

# *The role of cadastral value in balancing local budgets*

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**Abstract.** Modern tax federalism implies that federal budget relies on the major taxes. This results in the lack of regional and local taxes and dependency of the local authorities. Local taxes mainly include personal income tax, corporate property tax, personal property tax and land tax. Thus, the taxable base is related to the cadastral value of real estate. In the article the authors study the dependence of the balance of local budgets on the cadastral valuation.

Regional and local authorities apply the mechanical approach to the development of their taxable base, which leads to overestimation of cadastral value in most regions. The authors studied this problem and analyzed the situation in Tambov and Volgograd regions (that belong to different federal districts) and in their regional centers.

The study showed that an overestimated cadastral value leads to an increase in the number of claims challenging the cadastral value and to a reduction in the taxable base. As a result, local budgets suffer and it gets difficult to balance a budget.

**Keywords** - local budget, budget balance, budget deficit, cadastral value, local taxes

## I. INTRODUCTION

It has always been a challenging task to balance regional and local budgets. In 2018 budget subsidies were not paid to 12 regions: Tatarstan, Leningrad region, Moscow region, Samara region, Sakhalin region, Sverdlovsk region, Tyumen region, Nenets autonomous district, Khanta-Mansiysk autonomous district, Yamalo-Nenets autonomous district, Moscow and St. Petersburg [1].

The other regions were subsidized. However, the level of subsidies was different. So, Kaluga region was paid 0.27 billion rubles, Tambov - 9.11 billion rubles, and the republic of Dagestan - 59.07 billion rubles. [1].

The criterion of a balanced budget is determined by the Budget Code of the Russian Federation. According to Article 133 of the Budget Code of the Russian Federation, the balance

of the budget is ensured if the budget revenue and the sources of financing the budget deficit correspond to budget expenditures. However, we should note that in the long-term perspective it is possible to balance a budget only if the budget revenue (that does not include the sources of financing the deficit) corresponds to budget expenditures. Due to the budget deficit, the solution to the problem of balance is postponed, and actually, the problem itself remains.

Only 12 out of the 85 regions are donors, which means that the problem the authors raised is very serious. It is important to note that in the dynamics the problem is only aggravated. So in 2006 there were 25 regions with a budget surplus, in 2015 - 14, and in 2018 - only 12 [2].

Perhaps, this is due to the current system of tax federalism, which implies that the major taxes are considered to be federal. Thus, there is a grave problem of imbalances in regional and local budgets, which makes regions dependent.

However, we should mention that the Ministry of Finance of the Russian Federation makes an attempt to mitigate the situation, widely using the mechanism of co-financing various projects. In fact, the point is that the federal center is ready to provide financial help, but only if the region itself has financial resources. This makes the regions and local authorities develop their own taxable base.

## II. MATERIALS AND METHODS (MODEL)

The research was based on the logical method, as well as the methods of analysis and induction. In addition to general scientific methods, statistical methods were widely used in the study, including the method of analyzing the dynamics (revenue from taxes); structural analysis method (tax and non-tax revenue in the overall structure of the local budget); sampling method (the regional centers of the Central Federal District (Tambov) and of the Southern Federal District (Volgograd)).

### III. RESULTS AND DISCUSSION

As it has already been noted, the authors studied the problem analyzing the two regions that belong to different

federal districts (Tambov region - the Central Federal District and Volgograd region - the Southern Federal District) (Table 1). These are typical Russian subsidized regions.

TABLE 1. The structure of revenue and expenditures in Tambov region (CFD) and Volgograd region (SFD) in 2018-2020 [3,4]

<b>Tambov Region</b>			
Year	2018	2019 (forecast)	2020 (forecast)
Revenue, billion rub., including	48901,9	46057,9	45497,1
tax and non-tax revenue, billion rub.	29959,0	30004,0	30715,2
gratuitous receipts, billion rub.	18942,9	16053,9	14781,9
Expenditures, billion rub.	49282,7	48862,1	45969,6
Deficit (-) / Surplus (+),billion rub.	-380,8	-2804,2	-472,5
<b>Volgograd region</b>			
Year	2018	2019 (forecast)	2020 (forecast)
Revenue, billion rub., including	98637,6	79075,6	81220,9
tax and non-tax revenue, billion rub.	69543,5	64523,6	67878,4
gratuitous receipts, billion rub.	29094,1	14552	13342,5
Expenditures, billion rub.	98637,6	79075,6	81220,9
Deficit (-) / Surplus (+),billion rub.	0	0	0

The situation is even more serious at the level of local budgets (Table 2). Here, the imbalance between revenue and expenditures is even more critical.

