

# **IPT**

**Institute for Professionals in Taxation**

## **PROPERTY TAX SYMPOSIUM**

**November 6 - 9, 2011**

**Hyatt Regency Monterey Hotel**

**Monterey, California**

### **Preliminary Program**



# IPT 2011 Property Tax Symposium At-A-Glance

**SUNDAY, NOVEMBER 6, 2011**

4:00-7:00pm	Registration
5:30-6:00pm	New Member/First-Time Attendee Orientation
6:00-7:00pm	Welcome/Networking Social Hour

**MONDAY, NOVEMBER 7, 2011**

6:45-7:45am	Continental Breakfast (For guests of hotel residing under IPT's group rate)
8:00-8:30am	Opening of Symposium
8:30:10:00am	<b>GENERAL SESSION on the Economy: Fast and Furious</b>
10:15am-12:00 noon	<b>GENERAL SESSION on Ethics: Prominence to Prison: Why Smart People do Dumb Things</b>
12:00 noon	Lunch

**Concurrent Breakout Sessions (Select 1 of 4)**

Monday 1:00-2:15pm	<ul style="list-style-type: none"> <li>• <b>Commercial &amp; Industrial Transactions Since the Crash, Where Do They Go From Here - Midwest</b> (Repeated at 4:00pm)</li> <li>• <b>Ethics in Negotiation</b> (Repeated at 2:30pm)</li> <li>• <b>Property Tax Incentives</b> (Repeated at 4:00pm)</li> <li>• <b>The Graying Property Tax Profession - What are we doing to bring new people in</b></li> </ul>
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**Concurrent Breakout Sessions (Select 1 of 4)**

Monday 2:30-3:45pm	<ul style="list-style-type: none"> <li>• <b>Commercial &amp; Industrial Transactions - SE</b> (Repeated at 4:00pm)</li> <li>• <b>Ethics in Negotiation</b> (Repeated from 1:00)</li> <li>• <b>The Art of the Appeal: Practical Tips for Handling Property Tax Appeals</b> (Repeated at 4:00pm)</li> <li>• <b>Hotel Valuation</b></li> </ul>
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**Concurrent Breakout Sessions (Select 1 of 4)**

Monday 4:00-5:15pm	<ul style="list-style-type: none"> <li>• <b>Commercial &amp; Industrial Transactions - Midwest</b> (Repeated from 1:00pm)</li> <li>• <b>Commercial &amp; Industrial Transactions - SE</b> (Repeated from 2:30pm)</li> <li>• <b>Property Tax Incentives</b> (Repeated from 1:00 pm)</li> <li>• <b>The Art of the Appeal: Practical Tips for Handling Property Tax Appeals</b> (Repeated from 2:30 pm)</li> </ul>
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6:00-7:00pm	Wine Tasting Reception
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**TUESDAY, NOVEMBER 8, 2011**

6:45-7:45am	Continental Breakfast (For guests of hotel residing under IPT's group rate)
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**Concurrent Breakout Sessions (Select 1 of 4)**

Tuesday 8:00-9:15am	<ul style="list-style-type: none"> <li>• <b>Commercial &amp; Industrial Transactions - NE</b> (Repeated at 11:00am)</li> <li>• <b>CIP: Real &amp; Personal Property Valuation Issues</b></li> <li>• <b>Property Tax Reform - Legislative &amp; Case Law Update</b> (Repeated at 9:30am)</li> <li>• <b>CMI Academy - Part I</b></li> </ul>
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**Concurrent Breakout Sessions (Select 1 of 4)**

Tuesday 9:30-10:45am	<ul style="list-style-type: none"> <li>• <b>Commercial &amp; Industrial Transactions - West</b> (Repeated at 11:00am)</li> <li>• <b>Property Tax Reform - Legislative &amp; Case Law Update</b> (Repeated from 8:00am)</li> <li>• <b>Implications of Commodity Prices on Industrial Property Tax Valuations</b> (Repeated at 11:00am)</li> <li>• <b>CMI Academy - Part II</b></li> </ul>
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**Concurrent Breakout Sessions (Select 1 of 4)**

Tuesday 11:00am-12:15pm	<ul style="list-style-type: none"> <li>• <b>Commercial &amp; Industrial Transactions - NE</b> (Repeated from 8:00am)</li> <li>• <b>Commercial &amp; Industrial Transactions - West</b> (Repeated from 9:30am)</li> <li>• <b>Implications of Commodity Prices on Industrial Property Tax Valuations</b> (Repeated from 9:30am)</li> <li>• <b>CMI Academy - Part III</b></li> </ul>
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12:15pm	Lunch
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**Concurrent Breakout Sessions (Select 1 of 3)**

