

BOARD OF EQUALIZATION, WASHOE COUNTY, NEVADA

WEDNESDAY

9:00 A.M.

FEBRUARY 4, 2009

PRESENT:

James Covert, Chairman
John Krolick, Vice Chairman
Benjamin Green, Member*
James Brown, Member
Linda Woodland, Member

Nancy Parent, Chief Deputy Clerk
Herb Kaplan, Deputy District Attorney

The Board convened at 9:01 a.m. in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Chairman Covert called the meeting to order, the Clerk called the roll and the Board conducted the following business:

09-86E WITHDRAWN PETITIONS

The following petitions scheduled on today's agenda had been withdrawn by the Petitioners prior to the hearing:

Parcel No.	Petitioner	Hearing No.
080-414-13	PLYS, TERRY & DAPHNE	09-0176
080-415-06	PLYS, TERRY & DAPHNE	09-0177
522-121-11	HEUER, LARRY M & STARLS S	09-0130
522-302-07	HEUER, LARRY M & STARLS S	09-0131

09-87E SWEARING IN

Nancy Parent, Chief Deputy Clerk, swore in the following appraisal staff that had not been previously sworn:

Michael Churchfield, Appraiser II
Kenneth Johns, Appraiser II
Peter Kinne, Appraiser II
Rigoberto Lopez, Senior Appraiser
Dona Stafford, Appraiser III
Virginia Sutherland, Appraiser II
John Thompson, Appraiser III
Gail Vice, Senior Appraiser

09-88E CONSOLIDATION OF HEARINGS

Chairman Covert deferred any discussion regarding consolidation of hearings until after the Petitioners present were heard.

RESIDENTIAL APPEALS

Chairman Covert stated “according to NRS 361.345 the County Board of Equalization (CBOE) may determine the valuation of any property assessed by the County Assessor and may change and correct any valuation found to be incorrect either by adding thereto or deducting therefrom such sum as necessary to make it conform to the taxable value of the property assessed whether that valuation was fixed by the owner or the County Assessor. The CBOE may not reduce assessments of the County Assessor unless it was established by a preponderance of the evidence that the valuation established by the County Assessor exceeds the full cash value of the property or is inequitable.”

09-0089E PARCEL NO. 526-403-08 – SATO, DANIEL S – HEARING NO. 09-0071R08

A Petition for Review of Assessed Valuation was received protesting the 2008-09 taxable valuation on land and improvements located at 3959 Spruce Trail Ln, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Escrow documents, 4 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subject's appraisal records, 7 pages.

On behalf of the Petitioner, Daniel S. Sato was sworn in by Chief Deputy Clerk Nancy Parent.

On behalf of the Assessor and having been previously sworn, Michael Churchfield, Appraiser II, oriented the Board as to the location of the subject property.

Mr. Sato stated he was appealing because the total taxable value of \$315,000 was more than he paid for the house. He said he chose the cheapest condominium without any upgrades. He mentioned a recent flyer listed the condominium for sale at \$208,300. He noted he paid \$277,000, which included a price reduction as shown in his escrow documents in Petitioner's Exhibit A.

Appraiser Churchfield clarified this was a 2008/09 appeal so it was not subject to the 15 percent reduction. Chairman Covert asked why it was being heard.

Appraiser Churchfield said it was being heard because it was a reopen. He said based on the sales and the cutoff date, the sales indicated a median value of \$315,000. He noted the Petitioner's purchase price was less than that, but the purchase happened after the cutoff date and the \$315,000 figure was used to determine the value.

***9:10 a.m.** Member Green arrived.

Appraiser Lopez, indicated this was a tough one because the subject property was bought in October 2007 for \$277,000 and its taxable value was a little over \$315,537. He stated the three comparable sales were from the same development, they were all above \$300,000 with a taxable value per square foot of \$131 to \$132 and the subject was currently at \$127, which was right in that range.

Chairman Covert asked if there were special conditions on the sale. Appraiser Lopez said it was a good sale. Member Krolick agreed the sale was pretty straightforward.

Chairman Covert felt the Assessor's third comparable sale was not really comparable because the home was considerably larger.

Chairman Covert said what he was wrestling with was the sale occurred after the close of the taxable year and the downturn in the market should be seen next year rather than this year.

In response to Mr. Sato mentioning the land size, Member Woodland said the first two comparables' land was a little larger, but otherwise they were good comparables. She noted she was not considering the third sale because she agreed with the Chairman that it was not a good comparable.

With regard to Parcel No. 526-403-08, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Krolick, which motion duly carried with Member Green abstaining, it was ordered that the Assessor's taxable values be upheld for tax year 2008-09. It was found that the Petitioner failed to meet his/her burden to show the land and improvements are valued incorrectly or that the total taxable value exceeded full cash value.

