

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA
CIVIL DIVISION

DEREK ALVAREZ and
GEORGIA ALVAREZ,

Plaintiffs,

Case No.:

vs.

Division:

BOB HENRIQUEZ, as Property Appraiser;
DOUG BELDEN as Tax Collector and
LEON M. BIEGALSKI, as Executive Director
of the Florida Department of Revenue,

Defendants.

_____ /

COMPLAINT

Plaintiffs, DEREK ALVAREZ and GEORGIA ALVAREZ, sue Defendants, BOB HENRIQUEZ as Property Appraiser ("Appraiser"), DOUG BELDEN as Tax Collector ("Collector"), LEON M. BIEGALSKI ("Biegalski"), as Executive Director of the Florida Department of Revenue, and allege:

1. This is an action to contest an ad valorem tax assessment for the tax year 2017 and this Court has jurisdiction pursuant to Chapter 194, Florida Statutes, and article V, sections 5 and 20 of the Florida Constitution.
2. Plaintiffs are husband and wife and are residents of Hillsborough County, Florida.
3. Appraiser is sued herein in his official capacity and is a necessary party to the action pursuant to section 194.181(2), Florida Statutes.

4. Collector is sued herein in his official capacity and is a necessary party to the action pursuant to section 194.181(3), Florida Statutes.

5. Defendant Biegalski is sued in his official capacity as Executive Director of the Florida Department of Revenue and is a necessary party to this action pursuant to section 194.181(5), Florida Statutes.

6. The subject of this action is that certain real property located in Hillsborough County, Florida, identified by Appraiser as Account No. **A1952650000** (the "Subject Property"). Appraiser assessed the Subject Property to the Plaintiffs.

7. Appraiser established the Subject Property's just value for ad valorem purposes in the amount of **\$508,955.00**, hereinafter the "assessment."

8. The taxes have been paid in full as assessed, thereby complying with section 194.171(3)(4), Florida Statutes. A copy of the receipt is attached hereto as Plaintiff's Exhibit "B."

9. Plaintiffs have performed all conditions precedent which are required to be performed by Plaintiffs in establishing their right to bring this action. Specifically, this action has been filed within the time period prescribed by section 194.171(2) Florida Statutes.

10. The Subject Property's market value is substantially higher than the assessment.

11. The assessment does not represent just value and therefore violates article VII, section 4 of the Florida Constitution.

WHEREFORE, Plaintiffs demand that this Court take jurisdiction over this cause and the parties hereto; set aside the assessment on the Subject Property; establish the proper assessment of the Subject Property in accordance with the Constitution of the State of Florida and section 193.011, Florida Statutes; to award Plaintiffs the costs of this action pursuant to section 194.192, Florida Statutes; and award such other general relief as may be just and equitable.



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