



WHAT EVERY TEXAS LAWYER NEEDS TO KNOW ABOUT PROPERTY TAXES

*An insider's guide to the confusing world of property taxation from
BRUSNIAK TURNER.*

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Why You—and Your Clients—Should Challenge Their Property Taxes Every Year

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Over the years, I have written a number of newsletters about the Texas property tax system—some explaining how it works, others pointing out where it does not.

If you have read pieces like “*The Great Texas Property-Tax Switcheroo*,” “*Lost at the ARB? It’s Only Halftime*,” or “*Taxation by Guesstimation*,” then you already have a sense of my views. I will not repeat all of that here.

If you would like to revisit those or see the full collection, they are available [here](#).

Instead, I want to approach this from a different angle—one that is more practical than philosophical:

Whether you like the system or not, you cannot afford to sit it out.

First and Foremost: Do Not Miss the Deadline

Before anything else, nothing in this article matters if you miss the deadline.

You have to file your protest by the later of May 15 or 30 days after the appraisal district mails your notice of appraised value—not when you receive it.

That distinction matters. With the realities of mail delivery today, you are likely to have less and less time between the date it is mailed and the deadline to act. Every year, that window effectively

gets tighter.

Miss that deadline, and your options narrow dramatically.

Most People Are Asking the Wrong Question

When a notice of appraised value arrives, most people ask:

How much are my taxes going up?

That is a fair question, but it is only part of the picture.

In Texas, we primarily fund local government through property taxes. Cities, counties, school districts, hospital districts, community college districts, and others all operate on annual budgets. As a general rule, taxing units can increase property tax revenue by up to 2.5% each year without voter approval.

That has an important consequence.

Even if overall property values are flat—or even declining—those taxing units are still allowed to collect more total tax revenue. And if values are going down in some segments of the market (which we are seeing right now in many residential properties, apartments, office buildings, and other sectors), then the burden shifts even more to those whose values do not come down.

So the better question is this:

How much more of each taxing unit's budget am I going to have to cover this year?

The Quiet Shift Most People Miss

At its core, the property tax is a **tax on wealth**. The idea is straightforward: those who own more property can contribute more to the cost of government.

That concept has been around for a very long time—going back to ancient systems of taxation and carrying forward through English common law into early American practice. In many ways, it was the state of the art in the United States in the late 1800s.

But wealth today does not look like it did then.

Think about where wealth actually sits now. Consider someone like Elon Musk, or, for that matter, many individuals on the Fortune 100 lists. Their wealth is largely made up of things like:

- Stocks
- Business interests
- Other intangible assets

In Texas, we do not tax those forms of wealth. In fact, we have structured our Constitution and statutes to ensure that most intangible property is not taxed.

Instead, we continue to tax:

- Land
- Buildings
- Equipment
- Other tangible property

At the same time, the Legislature continues to create new exemptions and limitations that remove additional property from the tax base.

When that happens, the total cost of government does not go away. It shifts.

And it shifts onto those who remain in the system.

What Happens If You Do Nothing

Each year, a significant number of property owners protest their values and obtain reductions. Appraisal districts expect this. The system, in many respects, operates with that reality built in.

Which leads to a simple, but uncomfortable truth:

If you do not protest, you are taking on a larger share of the tax burden than those who do.

You are not holding steady by doing nothing. You are falling behind.

This is especially true in a market where some property types are declining. If others are successfully reducing their values and you are not, then you are effectively picking up the difference.

There is another practical problem as well. If you do not challenge your value in a given year, it becomes much harder to do so in a later year—particularly if your argument is that the value was already too high to begin with. In practice, appraisal districts are very reluctant to set a value below a prior year's value.

Property Tax Errors Do Not Fix Themselves

The Texas Constitution requires that:

- Property not be taxed above its market value, and
- Taxation be equal and uniform

Those are strong protections, but they are not self-executing—at least not without your participation.

The system relies heavily on mass appraisal—values generated by models and algorithms that may or may not reflect what your specific property is actually worth.

And the government is not going to:

- Tell you that your property is overvalued (because that value was generated by a system that may or may not reflect reality),
- Tell you that your neighbors or business competitors are being treated more favorably, or
- Tell you that you may qualify for an exemption or limitation you are not receiving

If you do not raise those issues during the protest period, the law makes it very difficult—or in some cases impossible—to obtain a refund later.

What Should You Be Looking At?

At a very basic level, every property owner should be asking two questions:

1. Is My Property Value Too High?

In plain terms:

Does this value actually make sense based on what I know about my property?

You do not need to be an appraiser to recognize when a number feels disconnected from reality.

2. Am I Being Treated the Same as Others?

Put differently:

Is my property being taxed at a higher value than my neighbors or my business competitors?

This “equal and uniform” argument is often overlooked, but it can be just as important as market value.

“I Don’t Have Time for This”

That is a common reaction, but it is not a reason to ignore the issue—it is a reason to decide how you want to handle it.

You have options:

- **Do it yourself.** Many property owners do, and most lawyers, accountants, and business professionals are more than capable of handling the basics.
- **Designate someone in your organization to handle it.** For businesses with multiple properties, that is often an efficient way to stay on top of annual protests.
- **Hire a professional.** In Texas, there are licensed property tax consultants, as well as lawyers and CPAs, who regularly handle these matters.

At the same time, be careful. Some property tax firms operate almost entirely through online intake systems or handle extremely high volumes of protests. While some of those providers are perfectly capable, many are effectively running their own version of mass appraisal—applying broad assumptions across large numbers of properties. That approach often does not provide the level of attention needed to evaluate what your specific property is actually worth.

As I have discussed in prior pieces such as “*Property Tax Protests: Like Lawsuits—Only Easier*” and “*Challenging Your Property Tax Values – The Easy Way,*” this is not an inaccessible process. It is, in many cases, a routine one.

The Bigger Picture

Texas continues to grow. Demand for government services continues to increase. Inflation affects everything from labor to materials to infrastructure.

At the same time, there are growing signals that the federal government may reduce its support for state and local programs.

All of those points in the same direction:

Property taxes are not going away, and they are not getting simpler.

The Bottom Line

When you receive a notice of appraised value, you are not just looking at a number. You are looking at your share of the cost of funding:

- Your city
- Your county
- Your schools
- And every other local taxing unit

The real question is not simply whether your value went up.

It is:

How much of the overall cost will I have to cover?

If you are not actively working to ensure that your share is fair—by challenging value, ensuring equal treatment, and claiming available exemptions—then you are almost certainly paying more than you should.

And in this system, that is exactly what happens to people who sit it out.



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