Case Summaries by Jurisdiction

California

The Retail Property Trust v. Orange County Assessment Appeals Board No. 1. California Court of Appeal, decided April 2026.

The Court of Appeal addressed the availability of property tax assessment relief under California Revenue and Taxation Code section 170 for access restrictions imposed by governmental orders issued during the COVID-19 pandemic. The plaintiff shopping center argued that restricted access during the pandemic constituted "damage" to the property within the meaning of section 170, entitling it to assessment relief.

Implication for appraisers. The opinion's interpretation of "damage" under section 170 will shape future relief claims based on externally-caused diminutions in property utility, whether arising from public-health orders, infrastructure projects, or other governmental actions affecting access. Appraisers asked to opine on the impact of access restrictions on commercial property value should review the court's reasoning on whether restricted utility—as distinct from physical injury—constitutes compensable damage for assessment-relief purposes.

Colorado

Cheroutes v. Rocket Mortgage & Solidifi. U.S. District Court, D. Colorado; pending, status updates in 2026.

The underlying complaint alleges appraisal bias under the Fair Housing Act in connection with a 2021 appraisal of a Denver duplex valued at approximately $640,000—more than $220,000 below the prior year's appraised value. A federal judge previously denied the defendants' motion to dismiss, holding that Rocket Mortgage and the appraisal management company Solidifi must defend the claims rather than disclaim responsibility on the theory that lenders and AMCs cannot be liable for the conduct of independent fee appraisers. The case is in discovery in 2026.

Implication for appraisers. The case is the leading active vehicle for testing AMC and lender liability under the Fair Housing Act for the conduct of fee appraisers. If the court ultimately holds the AMC and lender liable on the merits, it would substantially expand the universe of parties exposed to fair housing claims arising from appraisals, and would likely propagate into AMC–appraiser engagement contracts.

Florida

Florida class action challenging AMC fees charged to residential borrowers. Filed January 2, 2026.

The complaint challenges appraisal management company fees charged to residential mortgage borrowers, alleging that the markup between the fee paid to the fee appraiser and the fee charged to the borrower at closing exceeds the limits established under federal law and is inadequately disclosed. The case sits at the intersection of the Dodd-Frank "customary and reasonable" fee requirement (12 U.S.C. § 1639e) and the consumer-disclosure regimes under the Truth in Lending Act and the Real Estate Settlement Procedures Act.

Implication for appraisers. The litigation tests the structure of AMC compensation and, if certified as a class and decided on the merits, could reshape disclosure practices industry-wide. The outcome

may indirectly affect the fee-setting environment for fee appraisers working through AMCs by exposing the spread between AMC-paid and borrower-charged fees to judicial scrutiny.

Georgia

Green Rock conservation easement cases. United States Tax Court, opinions discussed in *Tax Notes* on March 2, 2026.

The Tax Court worked through each prong of the highest-and-best-use test in evaluating conservation easements granted on adjacent parcels (the Green Rock Property and Green Rock South) in the Piedmont province of Georgia. Petitioners' experts asserted that the highest and best use of the properties before the easement grant was operation of a granite quarry, and used discounted cash flow analysis to estimate a before-easement fair market value of approximately $13.75 million against an after-easement value of $180,000.

The court expressed reservations on each prong of the test. On legal permissibility, the court was not persuaded that rezoning to permit quarry operations was reasonably probable, noting in particular that a zoning classification change for the Green Rock Property had been obtained shortly after a new conservation easement appraisal was requested—a sequence the court found difficult to credit. On physical possibility, the court found the petitioners' geological evidence insufficient to establish that a viable quarry could be developed at the Harman Road parcel, notwithstanding the general known presence of mineable granite in the Piedmont province. The court further held that even if legal permissibility and physical possibility were assumed, this would not be controlling without satisfying the remaining prongs of the analysis.

Implication for appraisers. The opinion is a worked example of disciplined sequential application of the four-prong highest-and-best-use test. It reinforces the line established in *Ranch Springs, LLC v. Commissioner*, 164 T.C. No. 6 (2025), and *Beaverdam Creek Holdings, LLC v. Commissioner*, T.C. Memo. 2025-53, that the Tax Court will not accept speculative highest-and-best-use claims even where the general feasibility of the proposed use is documented in the surrounding region. Appraisers preparing easement valuations should develop parcel-specific evidence for each prong rather than rely on regional or analogically-supported feasibility, and should be especially cautious of timing patterns—such as zoning changes obtained contemporaneously with appraisal commissioning—that may invite judicial skepticism.

Maryland

Baltimore acquisition of Pimlico Race Course. Eminent domain proceedings, ongoing 2025–2026.

The City of Baltimore's acquisition of the Pimlico Race Course through the eminent domain power raises just-compensation questions concerning the relationship between going-concern value and real property value for specialty-use facilities. Because Pimlico's operating business is functionally inseparable from its physical plant, conventional real-property comparable sales analysis is of limited utility, and income-approach valuations depend heavily on the assumed continuation of the racing operation.

Implication for appraisers. The proceeding is worth monitoring for any appraiser asked to value a single-purpose facility where the operating business and the real estate are functionally inseparable, such as racetracks, motion-picture studios, theme parks, marinas, and certain healthcare or hospi-

tality assets. The methodology that emerges from litigated proceedings will likely influence how just-compensation calculations treat going-concern increments in future condemnation matters.

Federal Fair Housing Act Claims Against Appraisers

Braxton v. Bank of America. Filed April 2026.

A homeowner has sued Bank of America and a Virginia-based appraiser, alleging racial discrimination in violation of the Fair Housing Act. The plaintiff asserts that she and her tenants were present at the appraisal and that the appraiser's conduct evidenced racial animus. The case continues the pattern established in earlier appraisal bias litigation, including the *Connolly/Mott v. loanDepot* matter in the District of Maryland and the *Austin v. Miller* matter in Marin County, California, of individual-plaintiff Fair Housing Act claims against appraisers, AMCs, and lenders.

Implication for appraisers. The continued filing pace of appraisal bias cases against individual appraisers, combined with the federal retrenchment on disparate-impact enforcement, indicates that the field of liability exposure has shifted: private plaintiffs and state-level fair-housing enforcers are now the principal sources of appraisal bias liability, rather than federal agencies. Appraisers should review documentation practices to ensure that comparable selection, adjustment derivation, and final-value reconciliation are independently defensible against post-hoc scrutiny, and should be aware that statements or conduct during the inspection itself are frequently the factual basis for plaintiffs' claims.