

# APPRAISING THE PLAINS *of Kansas*

Volume 28 | Issue 1 | Spring 2024



## WELCOMING A NEW BOARD

The new KCAA board members were installed during the KAC business meeting in November. From left to right: Melody Kikkert, Montgomery County; Mindy Harting, Sheridan County; Ryan Michaelis, Wabaunsee and Morris County; Maria Castillo, Finney County; Lisa Berg, Dickinson County; Deb Studebaker, Butler County; Lori Reedy, Cowley County; Ryan Janzen, Lyon County; and DeLinda White, Labette County.

KCAA News + Notes starts on page 11 and includes KCAA education opportunities, September and November minutes from the KCAA executive plus recent retirees and a recap of the legislative reception.

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# RYAN'S RAMBLINGS

**RYAN MICHAELIS, RMA, WABAUNSEE AND MORRIS COUNTIES  
KCAA PRESIDENT**

Happy spring to everyone in the appraisal world! Spring has always been my favorite time of the year.

For those that don't know me, I grew up in Paxico

on a small, diversified farming operation, graduated from Wabaunsee High School and went on to get a degree in animal science and industry from Kansas State University (EMAW).

I got married to my beautiful wife Tonia in 1995 and have two daughters Mandy (son-in-law Logan) and Britt (soon-to-be-son-in-law Marcus). Mandy and Logan added adorable granddaughter Kollyns in October.

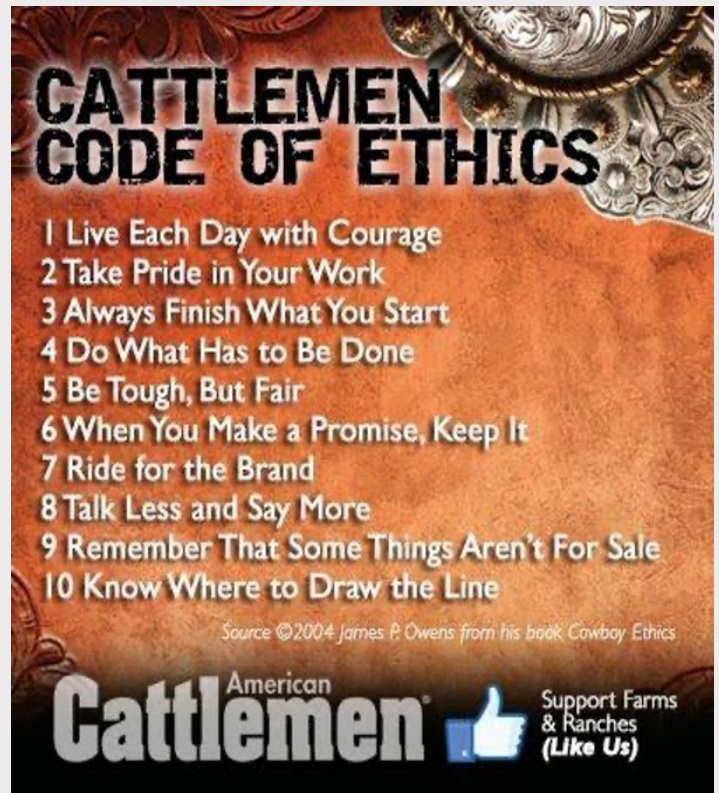
Some of you know me as a cowboy at heart and appraiser by day. Others just might know me as the appraiser for Wabaunsee and Morris County.

I didn't pick this profession by choice, like so many of you out there, but it's a profession I have grown to care about and try my best to do well. I've been the Wabaunsee County appraiser for 11 years and added Morris County appraiser title in 2020.

I was put on a fast track to get my appraiser's license back in 2012 when the county commissioners brought me in and sat me down and said we want you to become our new appraiser. At that point, I had very little experience in the field. They told me I had the right attitude to be an appraiser, which at the time I wasn't sure what they were talking about. As for most of my adult life, I had just worked with cows daily. What did that have to do with being a county appraiser?

Most would think ranching and being a county appraiser wouldn't have a whole lot in common. But I now disagree. I have a big poster hanging in both my offices and I make sure it is seen by all that come

in to talk to me, whether it be a hearing or just to discuss what is going on in the area or world. That poster is titled "Cattleman's Code of Ethics."



Every one of these codes can be related to what we do as an appraiser. My favorites from this list are:

- No. 5 — Be tough, but be fair. In other words, have confidence in your work, but don't be afraid to make a change.

- No. 7 — Ride for the brand. Know who you work for!

- No. 10 — Know where to draw the line.

I hope everyone has a great year and I look forward to seeing everyone in Hays for our annual conference in June. ■



## KCAA Annual Conference

**Hays, Kansas**

**Tuesday, June 4 – Friday, June 7**

**[Hilton Garden Inn](#), 221 W. 43rd St.**

**More info on page 9**

*Image source: CityOfHays, CC BY-SA 3.0*



# LEGISLATIVE UPDATE

SEAN ROBERTSON, RMA, SALINE COUNTY,  
KCAA LEGISLATIVE REPRESENTATIVE



*Image Source: Visit Topeka*

The 2023-2024 Kansas legislative session has been an incredibly active one regarding appraisers/valuation/property taxes, but most of the bad pieces have been avoided ... for now.

**SCR1611** was a 4% annual cap on individual property values. This measure passed the Senate by one vote and then was sent to the House. House Tax Committee Chair Adam Smith was not a big fan of the cap, so he introduced **HCR5025**, which was using a 10-year average to value residential properties.

Neither of these measures were brought to a vote in the tax committee, so it's not expected either will become law anytime soon. Had either of these passed the legislature, it would have been put on the November ballot since these are constitutional changes.

**SB323** was another measure that concerned KCAA. This would have made the county appraiser an elected position. This idea is introduced every couple of years but never seems to get much traction. This session was no exception as the bill never even got a committee hearing.

**SB410** and **HB2036** are two pieces of legislation that have passed. SB410 was signed into law by Governor Laura Kelly and HB2036 was vetoed.

**SB410** provisions that affect property taxes and/or appraisers include:

- Codifying when adverse influences for ag land should be used.
  - Requiring the land of a registered agritourism property (through the State Department of Commerce) be appraised at ag use value.
  - Allowing Kansas certified residential appraisers to submit an appraisal for a supplemental appeal (enacted in 2016).
  - Allowing Kansas Board of Tax Appeals to have hearings by phone or teleconference.
  - Changing personal property filing to a one-time filing (the personal property will stay on the tax roll until we are informed it is gone, so this would substantially eliminate the need to mail renditions).
  - Lowering the penalty amounts for failure to file.
  - Authorizing the appraiser to abate failure to file penalties.
- HB2036** lowers the state school levy to 19.5 mills and increases the residential exemption from that levy to the first \$100,000 of value.