Chairman Covert advised the Petitioner he felt this was a timing issue and the Petitioner could appeal to the State.

09-0090E **PARCEL NO. 084-592-08 – PHINNEY, NADINE L – HEARING NO. 09-0953**

A Petition for Review of Assessed Valuation was received protesting the 2009-10 taxable valuation on land and improvements located at 4251 Desert Rain Ct, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Residential Summary, 1 page.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subject's appraisal records, 10 pages.

On behalf of the Petitioner, Nadine L. Phinney was sworn in by Chief Deputy Clerk Nancy Parent.

On behalf of the Assessor and having been previously sworn, Michael Churchfield, Appraiser II, oriented the Board as to the location of the subject property.

Ms. Phinney indicated her lot was smaller than the Reynen & Bardis advertised lot size of 1/2 acre or more, her landscaping was not elaborate, and there were few upgrades in her house. She felt using the square footage of a house as the main factor for determining the value was not a valid way to assess a house because upgrades would need to be considered.

Appraiser Churchfield explained a house was valued using the *Marshall & Swift* costing approach to determine the improvements, which was the standard approach across the Country for homes. He said a median sales price was used for the land and then, because this was a subdivision, 25 percent of that price was allocated to determine the land value. He noted improved sales IS-2 and IS-3 were less than one-half acre lots.

Ms. Phinney said there had been four homes across the street from hers for sale since last summer. She noted her home was listed for sale from July to November of last year, but she received no offers even though the price was cut twice. She felt the taxable value was unreasonable with the current housing market, and she thought the total taxable value should be \$356,000. Chairman Covert asked if she was aware the land was reduced 15 percent. Ms. Phinney said she was not aware of that reduction when she completed her petition. Chairman Covert said \$86,615 was the current land value. Ms. Phinney felt that was still too high.

Member Green asked if Ms. Phinney's house was still on the market. Ms. Phinney replied it was taken off the market in November and \$415,000 was the lowest asking price. She said she received feedback from the realtors that buyers expected upgrades such as granite countertops. She noted the house on Desert Fox that sold for \$366,000 was larger than hers.

Member Brown asked how her lot compared to others near her. Ms. Phinney replied they were larger. She did not understand why the Assessor's Office did not look at more current comparables. Chairman Covert explained the Assessor's Office

was bound by state law, which specified the sales dates that could be used for comparisons.

Member Woodland asked if the subject being on a corner lot on a cul-de-sac made a difference regarding the price. Appraiser Churchfield explained the median size in a neighborhood was determined and adjustments were made for abnormally smaller and larger lots.

Josh Wilson, Assessor, explained the reason for the 15 percent adjustment across the board was to adjust for the general market trend. He indicated the Assessor's Office would follow market trends and adjust accordingly every year. Chairman Covert noted Assessor Wilson took some heat for doing the 15 percent reduction, but he felt Assessor Wilson did the right thing. Assessor Wilson said that was why he believed the Assessor should remain an elected position.

With regard to Parcel No. 084-592-08, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Green, seconded by Member Woodland, which motion duly carried, it was ordered that the Assessor's taxable values be upheld for tax year 2009-10. It was found that the Petitioner failed to meet his/her burden to show the land and improvements are valued incorrectly or that the total taxable value exceeded full cash value.

09-0091E PARCEL NO. 527-092-01 – HALLAHAN, WILLIAM J & LINDA J – HEARING NO. 09-0132

A Petition for Review of Assessed Valuation was received protesting the 2009-10 taxable valuation on land and improvements located at 3657 Desert Fox Dr, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Letter and supporting documentation, 7 pages.

Exhibit B: Comparables and current taxable values, 1 page.

Exhibit C: Reynen and Bardis neighborhood map - Highlands at Cimarron East, 1 page.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subject's appraisal records, 9 pages.

Exhibit II: Overhead maps of subject parcel, 2 pages.

On behalf of the Petitioner, William J. Hallahan was sworn in by Chief Deputy Clerk Nancy Parent.

On behalf of the Assessor and having been previously sworn, Michael Churchfield, Appraiser II, oriented the Board as to the location of the subject property.