Tuesday 1:15-2:30pm	<ul style="list-style-type: none"> <li>• <b>Fee Simple vs. Leased Fee - The Battle Continues</b> (Repeated at 2:45pm)</li> <li>• <b>Is the Green Movement Creating Functional Obsolescence?</b> (Repeated at 2:45pm)</li> <li>• <b>Wind Energy Facilities Valuation and Taxation Issues</b></li> </ul>
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**Concurrent Breakout Sessions (Select 1 of 3)**

Tuesday 2:45-4:00pm	<ul style="list-style-type: none"> <li>• <b>Fee Simple vs. Leased Fee - The Battle Continues</b> (Repeated from 1:15pm)</li> <li>• <b>Is the Green Movement Creating Functional Obsolescence?</b> (Repeated from 1:15pm)</li> <li>• <b>New Lease Accounting Rules &amp; Implications for Property Tax Purposes</b></li> </ul>
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**Industry Roundtable Discussion Sessions (Select 1 of 7)**

Tuesday 4:15-5:15pm	<ul style="list-style-type: none"> <li>• <b>Commercial Real Estate</b></li> <li>• <b>Energy</b></li> <li>• <b>Hotel &amp; Healthcare</b></li> <li>• <b>Industrial</b></li> </ul>	<ul style="list-style-type: none"> <li>• <b>Personal Property</b></li> <li>• <b>Retail</b></li> <li>• <b>Telecom/High-Tech</b></li> </ul>
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5:45-6:15pm	Mentoring Program
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6:15-7:00pm	Networking Social Hour
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**WEDNESDAY, NOVEMBER 9, 2011**

6:45-7:45am	Continental Breakfast (For guests of hotel residing under IPT's group rate)
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8:00-9:00am	<b>GENERAL SESSION: The Nestlé and UTGR Decisions: Case Studies in Challenging &amp; Litigating Assessments of Unique Properties</b>
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9:15-10:15am	<b>GENERAL SESSION: Real Estate Damage Economics</b>
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10:30-11:30am	<b>GENERAL SESSION: Common Misuses of Survey Publications for Cap Rates &amp; Discount Rates</b>
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11:30am	ADJOURN
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**Sunday  
November 6, 2011**

4:00 PM - 7:00 PM

**Registration**

5:30 PM - 6:00 PM

**New Member/First Time  
Attendee Orientation**

**Welcome from: IPT President:**

**Linda A. Falcone, CMI**

Director, Sales and Use Tax  
Ryan, LLC  
Charlotte, NC

**2011 Property Tax Symposium  
Committee Chair:**

**David H. LeVan, CMI**

CEO  
Advantax Group, LLC  
St. Charles, IL

6:00 PM - 7:00 PM

**“Welcome to Monterey”  
Networking Social Hour**

**Monday  
November 7, 2011**

6:45 AM - 7:45 AM

**Continental Breakfast**

(Guests of hotel residing under  
IPT’s Group Rate-Included in  
Group Rate)

7:00 AM - 4:00 PM

**Registration Continues**

8:00 AM - 8:30 AM

**Opening of Symposium**

IPT President:

**Linda A. Falcone, CMI**

Director, Sales and Use Tax  
Ryan, LLC  
Charlotte, NC

2011 Property Tax Symposium

Committee Chair:

**David H. LeVan, CMI**

CEO  
Advantax Group, LLC  
St. Charles, IL

**Monday, November 7, 2011**

8:30 AM - 10:00 AM

**General Session**

**The “Fast and Furious”**

The pace of change with respect to the capital markets and market conditions is occurring at both a rapid and punishing pace. How can real estate property and income tax professionals engaged in the analysis of commercial real estate merge into the fast lane and avoid being run over?

**Learning Objectives:**

- Understand how the economy has performed in the first three quarters of 2011
- Identify the factors impacting commercial real estate by property type
- Assess the role that banking and the capital markets play in commercial real estate
- Assess the top 11 real estate issues influencing real estate values in 2011

**Speaker:**

**KC Conway, MAI, CRE**

Executive Managing Director,  
Colliers International Valuation &  
Advisory Services  
Atlanta, GA

10:15 AM - 12:00 Noon

**General Session**

**Prominence to Prison:  
Why Smart People Do  
Dumb Things**

This presentation revolves around the processes and consequences of unethical behavior and how seemingly unimportant decisions can cause so much trouble in our lives. Patrick will share his life story of prominence as a Stock Broker and former Certified Financial Planner, his involvement in a bribery scheme with the Oklahoma State Treasurer’s Office, and his subsequent life as an international fugitive. He will discuss business ethics, common ethical dilemmas, and why people make the ethical decisions they do.

**Learning Objectives:**

- Gain insight on how to control our own ethical behaviors
- Develop and define your own personal code of ethics
- Balance your pocket book with your conscience
- Determine how to manage ethical dilemmas in the workplace

(Speaker listed on following page)

**Speaker:**

**Patrick J. Kuhse**

International Speaker, Trainer and Consultant on Business Ethics Speaking of Ethics San Diego, CA

**12:00 Noon**

**Lunch**

**Monday, November 7, 2011**

**1:00 PM - 2:15 PM**

**Concurrent Breakout Sessions**

- **Commercial and Industrial Transactions Since the Crash, Where Do They Go From Here - Midwest**

(Repeated at 4:00 PM)

This session will take a detailed look at where the commercial and industrial real estate market was prior to the economic downturn and where the markets reside today. Actual sales and rental transactions before and after will be presented and analyzed for the region. This is an interactive session and questions and comments are welcome.

