

## **Rights and Procedures of Ames City Assessor / Appraiser and Your Property**

An assessor has a responsibility to discover, list and value all real property in the jurisdiction they are employed. However, we also want to be respectful of your individual property rights and your right to privacy. Accordingly, the Ames City Assessor has the following policy to govern when an appraiser/data collector/assessor may enter onto and/or into your property.

Although these instructions provide the general guidance for the staff of the Ames City Assessor's Office and to property owners, it is nearly impossible to provide guidance for every situation. We hope this helps to clarify and address any concerns you may have about how the Ames City Assessor's office works in the field and your rights and responsibilities as a property owner.

Listed below are some standard procedures an appraiser/data collector/assessor should follow upon entering onto your property:

1. A City issued employee photo ID card is prominently displayed.
2. Ring doorbell, knock on door, or both at least 2 separate times.
3. Allow time for the owner to answer the door
4. If no answer, leave a door sticker at that time at a prominent location(s) before walking around the house to conduct an exterior inspection.
5. With an answer at the door or at the property, the appraiser/data collector/assessor will identify themselves as an Ames City Assessor employee and reason for the visit. They will make their best efforts to determine if the person at the property has the authority to grant them entry onto the property and will ascertain as to whether the individual answering the door or at the property has care and control over the property. **Only an individual with care and control over the property can give such permission. Minor children CANNOT give permission.** If so, the appraiser/data collector/assessor will ask pertinent questions regarding the real property and/or ask permission to enter the property for an interior inspection. An interior inspection may be needed to measure and verify interior characteristics and condition for an accurate assessment.
6. If no answer and after leaving a door sticker, the appraiser/data collector/assessor will conduct an exterior inspection which may include a walk around the property and measuring of exterior dwelling and improvement(s).
7. If additional information is needed after the exterior inspection when there is no answer at the door, a second visit may be necessary. If the owner does not respond to the door sticker within 15 days of the door sticker being left, any assessment change will be based on *estimated* data for the improvements made and a notice of change in assessment mailed to the owner according to Iowa Code.
8. **If requested to do so, the appraiser/data collector/assessor will leave the property immediately. If it is ever requested not to come onto a property, that request will be honored.**
9. If the property is under construction, the appraiser/data collector/assessor will identify themselves to the builder, if on site, before entering new construction.
10. *If the appraiser/data collector/assessor is denied access to any part of the property, they will collect the information based on what they view from outside the inaccessible area or from the street. Any data collected in this manner will be estimated and the property assessment revised accordingly.*
11. Should, at any time, the appraiser/data collector/assessor believe their safety is in jeopardy, they will immediately leave the property and report the incident to the appropriate authority.
12. If an inspection is not possible, or the property inaccessible, and after a letter requesting an inspection is sent and there is no response, an estimate will be made with the information available.

**An assessor may not proceed onto a property where it is clear the resident or owner has taken affirmative steps to keep the public from entering their land. An assessor will not enter those areas clearly marked with “No Trespassing” signs or if there are chains, gates or fences enclosing all or part of a property, unless they have received written or verbal consent to do so.**

**An assessor may enter onto a property if it is not clearly indicated that the property is off limits<sup>1</sup>. Additionally, if you are renting a property, an assessor may enter onto the property despite “No Trespassing” signs or similar markings if the property owner has given permission.**

**Entry onto the property without explicit permission will be limited to what is legally known as the curtilage, which is the land and yard immediately surrounding your house.**

**An assessor will not enter your house or dwelling unless they have specific permission and are accompanied by an adult.**

---

**The appraiser/data collector/assessor is not a law enforcement officer and will not be visiting your property to conduct a criminal investigation or conducting a search. Observations are being made for attributes and conditions of structures.**

#### **1 Is an assessment subject to the 4th Amendment?**

A question we may get asked is whether an assessor who enters a property without explicit permission is a violation of the 4th Amendment. The answer is that they are generally not. An assessment is **not** considered a “search” because the assessor is making observations of a house’s plainly visible exterior attributes and dimensions without entering or looking into the house. See *Widgren v. Maple Grove Township*, 429 F.3d 575 (2005).