

REPRESENTATIVE FOR PETITIONER:

Cindy Stanford, Integrity Financial & Tax Consulting

REPRESENTATIVE FOR RESPONDENT:

Terri Boone, Huntington County Assessor

**BEFORE THE
INDIANA BOARD OF TAX REVIEW**

FMB Enterprises, Inc.,	)	Petition No.:	35-005-12-1-4-00009
)		
Petitioner,	)	Parcel No.:	35-05-09-400-030.400-005
)		
v.	)	County:	Huntington
)		
Huntington County Assessor,	)	Township:	Huntington
)		
Respondent.	)	Assessment Year:	2012

Appeal from the Final Determination of the
Huntington County Property Tax Assessment Board of Appeals

July 25, 2014

FINAL DETERMINATION

The Indiana Board of Tax Review (Board), having reviewed the facts and evidence, and having considered the issues, now finds and concludes the following:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

ISSUE

1. Does the assessment of the subject property for the 2012 tax year reflect its fair market value in use?

PROCEDURAL HISTORY

2. The Petitioner requested a review of the 2012 assessment on its commercial property located at 301 Hauenstein Road in Huntington, Indiana, by filing a Form 130-Short with the Respondent on July 20, 2012. On February 28, 2013, the Huntington County Property Tax Assessment Board of Appeals (PTABOA) held a hearing on the matter, and issued its determination on March 28, 2013, lowering the assessment of the subject property from \$436,300 to \$410,000.
3. On April 3, 2013, the Petitioner filed a Form 131 with the Board. On November 26, 2013, the Board's administrative law judge, Patti Kindler (ALJ), held a hearing on the petition.
4. Neither the Board nor the ALJ inspected the subject property.

HEARING FACTS AND OTHER MATTERS OF RECORD

5. Certified Tax Representative Cindy Stanford, Huntington County Assessor Terri Boone, and Deputy County Assessor Julie Newsome were sworn and testified.
6. The Petitioner submitted the following exhibits:
 - Petitioner Exhibit 1: Notice of Hearing,
 - Petitioner Exhibit 2: Form 115 – Final Determination of Huntington County PTABOA,
 - Petitioner Exhibit 3A: Summary Reporting of Opinion of Market Value of Commercial Garage Building and Land by John M. Thistlethwaite,
 - Petitioner Exhibit 3B: Narrative with supporting evidence including a listing history, comparable summary, and comparable land sale,
 - Petitioner Exhibit 4: Narrative with supporting evidence of prior and currently listed properties in the subject's neighborhood,
 - Petitioner Exhibit 5: RealtyRates.com Market Survey – 1st Quarter 2012.
7. The Respondent submitted the following exhibits:
 - Respondent Exhibit 1: Respondent's list of exhibits and witnesses,
 - Respondent Exhibit 2: Notice of Hearing,
 - Respondent Exhibit 3: Form 131 petition,
 - Respondent Exhibit 4: Form 115 notice,

- Respondent Exhibit 5: Form 130 petition,
- Respondent Exhibit 6: Description and Analysis of Subject Property with photo,
- Respondent Exhibit 7: Subject property record card (PRC),
- Respondent Exhibit 8: Aerial photo of the subject property,
- Respondent Exhibit 9: Assessment summary,
- Respondent Exhibit 10: Sales comparison approach to value,
- Respondent Exhibit 11: Spreadsheet of five commercial garage sales,
- Respondent Exhibit 12: Aerial photo of the subject property and five sales,
- Respondent Exhibit 13: Photo, PRC, and sales disclosure for Comparable #1,
- Respondent Exhibit 14: Photo, PRC, and sales disclosure for Comparable #2,
- Respondent Exhibit 15: Photo, PRC, and sales disclosure for Comparable #3,
- Respondent Exhibit 16: Photo, PRC, and sales disclosure for Comparable #4,
- Respondent Exhibit 17: Photo, PRC, and sales disclosure for Comparable #5,
- Respondent Exhibit 18: Income approach to value,
- Respondent Exhibit 19: Spreadsheet of Market Income,
- Respondent Exhibit 20: Cost approach to value and the subject PRC,
- Respondent Exhibit 21: Value-in-use and a copy of Ind. Code § 6-1.1-15-18 regarding evidence of comparable properties,
- Respondent Exhibit 22: Value in use Comparable - Photo and PRC for Monro Muffler,
- Respondent Exhibit 23: Subject property listing (2012),
- Respondent Exhibit 24: Four listings of Auto Repair Buildings,
- Respondent Exhibit 25: Concluding Comments,
- Respondent Exhibit 26: E-mail correspondence between Ms. Newsome and Ms. Stanford,
- Respondent Exhibit 27: Certifications for Ms. Boone and Ms. Newsome.