TABLE 2. The structure of revenue and expenditures in Tambov (CFD) and Volgograd (SFD) in 2018-2020 [5,6]

<b>Tambov</b>			
Year	2018	2019 (forecast)	2020 (forecast)
Revenue, billion rub., including	5114	4676,9	4595,4
tax and non-tax revenue, billion rub.	2858,7	2922,3	2840,8
gratuitous receipts, billion rub.	2255,3	1754,6	1754,6
Expenditures, billion rub.	5114	4676,9	4595,4
Deficit (-) / Surplus (+),billion rub.	0	0	0
<b>Volgograd</b>			
Year	2018	2019 (forecast)	2020 (forecast)
Revenue, billion rub., including	21161,2	14073,9	14315,1
tax and non-tax revenue, billion rub.	8612,7	8027,2	8121,2
gratuitous receipts, billion rub.	12548,5	6046,7	6193,9
Expenditures, billion rub.	21346,7	14073,9	14315,1
Deficit (-) / Surplus (+),billion rub.	-185,5	0	0

The analysis of the structure of the revenue sources makes things obvious. Let us focus on the tax and non-tax revenue of Tambov and Volgograd (Table 3).

TABLE 3. The structure of the main revenue sources of Tambov (CFD) and Volgograd (SFD) 2018 [7,8]

<b>Tambov</b>		
Basic taxes and non-tax revenue	Total, mln.rub.	Budget revenue, %
Personal income tax	1258,3	44,0%
Land tax	632,9	22,1%
Corporate Property Tax	570,7	7,2%
Individual Property Tax	199,8	7,0%
Land rent	291,5	10,2%
Fines, sanctions	43,3	1,5%
Privatization of municipal property	77,2	2,7%
Total tax and non-tax revenue	2858,3	
<b>Volgograd</b>		
Basic taxes and non-tax revenue	Total, mln.rub.	Budget revenue, %
Personal income tax	2960,1	37,2%
Land tax	1398,5	17,6%
Corporate Property Tax	650,8	8,2%
Individual Property Tax	522,1	6,6%
Land rent	1106,5	13,9%
Fines, sanctions	231,5	2,9%
Privatization of municipal property	230	2,9%
Total tax and non-tax revenue	7948,2	

We should note that 4 taxes are related to the cadastral value of real estate:

- personal income tax (when real estate is sold);
- corporate property tax (on real estate which is mentioned in article 378.2 of the Tax Code of the Russian Federation);
- individual property tax (on all real estate);
- land tax (with the exception of land withdrawn from agriculture).

Moreover, revenue from the lease of municipal land is also related to the cadastral value.

So, in 2018, personal income tax accounted for 44 % of the budget of the city of Tambov, land tax - 22.1%, corporate property tax - 7.2%, property tax - 7.0%. In general, the total revenue from the taxes accounted for 80.3% of the revenue of the city budget, and together with the land rent - over 90%.

The situation was similar in Volgograd: personal income tax accounted for 37.2% of the budget of the city, land tax - 17.6%, corporate property tax - 8.2%, property tax - 6.6%. The total revenue from the taxes accounted for 69.6% of the

revenue of the city budget, and together with land rent - 83.5%.

Thus, local budgets are almost entirely dependent on the cadastral value of real estate.

However, there is an important nuance. In practice there are problems related to cadastral valuation of real estate, such as overestimation of cadastral value.

In the early 2000s the cadastral valuation system was established and property and land taxes were related to the market value. Initially, the cadastral value was some kind of surrogate market value (the state did not have the technical ability to evaluate all real estate of individuals and legal entities in accordance with the market value).

The cadastral valuation was inconsistent (and sometimes inadequate) as in Tambov the last 4 cadastral valuations drastically changed land values. A comparative analysis of the specific indicator of cadastral value (cost of 1 sq.m.) is given in the figure below.