**Learning Objectives**

- Identify valuation changes to their properties based on the changes to their regional

- markets over the past few years
- Determine if the value changes to their properties during the past several years have been in the correct direction and appropriate
  - Calculate value lost or gained for their properties
  - Explain the value changes to their management and assessment officials

**Speaker:**

**Michael J. Kelly, MAI, SRPA**

President  
Real Estate Analysis Corporation  
Chicago, IL

**1:00 PM - 2:15 PM  
Concurrent Breakout Session**

- **Ethics in Negotiation**  
(Repeated at 2:30 PM)

Commercial property market value appeals typically involve discussions with local assessing authorities. These may include complex negotiations to avoid a courtroom proceeding. When ethical concerns arise, they must be handled correctly to avoid potential liability. An experienced panel will discuss real-life stories and case studies from commercial value appeals. The cases will focus on ethical dilemmas and potential solutions with specific reference to judicial codes of conduct, attorney

ethics rules, IPT ethics canons, Uniform Mediation Standards, USPAP and Appraisal Institute guidelines. The panel includes a veteran MAI, noted property tax attorney and a retired tax judge. Question and answer session will be included to address individual concerns.

**Learning Objectives:**

- Identify ethical issues in commercial value negotiations
- Apply professional standards to complex negotiations
- Avoid common traps for the unwary
- Distinguish duties to disclose vs. negotiation strategies

**Speakers:**

**David E. Carmichael, Esq.**

Attorney  
David E Carmichael Attorney  
Eugene, OR

**Todd S. Liebow, MAI**

Managing Director, Property Tax Services  
Colliers International Valuation & Advisory Services  
Portland, OR

**Jeffrey S. Mattson**

Retired Magistrate  
Oregon Tax Court  
Salem, OR

**1:00 PM - 2:15 PM  
Concurrent Breakout Session**

- **How Property Tax Incentives Can Enhance the Bottom Line**

(Repeated at 4:00 PM)

Become more familiar with how incentives and government policies can enhance the financial feasibility of new development or property enhancements. Financing investments is not just about getting a mortgage!

**Learning Objectives:**

- Recognize how economic incentives can be used to obtain the financing needed for infrastructure improvements that will attract new tenants
- Determine how real estate taxes, or special assessments that are treated like taxes, can be used as a financial tool to enhance a project or finance improvements
- Explain the types and benefits of property tax incentives offered for green or sustainable projects

**Speakers:**

**Stephen E. Heaney**

Managing Director, Public Finance  
Stone & Youngberg LLC  
Los Angeles, CA

**Dusty Elias Kirk, Esq.**

Partner, Global Practice Group  
Leader for Real Estate Group  
Reed Smith, LLP  
Pittsburgh, PA

1:00 PM - 2:15 PM

## Concurrent Breakout Session

### The Graying Property Tax Profession – What are We Doing to Bring New People in

A panel discussion designed to provide insight into managing this dynamic challenge and to provoke ideas that could lead to attracting and retaining new employees. As there is cause for concern amongst the property tax profession as a large percentage of us are nearing retirement.

#### Learning Objectives

- How to “sell” new talent on the benefits of a property tax career
- Strategies to develop property tax leadership bench strength and succession planning
- Strategies to effectively train and develop new property tax professionals
- How to effectively utilize senior property tax professionals to manage current major issues while transferring knowledge to new talent
- How to identify, recruit and retain the potential pool of new talent

#### Speakers:

**Greg L. Cardwell, CMI**  
Director, Eastern Region  
ConocoPhillips Company  
Houston, TX

**William M. Fowler, CMI**  
Property Tax Regional Manager  
Exxon Mobil Corporation  
Houston, TX

**A. Allen Mitro, CMI, ASA**  
Director  
Duff & Phelps LLC  
Green Valley, AZ

**Ronald J. Patti**  
Property Tax Manager  
Crown Enterprises Inc.  
Warren, MI

2:30 PM - 3:45 PM

## Concurrent Breakout Session

### Commercial and Industrial Transactions Since the Crash, Where Do They Go From Here - Southeast

(Repeated at 4:00 PM)

This session will take a detailed look at where the commercial and industrial real estate market was prior to the economic downturn and where the markets reside today. Actual sales and rental transactions before and after will be presented and analyzed for the region. This is an interactive session and questions and comments are welcome.