**HB2096** is one measure still lurking in the shadows. This includes:

- An exemption for restaurant, day care or health club properties if a government product or service competes with them (commonly known as the Genesis bill).
  - Exempting many personal property items such as ATVs, boats, trailers and golf carts.
  - Prohibiting 1031 exchanges, build to suit transactions and sale-leasebacks from being used in analysis or valuation (essentially codifying dark store theory).
  - Requiring five years of valuations on change of value notices.
  - Allowing an informal hearing and a payment under protest in the same tax year.
- Time will tell whether any of these things mentioned will be implemented and there will be varying opinions on what is good versus bad. At any rate, there are several changes that could be made to the way Kansas county appraisers do their jobs. ■

# 2023 Orion User Conference



## ORION USER CONFERENCE HELD NOV. 2-3 IN WICHITA

JANAE ROBBINS, RMA, WYANDOTTE COUNTY  
ORION ENHANCEMENT COMMITTEE CHAIR

### ORION ENHANCEMENT COMMITTEE

The Orion enhancement committee met with key members of the Orion software team to obtain status updates on enhancements in progress, needed fixes and ideas for future improvements.

Topics discussed this year included:

- Generating NBHD profiles from within Orion
- Sales ratio and income reports options
- Comp sales map in Spatial (adding identifiers)
- Cap rate separation and the additional of fields in the comm. basement section
- Transfer tab modifications in grid
- Form token to pull in items from the document's tab
- Final review program to select adjusted sale price value along with other modifications

### ORION USER CONFERENCE

2023 brought many changes to the Orion enhancement committee. Janae Robbins, Wyandotte County, replaced Allen Todd as committee chair. A new, sharable tracking system for request and fixes was deployed and the committee added several new members.

The Orion user conference opened with a meeting between KCAA's Orion enhancement



committee and the Orion software team. The morning was filled with lots of great ideas and discussions on what was possible for the Orion product.

There were 107 appraisers throughout Kansas in attendance this year, and per tradition, the taco bar lunch buffet was a success. Per the post conference survey, more cheesecake has been requested for the next conference. Although the conference room was cramped and time was short, a lot of good ideas and future development items are now in the works.

The Tyler Technologies team guided attendees through new functionality, the Orion product road map, field mobile updates, a question/ answer session, followed by a tax product overview for those counties interested. With Assessment Connect going live, it was great to see how other counties were working in it.

On Friday, we discussed the time-adjusted sale price feature coming in a patch in 2023 and how appraisers can

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*Pictured above: Clayton Slade, senior product analyst, provides an overview of changes to the Field Mobile software.*

# Orion User CONFERENCE



*Pictured above: Mark Hublall, manager and software engineer, demonstrates the Tyler Deploy system.*

*Orion continued from page 5*

incorporate it into the analysis. A session on Orion best practices gave appraisers some insight on some features not widely known or used such as hotlinks, sale listing tracking, CDU as a multi-code field, utilizing the events tab for tracking agricultural items, expansion of code files and more.

Other sessions included understanding tokens for generating forms from within Orion, sales ratio report requests, explanation of the new time adjusted sale price variables, use of effective age and a quick overview of WyCo's Field Mobile.

In an effort to bring more awareness on how other counties are doing certain processes in Orion, the committee will be setting up future roundtable discussions to be held virtually throughout the year. These include designing and setting up of appeal and transfer packets, the different options and uses of the Orion tabs that counties have implemented and learning how different counties have setup certain processes such as market modeling, Field Mobile, market data tracking and so on.

Another new feature the committee implemented in 2023 was online surveys. Each county's opinions are valuable and help grow the Orion product and its users. We'd like to extend a big thank you to all those who were able to share their thoughts. The post conference survey has already helped the committee in planning for the 2024 Orion users conference.



*Pictured above: Members of the KCAA Orion enhancement committee meet with Tyler Technologies staff to discuss proposed upgrades to the assessment and tax pro software.*

## ADDITIONAL RESOURCES

Orion user documents and conference materials can be found on the KCAA site: [kscaa.net/pvd-weekly-conference-call-notes/23-directors-update](https://kscaa.net/pvd-weekly-conference-call-notes/23-directors-update).

If you have ideas on a new Orion enhancement or would like to provide feedback about the previous year's user conference, please contact one of the Orion enhancement committee members at [kscaa.net/county-appraisers-2/kcaa-leadership](https://kscaa.net/county-appraisers-2/kcaa-leadership). ■

# 2023 KAC Conference

## The Basics of the Kansas Legislative Process

LISA REE, RMA, RETIRED



The 2023 Kansas Association of Counties conference was held Dec. 5-7 in Wichita. The conference is geared toward the full

gamut of elected and appointed county positions, such as commissioners, administrators, public works directors, appraisers, clerks, treasurers and registers of deeds. The event provided a variety of topics for attendees.

Jay Hall presented an overview of the Kansas legislature, including the makeup of the legislature and how a bill becomes law. The Senate consists of 40 senators while the House includes 125 representatives. District boundaries are set so each legislature has as an equal number of constituents as possible. Redistricting of boundaries occurs every 10 years.

Hall's opinion is there are three P's to the Kansas legislature that drives all legislation: politics, priorities and personalities. Each legislator has their own legislative priorities. Whatever is most important to them will most likely be what they work on first. For any legislation to be worked through the process, different personalities in the legislature must work together.

The only way a bill can get introduced is to present an idea to a legislature or a committee and request a bill be introduced. If accepted, then a bill will be drafted. A bill will include which side of the aisle it comes from, the committee or legislator sponsoring the bill, and the date the bill was introduced. All senate bills include SB1 through SB999. House bills include four numbers and start at HB2001.

The majority of the work completed on a bill is performed within its assigned committee. A committee chair and vice-chair are assigned by leadership. The committee also includes the ranking minority member and general members of the body. As an example, the Senate Assessment and Taxation Committee includes Caryn Tyson-R (chair), Virgil Peck-R (vice-chair) and Tom Holland-D (ranking minority member.)

Also included are six republican members and two democrat members. The committee chairs set the committee schedule and run the meetings. The

bills a chair considers a priority will get worked first. The tasks that leadership considers a priority can also influence the agenda of a committee.

### 2023-2024 LEGISLATIVE SESSION

The Kansas legislature website, [kslegislature.org](https://kslegislature.org), provides an easy way to track what is happening in a committee, with a bill and each chamber. On a committee's page, you will find its weekly agenda, what days and time it meets and a link to its meeting room audio. Also on the page is a listing of members as well as bills and resolutions in committee, and bills sponsored by the committee.

