX

10:30am-
12 Noon

GENERAL SESSION

Mismatched Sox

This presentation will concentrate on the problems of Sarbanes/Oxley compliance for the property tax function. It will describe and discuss the relationship between the audit and property tax functions, and the tension resulting from need to comply with Sarbanes/Oxley for each function. The presentation also discusses the importance and tax-saving potential of “scrubbing” the fixed asset record, pursuant to section 103(a)(2)(A)(iii), since, even after a physical inventory, the record often contains fifteen percent or more of ‘ghost’ assets. How have outside/internal audits changed the management of property tax? What can managers do to minimize or streamline the responsibilities associated with the property tax

function as it relates to Sarbanes/Oxley?

Speakers: **Doran V. McClellan, ASA**
Director
Huron Consulting Group
San Francisco, CA

D. Shane Moncrief, CMI
Director
Deloitte Tax LLP
Atlanta, GA

1:15-2:15pm **GENERAL SESSION**

1:15-2:15 **Achieving Your Goals by Negotiation—Techniques of Intelligent and Trustworthy Persuasion**

This session will discuss the importance of realistic advance planning, investigating the other side's previous bargaining history and skills in order to "figure out" your opponent, understanding different personalities and their negotiating needs, recognition of "must have" goals vs. "dispensable" bargaining positions, countering unfair or over-reaching demands, the importance of honesty and candor to attain mutual trust, and (if all else fails) learning when to walk away from the negotiating table and how to await a later opportunity.

Speakers: **Lloyd A. Bettis, CMI**
Chairman, CEO
National Bureau of Property Administration
Chicago, IL

Thomas S. Nowinski, Esq.
Attorney/Member
Clark Hill P.L.C.
Detroit, MI

Moderator:

Anthony R. Thompson, Esq., CMI
Attorney At Law
Law Offices Anthony R. Thompson
Allentown, PA

2:30-3:30PM CONCURRENT BREAKOUT SESSIONS

2:30-3:30 **Defining New Issues in the Hospitality and Retail Markets**

Do you really know the definition of a hospitality or retail property? Does "hospitality" only refer to hotels? Does "retail" only refer to shopping centers? Some typical distinctions are becoming blurred. Attend this session to learn about new aspects of both of these markets from a property tax perspective. How does one treat a marina with a hotel, a shopping center with a Cineplex, a hotel leased to a shopping center? Examples similar to these will be presented and discussed.

Session

Leaders: **Mark S. Hutcheson, Esq.**
Partner
Popp & Ikard, LLP
Austin, TX

Richard L. Wise
Director of Taxes
Gaylord Entertainment
Nashville, TN

2:30-3:30 **What Keeps Industrial Property Values Fair?**

Industrial properties face a number of valuation issues as these facilities age and product markets change. Also, the relationship and effect of technological advances to obsolescence and consideration of the value of environmentally distressed properties will be discussed. In addition, the presenters will include suggestions for keeping your industrial facility from being considered a special purpose property. Finally, to gauge the success of value negotiations, the discussion will include benchmarking industrial values within an industry and how to find comparability.

Session**Leaders:**

Michael J. Kelly, MAI, SRPA
 President
 Real Estate Analysis Corporation
 Chicago, IL

Bruce J. Stavitsky, Esq.
 Attorney
 Law Offices of Bruce Stavitsky
 Mahwah, NJ

2:30-3:30

The Effect of Market and Technology Changes on Centrally-Assessed Properties

The value of centrally-assessed property is continually being re-defined with technology and market changes. This session will explore questions such as: What is the impact of changes in technology and market forces on the value of centrally-assessed properties? What defines a public utility in light of regulation, de-regulation and the internet? Is your assessment equal and uniform in relation to comparable properties? How does your property's value compare to market sales, and how should your property's cost basis be defined in light of write-downs and acquisitions?

Session Leaders:

Jeffery S. Binkley
 Director
 Property Tax Services
 Deloitte Tax LLP
 Atlanta, GA

Melinda D. Blackwell, Esq.
 Partner
 Brusniak McCool & Blackwell, P.C.
 Dallas, TX

Peter W. Hladek
 Senior Manager, Complex Properties
 National Property Tax Practice
 Deloitte Tax LLP
 Sacramento, CA

2:30-3:30

Personal Property Depreciation Tables – Fact or Fiction

Repeated at 3:45pm

In their attempt to determine market value of personal property, tax jurisdictions around the nation employ a vast array of depreciation tables, some of which reflect fact, but most of which result in fiction. In this session, our speakers will share their experiences -- with valuation issues ranging from high-tech to heavy industrial equipment -- and they will guide us through the maze to some semblance of reality.