8. The Board recognizes the following additional items as part of the record:

- Board Exhibit A: Form 131 petition with attachments,
- Board Exhibit B: Hearing notice dated February 3, 2012,
- Board Exhibit C: Hearing sign-in sheet.

9. The subject property is a six bay automotive service center situated on a 1.852-acre site.

10. The Petitioner requested a total assessment of \$250,000 for the subject property.

OBJECTIONS

11. The Respondent objected to Petitioner's Exhibit 3A, an appraisal prepared by Mr. Thistlethwaite, on two grounds. First, the Respondent argues that the appraisal is hearsay because the appraiser was not present to explain his appraisal. Petitioner responded that

the appraisal is an opinion of value and that Mr. Thistlethwaite gave permission for the appraisal to be used at this hearing.

12. “Hearsay” is a statement, other than one made while testifying, that is offered to prove the truth of the matter asserted. Such a statement can be either oral or written (Ind. R. Evid. 801(c)). The Board’s procedural rules specifically address hearsay evidence:

Hearsay evidence, as defined by the Indiana Rules of Evidence (Rule 801), may be admitted. If not objected to, the hearsay evidence may form the basis for a determination. However, if the evidence is properly objected to and does not fall within a recognized exception to the hearsay rule, the resulting determination may not be based solely upon the hearsay evidence.

52 IAC 3-1-5(b).

The Board has discretion to admit the Thistlethwaite appraisal and overrules the Respondent’s objection. If the Board finds in favor of Petitioner, the determination cannot be based solely on the appraisal.¹

13. Second, the Respondent objected to the appraisal because Mr. Thistlethwaite appraised FMB’s interest in the subject property as leased fee estate. Ms. Stanford responded that “CarMart is basically FMB Enterprises” and the company is set up so they are protected against bankruptcy. The property is basically owner-occupied because they lease it to themselves. The Respondent did not explain how or why appraising FMB’s interest as leased fee estate is objectionable. Regardless, the objection goes to the weight of the evidence, not its admissibility, and the objection is overruled.

JURISDICTIONAL FRAMEWORK

14. The Board is charged with conducting an impartial review of all appeals concerning: (1) the assessed valuation of tangible property, (2) property tax deductions, (3) property tax

¹ The Board’s rules on hearsay are a restatement of the residuum hearsay rule adopted by the Indiana Supreme Court in *C.T.S. Corp. v. Schoulton*, 383 N.E.2d 293 (Ind. 1978). While the opportunity to question the witness, in this case the appraiser, is surely one of the reasons for the existence of the hearsay rule, it is, strictly speaking, irrelevant to the inquiry. A written appraisal report is hearsay regardless of whether the appraiser is present. Rather, an appraiser, as an expert witness, is competent to testify as to the appraiser’s opinion of the value of the property. The report itself, properly construed, is merely a summary of the testimony.

exemptions, and (4) property tax credits, that are made from a determination by an assessing official or a county property tax assessment board of appeals to the Board under any law. Ind. Code § 6-1.5-4-1(a). All such appeals are conducted under Ind. Code § 6-1.1-15. *See* Ind. Code § 6-1.5-4-1(b); Ind. Code § 6-1.1-15-4.

