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Victory for Taxpayers in Travis County
Misguided City of Austin Lawsuit Thrown Out

Austin - In a major victory for Texas taxpayers, Judge Tim Sulak of the 126th District Court in Travis County today threw out the city of Austin's lawsuit seeking to increase property values and eliminate established taxpayer protections.

"Despite a 30% increase in appraised values in just three years, the city of Austin has attempted to eliminate taxpayer protections and increase the tax bills of Travis County property owners," said Senator Bettencourt. "As predicted, the court has rejected their outrageous attempts at every turn."

In their lawsuit, the city of Austin argued that commercial properties were under appraised, and challenged the value of all commercial property in Travis County. To further complicate their lawsuit, the city argued that they should not be required to even serve the 19,000 property owners in this lawsuit because it could cause "stress", "confusion", and "anger."

"Not only did the City of Austin want to sue property owners to increase their tax bills, they did not even want to tell those County taxpayers what they were doing!" said Senator Bettencourt. "I am pleased that a group of taxpayers stood up to the city and refused to allow their basic rights to be trampled."

Under Article 8, Section 1-b of the Texas Constitution, only the Legislature has the authority to determine how the market value of real property will be appraised. The lawsuit by the city of Austin was an attempt to undermine this authority. Despite not being served, a group of taxpayers, including the Texas Association of Realtors, took a stand against this attempted abuse and fought the city of Austin in court.

"These type of abuses by taxing entities are a main reason why Lieutenant Governor Patrick appointed the Select Committee on Tax Reform and Relief," continued Chair Bettencourt. "I look forward to holding hearings where we will discuss legislative measures to prevent abuses such as this in the future."

Senator Bettencourt would like to commend Lorri Michel, Mark Hutcheson, Danny Smith, Bill Aleshire and their fellow attorneys for standing up for hard pressed taxpayers and defeating the city's outrageous suit.

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