

## General Information

**Ad valorem tax**, more commonly known as property tax, is a large source of revenue for local governments in Georgia. The basis for ad valorem taxation is the fair market value of the property, which is established as of January 1 of each year. The tax is levied on the assessed value of the property which, by law, is established at 40% of fair market value. The amount of tax is determined by the tax rate (mill rate) levied by various entities (one mill is equal to \$1.00 for each \$1,000 of assessed value, or .001).

Several distinct entities are involved in the ad valorem tax process:

The **State Revenue Commissioner** is responsible for examining the tax digests of counties in Georgia in order to determine that property is assessed uniformly and equally between and within the counties (O.C.G.A. 48-5-340).

The **County Board of Tax Assessors**, appointed for fixed terms by the county governing authority, is responsible for the appraisal, assessment, and the equalization of all assessments within the county. The Board of Tax Assessors receives tax returns filed by taxpayers and processes applications for homestead exemption. They notify taxpayers when changes are made to the value of property, receive and review all appeals filed, and ensure that the appeal process proceeds properly. In addition, they approve all exemptions claimed by the taxpayer.

The **County Board of Equalization**, appointed by the Grand Jury, is the body charged by law with hearing and adjudicating administrative appeals to property values and assessments made by the Board of Tax Assessors.

The **Board of County Commissioners or County Governing Authority**, an elected body, establishes the annual budget for county government operations and levies the mill rate necessary to fund the portion of the budget to be paid for by ad valorem tax.

The **County Board of Education**, an elected body, establishes the annual budget for school purposes and adopts the mill rate necessary to fund the portion of the budget to be paid for by ad valorem tax.

The **County Tax Commissioner**, an office established by the Constitution, is the official responsible for performing all functions related to billing, collecting, accounting for and disbursing ad valorem taxes collected in this county. The Tax Commissioner also serves as an agent of the State Revenue Commissioner for the registration of motor vehicles.

## Tax Bills

Generally, Baldwin County property taxes are due by **November 15**. If taxes are not paid on the property, it may be levied upon and ultimately sold.

## Tax Returns

Taxpayers are required to file at least an initial tax return for taxable property (both real and personal property) owned on January 1 of the tax year. The tax return is a listing of the

property owned by the taxpayer and the taxpayer's declaration of the value of their property.

Property tax returns must be filed with the Board of Tax Assessors (Tax Assessor's Office) between January 1 and April 1 of each year. After the taxpayer has filed the initial tax return for **real** property, the law provides for an automatic renewal of that return each succeeding year at the value determined for the preceding year. The taxpayer is required to file a new return only as additional property is acquired, improvements are made to existing property, or other changes occur. **Personal** property tax returns are required to be filed each year.

A new return, filed during the return period, may also be made by the taxpayer to declare a different value from the existing value where the taxpayer is dissatisfied with the current value placed on the property by the Board of Tax Assessors. This initiates the taxpayer's appeal process if the declared value is not accepted by the Board of Tax Assessors.

## Assessment Appeals

The Board of Tax Assessors is required to issue a notice of assessment for taxable tangible real and personal property yearly. Upon receipt of this notice, the property owner desiring to appeal the assessment may do so within 45 days. The appeal may be based on taxability, value, uniformity, and/or the denial of an exemption. The written appeal is filed initially with the Board of Tax Assessors. The state of Georgia provides a uniform appeal form for use by property owners. In that initial written dispute, the property owner must declare their chosen method of appeal.

### The three methods of appeal include:

**Board of Equalization:** The appeal is filed by the property owner and reviewed by the Board of Assessors. The Board of Assessors may change the assessment and send a new notice. The property owner may appeal the assessment in the amended notice within 30 days. This second appeal made by the property owner or any initial appeal which is not amended by the Board of Assessors is automatically forwarded to the Board of Equalization. A hearing is scheduled and conducted and the Board of Equalization renders its decision. If the taxpayer is still dissatisfied, an appeal to Superior Court may be made.

**Hearing Officer:** The taxpayer may appeal to a Hearing Officer, who is a certified appraiser, when the issue of the appeal is the value of non-homestead real property, but only when the value is equal to or greater than \$1,000,000. If the taxpayer is still dissatisfied, an appeal to Superior Court may be made.