PETITIONER'S CONTENTIONS

15. The subject property is an automotive service center located at 301 Hauenstein Road. While the subject property has frontage on and is visible from US 24, there is no access from US 24. The Petitioner contends that the assessed value of its property was overstated for 2012 based on a certified summary appraisal report, the subject property's listing history, and Petitioner's market-based analysis of sales and listings of comparable properties. *Stanford testimony; Pet'r Exs. 3A, 3B, 4.*
16. Ms. Stanford offered a comparable summary showing the subject property and sales of eight similar properties from various cities in Indiana.² She confirmed that the sales were valid and were used in the county's ratio study. She contends that the sales represent a close likeness to the subject property and occurred within a couple of years of the March 1, 2012 assessment date. Ms. Stanford provided statistical sales data and property record cards for each sale. The comparable summary shows the full address, sale date, square footage, year built, office percentage, average height, land to building ratio, and price per square foot. She computed the average and median of all of the comparable factors. Ms. Stanford stated that the averages and medians are very close to the subject property. The average price per square foot without adjusting the comparables is \$62.52. The median price per square foot is \$66.27. *Stanford testimony; Pet'r Ex. 3B at 1, 10 - 34.*
17. The Petitioner presented a summary appraisal report prepared by John Thistlethwaite, an Indiana certified general appraiser. Mr. Thistlethwaite was unable to attend the hearing. However, Mr. Thistlethwaite gave permission to the Petitioner, who paid for the

² The comparable summary shows the address of the subject property as 317 Hauenstein Road. The subject property is located at 301 Hauenstein Road. This discrepancy was not addressed at the hearing. *Pet'r Ex. 3B at 10.*

appraisal, and the Petitioner's Representative to use the appraisal report in the appeal. *Stanford testimony; Pet'r Ex. 3A.*

18. Mr. Thistlethwaite refers to the subject property owned by FMB Enterprises as the CarMart Automotive Service Facility. Ms. Stanford testified that "CarMart is basically FMB Enterprises" and that the company was set up so they are protected in case of bankruptcy. The property is basically owner-occupied because they lease it to themselves. *Stanford testimony; Pet'r Ex. 3A.*
19. In his appraisal report, Mr. Thistlethwaite determined the market value of the leased fee would be \$250,000. The appraisal report is dated March 30, 2012. The effective date of value is March 27, 2012. The appraisal report values the subject property less than 30 days after the 2012 assessment and valuation date. Mr. Thistlethwaite based his opinion of value on the income and sales comparison approaches-to-value. He determined the average price per square foot of the comparable properties was \$58.36, which results in an assessed value for the subject property of \$250,000; a value very comparable to the assessed value of \$62.52 per square foot and total assessed value of \$267,835. *Stanford testimony; Pet'r Ex. 3A at 2, 6, 83, 84.*
20. The property was originally put on the market in August 2011 with a list price of \$595,000. In January 2012, the listing price was reduced to \$515,000. The listing price was reduced again in June 2012 to \$475,000. In January 2013, the price was reduced to the current listing price of \$435,000. The appraisal report notes that tax burden could be a negative factor in the marketability of the property. The 2010 pay 2011 taxes are \$15,597 or \$3.72 per square foot. *Stanford testimony; Pet'r Ex. 3B at 1 - 9.*
21. In the appraisal report, Mr. Thistlethwaite noted that the current land assessment is higher than his total opinion of value for both the land and building. As further support, Ms. Stanford found a comparable land sale located at 244 Hauenstein Road. The property sold for \$195,000 or \$146,837 per acre. The subject property has 1.548 usable acres and is assessed at \$181,008 per acre. *Stanford testimony; Pet'r Ex. 3B at 1, 35 - 37.*

22. The subject property has been on the market for several years and there has been no interest in it. Ms. Stanford did an analysis of properties in the Huntington area that have been listed for sale, but have not sold. She pulled property record cards, and in comparing the assessments found that some of the properties have been given obsolescence. While these properties are not similar to the subject property, they are located in the same area as the subject property. The property record cards and MLS listings for the three properties show:

- Pace Ford at 251 Hauenstein has been on the market since 2008 and is still on the market. It is quite a bit bigger than the subject property. A negative 60% market adjustment has been applied. For 2012, it is assessed at \$52.04 per square foot.
- The Homier property at 325 Hauenstein was listed in 2008. It did not sell and is no longer listed. A negative 40% market adjustment has been applied. The 2012 assessment is \$44.83 per square foot.
- The AVI Group property at 317 Hauenstein was listed in 2010. It does not appear to have sold and it is not currently listed. It appears that the 2012 assessment was reduced based on an appeal. The 2012 assessment was reduced from \$62.69 per square foot to \$59.09 per square foot.

Stanford testimony; Pet'r Ex. 4.

