

## CHAPTER 429

### NOTIFICATION OF TAXPAYERS

Referred to in [§440.2](#), [441.47](#)

|       |                       |       |                  |
|-------|-----------------------|-------|------------------|
| 429.1 | Notice of assessment. | 429.3 | Judicial review. |
| 429.2 | Appeal.               |       |                  |

#### 429.1 Notice of assessment.

The department of revenue shall, at the time of making the assessment of property as provided in [chapters 428, 434, 437, and 438](#), inform the person assessed, by mail, of the valuation put upon the taxpayer's property. The notice shall contain a notice of the taxpayer's right of appeal to the director of revenue as provided in [section 429.2](#).

[C81, §429.1]

[86 Acts, ch 1241, §37; 2002 Acts, ch 1150, §12; 2003 Acts, ch 145, §286; 2015 Acts, ch 109, §19, 75; 2018 Acts, ch 1158, §13, 28](#)

#### 429.2 Appeal.

1. The taxpayer shall have thirty days from the date of the notice of assessment to appeal the assessment to the director of revenue. Thereafter, the proceedings before the director of revenue shall conform to the provisions of [subsection 2](#) and [chapter 17A](#).

2. The following rules shall apply to the appeal proceedings in addition to those stated in [chapter 17A](#):

a. The department's assessment shall be presumed correct and the burden of proof shall be on the taxpayer with respect to all issues raised on appeal, including any challenge of the department's valuation.

b. The burden of proof must be carried by a preponderance of the evidence.

c. The director of revenue shall consider all evidence and witnesses offered by the taxpayer and the department, including but not limited to evidence relating to the proper valuation of the property involved.

d. The director of revenue shall make an independent determination of the value of the property based solely upon the director's review of the evidence presented.

e. Upon the request of a party, the director of revenue shall set the case for hearing within one year of the date of the request, unless for good cause shown, by application and ruling thereon after notice and not ex parte, the hearing date is continued by the director of revenue.

[C31, 35, §6982-d3; C39, §[6982.3](#); C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, §428.30; C81, §429.2]

[94 Acts, ch 1133, §9, 16; 99 Acts, ch 151, §44, 89; 2006 Acts, ch 1010, §109, 110; 2015 Acts, ch 109, §20, 75; 2016 Acts, ch 1128, §7, 16, 24](#)

Referred to in [§429.1](#)

#### 429.3 Judicial review.

Judicial review of the action of the director of revenue may be sought by the taxpayer in accordance with the terms of [chapter 17A](#).

[C31, 35, §6982-d4; C39, §[6982.4](#); C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, §428.31; C81, §429.3]

[94 Acts, ch 1133, §10, 16; 2003 Acts, ch 145, §286; 2015 Acts, ch 109, §21, 75](#)