The page associated with a bill will include the bill's history, when and where it was introduced, if a hearing was held and any action taken. Also included is the actual wording of the bill and any supplemental notes and fiscal notes for the bill. The supplemental note is a brief overview of the bill and includes any amendments to the bill. The fiscal note lays out how the bill would affect revenues received by the state. If applicable, any testimony and minutes are available as well. On the website, you'll also find links to live and archived committee meetings.

### CALENDARS

Daily calendars for each chamber are available and include the proceeding and order for the day. Listed on the calendar are the general orders, which are set by leadership. The orders include what bills will be debated on the floor and voted on during the action of that day. Another helpful item on the website is a diagram of how a bill becomes law.



Another way to keep up to date on what's going on within the legislature is to sign up for the RSS (Really Simple Syndication) feed. The feed can save you a lot of time searching the legislature website for any new activity for entities such as a committee or conference committee and also for enrolled bills, final actions or governor's action.

### NOTIFICATIONS

There is a lot more information available on [kslegislature.org](https://kslegislature.org) to anyone who takes the time to explore the site. It provides an easy way to track what a committee is working on, how a bill is progressing through the legislature and where to watch live or recorded committee meetings. ■

# Legal Corner: District Court Findings



BRAD ELDRIDGE, MAI, CAE, DOUGLAS COUNTY, EDITOR

## DOUGLAS COUNTY DILLONS DECISION

After the Kansas Board of Tax Appeals upheld Douglas County's values on four Dillons grocery stores for the 2018-2020 tax years, Linda Terrill filed a petition for De Novo hearing in District Court. In May 2023, the matter was heard before the court through a one-week trial as ARC DFL WRKS001, L.L.C., et al. v. BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS (CASE NO. 2022-CV-265).

In a De Novo trial, "the county appraiser shall have the duty to initiate the production of evidence to demonstrate, by a preponderance of the evidence, the validity and correctness of such determination." ([K.S.A. 74-2426](#))

After careful consideration of the evidence, the applicable legal authority and the arguments of counsel, the court ruled that Douglas County's (the respondent's) determination of the fair market values of the Dillons (petitioners' properties) for the years at issue were valid and correct.

Some District Court or Appeals Court decisions result in matters of law that have lasting implications on appraisal practice for county appraisers in Kansas.

Such examples would be the Cashatt case (highest and best use; actual use determines classification) or the Smith case (land devoted to agricultural use; agricultural classification).

The Dillons decision was straightforward, with only a couple of determinants of law that impact county appraisers going forward. These key determinations are noted in the following sections.

## MASS APPRAISAL IS REQUIRED BY LAW

One of the arguments made by the petitioner (Dillons) is that their single-property appraisals were more accurate than the county's mass appraisals. The petitioner presented well-qualified experts (two MAI appraisers) in support of their argument. However, the petitioner did not have a rebuttal witness who was an expert in mass appraisal.

The county's argument that mass appraisal is required by law was affirmed in the decision as a conclusion of law:

"The county appraiser shall follow the policies, procedures and guidelines of the director of property valuation in the performance of the duties of the office of county appraiser. If the director has developed and adopted methodologies to value specific types of property, the county appraiser shall be required to follow such methodologies." [K.S.A. 79-1456\(a\)](#). Mass appraisal is required by the revaluation maintenance specifications issued by the Kansas Department of Revenue, Property Valuation Division Director.

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# LEGAL CORNER

## DISTRICT COURT FILINGS

*Legal Corner continued from page 7*

### CONSIDERATION OF BUILD-TO-SUIT RENTS IS ONE PART OF A CREDIBLE APPROACH TO DETERMINATIONS OF THE FAIR MARKET VALUE OF A FEE SIMPLE INTEREST

The petitioner argued that the county did not properly “disentangle” data obtained from build-to-suit leases. This position continues the recently rejected assertion by the Kansas Supreme Court that build-to-suit leases must be ignored.

The county presented an analysis that included build-to-suit leases that was affirmed in the decision as a conclusion of law:

The county addresses the difficulty posed by build-to-suit rents by considering a variety of relevant factors and by analyzing build-to-suit rents alongside non-build-to-suit rents. The county points out the risks of ignoring the build-to-suit market because that information can provide important insights into the market, especially for Investment Class A and B properties. The county’s nuanced consideration of build-to-suit rents was one part of a credible approach to determinations of the fair market value of a fee simple interest in the subject properties.

A copy of the Dillons decision is not available online due to the cybersecurity incident experienced by the Kansas courts. If you would like a copy of the decision, please email Brad Eldridge.

In related news, [SB 311](#) (exclusion of 1031 exchange transactions) passed in the Senate tax committee in the 2024 session with a last minute addition to exclude build-to-suit rents. Refer to Legislative Update section of this newsletter for more information.

### JURY TRIAL NOT AN OPTION FOR DE NOVO HEARINGS AT DISTRICT COURT

As referenced in the previous section, [KSA 74-2426](#) provides the legal due process avenue for aggrieved parties in the value appeal process. Some petitioners have requested for these hearings to be jury trials instead of a bench trial (which is a proceeding where only the judge hears the matter).

These requests have recently been rejected by the respective district court judges overseeing the matter in Johnson County and Douglas County. The primary rationale is as follows:

- The clear language of [K.S.A. 74-2426\(c\)\(4\)\(B\)](#) speaks of trial to the court and does not include any language or a jury.
- Omission of any reference to a trial by jury supports the argument fits the exclusion established in [K.S.A. 60-239\(a\)\(2\)](#) because the statute does not specifically confer a right to a jury trial, as no demand is made in a De Novo hearing.
- The purpose of such hearings are to make determinations on matters of law, not personal demands.

### EVIDENCE CANNOT BE LIMITED IN DE NOVO HEARINGS AT DISTRICT COURT

In a recent matter filed in the Douglas County District Court, the petitioner requested the court limit evidence presented. Specifically, the plaintiff sought to restrict evidence of: (a) the effective age of the property; (b) information obtained or created after March 2022; (c) the use of the cost approach; (d) the use of the gross rent multiplier income valuation method; and (e) any other “undisclosed” methods of valuation.