#### Learning Objectives

- Identify valuation changes to their properties based on the changes to their regional

markets over the past few years

- Determine if the value changes to their properties during the past several years have been in the correct direction and appropriate
- Calculate value lost or gained for their properties.
- Explain the value changes to their management and assessment officials

#### Speaker:

**Leslie P. Sellers, MAI, SRA**  
Immediate Past President  
Appraisal Institute  
Sellers Realty  
Clinton, TN

2:30 PM - 3:45 PM

## Concurrent Breakout Session

### Ethics in Negotiation

(Repeated from 1:00 PM)

2:30 PM - 3:45 PM

## Concurrent Breakout Session

### The Art (and/or Science) of the Appeal: Practical Tips for Handling Property Tax Assessment Appeals

(Repeated at 4:00 PM)

Negotiating the land mines of a

particular jurisdiction’s property tax assessment appeal process can be tricky. The process of determining the best course of action for challenging a property tax assessment can be filled with unintended consequences and traps for the unwary. This process can be especially complex for those individuals who practice in multiple jurisdictions and deal with multiple taxing authorities. Obtaining successful results can be both art and science. This session will cover practical approaches to dealing with taxing authorities when property is over-assessed/over-valued, that can be effective in all jurisdictions and for all property types. The session will also cover basic legal and valuation concepts intertwined with property tax assessments and how they play into the practical decision-making process. Whether you are an attorney, a non-attorney property tax professional, or a property tax manager, this session will have something valuable for you.

#### Learning Objectives

- Examine several practical issues in dealing with state and local taxing authorities over property tax assessments
- Develop a frame-work or analytical model for understanding and addressing these practical issues to maximize success
- Understand how to apply the frame-work in challenging

- an over-assessment or over-valuation in any jurisdiction
- Develop a basic knowledge and understanding of certain legal and valuation concepts that effect a property tax professional's decision-making process in deciding how to pursue an assessment challenge
  - Discuss potential practical and legal pitfalls of dealing with taxing authorities, as well as traps for the unwary

**Speaker:**

**Apollo D. Carey, Esq.**  
 Attorney  
 Sandberg Phoenix & von Gontard P.C.  
 St. Louis, MO

**2:30 PM - 3:45 PM  
 Concurrent Breakout Session**

• **Hotel Valuation - The Issue of Intangibles**

A review of several California cases on hotel valuations with rulings on issues related to intangible components in the hotel income stream. Methodology relating to RevPar premiums, intangible property, the Rushmore Approach and the acceptance by decision makers will be examined and discussed.

**Learning Objectives:**

- Examine the various

- components of a hotel appeal including real property, intangibles and RevPar premiums
- Recommend ways to improve the presentation of an appeal to an administrative agency or board
  - Compare responses of agencies or boards to the various arguments regarding the various components of a hotel appraisal
  - Identify successful presentation strategies on a hotel tax case via discussion of actual cases and results

**Speakers:**

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

**Jack Pasternacki, ASA, CAE**  
 Senior Analyst  
 Smith, Gendler, Shiell, Sheff, Ford & Maher  
 Minneapolis, MN

**4:00 PM - 5:15 PM  
 Concurrent Breakout Sessions**

• **Commercial and Industrial Transactions Since the Crash, Where Do They Go From Here - Midwest**

(Repeated from 1:00 PM)

**4:00 PM - 5:15 PM**

• **Commercial and Industrial Transactions Since the Crash, Where Do They Go From Here - Southeast**

(Repeated from 2:30 PM)

• **How Property Tax Incentives Can Enhance the Bottom Line**

(Repeated from 1:00 PM)

• **The Art (and/or Science) of the Appeal: Practical Tips for Handling Property Tax Assessment Appeals**

(Repeated from 2:30 PM)

**6:00 PM - 7:00 PM**

• **Wine Tasting Reception**

**Tuesday  
 November 8, 2011**

**6:45 AM - 7:45 AM**

**Continental Breakfast**

(Guests of hotel residing under IPT's Group Rate)

**8:00 AM - 9:15 AM**

**Concurrent Breakout Session**

• **Commercial and Industrial Transactions Since the Crash, Where Do They Go From Here - Northeast**

(Repeated at 11:00 AM)

This session will take a detailed look at where the commercial and industrial real estate market was prior to the economic downturn and where the markets reside today. Actual sales and rental transactions before and after will be presented and analyzed for the region. This is an interactive session and questions and comments are welcome.

**Learning Objectives:**

- Identify valuation changes to their properties based on the changes to their regional markets over the past few years
- Determine if the value changes to their properties during the past several years have been

in the correct direction and appropriate

- Calculate value lost or gained for their properties
- Explain the value changes to their management and assessment officials

**Speaker:**

**Gregg Manzione, MAI**

Partner and Director of the Appraisal Division Nationwide Consulting Company, Inc. Glen Rock, NJ

**8:00 AM - 9:15 AM**

**Concurrent Breakout Session**

**• CIP: Real and Personal Property Valuation Issues**

This session will take a state-by-state review of the taxation and valuation of construction in progress (CIP). Our speakers will provide guidance and share their real time experiences and successes with this topic. This is an interactive session and questions and comments are welcome.