Session Leaders:

Peter W. Kotschedoff, CMI, REA
 Senior Manager
 Deloitte Tax LLP
 Costa Mesa, CA

Michael D. Larson, CMI, ASA
 Manager, Tax Policy & Programs
 Xerox Corporation
 Rochester, NY

3:45-4:45pm

CONCURRENT BREAKOUT SESSIONS

3:45-4:45

This Isn't Your Grandfather's Office Market – Exploring Today's Office Market Landscape and Its Impact on Property Tax Assessments

As one of the most tracked and documented sectors of real estate, there is an abundance of information available for use in valuing office properties. Income and expense, vacancy, cap rate and sales data are generally readily available. But, in order to insure the appropriate valuation for property tax purposes, we need to understand the forces driving this information. Is that \$700 per square foot sale an indication of fee simple market value? A 6.5% cap rate? Contract or market rent? How should tenant improvements be

valued? These and other issues will be addressed through discussions on the current state of the national office market, methods and strategies for properly valuing office properties for property tax purposes and a review of recent case law.

**Session
Leaders:**

Joseph P. Dondiego, Jr., MAI
Managing Director
Cushman & Wakefield, Inc.
Stamford, CT

Norman J. Quinn, III, CMI, MSA, CRE
President
Equity Property Tax Group L.L.C.
Chicago, IL

**3:45-4:45 Personal Property Depreciation
Tables – Fact or Fiction
Repeated from 2:30pm**

3:45-4:45 Is Obsolescence Obsolete?

This presentation discusses how to recognize and calculate obsolescence, and the reluctance of appraisers to allow obsolescence when an entity fails to write down the subject assets on its books. It includes a brief discussion of SFAS 141-144, and how a property tax representative can best make an argument for obsolescence. Various industries are discussed with an emphasis on how recent technological advancements adversely affect property values relating to these entities. The discussion will cover the measures that can be employed to ensure obsolescence is captured, what the implications are relating to technological changes and the resulting obsolescence, and what can be expected in the future? The validity of using income to determine economic obsolescence under the cost approach will also be discussed.

**Session
Leaders:**

Robert C. Herman, MAI
Director
Standard and Poor's
Chicago, IL

Robert F. Reilly, CPA, ASA
Managing Director
Willamette Management Associates
Chicago, IL

**3:45-4:45 Valuation of Renovations,
Remodeling and CWIP**

Tax jurisdictions too often equate value with actual cost. Does contributory value increase dollar for dollar with the expenditure? In the case of leasehold improvements, how are real estate and personal property classification determined and, if real estate, who should be liable for the tax? Can the tax basis for a project be higher while under construction and non-operational than when it is complete and, perhaps eligible for exemption? This session will explore appropriate valuation precepts of renovations, remodeling and construction work in progress for ad valorem tax purposes within the framework of state statute, case law and local assessment custom.

**Session
Leaders:**

Gregory F. Servodidio, Esq.
Member
Pullman & Comley, LLC
Hartford, CT

Laura A. Bellotti, Esq.
Associate Attorney
Pullman & Comley, LLC
Hartford, CT

WEDNESDAY, SEPTEMBER 21, 2005

8:30-9:30am **GENERAL SESSION**

Making the Most of Today's Technology

In today's workplace, all businesses are trying to accomplish more work with fewer employees. For those who have been looking for an easier way to perform their functions, this session explores intermediate spreadsheet and database solutions to your common problems, as well as a general overview of workflow definition and tracking which can create a more productive workforce. Workflow processes can be defined and documented by using many technology tools such as MS Word, MS PowerPoint or Visio. The ability to visualize the process by using flow diagrams simplifies the training of the process. In addition, the tracking and auditing of these processes can be accomplished by using manual checklists, online spreadsheets or automated process tracking tools. These auditing tools provide a methodology to gather the metrics to measure and improve the process.

Speakers: **Bobbie Burns**
Vice President of Customer Quality Assurance
ePropertyTax
Scottsdale, AZ

Steven E. Potsic, CMI
Manager of Technology
Advantax Group, LLC
St. Charles, IL

9:45-10:45am **GENERAL SESSION**

If the World is Your Marketplace, Should Your Property Assessments Reflect Global Economic Issues? How Does Globalization Influence Your Assessed Value?