2003	2007	2014	2018
Land for trade and commercial objects, public catering, personal services – 2154,11 rub. / sq.m	Land for trade and commercial objects, public catering, personal services - 5162.41 rub. / sq.m	Land for trade objects, public catering, personal services - 5399.80 rub. / sq.m	Business – 4073,21 rub. / sq.m
Land for industrial objects – 2598,92 rub./sq.m	Land for industrial and administrative objects – 4171,80 rub./sq.m	Land for industrial and administrative objects – 4864,77 rub./sq.m	Industry - 1260,54 rub. / sq.m
Land for administrative and public objects – 396,17 rub./sq.m.	Land for administrative objects and office buildings, objects of education, science, health care and social security – 5727.21 rub./sq.m.	Land for administrative objects and office buildings, objects of education, science, health care and social security – 6989,25 rub./sq.m.	Public use – 1729,63 rub. / sq.m

Figure1. Dynamics of the specific indicator of cadastral value [9,10,11,12]

The figures show that there is no taxation strategy related to cadastral valuation. Thus, within the period of 15 years the specific indicator of the cadastral value (cost of 1 sq.m) of industrial objects at first increased (it was 2 times the size of the original value), and then it decreased to one fourth of the previous value. According to the results of the valuation carried out in 2007 and 2014, the most expensive land in Tambov was the land for the objects of education, science, health care and social security.

Moreover, there is a lack of systematic cadastral valuation; it is not related to the market value of such land, which causes overestimation of the cadastral value [13].

However, the cadastral valuation is regulated by the two federal laws:

No. 135-Φ3 dated July 29, 1998 “On valuation activities in the Russian Federation” and No. 237-Φ3 dated July 3, 2016, “On state cadastral valuation”. The system of cadastral valuation is likely to be improved as from 2020 cadastral valuation will be regulated by the latest federal law.

Both laws protect the interests of property owners in case of pre-trial and court procedures for challenging the cadastral value. Of course, such procedures are not simple; they require good legal training and financial costs [14].

The pre-trial procedures are regulated by the body of the Federal Service for State Registration. The results of the

procedures are regularly published.

According to the official statistics, in 2015-2016, about 75-80% of the claims were satisfied (Table 4), which means that the Federal Registration Service confirms that in these cases the cadastral value is overestimated.

TABLE 4. Statistics of cases challenging the results of cadastral valuation considered by the bodies of the Federal Service for State Registration (according to the Federal Service for State Registration) [15,16,17,18]

Year	Plaintiffs' claims are satisfied, (cases /%) /		Plaintiffs' claims are not satisfied, (cases /%) /		The number of pending matters by the end of the analyzed period, (cases /%) /	
2015	21346	44,9%	15825	33,3%	10359	21,8%
2016	29512	61,0%	18843	39,0%	no data	no data
2017	37390	58,3%	26760	41,7%	no data	no data
2018	21238	54,0%	14437	36,7%	3657	9,3%

TABLE 5. Statistics of cases challenging the results of cadastral valuation considered in court (according to the Federal Service for State Registration) [19,20,21,22]

Year	Plaintiffs' claims are satisfied, (cases /%) /		Plaintiffs' claims are not satisfied, (cases /%) /		The number of pending matters by the end of the analyzed period, (cases /%) /	
2015	7240	76,0%	1556	16,3%	732	7,7%
2016	11056	82,0%	1019	7,6%	1402	10,4%
2017	8164	51,6%	1016	6,4%	6637	42,0%
2018	9283	57,6%	829	5,1%	6002	37,2%

In general, it should be noted that according to the statistics, more than 50% of the plaintiffs' claims were satisfied. According to the statistics in Table 5, within the period of 2015-2016, in 4 out of 5 cases the cadastral value was overestimated. Moreover, since 2017 the number of pending matters by the end of the year has significantly increased due to the cadastral valuation of buildings, which requires a specific judicial practice.

According to the Federal Service for State Registration, due to the procedures carried out by the body of the Federal Service for State Registration and by the court, the cadastral value is reduced (Table 6, Table 7).

