

Clay County Appraisal District (CCAD)

Public Complaint Policy

1. General Information:

Clay County Appraisal Districts Board encourages the public to discuss concerns with an appropriate administrator who has the authority to address those concerns/complaints. Concerns/complaints should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

Complaints may be categorized by two broad definitions: (1) Complaints regarding the policies of CCAD, and (2) Complaints regarding the districts personnel. Additionally, complaints may be informal or formal.

2. Guiding Principles:

2-1. Informal Complaint Resolution. Informal resolution shall be encouraged but shall not extend any deadlines in this policy, except by mutual written consent.

2-2 Formal Complaint Resolution. An individual may initiate the formal process described below by timely filing a written complaint form available at CCAD.

Even after initiating the formal complaint process, individuals are encouraged to seek informal resolution of their concerns. An individual whose concerns are resolved may withdraw a formal complaint at any time.

The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or CCAD Board policy, nor to require a full evidentiary hearing.

2-3 Retaliation Provision. Neither the Board nor any District employee shall unlawfully retaliate against any individual for bringing a concern or complaint.

3. General Provisions:

The CCAD Chief Appraiser shall make reasonable attempts to schedule conferences at a mutually agreeable time. If the individual fails to appear at a scheduled conference, the CCAD may hold the conference and issue a decision in the individual's absence.

3-1. Days Defined. "Days" shall mean CCAD business days, unless otherwise noted. In calculating timelines under this policy, the day a document is filed is "day zero." The following business day is "day one."

3-2. Complaint Consolidation. Complaints arising out of an event or a series of related events shall be addressed in one complaint. An individual shall not file separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.

- 3-3. Untimely Filings.** All time limits shall be strictly followed unless modified by mutual written consent.

If a complaint form is not timely filed, the complaint may be dismissed, on written notice to the individual, at any point during the complaint process. The individual may appeal the dismissal by seeking review in writing within ten days from the date of the written dismissal notice, starting at the level at which the complaint was dismissed.

- 3-4. Complaint/Appeal Forms.** Complaints and appeals under this policy shall be submitted in writing using CCAD Complaint Form provided. **Attach 1, CCAD Complaint Form**

Copies of any documents that support the complaint should be attached to the complaint form. If the individual does not have copies of these documents, they may be presented at the informal conference. After the informal conference, no new documents may be submitted by the individual unless the individual did not know the documents existed before the conference.

4. Complaint Procedures

Clay County Appraisal District has outlined in the following paragraphs a process to remedy citizens concern and complaints. We encourage citizens to resolve these at the lowest administrative level possible, however, should it become necessary to file a formal complaint a process is defined as well.

- 4-1 Informal Complaints.** Taxpayers wishing to make a complaint regarding any aspect of CCAD may do so by contacting the CCAD Chief Appraiser or his/her designee. One of these individuals will attempt to resolve the complaint to the taxpayer's satisfaction in an informal conference. If unable to resolve the complaint informally the complainant is allowed five business days to file a formal complaint.
- 4-2 Informal Complaints (Presented during Public Forum).** Complaints regarding the policies or practices of CCAD or those regarding district personnel made by citizens during Public Comment period pursuant to Texas Open Meeting Act at a Board of Directors meeting will not elicit a Board response; however, the Chief Appraiser may express an opinion in an attempt to satisfy the complaint. If the complainant is not satisfied with the informal response, then a conference with the Chief Appraiser or designee can be scheduled for a more detailed discussion in an effort to resolve the issue.

Complaints regarding the appraised value of property will not be brought before the Board of Directors. The Chief Appraiser will refer such complaints to the Appraisal Review Board as necessary.

4-3 Formal Complaints. In the event that the complainant is not satisfied with the outcome of an informal conference a formal complaint form must be completed and filed with the CCAD Chief Appraiser or designee within five business days. The complainant should provide a detailed description of their complaint.

The CCAD Chief Appraiser or designee will accept the complaint form, apply a time stamp, provide a copy to the complainant, enter the complaint into the CCAD log book, and create a complaint file entry.

The complaint will be reviewed by the Chief Appraiser, the appropriate district personnel consulted, and written response prepared.

The proposed response will be an agenda item at the next regularly scheduled CCAD Board of Directors meeting where it will be reviewed and a decision will be rendered, a formal written response will be provided to the complainant.

The complainant and the CCAD Board of Directors will be advised by the Chief Appraiser every 30 days as to the status of any in-progress or pending complaints.

5. Litigation

If any complaint cannot be resolved to the complainant's satisfaction through the informal and formal process and a law suit against CCAD is filed, the complaint, all documentation, proposed solution/remedy will be referred to the District's Attorney for further action. The complainant's will be notified of the referral.

5-1 Attorney Fees/Judgement Damages

Should any members of the CCAD Board of Directors, members of the Appraisal Review Board, Chief Appraiser, or any employees (temporary or part time) of CCAD involuntarily become a defendant in any civil or criminal litigation brought against them pursuant to the performance of their official duties, then the Clay County Appraisal District will assume liability for, and will pay each affected person's attorney's fees incurred in defending said litigation.

In addition, should any judgment for money damages be finally rendered against any of the above-mentioned personnel as a result of said litigation brought against them pursuant to the performance of their official duties, then the CCAD will assume liability for, and will pay all Judgment amount rendered against the affected persons.

Approved and adopted this the 20th day of October, 2022.

Mr. John A. Grunseich
President, Board of Directors
Clay County Appraisal District

Mr. Bobby Elledge
Secretary, Board of Directors
Clay County Appraisal District