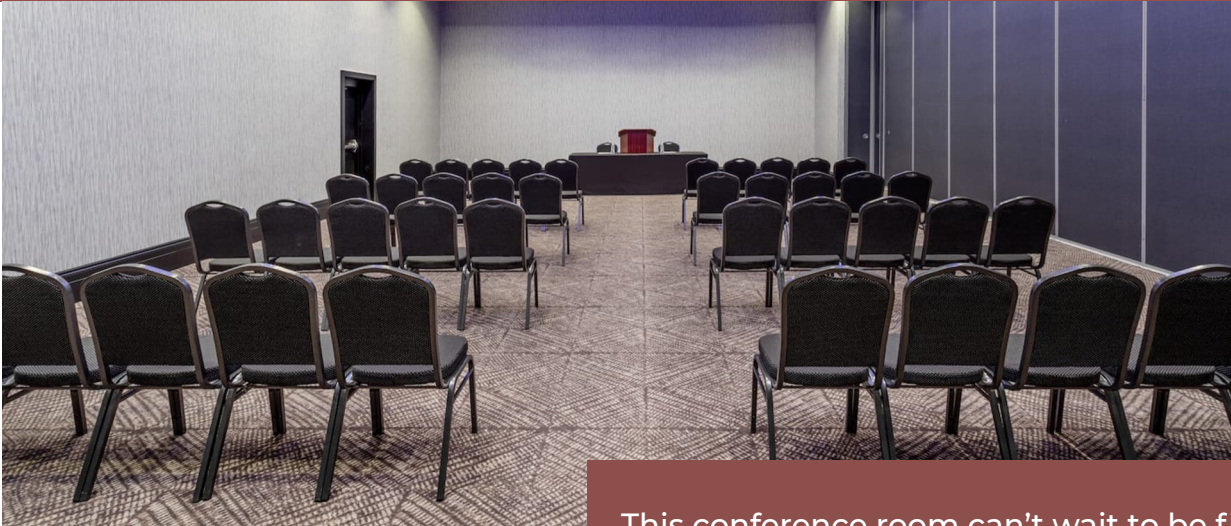
Again, [K.S.A. 74-2426\(c\)\(4\)\(B\)](#) provided guidance on this issue:

The trial De Novo shall include an evidentiary hearing at which issues of law and fact shall be determined anew. With regard to any matter properly submitted to the district court relating to the determination of valuation of residential property or real property used for commercial and industrial purposes for taxation purposes or the determination of classification of property for assessment purposes, the county appraiser shall have the duty to initiate the production of evidence to demonstrate, by a preponderance of the evidence, the validity and correctness of such determination.

The judge found that the statute affirms a new (De Novo) hearing and the corresponding evidence should not be limited. ■

*Image Source: Office 365 Stock Images*

# Upcoming Conferences



This conference room can't wait to be filled with appraisers working on professional development.

## KCAA Annual Conference

**Tuesday, June 4 – Friday, June 7**

**Hilton Garden Inn, 221 W. 43rd St., Hays**

KCAA is excited to be planning the 2024 annual business conference. Note the change in the days of the conference. We'll be starting on Tuesday and ending on Friday. There will be a vendor area at the Hilton each day and continental breakfast Thursday and Friday mornings.

### **TUESDAY**

Afternoon — Meet and greet, Hilton Garden Inn hospitality room.

Night — Bowling

### **WEDNESDAY**

Morning — Golf, Fort Hays Municipal Golf Course

Afternoon — Opening speaker and KCAA business meeting

Night — Meal and entertainment

### **THURSDAY**

Day — Education offerings, luncheon

Night — Dinner and entertainment, Hilton Garden Inn. KCAA retirees will be recognized at dinner.

### **FRIDAY**

Morning — PVD

### **FULL AGENDA AND REGISTRATION**

[kscaa.net/conferences/21-kcaa-annual-conference](https://kscaa.net/conferences/21-kcaa-annual-conference)

### **HOTEL INFORMATION**

The Hilton Garden Inn is sold out. We are in the process of reserving additional rooms at nearby hotels. Within two blocks of the Hilton Garden are the [Avid Hotel](#), [Fairfield Inn](#) and [Holiday Inn Express](#). ■



## 2024 IAAO Annual Conference

**Aug. 25-26**

**Denver, Colorado Convention Center**

The 2024 IAAO Annual Conference will take place Aug. 25-28 in Denver at the Colorado Convention Center. More than 60 sessions are expected to be offered at the conference.

### **HOTEL**

The conference headquarters is the Hyatt Regency Denver at the Colorado Convention Center. The room rate will be \$239. Attendees can reserve a room online and the cutoff to reserve a room is July 31.

### **REGISTRATION**

Details about registration fees and other information are available on the conference website. The early bird registration deadline is Monday, July 15. Rates then increase to the regular rate through Friday, Aug. 9. After Aug. 9, fees are the onsite rate. ■

## UPCOMING CONFERENCES



### 2024 NCRAAO Conference

**SAVE THE DATE: Aug. 19-22**

Younes Conference Center, Kearney, Nebraska

## NCRAAO Conference Set for Aug. 19-22

LISA BERG, RMA, DICKENSON COUNTY

Just a quick reminder that the NCRAAO Conference is fast approaching, so please make your hotel reservations.

The conference will be held Aug. 19-22, at the Younes Conference Center North in Kearney, Nebraska, 707 W Talmage Street, Kearney, NE 68845.

The hotel room blocks are at the Crowne Plaza and the Hampton Inn. The Crowne Plaza will be the primary host. The room rate is \$149.95 per night. The phone number is (308) 238-7000.

The other room block is at the Hampton Inn. The

room rate is \$144.95 per night. The phone number is (308) 234-3400.

If you call to make reservations, please mention that you are booking for NCRAAO 2024 Conference. The hotels should be able to set up direct billing upon request.

There will be golf and other activities at the Big Apple Fun Center pre-conference.

Additional information can be found on the conference website: [ncraao.org/event/2024-ncraao-conference/](https://ncraao.org/event/2024-ncraao-conference/). We hope to see you there. It is sure to be a fun educational time! ■



## Grant-in-Aid Funds Available

ROBIN KNOBLAUCH, RMA, POTTAWATOMIE COUNTY

The purpose of the Kansas County Appraisers Association grant-in-aid program is to assist deserving regular and associate KCAA members with grants for costs to attend meetings, classes and conferences for the KCAA, International Association of Assessing Officers and the North Central Regional Association of Assessing Officers.

The KCAA grant in aid shall be administered by the grant-in-aid/education committee. Grants may be for any amount up to the full tuition or registration and will be awarded on need and

professional goals. The grant-in-aid/education committee will have final approval of the amount granted.

Applicants can request funds by completing the grant in aid request and submitting it for consideration. The submission deadline is May 15. The committee will make a decision within three to four weeks after the deadline.

All grant recipients shall provide a report summarizing the benefits received after attending the approved function.