TABLE 6. Statistics of reducing the cadastral value due to the procedures carried out by the body of the Federal Service for State Registration (according to the Federal Service for State Registration) [15,16,17,18]

Year /	Cadastral value before consideration of claims, billion rub. /	Cadastral value after consideration of claims, billion rub. /	The percentage reduction in cadastral value, % /
2015	6 167	3676	40,39%
2016	5 641	4951	12,23%
2017	9 400	8000	14,89%
2018	2 869	2262	21,16%

TABLE 7. Statistics of reducing the cadastral value due to the court procedures (according to the Federal Service for State Registration) [19,20,21,22]

Year /	Cadastral value before consideration of claims, billion rubles. /	Cadastral value after consideration of claims, billion rub. /	The percentage reduction in cadastral value, % /
2015	1 824	995	45,45%
2016	1 756	938	46,58%
2017	1 672	781	53,29%
2018	1 767	1 048,90	40,64%

Nevertheless, according to the statistics reflecting the work of the body of the Federal Service for State Registration in 2018, the percentage reduction in cadastral value was a little over 20%. However, according to the statistics, thanks to the court procedures, the percentage reduction in cadastral value was 40-55%, which means that the cadastral value had been twice as high.

Thus, the most complicated cases related to overestimation of cadastral value are considered in court.

Moreover, there is a noticeable difference in the outcome of the procedures carried out by the Federal Service for State Registration and the Supreme Court. Thus, according to the statistics of the Supreme Court of the Russian Federation, 97%

of the claims are satisfied [23], which proves that the cadastral value is overestimated.

This fact may have a negative impact on local budgets as balancing local budgets becomes problematic.

Thus, the Department of Finance of the Administration of Volgograd gives the following figures (Table 8).

TABLE 8. Statistics of lost revenue from land tax and land rent in the city of Volgograd in 2018 [8]

Figures in 2018	Land tax	Land rent
Amount of tax / rent, mln. rub.	1 399	1 107
Lost revenue as a result of challenging the cadastral value in court, mln. rub.	441	377
Lost revenue after consideration of the claims challenging the cadastral value by the Federal Service for State Registration in Volgograd Region, mln. rub.	278	65
Lost revenue from land tax / rent, mln. rub.	719	442
The ratio of the lost revenue from land tax / rent to the amount of tax / rent and the lost revenue, mln. Rub.	33,9%	28,5%

According to the figures in the last line, the revenue from land tax was reduced by more than 1/3 and the revenue from the land rent was reduced by almost 30% as a result of challenging the cadastral value of the property.

Thus, we can see how much the local budget revenue was reduced. So, in 2018, the percentage reduction in cadastral value was 20% (due to the claims considered by the Federal Service for State Registration), whereas thanks to the court procedures, the percentage reduction in cadastral value was about 40%. The overall reduction in the cadastral value was 28.5%.

This shows how much the revenue from land tax, individual property tax and land rent (and to a lesser extent from personal income tax and corporate property tax) can be reduced. So, in other words, taking into consideration the above-mentioned statistics, the local governments can forecast a reduction in revenue.

#### IV. CONCLUSION

Summing up the results of this research, the authors made a number of conclusions.

Firstly, the mechanical approach to the development of the taxable base (overestimation of cadastral value) has negative effects. On the one hand, it helps to increase revenue from the taxes and land rent. On the other hand, claims challenging the cadastral value are considered in court or by the Commission of the Federal Service for State Registration (which is a legal mechanism for protecting the rights of ownership), which leads to the reduction in revenue.

This reduction can be confirmed by official statistics which can be different in Russian regions, whereas the situation is the same throughout the country.

Secondly, local authorities do not approve of challenging the cadastral value because the administrative resource is often involved in this process, which has certain consequences. Actually, an overestimation of the cadastral value leads to an increase in social tension and to a tax burden on business. Local taxes are a big concern to small and medium-sized enterprises, while large enterprises, as a rule, are registered in Moscow, St. Petersburg and in large Russian regions. In addition, it is obvious that large business has more opportunities for tax optimization. Therefore, the overestimation of the cadastral value has a negative impact on small business supported by the government. In theory, the described approach is aimed at increasing the taxable base; however, in reality there is a reduction in the taxable base as enterprises are closed [24].

Thirdly, the methods of cadastral valuation are improving thanks to the federal law No. 237-Ф3 (dated July 03, 2016 "On state cadastral valuation". It came into effect on January 01, 2017) and Methodological guidelines for state valuation № 226 (dated December 05, 2017). Thanks to the better system, the cadastral valuation is likely to be more objective. Consequently, the above-mentioned "mechanical approach" cannot be used in the long-term perspective. In any case, local authorities need to adapt to the reduction in the taxable base. It is advisable to create better conditions for small business; therefore, local authorities should be interested in the objectivity of the cadastral valuation.

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