

A. Property Taxes Generally:

Generally speaking, one's property cannot be reassessed for reconstruction after a natural disaster, or for fire-safety or seismic safety improvements. However, if in rebuilding after a natural disaster the owner adds more square footage or makes other changes that trigger an increase, their assessed value may increase.

B. Calamity Damage Reassessment:

California's property tax laws allow the Assessor to adjust assessed values after destruction of real or personal property caused by a calamity or misfortune. To be eligible for this tax relief:

- 1) The application (see last PDF attached) must be submitted by the person who was owner of the damaged property on the lien date (January 1) and who will be liable for the property taxes for the next fiscal year;
- 2) The damage must have occurred due to misfortune or calamity without fault of the owner;
- 3) You must apply within 12 months of the date on which the disaster occurred or within 60 days following the date an application form is mailed to you from the Assessor's Office; and
- 4) The damage to your property must exceed \$10,000 in value loss.

C. Base year value transfers for properties that have been damaged in a Governor-proclaimed disaster:

There are two kinds, and each has different requirements:

- 1) Proposition 50 – allows property owners to transfer the base year value of the original property that has been substantially damaged or destroyed by a disaster to comparable property located in the same county. Requirements:
 - a. Must be a Governor-proclaimed disaster;
 - b. Both properties must be located within the same county;
 - c. Allows any type of real property;
 - d. Replacement property must be similar in size, utility and functions;
 - e. Acquired within 5 years - real property must be purchased or newly constructed;
 - f. The type of ownership is not limited – can include legal entities
 - g. No filing deadlines. If the taxpayer doesn't file within 4 years of acquiring or building the replacement property, the Assessor can only correct 4 years of assessments.
- 2) Proposition 171 – inter county transfers. Allows for a base year value transfers from a principal residence that is damaged or destroyed in a Governor-declared disaster to another county. Requirements:
 - a. Must be a Governor-proclaimed disaster;
 - b. Inter county transfers – receiving county must have ordinance (Sonoma County has this ordinance);
 - c. Limited to principal places of residence;
 - d. Replacement home must be equal or lesser value;
 - e. Acquired within 3 years;
 - f. Only individuals are eligible – property owned by legal entity is ineligible;
 - g. Claim must be timely filed: within 3 years of the date of purchase or completion of new construction.