You can find the request form on the KCAA website: [kscaa.net/gia](https://kscaa.net/gia) ■

# KCAA NEWS + NOTES

## KCAA EDUCATION OPPORTUNITIES

COURSE	DATE	LOCATION	INSTRUCTOR	COST
USPAP Update Online	July 22	Online	Jason Frost	\$165 (Publication & reference manual not include)
USPAP Update In-Person	April 2	Salina*	Barry Couch	\$165 (Bring publication & reference manual)
USPAP	April 3-5	Salina*	Barry Couch	\$260 (Bring publication & reference manual)
RMA Residential Review	Oct. 15-17	Topeka*	Kara Endicott	\$350
RMA Commercial Review	Nov. 12-14	Topeka*	Brad Eldridge	\$350
IAAO 101 Fundamentals of Real Property Appraisal	April 29 - May 3	Wichita	Barry Couch	\$575
IAAO 102 Income Approach to Valuation	June 24-28	Wichita	Brad Eldridge	\$575
IAAO 300 Fundamentals of Mass Appraisal	Aug. 5-9	Topeka	Barry Couch	\$575
IAAO 331 Mass Appraisal Policy & Procedures	Sept. 30- Oct. 4	Wichita	Barry Couch	\$575
IAAO 400 Assessment Administration	July 8 - 12	Wichita	Marion Johnson	\$575
Power Bi Introduction	Aug. 20	Salina	David Cornell	\$275
Power Bi Intermediate	Aug. 21	Salina	David Cornell	\$275 or \$520 for both

## Locations

Topeka  
Shawnee County  
Annex  
1515 NW Saline St.  
Topeka, KS 66618

Topeka\*  
PVD  
300 SW 29th  
Topeka, KS 66601

Wichita  
Springhill Suites  
6633 W. Kellogg  
Wichita, KS 67209

Salina  
Hilton Garden Inn  
3320 S. 9th  
Salina, KS 67401

Salina\*  
Courtyard by  
Marriott  
3020 Riffel Drive  
Salina, KS 67401

**REGISTER FOR KCAA CLASSES:**

[kscaa.net/education](https://kscaa.net/education)

## KCAA Executive Board September Meeting Minutes

**Location:** Virtual

**Date:** Friday, Sept. 8, 2023, 10 a.m..

### I. Previous Meeting Minutes

Approved with no changes

### II. Financial Report

Total KCAA Funds: \$344,901.94 with \$159,124.53 being Orion Enhancement funds, leaving \$185,777.41 as operating balance. Accounts receivable amount is \$46,820.00

### III. Treasurer's Report

Lori gave Treasurer's report. No discrepancies and accounts balance. Approved with no changes

### V. 2023 KCAA Conference Recap

See Cindy numbers, No profit from the golf tournament to go to Hagemann Trust. Lori suggested a donation to the Hagemann trust. They changed the trust to no longer just distribute the interest. Kim motion to give \$500 to Hagemann Trust. All in favor, motion passed.

### V. Education

Cindy gave counts for IAAO classes. Ryan wanted

to know about new appraiser course that Ryan J. & Heather had done. Add new appraiser course, Power BI Workshop & Power BI to survey. Mobile home and mini warehouse questions have been the topic of many questions so we could have that added to survey. Wendy made motion to raise IAAO fees to \$575 for five-day class. All in favor, motion passed.

### VI. Conferences & Meetings

Leg. Reception is Tue., Jan. 23, 2024, at the Cyrus, KAC is in December 2024 KCAA conference is Tue-Fri this year (6/4-7). '25 KCAA/NCRAAO conference will be in Manhattan at Hilton Garden Inn.

### VII. 2024 Committees

Ryan is working on the committees. In need of an Oil & Gas committee chair.

### VII. Assessment Connect

Ryan said beta counties are working on actual comp. finder that looks at sales. Seems they are building it from the ground up. New person at Tyler now and haven't had a meeting with them.

### IX. Newsletter

Need an editor and some additional people for the committee. Lisa Ree was asked about staying on after retirement to be the editor but she wasn't sure she would be 'in the know' enough to do it.

*continued on page 13*



Pictured above: County appraisers take an opportunity to meet during the KAC conference in December 2023.

### CHANGING OF THE GUARD

Pictured left: 2023 KCAA President Melinda Latham passes the gavel to 2024 KCAA President Ryan Michaelis.

*Orion continued from page 12*

## X. Other Business

Lori brought up 'Just Appraised' business. They (Cowley County) watched a demo. The salesperson is dropping Lori's name and she is NOT endorsing the product. Deb mentioned that he brought up Lori & Sean Robertson name.

Cindy explained that KCAA had to close checking account and open a new one due to potential fraud. Additional signers for the account need to be added. Wendy made a motion to have Mindy Harting, DeLinda White & Lori Reedy on accounts, seconded and passed. Cindy will contact them with information they'll need to provide.

Salary survey has not been done yet. Lori will provide Cindy with some questions regarding staff salary to add to the survey.

Motion made and approved to adjourn. ■

## KCAA Executive Board November Meeting Minutes

**Location:** Fireside Grille, Wichita Marriott

**Date:** Friday, Nov. 3, following Orion Users Conference (noon approximately)

**Board Members:** Kelly Deslauriers, Lori Reedy, Kim Frodin, Mindy Harting, Ryan Janzen, Ryan Michaelis, Wendy Prosser, DeLinda White, Deb Studebaker, Melinda Latham

**Additional Attendees:** Iris Mongeau, Lisa Berg, Kristina Silva

### I. Financial Report

Cindy provided financial numbers: \$343,365.41 total KCAA funds, \$159,124.53 in Orion enhancement account, leaving \$184,240.88 for operating funds.

### II. Treasurer's Report

No Treasurer report

### III. Education

USPAP Update & USPAP to do virtually potentially. Melinda is following up on this. Ryan mentioned doing Power BI workshop at conference. KCAA will

offer the Power BI Intro and Intermediate through Cornell.

### IV. 2024 Budget & Committees

The KCAA '24 budget was approved with the addition of a 3% salary increase for the Executive Secretary.

### V. 2024 Legislation & Legislative Update

Value Cap meeting yesterday. The consensus was the KCAA as an association should stay neutral. Tues. January 23 is the Legislative Reception.

### VI. Secretary Review

Review was completed and a 3% raise was given.

### VII. Other Business

UTV/Golf Cart—It was suggested that the Taxation Committee should be approached about this.

The next board meeting will be at KAC Conference in December. ■

## KCAA Audit Committee Letter

To the KCAA Executive Board and KCAA Members:

10/27/23

The 2023 audit committee was assigned the duty to audit the KCAA financial statements and status beginning October 2022 and ending September 2023. The committee was charged to examine all financial transactions and bank statements in order to assure the organizations financial status is as reported to the membership.

The committee went over each transaction and if any questions arose we contacted Cindy for clarification. Proof of receipts for transactions was provided by Cindy to the committee. We as a committee find the audit to be complete and the financial information used for the annual report is true and correct.