**Learning Objectives:**

- Differentiate CIP as it relates to real and personal property
- Recognize opportunities to hear and share about real-life CIP issues
- Conclude on a state-by-state

basis which states tax and exempt CIP

- Apply “war stories” to your daily activities

**Speakers:**

**David L. Meier, II**

Tax Specialist Toyota Motor Engineering & Manufacturing North America, Inc. Erlanger, KY

**Jeffrey C. Mills, CMI**

Senior Manager - Property Tax & Valuation Crowe Horwath LLP Irving, TX

**8:00 AM - 9:15 AM**

**Concurrent Breakout Session**

**• Property Tax Reform- A Legislative and Case Law Update**

(Repeated at 9:30 AM)

As many States raced to meet legislative and budget demands in 2011, property tax reform was a common theme. In addition, key court decisions over the course of this past year altered much of the typical landscape for property tax professionals. In this session, our panel will present an overview of property tax changes in selected states, both legislative and case law, that may impact your property tax management and compliance obligations in 2012.

**Learning Objectives:**

- Identify key legislative changes affecting property taxation
- Understand specific property tax decisions in various state courts
- Assess the impact of these changes to affected properties
- Be better prepared for the 2012 compliance and appeal season

**Speakers:**

**Margaret A. Ford, Esq.**

Attorney Smith, Gendler, Shiell, Sheff, Ford & Maher, P.A. Minneapolis, MN

**Cris K. O’Neill, Esq.**

Partner Cahill, Davis & O’Neill, LLP Los Angeles, CA

**8:00 AM - 9:15 AM**

**Concurrent Breakout Session**

**• CMI Academy, Part I**

This one-half day session is designed for CMIs to provide a new and more participatory course for experienced tax professionals interested in pursuing a particular issue in more depth. This interactive discussion group will focus on valuation theory that affects property tax assessments. Topics are varied and “real time” to assist in handling current assessment appeals. Issues are

provided by the IPT membership requesting help in solving questions about various appraisal theories advanced by taxing jurisdictions. Suggested solutions will be contained in a searchable database.

**Learning Objective:**

- Evaluate appraisal theories and communicate proper responses to obtain proper real estate assessments

**Facilitators:**

**Jeffrey D. Gordon, Esq.**

Attorney Archer & Greiner, P.C. Princeton, NJ

**Mark S. Hutcheson, CMI, Esq.**

Partner Popp, Gray & Hutcheson, LLP Austin, TX

**Lynn D. Krebs, Ph.D.**

Director, Technical Training Ryan, LLC Dallas, TX

**David C. Lennhoff, MAI, CRE, FRICS**

President PGH Consulting LLC Rockville, MD

**Facilitator/Moderator:**

**Leonard J. Patcella, Jr., CMI, MAI**

President Equity Appraisal Co., Inc. Springhouse, PA

**9:30 AM - 10:45 AM  
Concurrent Breakout  
Session**

- **Commercial and Industrial Transactions Since the Crash, Where Do They Go From Here - West**  
(Repeated at 11:00 AM)

This session will take a detailed look at where the commercial and industrial real estate market was prior to the economic downturn and where the markets reside today. Actual sales and rental transactions before and after will be presented and analyzed for the region. This is an interactive session and questions and comments are welcome.

**Learning Objectives:**

- Identify valuation changes to their properties based on the changes to their regional markets over the past few years
- Determine if the value changes to their properties during the past several years have been in the correct direction and appropriate
- Calculate value lost or gained for their properties
- Explain the value changes to their management and assessment officials

**Speaker:**

**Eric B. Garfield, MAI, CCIM**  
Director - Valuation Services  
WTAS LLC  
Los Angeles, CA

**9:30 AM - 10:45 AM  
Concurrent Breakout  
Session**

- **Property Tax Reform- A Legislative and Case Law Update**  
(Repeated from 8:00 AM)

**9:30 AM - 10:45 AM  
Concurrent Breakout  
Session**

- **Implications of Commodity Prices on Industrial Property Tax Valuations**  
(Repeated at 11:00 AM)

Worldwide economic growth has continued to put upward pressure on commodity prices. This has translated into dynamic forces affecting the valuation of industrial properties in both the US and the rest of the world. The presenters will establish the relationship between these dynamics and the valuation of industrial properties for property tax purposes.