**Arbitration:** An Arbitration appeal is filed with the Board of Assessors who must notify the taxpayer of the receipt of the arbitration appeal within 45 days. The taxpayer must submit a certified appraisal of the subject property which the Board of Assessors may accept or reject. If the taxpayer's appraisal is rejected the Board of Assessors must certify the appeal to the County Clerk of Superior Court for arbitration. The arbitration is authorized by the judge and a hearing is scheduled within 30 days. The arbitration will issue a decision at the conclusion of the hearing, which is a final and which may not be appeal further.

## Homestead Exemption

Homestead exemptions have been enacted to reduce the burden of ad valorem taxation for Georgia homeowners. The exemptions apply to homestead property owned by the taxpayer and occupied as his or her legal residence. Homestead exemptions are deducted from the assessed value of the qualifying property (40% of the fair market value).

**To receive the benefit of a homestead exemption, the taxpayer must file an initial application.** In Baldwin County the application is filed with the Board of Tax Assessors (Tax Assessor's Office). With respect to all of the homestead exemptions, the Board of Tax Assessors makes the final determination as to eligibility; however, if the application is denied the taxpayer must be notified and an appeal procedure then is available for the taxpayer.

For all homestead exemptions the property must be owned and resided in on January 1 of the year that the homestead is first claimed. Georgia law allows for the year-round filing of homestead applications. The application must be received by **April 1** of the year for which the exemption is first claimed. Homestead applications received after that date will be applied to the **next** tax year.

Once granted, the homestead exemption is automatically renewed each year and the taxpayer does not have to apply again unless there is a change of residence, ownership, or the taxpayer seeks to qualify for a different kind of exemption.

Under authority of the State Constitution several different types of homestead exemptions are provided. These are called **State Exemptions**. In addition, local governments are authorized to provide for increased exemption amounts. These are called **Local County Exemptions**. Baldwin County has such local county exemptions. The **Local County Exemptions** supersede the State Exemptions when the Local Exemption amount is greater than the State Exemption amount. The Tax Assessor's Office can answer any questions regarding the standard exemptions as well as any local exemptions that are in place. They may be reached at 478-445-5300.

### AVAILABLE BALDWIN COUNTY HOMESTEADS (these are State & Local Exemptions combined):

#### STANDARD

| Code | Age | Qualifications | Exemptions |        |
|------|-----|----------------|------------|--------|
|      |     |                | County     | School |
| S1   | --  | --             | 10,000     | 10,000 |

#### AGE

| Code | Age | Qualifications | Exemptions   |  |
|------|-----|----------------|--|--|
|      |     |                | County   | School   |
| S1B  | 60  | --             | 10,000<br>Freezes<br>Value of<br>residence &<br>10 acres | 10,000   |
| SCF  | 65  | --             | 10,000<br>Freezes<br>Value of<br>residence &<br>10 acres | 10,000<br>Freezes<br>Value of<br>residence &<br>10 acres |

|      |    |   |  |   |
|------|----|---|--|---|
| SCL  | 65 | Gross income from all sources in household cannot exceed 40,000 | 10,000   | 100% on residence & 10 acres  |
| SCLF | 65 | Gross income from all sources in household cannot exceed 40,000 | 10,000<br>Freezes<br>Value of<br>residence &<br>10 acres | 100% on residence & 10 acres & Freezes<br>Value of<br>residence &<br>10 acres |

#### VETERAN

| Code | Age | Qualifications   | Exemptions  |   |
|------|-----|--|---|---|
|      |     |  | County  | School  |
| S5   | --  | 100% disabled veteran or un-remarried surviving spouse   | 101,754   | 101,754   |
| S5B  | 60  | 100% disabled veteran or un-remarried surviving spouse   | 101,754<br>Freezes<br>value of<br>residence<br>& 10 acres | 101,754   |
| SDF  | 65  | 100% disabled veteran or un-remarried surviving spouse   | 101,754<br>Freezes<br>value of<br>residence<br>& 10 acres | 101,754   |
| SDL  | 65  | 100% disabled veteran or un-remarried surviving spouse-Gross income from all sources in household cannot exceed 40,000 | 101,754   | 100% on residence & 10 acres  |
| SDLF | 65  | 100% disabled veteran or un-remarried surviving spouse-Gross income from all sources in household cannot exceed 40,000 | 101,754<br>Freezes<br>value of<br>residence<br>& 10 acres | 100% on residence & 10 acres & Freezes<br>value of<br>residence &<br>10 acres |