23. Ms. Stanford expressed concern with the Respondent's calculation using the income approach. She specifically noted the use of a 1% factor for vacancy and collection loss. Ms. Stanford said that she has never seen a vacancy loss of only 1%. The Respondent used RealtyRates for the capitalization rate, so Ms. Stanford was surprised it was not used for vacancy and collections. Ms. Stanford presented the RealtyRates.com market survey for the first quarter of 2012. For Indianapolis, the vacancy rate was 12.1% for anchored and 11.7% for un-anchored. If the Respondent used the same rental rate and expenses, but used a vacancy and collection rate of 10%, the value would be closer to \$300,000. If a 12% vacancy and collection rate were used, the value would be closer to \$310,000.

Stanford testimony; Pet'r Ex. 5.

24. Ms. Stanford contends that the Respondent's reliance on the list price as support for the assessment is misplaced. The list price is typically just a starting point and is not necessarily market price. In 2012 Pace Ford, 251 Hauenstein Road, was listed for

\$1,150,000 and assessed at \$538,000. The assessment was about half the list price. The subject property was listed for \$475,000 in 2012, and there has been no interest in the property. *Stanford testimony.*

RESPONDENT'S CONTENTIONS

25. The subject property is correctly assessed. The subject property is an auto service facility of pole type construction on a slab. It has 4,284 square feet which includes a 756 square foot office area. It was built in 2000 and is in average condition. The lot is 1.852 acres in an excellent location across from Wal-Mart along US 24. For March 1, 2012, the subject property was assessed for \$436,300³. At that time, the subject property was listed for sale and the asking price was higher than the assessment. *Newsome testimony; Resp't Exs. 6, 7.*
26. The Respondent considered all three approaches to value. In the sales comparison approach, the Respondent looked at five comparable sales in Huntington County. She prepared a spreadsheet comparing the five sales to the subject property. She provided a map showing the location of each comparable and the subject property. The Respondent also provided property record cards (PRC) and sales disclosure forms for each sale. Four of the sales were considered invalid due to undue stimulus and because the sales were not arm's-length transactions. Only Comparable #5 located 2860 N. Jefferson Street was considered. It sold for \$500,000 or \$162.87 per square foot on October 8, 2011. Because this comparable was being used as a car lot, not a commercial garage, it was not given much weight. In the end, the Respondent deemed the sales comparison approach unreliable. *Newsome testimony; Resp't Exs. 10 - 17.*
27. For the income approach to value, the Respondent used the direct capitalization method. The average market retail rate is \$12.52 per square foot. The market retail average expenses are a \$1.00 which includes \$.30 for reserves. The market retail average of miscellaneous income is 1% of effective gross income. The capitalization rate of 9.15%

³ The PTABOA subsequently lowered the 2012 assessment to \$410,000 as a result of the Form 130 appeal.

was taken from RealtyRates and a 3% tax rate was added. A total capitalization rate of 12.15% was used. The Respondent determined the potential gross income of the subject property was \$53,635.68. She deducted vacancy and collections of \$536.36, added miscellaneous income of \$536.36, and deducted expenses of \$4,284. Leaving a net operating income (NOI) of \$49,351.68. Dividing the NOI by the 12.15% capitalization rate gives a 2012 value of \$406,200. *Newsome testimony; Resp't Exs. 18, 19.*

28. All of the market income and expense information was obtained from retail properties located on the north side of US 24 East. The Assessor's office collected this information for 2010, 2011, and 2012. The subject property is currently under lease, but the Assessor's office was unable to obtain a full copy of the lease. Therefore, the Assessor relied on the market income and expenses to arrive at the value. *Newsome testimony; Resp't Exs. 18, 19.*
29. Using the cost approach, the Respondent determined the value was \$410,000 or \$95.70 per square foot. *Newsome testimony; Resp't Ex. 20.*
30. The Respondent also did an assessment comparison, comparing the subject property to the Monro Muffler located at 230 Hauenstein Road. It is an auto repair shop with 4,410 square feet, six bays, and a small office area. For 2012, it was assessed for \$383,900 or \$87.05 per square foot. *Newsome testimony; Resp't Exs. 21, 22.*
31. In addition, the Respondent presented listing information and property record cards for five auto service centers (including the subject property) that are currently for sale.
 - The subject property located at 301 Hauenstein Road in Huntington listed at \$475,000.
 - Auto repair or retail building located at 1871 South Western Avenue in Marion listed for \$325,000.
 - Muffler & Brake Man Car Care center with six bays located at 307 West Ridge Road in Griffith listed for \$695,000.
 - Jiffy Lube located at 5859 North German Road in Indianapolis listed for \$800,000.
 - The former Instant Lube located at 4425 West Michigan Street in South Bend listed for \$750,000.