Mr. Hallahan said the new spreadsheet in Petitioner's Exhibit B reflected the market changes that happened since he prepared his packet in December. He stated many of the current listings were under \$400,000 and the most recent sale listed at \$449,900, but he did not know the closing price. He said his current assessment was \$463,000, which was at least \$20,000 higher than it should be based on current sales. He said the same model house was listed for \$370,000 on January 30, 2009. He stated prices were going down significantly. He noted the taxable land value was \$103,955 for 18,000 square feet, but several other parcels in the same neighborhood with similar lots had lower assessments. He said the house on Orange Plains Drive was the same model house, except for an additional 300 plus square feet casita, with the same lot size but with a \$99,620 taxable land value. He noted that was less than the subject's taxable land value even with the 15 percent reduction and even though the Orange Plains Drive property's elevation was higher giving it unobstructed views of the Spanish Springs valley, Mt. Rose, and Slide Mountain. He said based on that information and the other information cited in his packet, he concluded the subject's land value should be closer to \$90,000 and total taxable value should be closer to or under \$440,000.

Member Green said the Petitioner's comparable on Casarey Court sold for \$475,00 in October 2008. Mr. Hallahan replied that was correct, but housing values declined significantly since then because the house on Cobra Drive listed for \$449,900. Member Green stated he had a problem with the timeframe and the house on Casarey Court would uphold the Assessor's value on the subject property. He commented the prices in his neighborhood continued to decline, but there was a timing situation that had to be dealt with. He explained one way that was done was by the 15 percent reduction of the land values by the Assessor, which certainly helped a lot. He agreed it was not a cure all, but the Board could not deal with a sale that happened this week in establishing a value at the time this appraisal was made. He said it appeared when the appraisal was done, the Assessor was in the ballpark.

Mr. Hallahan felt the August 2008 sale was another data point for the Board to consider. Chairman Covert noted the sale was after the June cutoff date, but it would be good information for next year. Mr. Hallahan said there were discrepancies in the land values on Desert Fox Drive. Chairman Covert stated he wanted the Assessor's Office to address if there were any easements that prevented using the land, steepness of the lots and so on. Mr. Hallahan said the lower lots were flat and there was a gradual incline to a 200 foot higher elevation where the homes had a clearer view of the valley. He felt the homes at the higher elevation should have a higher assessment than his to be consistent.

Josh Wilson, Assessor, said Appraiser Churchfield would address the undeveloped lots. He explained, regarding Chairman Covert's statement about sales dates, if there was compelling evidence in the sales that occurred from July 1 to January 1, he felt the Board could consider those sales and that was why his office listed the most

recent sales it could. He indicated no one could use sales that occurred after January 1, 2009. He asked the Board to make its decision based on the evidence presented.

Appraiser Churchfield discussed the comparable sales and the view adjustments applied. He stated some lots on Orange Plains Drive were not developed and were getting a development discount along with having view premiums. He discussed the subject as indicated on Assessor's Exhibit II and noted the subject took advantage of a view of the whole Spanish Springs valley. He explained the view premiums were originally established based on those charged by Reynen and Bardis. He noted those premiums were dropped because it was recognized no one was getting back the amount they were paying for those premiums.

Mr. Hallahan said the subject's location on the Assessor's aerial map was incorrect because it was Lot 103 located off the end of Silian Court. Appraiser Churchfield stated the subject property was on Desert Fox Drive and took advantage of the view.

Mr. Hallahan felt that based on the real location of home, the amount of open space behind it was less, the house was at a lower level, and his house looked into the backyard of other homes; the land value should be reduced.

With regard to Parcel No. 527-092-01, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Green, seconded by Member Woodland, which motion duly carried, it was ordered that the Assessor's taxable values be upheld for tax year 2009-10. It was found that the Petitioner failed to meet his/her burden to show the land and improvements are valued incorrectly or that the total taxable value exceeded full cash value.

09-0092E PARCEL NO. 204-732-02 – LIND, EDWARD C & IRENE S N –
HEARING NO. 09-0063R08

A Petition for Review of Assessed Valuation was received protesting the 2008-09 taxable valuation on land and improvements located at 3212 Diamond Ridge Dr, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: NRS, Letter, Appraisal, 40 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subject's appraisal records, 7 pages.

Exhibit II: Assessor's Hearing Evidence Packet with updated maps, 7 pages.

On behalf of the Petitioner, Edward C. Lind was sworn in by Chief Deputy Clerk Nancy Parent.

On behalf of the Assessor and having been previously sworn, Virginia Sutherland, Appraiser II, oriented the Board as to the location of the subject property.

Mr. Lind said after consulting with the Assessor's Office, he agreed with the new assessment. He stated he appeared today to observe the process, but on observing some of the other hearings he had a question regarding how view premiums were allocated. Josh Wilson, Assessor, explained every adjustment was based on market evidence. He said when the Assessor's Office looked at the market and could demonstrate properties with a view sold for more than properties without a view that view had to be acknowledged in arriving at the full cash value of the land. He stated view premiums seemed to be diminishing in the current market because people were not willing to pay extra for a view and the Assessor's Office was adjusting those premiums downward.