**Learning Objectives:**

- Recognize the underlying economic trends driving commodity prices
- Explain how these issues impact the market value of industrial property
- Formulate how to incorporate these issues into the valuation of industrial property

**Speakers:**

**Gerard N. Amoroso, Jr.**  
Manager - Property Tax  
GE Corporate Tax  
Atlanta, GA

**Sebastian E. Rodrigano**  
Director  
Popp, Gray & Hutcheson, LLP  
Austin, TX

**9:30 AM - 10:45 AM  
Concurrent Breakout  
Session  
CMI Academy, Part II**

**11:00 AM - 12:15 PM  
Concurrent Breakout  
Sessions**

- **Commercial and Industrial Transactions Since the Crash, Where Do They Go From Here - Northeast**  
(Repeated from 8:00 AM)

- **Commercial and Industrial Transactions Since the Crash, Where Do They Go From Here - West**  
(Repeated from 9:30 AM)

- **Implications of Commodity Prices on Industrial Property Tax Valuations**  
(Repeated from 9:30 AM)

- **CMI Academy, Part III**

**12:15 PM - 1:15 PM  
Lunch**

**1:15 PM - 2:30 PM  
Concurrent Breakout  
Session**

- **Fee Simple vs. Leased Fee -- The Battle Continues**  
(Repeated at 2:45 PM)

In today's depressed commercial/ investment property market, tax appeals have become ever more competitive and contested. In some jurisdictions, the law requires the property to be appraised in

“Fee Simple.” However, in the real world, and as particularly relied upon by market participants, Leased Fee values are viewed as the most reliable and accurate indicator of an investment property’s value. So, which one do you use? Well, that depends upon your objective. This session will focus on the debate between Fee Simple and Leased Fee values, when to use them, and the significant difference between the two. The panel includes an experienced MAI/CCIM and a noted Ohio Property Tax Attorney.

**Learning Objectives:**

- Identify when it is appropriate to use Fee Simple vs. Leased Fee Values
- Effectively advocate a Leased Fee Value in a Fee Simple environment
- Understand how your Attorney and Appraiser can effectively use both in seeking a reduction of the property value

**Speakers:**

**Eric Gardner, MAI, CCIM, MRICS**  
Senior Vice President  
Pillar Valuation Group  
Cincinnati, OH

**Thomas M. Tepe, Jr., Esq.**  
Partner  
Keating Muething & Klekamp PLL  
Cincinnati, OH

**1:15 PM - 2:30 PM  
Concurrent Breakout  
Session**

- **How Is The Green Movement Affecting Valuation and Is It Creating Functional Obsolescence?**

(Repeated at 2:45 PM)

Green is no longer a PR buzz word. From governments to corporations to investors, sustainability initiatives have taken on an increasingly important role in business and real estate objectives and evidence continues to mount pointing towards this trend growing exponentially in the future. Although environmental consciousness lacks a definitive tangibility, it is difficult to deny the effects of operating efficiency, expense reduction and increased return on capital investments when it comes to the valuation of real estate. This session will explore how green is changing the real estate landscape and how it is affecting “conventional” property values.

**Learning Objectives:**

- Understand what is green. Principles, ratings and certifications.
- Identify the added cost of sustainability
- Identify the superior aspects of green property (rental/sales premiums, reduced operating

costs, higher occupancy and tenant satisfaction).

- Analyze how “conventional” property valuation is affected by the green movement
- Incorporate valuation issues into property taxation reviews and appeals

**Speakers:**

**Brett A. Harrington, CMI**  
President  
International Appraisal Company Inc.

Upper Saddle River, NJ

**Todd D. Jones, MAI**  
Tampa, FL

**1:15 PM - 2:30 PM  
Concurrent Breakout  
Session**

- **Wind Energy Facilities Valuation and Taxation Issues**

This session will review the various ways that different County Assessors and different states are dealing with the assessment issues posed by the rapidly expanding renewable energy field – particularly wind farms.

**Learning Objective:**

- Understand the issues related to valuing wind farms including the Production Tax Credit, Cost v. Income approaches to value, and lifing

**Speakers:**

**Robert Daniel**  
Manager  
Thomson Reuters  
Austin, TX

**Casey Tomasiak**  
Senior Property Tax Analyst  
NextEra Energy, Inc.  
Juno Beach, FL

**2:45 PM - 4:00 PM  
Concurrent Breakout  
Session**

- **Fee Simple vs. Leased Fee -- The Battle Continues**

(Repeated from 1:15 PM)

- **How Is The Green Movement Affecting Valuation and Is It Creating Functional Obsolescence?**

(Repeated from 1:15 PM)

- **New Lease Accounting Rules and Implications for Property Tax Purposes**

The concept of a lease as we know it will completely change

in the near future. The Financial Accounting Standards Board (FASB) and the International Accounting Standards Board (IASB) published a joint exposure draft on Leases in 2010 that will fundamentally change how almost every company in the world accounts for leases. The fundamental change will make operating leases virtually obsolete and will require almost all leases to be accounted for under a structure similar to capital leases. This change will drastically change most entities balance sheet and income statements going forward. The standard setting bodies received over 800 comment letters on this exposure draft and are currently deliberating changes to the proposed rules which is expected to be issued during the fourth quarter of 2011.

