
NEWS

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PROPERTY TAX RELIEF FOR AIRPORT BUSINESS HURT BY TERRORISM

Los Angeles County Assessor Rick Auerbach has taken action which could mean immediate property tax relief for many airport-related businesses located on public property and suffering losses in the wake of the Sept. 11 terrorism.

Citing Section 170 of the State Revenue and Taxation Code, Auerbach recently asked the Los Angeles County Counsel for an opinion as to whether the code's Misfortune or Calamity (M&C) section could be used to aid businesses harmed by terrorism, particularly at Los Angeles International and Burbank Airports.

"Airlines and on-site concessionaires suffered significant losses because of restrictions on public access into the airports," Auerbach stated. "This type of situation is cited in Section 170."

Business at smaller airports and firms located at the Los Angeles and Long Beach harbors, which may have been impacted by restricted access, might also benefit from Section 170 if they file claim forms with the Assessor's Office within 60 days after the economic harm began, he added.

Auerbach also asked the State Board of Equalization to endorse his interpretation of Section 170 and recommend to other County Assessors that they grant property tax relief based on the Sept. 11 events whenever appropriate. Application of the Section should be uniform throughout the state, he added.

M&C claims are available at all Assessor offices or by calling 213-974-8658.

They can also be downloaded from a website at <http://www.LACountyAssessor.com> by clicking on General Information and Available Forms No. 3.

"Based on the opinion from our county attorneys," Auerbach said, "I have instructed staff to begin processing calamity claims based on restricted access losses and I expect the State Board will publish a letter to Assessors affirming this decision."



The county opinion states that relief can be granted to lessors of public property (possessory interest) and adversely impacted by the severe constraints placed on access into airports when "the right to enter upon the land (is) suspended or restricted."

The opinion states that a calamity can be defined as "an extraordinary grave event marked by great loss and lasting distress and affliction."

"Clearly, recent events qualify as a calamity," Auerbach said, "and does entitle affected businesses to relief."