

TIMESHARES AUTHORITATIVE CITATIONS

The following provides the authoritative citations for the Timeshares Survey Topic. In general, citations include Constitutional provisions, sections of the Revenue and Taxation Code, other applicable statutes, court cases, Property Tax Rules, *Assessors' Handbook Sections*, Letters To Assessors, and legal annotations pertaining to the topic.

CITATION	DESCRIPTION
Revenue and Taxation Code	
§65.1	A transfer of an interest in a portion of real property with a market value of less than 5 percent of the total property value and less than \$10,000 shall not be reappraised, but such interests must be cumulated during any one assessment year to determine when the reappraisal threshold is crossed. Only the unit transferred shall be reappraised and the tax increase shall be applied to the owner or occupant of such individual unit.
§998	<p>Timeshares shall be valued by finding the real property value of the interest involved. That value may not include any non-real property items, such as exchange rights, club memberships, and services. Timeshare values may be determined by reference to properties similar in size, shape, season, and location that are condominiums, cooperatives, or resort properties.</p> <p>The aggregate assessed value of all the timeshare estates or uses relating to a single lot, parcel, unit, or other segment of real property shall be determined by adding the fair market value of the similar lot, parcel, units, or other segment not owned on a timeshare basis; and an amount necessary to reflect any increase or decrease to the market value attributable to the fact that the property is marketed in increments of time. Timeshares shall also be valued without regard to any non-real property items which may be included.</p>
§2188.8	Timeshare estates (undivided interests in real property) may be separately assessed upon written request of the owner if the request is certified as approved by the owners' association and a floor plan and related use and ownership documents are filed with the assessor. Changes in this information must be filed annually with the assessor by April 1. Taxes on a separately assessed timeshare estate are a lien solely on that interest and not on the project as a whole. Separate tax bills are mailed for each interest.
§2188.9	Timeshare use projects may also be separately assessed, under the same conditions as those specified in section 2188.8, except that a single tax bill, which reflects the total assessment of the separately tracked timeshare use interests, is sent to the owners' association. The tax is a lien on the entire timeshare project

CITATION	DESCRIPTION
Property Tax Rules	
Rule 472	<p>In determining the value of the real property interest of a timeshare estate or use, consideration shall be given to the following factors which are unique to such interests:</p> <ul style="list-style-type: none"> • The fact that the timeshare estate or use is marketed in increments of time. • The season of the year during which the owner is entitled to the right to use or possession of the property. <p>The full value of the real property interest of a timeshare estate or use shall not include the value of any personal property or other nonreal property items, such as vacation exchange rights, conveniences, and services.</p> <p>The value of the timeshare appraisal unit may be valued by the following method:</p> <ul style="list-style-type: none"> • Determine the full value of resort properties, condos, co-ops, or other properties not marketed in increments of time but which are comparable to the subject property in size, type, and location. Divide such full value by a unit of time equal to the timeshare interest being valued. • Add to or subtract from the non-timeshare value quotient determined in the above, an amount necessary to reflect any increases or decrease in such value attributable to the fact that the subject property is marketed in increments of time and, if applicable, for a particular season. <p>Rule 472 was amended effective March 19, 2015 to make the rule consistent with the repeal of Business and Professions Code section 11003.5 and the enactment of Business and Professions Code section 11212 by Assembly Bill 2252. In addition, the reference to Revenue and Taxation Code section 998, subdivision (e), was deleted from the rule's authority note as subdivision (e) was repealed by Senate Bill 299.</p>
Letters To Assessors	
80/97	<p>Timeshare ownership may be an undivided interest in a specific unit or in the entire project, and transfers of such interests are subject to the accumulation rule of section 65(b).</p>
82/92	<p>The basic framework for the assessment of timeshare interests.</p>
82/122	<p>Sections 2188.8 and 2188.9 were enacted to provide for the separate assessment of timeshare interests under specified conditions.</p>
99/67	<p>The taxable values of timeshare interests should be annually reviewed to determine whether a decline-in-value situation exists.</p>

CITATION	DESCRIPTION
2015/025	Rule 472 was amended effective March 19, 2015 to make the rule consistent with the repeal of Business and Professions Code section 11003.5 and the enactment of Business and Professions Code section 11212 by Assembly Bill 2252. In addition, the reference to Revenue and Taxation Code section 998, subdivision (e), was deleted from the rule's authority note as subdivision (e) was repealed by Senate Bill 299.
Annotations	
170.0115	Explains timeshare ownership.
170.0116	Describes the preferred approach to value for timeshares.