

**Testimony of
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Planning and Development
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Good Afternoon. My name is Bonnie Stewart and I am Vice President of Government and Public Affairs & General Counsel for the Connecticut Business and Industry Association (CBIA). CBIA represents more than 10,000 job creators throughout the state of Connecticut ranging from one-person businesses to large corporations. The majority of our members have fewer than 25 employees.

I would like to express CBIA's concerns with, and therefore opposition to, **HB 6495**.

In order to remain competitive, the members of the CBIA must ensure that the property tax assessments of the commercial properties they own and lease are fair and equitable. On those occasions when they are not, our members must avail themselves of the opportunities provided to them under Connecticut law to appeal the assessments. That usually means initial appeals to the local Boards of Assessment Appeals or BAAs. As you know, the BAAs are not obligated to hear commercial property appeals when the property at issue is assessed at over \$1,000,000. This option to summarily deny an appeal without a hearing is exercised by many BAAs throughout the State. Those BAAs that do hear commercial property appeals are often reluctant to make changes to the assessments for a variety of reasons. The result of all this is that many commercial property tax appeals must of necessity be filed in court.

If a taxpayer must go to court to seek redress, they should have the ability to select competent counsel of their choosing and enter into a fee arrangement with that attorney that is suitable to them. This may mean a fee calculated based on the outcome of the appeal, particularly when the need to challenge an inequitable assessment is

unanticipated and unbudgeted. HB 6945 unfairly restricts a taxpayer's access to counsel of its choosing for the following reasons:

The 20% restriction contained in the bill is unjustifiably lower than the contingent fee percentages that clients are able to agree to in other contexts.

- The bill restricts the ability of a taxpayer to structure a contingent fee arrangement that reflects the unique facts and circumstances of its particular appeal as well as its business objectives.
- The bill does not allow informed property owners to waive the 20% restriction if they wish to do so.

HB 6945 will have the effect of imposing unreasonable and unnecessary restrictions on the ability of taxpayers, including members of the CBIA, to pursue equitable property tax assessments through the courts with the assistance of experienced attorneys. These restrictions will disproportionately impact the many owners and lessees of smaller commercial properties. The CBIA opposes the arbitrary and inflexible limitations contained in **HB 6945**.

Thank you for the opportunity to express our concerns.