

BUSINESS APPEALS

BUSINESS LICENSE APPEAL PROCESS

Any business owner/operator who is subject to taxation by the town may submit an appeal to the Director of Finance. The appeal may request an amendment, reclassification, or correction to the assessment of any local tax.

Letters of appeal shall contain:

- Name and address of taxpayer
- Physical location of business
- Tax period that is being contested
- Amount that is being disputed
- Reasoning of dispute, with details

Letters must be signed by the taxpayer and sent via US mail to the Town of Herndon, Attn: Director of Finance, 777 Lynn Street, Herndon VA 20170. Letters may also be sent via email to revenue@herndon-va.gov.

Upon receipt of a letter of appeal, the Director of Finance shall examine financial statements, audits, and other relevant records. The director may request additional records and/or conference with the taxpayer as part of the deliberative process. Within 90 days from receipt of records, the Director of Finance will issue a letter of Final Local Determination.

FAQs

How are businesses assessed for taxation purposes in the town?

Many variables go into assessment of businesses, including classification, services the business is providing and more. Each business is assessed separately and on an individual basis. Appeals to assessments are also evaluated separately and individually.

What are the criteria for filing an appeal on my assessment?

If an appealable event has occurred as defined in Va. Code §§58.1-3980(A), a business may file an appeal. Appealable events are:

- An increase in the assessment of a local license tax payable by a taxpayer.
- Denial of a local license tax refund.
- Assessment of a local license tax where none was previously assessed; or
- Determination of classification applicable to a taxpayers' business, including whether the business properly falls within a business license classification.

How long do I have to file an appeal on my tax assessment?

Appeals must be filed within one year of the tax assessment date.

Do I need to pay anything while my appeal is in process?

Collection activity is suspended while an appeal is in process and until a final local determination is provided, unless the Director of Finance determines that collection may be jeopardized by delay.

If my appeal is in process at the March 1 tax deadline, should I pay anything?

Business owner/operators should pay what they believe their assessment should be, by the tax deadline. Once a final local determination is made, businesses will be refunded any excess amount paid or billed for additional amount due.

What if I disagree with the final local determination?

Taxpayers who disagree with a final local determination may appeal to the Tax Commissioner of the Commonwealth of Virginia, PO Box 1880, Richmond, VA 23218-1880. The appeal to the Commonwealth must be filed within 90 days of the final local determination. For more information, visit the Commonwealth's website at [Virginia Tax Administrative Appeals](#).