2023 Audit Committee

Lisa Berg  
Steve Bauman  
David Gillmore



## SHARE YOUR GOOD NEWS

Appraising the Plains wants to spread the word on your major milestones. Let us know if you've just gotten married, had an addition to your family or any other life success.

Email editor Brad Eldridge: [eldridge.brad@gmail.com](mailto:eldridge.brad@gmail.com)

# Do you know who you are?



LISA REE, RMA (RETIRED\_

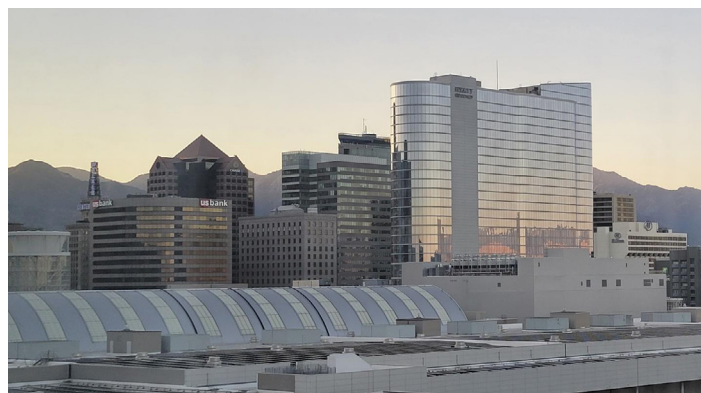
Attending an IAAO conference offers many opportunities, professionally and personally. An unexpected opportunity arose while attending the 2023 IAAO conference when I noticed the Church of Latter-day Saints Family Search building was a short walk from the Salt Palace Convention Center.

I have a cousin and uncle who spent countless hours at various LDS churches researching family history by pouring over microfilm and microfiche. Seeing the LDS center so close, I knew I needed to find some free time during the conference and visit the center.

Latter-day Saints believe families can be together after this life. It is important for them to strengthen relationships with all family members, whether alive or deceased. In the late 1800s the church started collecting resources and records and created a massive collection of family records, with information on over 3 billion deceased people. Records can include birth, marriage and death certificates, censuses, probates and wills — and all of this information is available to the public for free.

With very little arm twisting, three other appraisers agreed to a little adventure. Upon entering the family search facility, each in our group was greeted with a volunteer. With one-on-one assistance from a volunteer, I set up my own family search account. By entering basic data about my parents and grandparents, my family tree took shape. Thanks to the work of LDS volunteers and family members, I could see my mother's ancestors back to the 1200s. Although one in our group had family history going much earlier, BC actually. Unfortunately, my father's history only goes back to my third-great-grandfather.

Family search also provides the ability to see 'Where Am I From?' It didn't come as a surprise to me that my map shows the majority of my ancestors from the New England area. That all started with my 12th great-grandfather arriving on the



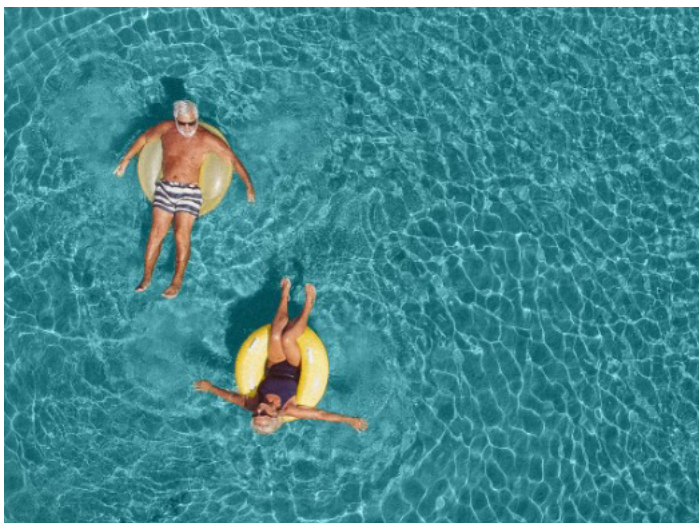
Mayflower. According to family search, there were more ancestors on the Mayflower that I didn't know about. My father's mother immigrated to the U.S. from Germany, so it was no surprise to see Germany marked on my Where Am I From? map.

A fun feature offered is to look for famous people you are related to. For me, that includes 32 U.S. presidents. George Washington and I share a birthday and we happen to be ninth cousins four times removed.

Shirley Temple and I are eighth cousins once removed; must be the tap-dancing connection. Not surprising is there are only two famous athletes on my ancestor list. I choose to believe that my smarts come from my 12th cousin once removed, John F. Kennedy and my good looks come from my seventh cousin Marilyn Monroe.

The final thing the volunteers had us do was to check for relatives in close proximity to us. Lo and behold, I am related to fellow county appraisers.

The amount of time we spent at the family search center went by quickly and was so worth the effort. I guess I know now what I'm going to be doing in my retirement! ■



**Jeff Ramsey**

Retiring after  
26 years of Service.



*Retirees Lisa Ree and Patti Israel with Cindy Brenner*

## Retirements

Congratulations to these recent retirees. We wish them all the best in their retirement years!

Roger Fogleman, Allen County  
Patti Isreal, Ford County  
Sheri Maimer, Miami County  
Jeff Ramsey, Johnson County  
Lisa Ree, Ellis County  
David Thornton, Cherokee County

## KCAA Legislative Reception

*KCAA members met with state legislators at a reception on Jan. 23 at the Cyrus Hotel.*



Matt Willard, Wyandotte County; Bob Weber, Leavenworth County; and Bruce Chladny, KAC Executive Director; listen to the concerns of state representatives.



Lori Reedy, Cowley County, and Beau Boisvert, Johnson County, engage state representatives on property tax matters for the upcoming legislative session.

# REAL ESTATE NOTES OF INTEREST



BY BRAD ELDRIDGE, MAI, CAE, RMA, DOUGLAS COUNTY, CO-EDITOR

**Editor's Note:** The first three articles involve the recent settlement with the National Association of Realtors. I strongly recommend that you read these and think about how this could impact future real estate transactions.

**Real estate lawsuit settlement upends decades-long policies that helped set agent commissions,** by Alex Veiga, AP News, March 15. "A powerful real estate trade group has agreed to do away with policies that for decades helped set agent commissions, moving to resolve lawsuits that claim the rules have forced people to pay artificially inflated costs to sell their homes. Under the terms of the agreement announced March 15, the National Association of Realtors also agreed to pay \$418 million to help compensate home sellers across the U.S."

**National Association of REALTORS Reaches Agreement to Resolve Nationwide Claims Brought by Home Sellers,** National Association of Realtors, March 15. "The agreement would resolve claims against NAR, over one million NAR members, all state/territorial and local REALTOR associations, all association-owned MLSs, and all brokerages with an NAR member as principal that had

a residential transaction volume in 2022 of \$2 billion or below."

