



Proposition 3
Base Year Value Transfer
Government Acquisition – Eminent Domain
(Revenue and Taxation Code Section 68)



Sacramento County Office of the Assessor

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Introduction

[Revenue Taxation Code \(RTC\) 68](#) provides that, a property owner displaced through eminent domain, public entity acquisition, or inverse condemnation judgement may transfer the taken property's base year value to a comparable replacement property acquired in any California county, if certain conditions are met.

As specified in California State Board of Equalization (BOE) Property Tax Rule (PTR) 462.500, qualifying conditions include but are not limited to:

- Only the owner(s) of the taken property may receive this property tax relief.
- The replacement property must be acquired before a request is made to transfer the base year value.
- The transfer request must be made within four years after one of the following dates, whichever is applicable:
 - For property acquired by eminent domain, the date the final order of condemnation is recorded or the date the taxpayer vacates the property taken, whichever is later.
 - For property acquired by a public entity purchase or exchange, the date of conveyance or the date the taxpayer vacates the property taken, whichever is later.
 - For property taken by inverse condemnation, the date the inverse condemnation judgment becomes final or the date the taxpayer vacates the property taken, whichever is later.
- The taken and replacement properties must be comparable size, utility, and function.
 - A replacement property is considered comparable in size when it will be used in the same way as the taken property, and its full cash value does not exceed 120% of the award or purchase price paid for the original property.
 - New construction to the replacement property may qualify under certain conditions.

An Application Form and Documentation Are Required:

A **BOE-68 Claim for Base Year Value Transfer - Acquisition By Public Entity (BOE-68)** must be filed with the Assessor's Office in the county where the replacement property is acquired.

RTC 68, Base Year Value Transfer Application forms for Sacramento County are available online at:

<https://www.capropeforms.org/counties/sacramento/form/BOE-68> by calling 916-875-0700 (8am to 5pm), or, by e-mail to ASR-Standards@sacounty.net.

When a taxpayer acquires replacement property within the four-year period, but misses the four-year filing deadline, four-years of retroactive relief may be available, if all other state law conditions are met.

The applicant must provide documentation as specified in Part C of the BOE 68 Claim Form and all other data requested by the Assessor's Office. This information is necessary for Assessor's staff to determine eligibility and calculate the new base year value of the taken property in conformance with criteria specified in [RTC 68](#) and further expanded on by [BOE Property Tax Rule 462.500](#).

The Assessor's staff reviews and evaluates each BOE 68 Application based on the facts of each transaction. Documents requested from relocating property owners and/or acquiring public agencies may include but are not limited to:

- Purchase offers, under threats of or in lieu of eminent domain proceedings
- Order to Vacate or similar document, to verify date of displacement
- Amount of relocation benefits, as distinct from award amount / purchase price
- Purchase price of replacement property
- Date that replacement property acquired or purchased
- Ownership / title of replacement property as compared to the taken property
- Category of use for both the taken and replacement property

Determination of Replacement Property Base Year Value (BYV)

The base year value (BYV) of the replacement property will be determined by comparing the award or purchase price paid for the taken property with the full cash value of the replacement property.

1. If the value of the replacement property does not exceed 120% of the award or the purchase price paid for the taken property, then the adjusted BYV of the taken property becomes the replacement property's BYV.
2. If the full cash value of the replacement property exceeds the 120% level, the amount of full cash value in excess of 120% will be added to the BYV of the taken property. This sum becomes the BYV of the replacement property.
3. If the full cash value of the replacement property is less than the BYV of the taken property, that lower value becomes the BYV of the replacement property.
4. If an exchange occurs for which no award or price is paid for the taken property, the Assessor must determine the full cash value of both the taken property and the replacement property.

Assessor Notification to BOE

The Assessor will forward information relative to each claim for property tax relief under this program to the Board of Equalization, County-Assessed Properties Division, MIC: 64, P.O. Box 942879, Sacramento, CA 94279-0064, which will determine whether more than one claim for such assessment relief has been made and, if so, will notify the appropriate Assessor(s).

For More Information:

Property owners can find more information on the Assessor's website Base Year Value Transfer page:

<https://assessor.saccounty.net/LowerMyTaxes/BaseYearValueTransfers/Pages/default.aspx>

LTA 2016/008, <https://www.boe.ca.gov/proptaxes/2016.htm>

Addresses applications filed more than four years after the qualifying dates see RTC 68 (b) and (c).

LTA 2007/021, <https://www.boe.ca.gov/proptaxes/2007.htm>

RTC 68 Base Year Transfer to any California County.

LTA 2005/007, <https://www.boe.ca.gov/proptaxes/2005.htm>

Amendments to BOE Property Tax Rule 465.500 as 12/18/2004.

BOE Annotation 200.0371: <http://www.boe.ca.gov/lawguides/property/current/ptlg/annt/200-0371.html>

Contact or Visit Us

**Office Hours: 8:00am to 5:00pm
Monday to Friday (Excluding Holidays)**

**Telephone: (916) 875-0700
8:00am to 4:00pm**

Assistance for the hearing impaired is available
by calling 711 for California Relay Service

Email: assessor@saccounty.net