**UN-REMARIED SURVIVING SPOUSE**

| Code | Age | Qualifications  | Exemptions                                    |  |
|------|-----|---|---|--|
|      |     |   | County  | School   |
| SS   | --  | Un-remarried surviving spouse of US Service Member Killed in Action   | 101,754                                       | 101,754  |
| SSB  | 60  | Un-remarried surviving spouse of US Service Member Killed in Action   | 101,754 Freezes value of residence & 10 acres | 101,754  |
| SEF  | 65  | Un-remarried surviving spouse of US Service Member Killed in Action   | 101,754 Freezes value of residence & 10 acres | 101,754 Freezes value of residence & 10 acres                        |
| SEL  | --  | Un-remarried surviving spouse of US Service Member Killed in Action-Gross income from all sources in household cannot exceed 40,000 | 101,754                                       | 100% on residence & 10 acres   |
| SELF | 65  | Un-remarried surviving spouse of US Service Member Killed in Action-Gross income from all sources in household cannot exceed 40,000 | 101,754 Freezes value of residence & 10 acres | 100% on residence & 10 acres & Freezes value of residence & 10 acres |
| SG   | --  | Un-remarried surviving spouse of firefighter or peace officer killed in line of duty  | 100%  | 100%   |

**Property Tax Deferral Program**

In addition to the various homestead exemptions that are authorized, the law also provides a **Property Tax Deferral Program** whereby qualified homestead property owners 62 and

order with gross household income of \$15,000 or less may defer **but not exempt** the payment of ad valorem taxes on a part or all of the homestead property. Generally, the tax would be deferred until the property ownership changes or until such time that the deferred taxes plus interest reach a level equal to 85% of the fair market value of the property.

**Specialized and Preferential Assessment Programs**

Three general types of specialized or preferential assessment programs are available for certain owners of certain types of property. One of these programs authorizes assessment at 30% rather than 40% of fair market value for certain agricultural properties being used for bona fide agricultural purposes.

The second and third types of preferential programs are the **Conservation Use** and **Forest Land Protection** programs which provide that certain property is to be valued and assessed for ad valorem tax purposes as its current use value rather than its fair market value.

Each of these specialized or preferential programs requires the property owner to covenant with the Board of Tax Assessors to maintain the property in its qualified use for 10 or 15 years in order to qualify for the preference. These exemptions must be filed between January 1 and April 1 of the first year that it is claimed. The Board of Tax Assessors (Tax Assessor's Office) can explain the ownership and use restrictions regarding property qualifying for each of these programs.

**Rehabilitated and Landmark Historic Property**

Historic property that qualifies for listing on the Georgia National Register of Historic Places may qualify for preferential assessment. This exemption must be filed between January 1 and April 1 of the first year that it is claimed. The Board of Tax Assessors (Tax Assessor's Office) can explain the ownership and use restrictions regarding property qualifying for this assessment.

**Brownfield Property**

Property which qualifies for participation in the State's Hazardous Site Reuse and Redevelopment Program and which has been designated as such by the Environmental Protection Division of the Department of Natural Resources may qualify for preferential assessment. This exemption must be filed between January 1 and April 1 of the first year that it is claimed. The Board of Tax Assessors (Tax Assessor's Office) can explain the ownership and use restrictions regarding property qualifying for this assessment.

**IF THERE ARE ANY CHANGES IN YOUR STATUS REGARDING YOUR HOMESTEAD EXEMPTION OR ANY SPECIAL EXEMPTION, YOU ARE REQUIRED TO NOTIFY THE BOARD OF TAX ASSESSORS (TAX ASSESSOR'S OFFICE).**

For further information regarding property taxation in Georgia please visit the State of Georgia Local Government Services Division at: <http://dor.georgia.gov>

CATHY FREEMAN SETTLE  
TAX COMMISSIONER  
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**IMPORTANT TAX INFORMATION**

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The duties and responsibilities of this office are numerous, but our main function is to serve you, the citizens of Baldwin County. This brochure has been furnished to help answer some of your questions regarding county taxes.

My staff and I are here to answer your questions and provide the best public service possible. Please feel free to contact this office if you have any questions regarding the information contained in this brochure.

Cathy Freeman Settle  
Tax Commissioner

**BALDWIN COUNTY**

You may contact the Baldwin County Tax Assessor's Office at:  
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