Newsome testimony; Resp't Exs. 21, 23, 24.

32. The subject property is a 1.852 acre lot. The Petitioner indicated that it only has 1.45 usable acres. However, the portion of the acreage that the Petitioner claims is unusable is actually a ditch. And although the property record card describes the .402-acre ditch as undeveloped unusable acreage, it does benefit the subject property by providing a place for storm-water drainage. Ms. Stanford does not value the entire subject property.

Newsome response to Stanford testimony & Pet'r Ex. 4.

33. The Respondent claims that the Petitioner's comparable sale at 244 Hauenstein Road actually supports land assessment of the subject property. The property has 1.328 acres or 57,848 square feet. It sold for \$195,000 or \$3.37 per square foot. In addition, the Petitioner sold a portion of their frontage on Hauenstein Road to Gladys Robinson in 2009 for \$80,000. It was .52 acres, which works out to \$3.53 per square foot. Although the Robinson sale occurred in 2009, it is still a good indicator of value. Averaging the two land sales (\$3.37 and \$3.45) comes out to \$3.45 per square foot. At \$3.45 per square foot, the subject property square footage of 80,673 is a value of \$278,322 and supports the current land assessment of \$280,200. *Newsome testimony; Pet'r Ex. 3B at 35 - 37.*

34. The Respondent asserted that the Petitioner is not comparing apples to apples in her assessment comparison (*Pet'r Ex. 4*). The subject property is a commercial garage. The property at 317 Hauenstein Road is a multi-tenant retail building. It was given a reduction based on income information submitted. The property at 325 Hauenstein is a leased retail building, so the income approach was used. The property at 251 Hauenstein Road is an automotive dealership. These properties are not comparable to the subject property. *Newsome testimony; Pet'r Ex. 4.*

35. After researching and analyzing the three approaches to value and the assessment comparison, it is the Respondent's position that the 2012 assessment of \$410,000 is reasonable. *Newsome testimony; Resp't Ex. 25.*

BURDEN OF PROOF

36. Generally, a taxpayer seeking review of an assessing official's determination has the burden of proving that a property's assessment is wrong and what its correct assessment should be. *See Meridian Towers East & West v. Washington Twp. Assessor*, 805 N.E.2d 475, 478 (Ind. Tax Ct. 2003); *see also, Clark v. State Bd. of Tax Comm'rs*, 694 N.E.2d 1230 (Ind. Tax Ct. 1998). A burden-shifting statute creates two exceptions to that rule.
37. First, Indiana Code § 6-1.1-15-17.2 “applies to any review or appeal of an assessment under this chapter if the assessment that is the subject of the review or appeal is an increase of more than five percent (5%) over the assessment for the same property for the prior year.” Ind. Code § 6.1.1-15-17.2(a). “Under this section, the county assessor or township assessor making the assessment has the burden of proving that the assessment is correct in any review or appeal under this chapter and in any appeals taken to the Indiana Board of Tax Review or the Indiana Tax Court.” Ind. Code § 6-1.1-15-17.2(b).
38. Second, Indiana Code § 6-1.1-15-17.2(d) “applies to real property for which the gross assessed value of the real property was reduced by the assessing official or reviewing authority in an appeal conducted under IC § 6-1.1-15.” Under those circumstances, “if the gross assessed value of real property for an assessment date that follows the latest assessment date that was the subject of an appeal described in this subsection is increased above the gross assessed value of the real property for the latest assessment date covered by the appeal, regardless of the amount of the increase, the county assessor or township assessor (if any) making the assessment has the burden of proving the assessment is correct.” The statute was amended on March 25, 2014, to include this language. This change has application to all appeals pending before the Board. *See P.L. 97-2014*.

39. The record established that the 2012 assessment of the subject property is less than the 2011 assessment. The parties agree that the Petitioner has the burden.