**The housing market is set to get even better for sellers and even worse for buyers, says real estate expert with billions of dollars in transactions,** by Alena Botros, Yahoo!Finance (originally in Fortune), April 2. "A bombshell hit the real estate industry with the National Association of Realtors' recent \$418 million settlement. There are winners and losers here. Sellers of the properties are probably going to be better off, since they're bound to pay 3% of the home-sale price, instead of 6%, as before. Before this settlement, it was absolutely understood that the fee, 5% or 6%, was paid by whom? Entirely by the seller, which meant the buyer paid how much? Zero."

**Editor's Note:** The average home price for Kansas in February 2024 was \$294,960. If a buyer has to pay a 2% commission on a \$300,000 home purchase, that is an additional \$6,000 the buyer has to come up with to pay buyer's commission. If there's a 3% commission, that's \$9,000 additional money the buyer has to come up with on a home purchase. Get ready for questions from the public on this issue. Appraisers will need to understand and be able to speak to the impact of this change. Understanding the impact on sale prices will require surveys and interviews by appraisers. "Did the fact that the buyer paid the buyer's agent commission impact the sale price? If yes, how much and in what direction?"

**2024 Kansas Employment Forecast January Update,** Wichita State University Center

for Economic Development and Business Research. "Kansas has rebounded strongly, surpassing the national and the Plains region averages in each quarter of 2023. The state's growth peaked at 9.4% in Q3 of 2023, significantly higher than the national average of 4.8% and the Plains region of 5.1% in the same quarter."

**Kansas Economy at a Glance,** U.S. Bureau of Labor Statistics, February 2024.

"The unemployment rate for February 2024 increased slightly to 2.7% from the 2.6% mark it was at for the last five months. Unemployment in Kansas is still near an all-time low. Nonfarm wages increased at an annualized rate of 0.9%, which has ranged as high as 1.4% over the past six months. The Consumer Price Index for the Midwest region was 0.6% in February and 0.3% in January, indicating that inflation is back under control."

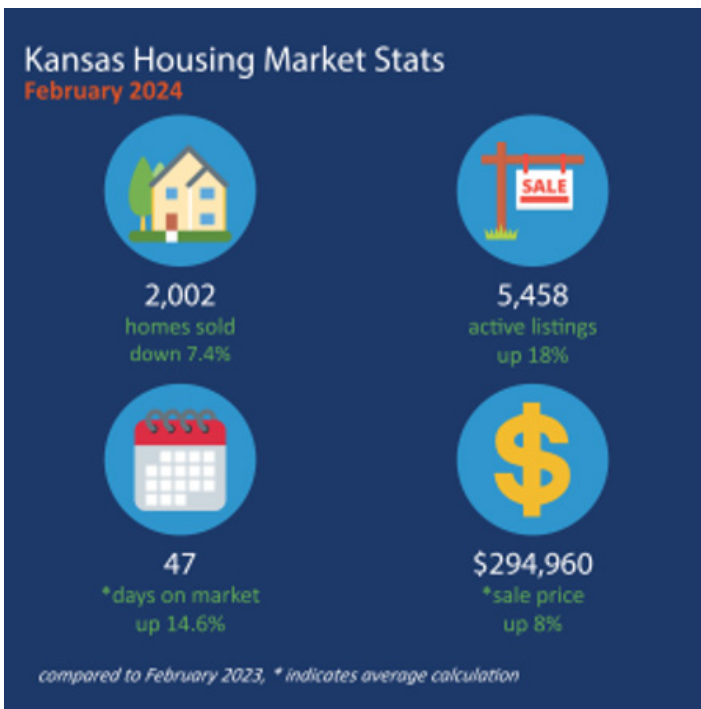
**U.S. Economic Outlook March 2024,** EY, March 22. "There are many misleading macroeconomic narratives, ranging from a reaccelerating U.S. economy reigniting inflationary pressures to entrenched inflation pressures that will force the Fed to tighten monetary policy and precipitate a recession. The reality is that there is no evidence that the economy is reaccelerating, or that inflation is picking up, or that inflation has become entrenched, or even that the Fed is about to tighten policy."

**Editor's Note:** At the March 2024 Federal Reserve Meeting, Fed Chairman Powell did not raise interest rates. This indicates that the Fed feels inflation is easing and there is less risk of a recession.

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# REAL ESTATE NOTES OF INTEREST

Real Estate Notes continued from page 16



**Kansas Housing Market Stats – February 2024,** by Heather Gray, *Kansas Association of Realtors*, March 22. “It remains a sellers’ market, despite the continuing declines in sales activity. The statewide average sale price in February was \$294,960, an 8% increase compared to last year. Midwest prices rose 6.8% and U.S. prices rose by 5.7%.”

**Existing-Home Sales Surge in a Positive Sign for This Year’s Housing Market,** by Clare Trapasso, *Realtor.com*, March 21. “Sales of existing homes, which exclude new construction, jumped 9.5% from January to February, according to a recent report from the National Association of Realtors. That was the largest month-over-month increase in a year.”

**2024 Kansas Housing Markets Forecast Series,** *Wichita State University Center for Real Estate*. “As always, we bring you the Kansas Housing Markets Forecast Series to help you tune in and see clearly what to expect in the coming year. Contains summary of 10 Kansas Counties and five metro areas.”

**U.S. House Prices Rise 6.5 Percent over the Last Year; Up 1.5 Percent from the Third Quarter,** *Federal Housing Finance Agency*, Feb. 27. “U.S. house prices increased modestly over the course of 2023. However, the market showed signs of softening as house price appreciation was lower in the fourth quarter of the year than in the previous quarter.”

**Mortgage Rates Increase, Nearing Seven Percent,** *Freddie Mac*, March 21. “The 30-year averaged 6.87% FRM as of March 21, up from 6.74% the previous week. A year ago at this time, the 30-year FRM averaged 6.42%. The 15-year FRM averaged 6.21%, up from the previous week when it averaged 6.16%. A year ago at this time, the 15-year FRM averaged 5.68%.”

**Crexi National Commercial Real Estate Report: November 2023,** *Crexi Insights*, Dec. 12. “The average asking price per square foot rose 1.79% for new assets month-over-month. For-sale properties on Crexi experienced a seventh month of pricing growth alongside a gradual compression of cap rates. Occupancy has also been trending up overall in new listings: the last four months have experienced growth, with new listings reporting an 80.33% average occupancy in November.”