**Learning Objectives:**

- Recognize the changes to the lease standards according to the standard setting bodies
- Understand the impact of the changes on financial statements
- Examine the changes and potential impact on property taxes

**Speaker:**

**Kevin V. Wydra, CPA**  
Partner  
Crowe Horwath LLP  
Oak Brook, IL

**4:15 PM - 5:15 PM**  
**Concurrent Breakout Session**

• **Industry Roundtable**

The Property Tax Symposium Roundtables are now a popular IPT tradition. 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 network with the players in your industry. Facilitators for the Industry Roundtables will be members of the Symposium Committee.

- **Commercial Real Estate**
- **Energy**
- **Hotel & Healthcare**
- **Industrial**
- **Personal Property**
- **Retail**
- **Telecom/High-Tech**

**Learning Objectives:**

- Identify current issues in the specified industry
- Apply lessons learned from others to their current tax practice

**6:15 PM - 7:00 PM**  
**Networking Social Hour**

**6:45 AM - 7:45 AM**  
**Continental Breakfast**  
(Guests of hotel residing under IPT's Group Rate)

**8:00 AM - 9:10 AM**  
**General Session**  
**The Nestlé and UTGR Decisions: Case Studies in Challenging and Litigating Assessments of Unique Properties**

This session will discuss two decisions issued in 2011 which involved the assessments of unique properties. In Nestlé USA, Inc. v. Wisconsin Department of Revenue, the Wisconsin Supreme Court upheld the assessment of a new, state-of-the-art powdered infant formula plant, where both sides' experts had testified at trial that they could not identify a single instance in which a similar property had sold for continued use as an infant formula plant, anywhere in the United States. In UTGR, Inc. v. Mandillo, the Rhode Island Superior Court rejected the assessment of a 500,000 square foot casino on a 160-acre site which had three separate zoning classifications. The session will discuss how the two properties were assessed, how the taxpayers' appraisers valued the properties at trial in an effort to defeat the assessments, and what factors

the courts used in resolving the assessment challenges.

**Learning Objectives:**

- Analyze what factors make a property unique
- Examine what factors assessors use to assess unique properties
- Analyze how assessment and appraisal concepts such as highest and best use, functional obsolescence and selection of reasonably comparable properties are applied to unique properties
- Examine how courts approach and decide challenges to the assessments of unique properties

**Speaker:**

Robert L. Gordon, Esq.  
Partner  
Michael Best & Friedrich LLP  
Milwaukee, WI

**9:15 AM - 10:15 AM**  
**General Session**  
**Real Estate Damage Economics: The Impact of Detrimental Conditions on Property Values**

Detrimental conditions that affect property values range from temporary conditions and market perceptions to construction defects, environmental contamination, and geotechnical issues. Quantifying the impact of detrimental conditions is significantly more

complex and challenging than working through the three approaches to value. Our speaker has discovered distinctive graphic patterns in his study of detrimental conditions and grouped them into 10 general categories, each with unique characteristics. This session will explore how an appraisal should address the costs associated with assessment, remediation, ongoing costs, and the effects of any market resistance, which will result in a meaningful and accurate assessment of how a detrimental condition has affected the value of a property.

**Learning Objectives:**

- Recognize the essential valuation methodologies for measuring property damages
- Identify the ten categories of damage valuation in real estate research
- Examine applications to actual case studies

**Speaker:**

**Randall Bell, MAI**  
Principal  
Bell Anderson & Sanders, LLC  
Laguna Beach, CA

**10:30 AM - 11:30 AM**  
**General Session**  
**Common Misuses of Survey Publications for Cap Rates and Discount Rates**

A discussion of the advantages, disadvantages and pitfalls of using published survey data for development of cap rates and discount rates. Understanding how surveys are compiled and what they represent will allow appraiser/analyst to better put them to effective use.

**Learning Objectives:**

- Recognize how data for various popular national surveys are compiled
- Understand limitations, such as data potentially out of date upon publication, data often not disaggregated enough to be usable, and investors tend to say one thing and do another.
- Recognize potential dangers, such as trying to make data fit your specific situation and how to draw meaningful conclusions from the often very wide ranges of rates.
- Understand how these surveys can be effectively used to develop reliable cap rates and discount rates

**Speaker:**

**David C. Lennhoff, MAI, CRE, FRICS**  
President  
PGH Consulting LLC  
Rockville, MD

**11:30 AM Program 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, three receptions, and refreshment breaks, (for those hotel guests registered under IPT's room block) and symposium materials. The early registration fee for **IPT members is \$575 before October 1, 2011 and \$600 after October 1, 2011. Registrant saves \$25 if payment is received prior to October 1, 2011.** The fee for individuals who are not members of IPT, but whose company or firm has members in IPT, **is \$775 before October 1, 2011 and \$800 after October 1, 2011.** Providing their company already has a member in IPT, one may **join as an Associate Member for annual dues of \$275 making the total symposium fee \$1,050 before October 1, 2011 and \$1,075 after October 1, 2011.**

An individual, who is an employee of a company that does not have members in IPT, but who is eligible for membership, may attend for a fee of \$1,000, paid before October 1st or \$1,025 if payment is received after October 1st.