In today's economic climate, many industries compete in a world-wide marketplace. As a result, events which occur on foreign soil could impact the value of domestic assets for property tax purposes. It is extremely important for the property tax practitioner to account for the impact of external obsolescence due to industry-wide and global considerations. For example, has reduced product demand and global overcapacity depressed product prices and caused domestic factories to operate at less than capacity? Do foreign production facilities enjoy lower labor and energy costs than comparable domestic facilities? How do environmental and other regulations imposed by domestic government entities compare to the regulations imposed by foreign governments? This session will explore these and other issues of an international nature and suggest appropriate methods of measuring economic obsolescence resulting from competitive economic disadvantage in the global marketplace.

Speaker: **David L. Canary, Esq.**
Partner
Garvey Schubert Barer
Portland, OR

11:00-12 Noon **INDUSTRY SESSION**

**New Session! – Industry Specific
Group Discussions:**

Pursuant to the numerous requests from IPT members, this year's symposium is offering this exciting new session format. Come join colleagues in your industry in an informal discussion group to exchange ideas, experiences and strategies for your industry's hot topics and burning issues. Don't miss this great opportunity to exchange ideas with the players in your industry.

- Telecom and High-Tech
- Retail
- Industrial
- Hotel & Healthcare
- Office
- Energy
- Personal Property

12 Noon Symposium concludes

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 three continental breakfasts, two luncheons, two receptions, refreshment breaks, and Symposium materials. The early registration fee for IPT members is \$575 **before** August 18, 2005 and \$600 **after** August 18, 2005. Registrant saves \$25 if payment is received prior to August 18, 2005. 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 \$775 before August 18, 2005 and \$800 after August 18, 2005. If the registrant so elects, her or she 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 \$800 before August 18, 2005 and \$825 after August 18, 2005. An individual, who is not an employee of a company that has members in IPT, but who is eligible for membership, may attend at the fee of \$1,000, paid before August 18 or \$1,025 if payment is received after August 18. 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, 2005, 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, 2005 (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 regular 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 18, 2005; \$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. The discount of \$25 does not apply to any payment received after August 18, 2005; after September 21, 2005 a \$50 fee applies. A confirmation of acceptance will be sent.

Make checks payable to:

Institute for Professionals in Taxation
1200 Abernathy Road, N.E., Building 600, Suite L-2
Atlanta, GA 30328

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

Hotel Information and Reservations: The Institute's Annual Symposium is being held at the Hyatt Regency Hill Country in San Antonio, TX. This 200-acre wooded escape is just off Highway 151 in the Northwest part of San Antonio directly across from Sea World of Texas, 15 minutes from Six Flags Fiesta Texas Theme Park, 20 minutes from downtown San Antonio, the renowned San Antonio River Walk and the historic Alamo. The airport is approximately 30 minutes from the hotel.

Check-in time is after 4:00 p.m. Check-out time is noon. 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, 2005) 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 - \$169; Triple Occupancy - \$194; Quadruple Occupancy - \$219; and Regency Club - \$254.

Hotel Address: Hyatt Regency Hill Country
9800 Hyatt Resort Drive
San Antonio, Texas 78251
Phone: (210) 647-1234
Fax: (210) 520-4075
www.hillcountry.hyatt.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. Web site: www.nasba.org. Eighteen (18) 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. Certificates of Attendance should be submitted to IPT no later than 60 days after the end of the program.

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

For more information regarding administrative policies such as complaint and refund, please contact our office at (404) 240-2300.

While IPT as an organization promotes professional networking with other tax professionals, the Institute does wish to remind everyone that as an organization we prohibit solicitation of business at IPT functions.

Because this is difficult to define, it is requested that, if you feel that you are being solicited and you are offended by the action(s), that you please advise the person soliciting you that his or her solicitation is unwanted; if the behavior persists, please notify IPT staff immediately so the matter can be directly addressed.

Dress: For the Symposium, business casual dress is appropriate throughout the daytime sessions.

Photos will be taken at this event. These photos may be published in IPT publications, multimedia presentations, and on IPT's website. Your attendance at this event grants IPT the right to publish these photos.

Field of Study: Taxation

Prerequisites: None

Program Level: Multiple

Instructional Method: Group Live