**U.S. Real Estate Market Outlook 2024,** *CBRE*, Dec. 12. “There is an increased chance that the U.S. will avoid a recession and achieve a soft economic landing in 2024, but economic growth will slow and downside risks are elevated. Commercial real estate investment activity likely will begin to pick up in the second half of 2024. The normalization of hybrid working arrangements will continue to limit the growth of office demand. Retail real estate fundamentals are expected to remain strong due to the scarcity of new construction deliveries over the past decade. The industrial market is expected to remain healthy, with net absorption on par with 2023 levels. The biggest wave of new apartment supply in decades will temper rent growth and improve affordability for renters in 2024. The hotel industry will face headwinds to RevPAR growth in 2024, including competition from alternative lodging sources and a slower economy, but fewer Americans traveling internationally will benefit the domestic market.”

**2024 U.S. Macro Outlook Report,** *Cushman & Wakefield*, Dec. 14. “Despite the robust performance witnessed in 2023, there are many leading indicators flashing caution lights for the journey ahead. Indeed, a rolling recession has begun in certain segments of the U.S. economy.”

**Kastle Back to Work Barometer,** *Kastle.com*, Dec. 11. “Office occupancy rose 2.7 points to 51.6%, according to Kastle’s 10-city Back to Work Barometer, reaching a new record high since the

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# REAL ESTATE NOTES OF INTEREST

*Real Estate Notes continued from page 17*

start of the pandemic. The increase follows a similar pattern to last December, as more workers returned to the office after the Thanksgiving holiday."

**Greater Number of Companies Say They Seek More Office Space**, by Richard Berger, *Globe Street*, Dec. 7. "There's been a reversal in office space demand, based on a renewed survey from MRI Software and CoreNet Global, which showed 42% of respondents reported that they plan to lease more space in the coming months. The contrasts with less than 10% who said that in December 2022, 11% in August 2021, and 9% in March 2021."

**The looming office space real estate shortage. Yes, shortage**, by Eric Rosenbaum, *CNBC*, Nov. 26. "Older trophy buildings are being sold at discounts, and some landlords facing debt refinancing at higher interest rates will struggle, but lease action in the premier property market is already higher this year than the 2015-2019 pre-Covid period."

**City Retail 2024**, by Ebere Anokute, *JLL*, Dec. 5. "Consumer spending growth and the return of international and domestic tourism have driven prime urban retail demand, with foot traffic recovering to pre-pandemic levels in half of the prime corridors surveyed."

**Major U.S. Retailers Dampen Hopes for 2023 Holiday Seasons Spending: Examining Industrial Leases from Four U.S. Retail Giants**, *Compstack.com*, Dec. 14. "According to the most recent data in October, spending on retail trade as well as food services and drinking places both remain up year over year, increasing by 8.6% and 1.6%, respectively. (not adjusted for inflation)"

**Empty Bed Bath & Beyond stores are hot real estate. Here's who's moving in**, by Nathaniel Meyersohn, *CNN*, Nov. 25. "This is the first holiday shopping season in more than 50 years without physical Bed Bath & Beyond stores after the chain went out of business earlier this year and closed its final 360 stores and also 120 BuyBuy BABYs in one of the largest retail bankruptcies in years. But hundreds of empty Bed Bath & Beyond stores auctioned off as part of the bankruptcy proceedings are turning out to be coveted real estate for retailers and other companies seeking to expand."

**The Haig Report: Trends in Auto Retail and Their Impact on Dealership Values**, *Haig Partners LLC*,

Nov. 27. "Overall demand for dealerships remains high thanks to earnings that remain well above historical levels. At least 385 rooftops have traded hands through the end of Q3 2023. At this pace, 2023 will be the third most active year for dealership buy-sells, following 2021 and 2022. Due to lower profits, Haig Partners estimates that the average blue sky value per publicly owned dealership at the end of Q3 declined by 12% compared to year-end 2022, a little over 1% per month. However, these declines are not being felt evenly across all franchises or regions."

**2024 Trends to Watch in Real Assets**, by Will Robson, Alexis Maltin, Jim Costello, David Green-Morgan, Tom Leahy, Benjamin Martin-Henry, and Bryan Reid, *MSCI*, Dec. 13. "The year 2023 was an especially tough one for real estate. Declines in asset valuations, which had begun in the second half of 2022 in many markets, proliferated across a broader range of markets through the rest of 2023. Transaction volume also continued to fall through the year, with dealmaking often paralyzed by the standoff between potential buyers and sellers on pricing."

**Self Storage Performance Quarterly—Q3 2023**, *Cushman & Wakefield*. "In Q3 2023, rental income decreased slightly in the U.S. due to the asking rental rates and occupancy change remaining the same. The data demonstrates that the pace in rent growth will increase, a function of revenue enhancement models already showing significant growth the past three years. Rent growth in self-storage will continue to exceed other real estate sectors."

**2023 Economic Forecast for the Outdoor Hospitality Industry**, *NAI Outdoor Hospitality Brokers*, Dec. 14. "The outdoor hospitality industry has demonstrated resilience over the past three years, overcoming pandemic-induced disruptions and emerging stronger." (economic and outdoor hospitality data)

**20M Americans are Planning an RV Holiday Vacation**, *RV Industry Association*, Nov. 17. "The 2023 holiday season is expected to be one the busiest on record, with 122 million people or 63% of leisure travelers planning to travel between Thanksgiving and the new year. Of those travelers, 20 million are planning to go RVing this holiday season, a 30% increase over 2022."

*continued on page 19*

# REAL ESTATE NOTES OF INTEREST

Real Estate Notes continued from page 18

**STR, TE upgrade U.S. ADR and RevPAR forecast,** by Esther Hertzfeld, Nov. 20. "STR and Tourism Economics lifted year-over-year growth projections for average daily rate and revenue per available room in the final U.S. hotel forecast revision of 2023."

**Assessing the Health of U.S. Real Estate's Loan Collateral,** by Fritz Louw, MSCI, Nov. 8. "How impactful will the coming wave of U.S. property-loan refinancing be? Two significant shifts have characterized the real-estate debt market over the past 18 months: a notable drop in property values and a corresponding change in the availability of debt financing. These shifts raise concerns for parts

## 2023-24 growth forecast upgraded

U.S. hotel KPIs (standard methodology), year-over-year percentage change, real RevPAR comparison

	2022 Actual	2023 Forecast	2024 Forecast	2025 Forecast
Occupancy	+8.8%	+0.6%	+1.0%	+0.8%
ADR	+20.0%	+4.2%	+3.0%	+3.1%
RevPAR	+30.6%	+4.8%	+4.1%	+4.0%
RevPAR compared w/ 2019 (Real)	-6.4%	-5.4%	-1.6%	+2.3%



Source: STR, © 2023 Colliers Group

of the real-estate market, where property values have witnessed significant declines and loans are approaching maturity." ■

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