ANALYSIS

40. Indiana assesses real property on the basis of its true tax value, which the Department of Local Government Finance (DLGF) has defined as the property's market value-in-use. To show a property's market value-in-use, a party may offer evidence that is consistent with the DLGF's definition of true tax value. A market value-in-use appraisal prepared according to the Uniform Standards of Professional Appraisal Practice (USPAP) often will be probative. *Kooshtard Property VI v. White River Twp. Ass'r*, 836 N.E.2d 501, 506 n.6. (Ind. Tax Ct. 2005). A party may also offer actual construction costs for the property under appeal, sales information for that property or comparable properties, and any other information compiled according to generally accepted appraisal principles. 2011 REAL PROPERTY ASSESSMENT MANUAL 2 (incorporated by reference at 50 IC 2.4-1-2).
41. Regardless of the valuation method used, a party must explain how its evidence relates to market value-in-use as of the relevant valuation date. *See O'Donnell v. Dep't of Local Gov't Finance*, 854 N.E.2d 90, 95 (Ind. Tax Ct. 2006); *Long v. Wayne Township Assessor*, 821 N.E.2d 466, 471 (Ind. Tax Ct. 2005). The valuation date for a 2012 assessment was March 1, 2012. Ind. Code § 6-1.1-4-4.5(f). Any evidence of value relating to a different date must also have an explanation about how it demonstrates, or is relevant to, that required valuation date. *Long*, 821 N.E.2d at 471.
42. The Thistlethwaite appraisal was conducted by a licensed Indiana general appraiser in conformity with USPAP. The appraisal date of March 30, 2012 is sufficiently close to the valuation date to be considered a reliable indicator of the fair market value in use. It considered sales comparison and income approaches to valuation. The appraisal alone would constitute a prima facie case for the Petitioner. However, because of the hearsay objection, the Board cannot rely solely on the Thistlethwaite appraisal.

43. The Petitioner presented a listing history for the subject property. Listings typically do little to show a property's market value-in-use. The subject property was originally listed in August 2011 for \$595,000. The list price has been reduced several times and the property is currently listed for \$435,000. In this case, the property was actively listed on the March 1, 2012 assessment date for \$515,000. The listing history does little to show the subject property's market value-in-use as of March 1, 2012, and is entirely consistent with the PTABOA valuation of well under \$515,000.
44. The Petitioner also presented a comparable summary of eight sales from various cities in Indiana. Ms. Stanford's analysis of comparability included computing the average and median price per square footage of the comparable properties, the year they were built, the percentage of the improvements used for office space, the average height of the building as compared with the comparable properties, the land to building ratio, and the price per square foot. *Pet'r Ex. 3B-10*. Through this market-based analysis, Petitioner arrived at an average price per square foot for the comparable properties of \$62.52. Applying this figure to the subject property results in an assessment of \$267,835.
45. A party offering such evidence, however, must show that the properties are generally comparable to each other, and also must show how any relevant differences affect the relative values. *See Long*, 821 N.E.2d at 470-71 (holding that, in applying the sales-comparison approach, the taxpayers needed to explain how any differences between their property and the properties to which they sought to compare it affected the properties' relevant market values-in-use). The Petitioner has not provided any basis for the Board to accept that her calculations and adjustments to compensate for the differences conform with generally accepted appraisal methods. Ms. Stanford's analysis, on its own, does not present a prima facie case.
46. Because the Petitioner has failed to present a prima facie case, the Board need not make further inquiry into the Respondent's arguments.

CONCLUSION

47. For the reasons set forth, the Petitioners failed to make a prima facie case that the 2012 assessment should be reduced to \$250,000. The PTABOA determination of \$410,000 is affirmed.

FINAL DETERMINATION

48. The Board finds for the Petitioner. The assessed value for the subject property shall remain \$410,000.

This Final Determination of the above captioned matter is issued by the Indiana Board of Tax Review on the date first written above.

Chairman, Indiana Board of Tax Review

Commissioner, Indiana Board of Tax Review

Commissioner, Indiana Board of Tax Review

- APPEAL RIGHTS -

You may petition for judicial review of this final determination under the provisions of Indiana Code § 6-1.1-15-5 and the Indiana Tax Court's rules. To initiate a proceeding for judicial review you must take the action required not later than forty-five (45) days after the date of this notice. The Indiana Code is available on the Internet at <<http://www.in.gov/legislative/ic/code>>. The Indiana Tax Court's rules are available at <<http://www.in.gov/judiciary/rules/tax/index.html>>.