## Special Discount for members with the CMI designation:

Active IPT members who hold the CMI designation are eligible for symposium discounts. When you attend any 2011 IPT conference or symposia - Annual Conference, Property Tax Symposium, Sales Tax Symposium, Income Tax Symposium, VAT Symposium and the Credits and Incentives Symposium – you are eligible for a \$100 registration discount provided you stay in the program hotel under the IPT room block. This discount will be applied upon verification of your hotel reservation.

The Institute is offering a special opportunity for individuals who attend either the Income Tax or Property Tax Symposium which precedes the Credits and Incentives Symposium. Attend one of these symposia and the Credits and Incentives Symposium and save \$200 off the registration fee. You must stay in the symposia **hotel** under the IPT block to be eligible. 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 October 21, 2011 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 October 21, 2011 (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 MasterCard. 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 October 1, 2011; a \$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 the Symposium. The discount of \$25 does not apply to any payment received after October 1, 2011; after November 11, 2011 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  
Phone: 404-240-2300  
Fax: 404-240-2315

## Hotel Information and Reservations:

The Property Tax Symposium is being held at the Hyatt Regency Monterey Hotel, Monterey, CA, 1 Old Golf Course Road. There are separate costs for the hotel. Room reservations and special requests should be made directly with the hotel as soon as possible. **In order to request a room in the IPT room-block, please call 888-421-1442. Mention that you are attending the Institute's program in all contact with the hotel in order to receive the group rate.** Click here for [online hotel reservations](#).

**Reservations requested after the room block is filled or beyond the cut-off date of October 3, 2011, whichever comes first, are subject to availability.** Rooms may still be available after the room block fills or beyond the cut-off date, but not necessarily at the group rate which is \$185 for single and double occupancy, plus applicable taxes. Additional

adults, 18 years and above, are \$25.00 each. Guest room reservations need to be confirmed with a first night's guarantee, refundable with advance notice of cancellation by 3pm PST 48 hours prior to arrival. Check-in time is after 3:00 p.m. Check-out time is noon.

#### **Ground Transportation:**

The hotel offers complimentary self-parking for guests.

#### **Transportation To/From Monterey Peninsula Airport:**

**Hotel provides complimentary shuttle** to and from Monterey Airport, contact hotel (phone: 831-372-1234 ) upon, or before, airport arrival for hours of operation.

**Taxi** ride will take approximately five minutes and cost: approximately \$8.00 plus gratuity.

#### **To/From San Francisco Airport (110 miles) and San Jose Airport (75 miles):**

**Monterey/Salinas Airbus** provides airport shuttle service between Monterey and San Jose and between Monterey and San Francisco. Advance reservations are required. Call 831-373-7777 or visit [www.montereyairbus.com](http://www.montereyairbus.com) for schedule, pricing, and reservations.

**Symposium Materials:** Prior to the program, registrants will receive access to print papers for the sessions they will be attending. These papers will be available after the Symposium as well. Printed copies of materials will not be given out on site.

#### **Continuing Education**

**Credits:** Approximately twenty (20) CPE credits (including up to 3 IPT ethics credit hours depending upon breakout sessions) are available for full attendance Monday through Wednesday.

As required by regulatory agencies, IPT must verify individual attendance at sessions in order to grant Continuing Education Credits. Each attendee's name badge has a unique barcode that identifies that individual's IPT membership ID number and name. A scanner will be at the door of each session and in order to obtain CE credit, attendees must have their bar-coded badge scanned during the first 15 minutes of each session. A lost name badge should be reported immediately, or at the break, to the registration desk in order to obtain a replacement. If you do not participate in the barcode scanning, IPT will not be able to verify your attendance or award any credit in the future.

CMLs will receive hour-for-hour continuing education credits for actual session attendance based upon scanning and no longer need to submit a form for CMI credit.

Field of Study: Taxation

Prerequisites: None

Program Level: Overview of

Timely Property Tax Issues

Instructional Method: Group Live

Advance Preparation Required:

None

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 submitted to the National Registry of CPE Sponsors through its website: [www.learningmarket.org](http://www.learningmarket.org). In accordance with the standards of the National Registry of CPE Sponsors, CPE credits are granted based on a 50-minute hour. For more information regarding administrative policies such as complaint and refund, please contact our office at (404) 240-2300.

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

Tape recording of sessions is not permitted.

#### **Consent to Use of Photographic Images:**

Photos will be taken at this event. These photos may be published in IPT publications, multimedia presentations, and on our website. Registration and attendance at, or participation in, IPT meetings and other activities constitutes an agreement by the registrant to IPT's use and distribution of the registrant or attendee's image or voice in photographs, videotapes, electronic reproductions, and audiotapes of such events and activities.