With regard to Parcel No. 204-732-02, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Green, seconded by Member Woodland, which motion duly carried, it was ordered that the taxable land value be upheld and the taxable improvement value be reduced to \$515,703, resulting in a total taxable value of \$900,000 for tax year 2008-09. The reduction was based on the Assessor's recommendation that obsolescence of \$255,333 be applied to the improvement value. With the adjustment, it was found that the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

09-0093E PARCEL NO. 051-010-03 – MOLLENBERG, DAVID – HEARING NO. 09-0942

A Petition for Review of Assessed Valuation was received protesting the 2009-10 taxable valuation on land, improvements and personal property located at 3675 Man Of War Dr, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

None.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subject's appraisal records, 9 pages.

On behalf of the Petitioner, David Mollenberg was sworn in by Chief Deputy Clerk Nancy Parent.

On behalf of the Assessor and having been previously sworn, Kenneth Johns, Appraiser II, oriented the Board as to the location of the subject property.

Mr. Mollenberg said the sales comparables did not reflect the true value of his parcel because of its associated development costs. He noted since he bought his property, some surrounding parcels had been sold with prices ranging from \$70,000 to \$150,000. He said they were all 40-acre parcels that had the same access and roughly the same terrain and buildable spaces. He said their taxable value history over the last 10 years remained consistent until last year when there was a drastic spike.

Chairman Covert asked the Assessor's Office to address the values. Appraiser Johns explained the Assessor's Office worked from market data and the area's market data indicated the value on the subject property was correct. He noted a spike in the increase in value was typical because last year the first reappraisal in five years was done. He said the area was factored during those intervening years, but in the reappraisal year detailed work was done to bring the area up to current market values.

In response to Chairman Covert asking what improvements were on the property, Mr. Mollenberg replied it had a road, a well with a small pump house, and a flat area of approximately 1/2 acre. Chairman Covert asked what the \$9,306 improvement value represented. Appraiser Johns replied it was the well and the pressure system. Mr. Mollenberg said he did not dispute the improvement value. Chairman Covert asked if \$9,306 was a fair value for the improvements. Appraiser Johns stated *Marshall & Swift* costs were used to determine the value of all improvements, so he felt that was the current cost.

Member Green stated he was familiar with the subject parcel, which was very steep; and he did not believe land sales LS-2 and LS-3 were valid comparisons. Appraiser Johns said there was some accuracy to Member Green's assertions because unfortunately it was hard to find large parcels in the Hidden Valley area that were recent arms-length transactions. Member Green felt the value on the subject was a little too steep and the comparable sales were not accurate.

Appraiser Johns agreed there was a lack of data in the area. He noted the Assessor's Office was looking for indicators of value, and he felt the sales he brought to the Board were that. He discussed the comparable sales as provided in Assessor's Exhibit I.

Mr. Mollenberg said there was appropriate data for the comparable sales in the area because there were 10 40-acre parcels that sold since he bought his parcel in 2003. Member Green explained the Assessor could not use the sales if they were too old. Appraiser Johns confirmed they were out of the legal date range. Mr. Mollenberg said they were sold after 2003 when he bought his parcel and those were really the comparables to look at for this area, not a one-acre parcel in a developed area that did not have to bring in a mile of gas and power lines.

Appraiser Johns said land sale LS-4 was the current listing of the subject for \$775,000. He noted it was listed at the time of the reappraisal for \$875,000. He said there was a tremendous amount of site work but Mr. Mollenberg would not provide the value of that site work. He estimated it ran solidly into six figures. He advised the sales the appellant brought up were good sales at the time, but there were too old statutorily to use today. He said the recommendation by the Assessor's Office was to uphold the value.

In response to Chairman Covert asking what the earth moving consisted of, Appraiser Johns replied it was for a road that was cut into a very steep hill and a pad cut into the top of the site. He said a lot of grading was done along with some rock work along the north wall of the hillside.

Member Green asked if there was an easement or if the road was completely on Mr. Mollenberg's land. Appraiser Johns said there probably was an easement, but he only considered the dirt road going into the property from the property line. Member Green asked if the site grading would be considered when the land was valued. Appraiser Johns replied site development work became part of the value of the land. Mr. Mollenberg said he felt that was all the Assessor's Office was looking at in their justification for the increase.

Member Krolick asked if the Petitioner wanted to address the site improvements. Mr. Mollenberg commented he did not agree with the discretionary approval/denial authority exercised during the permitting process that got him to the point of developing this parcel.

In response to Chairman Covert asking how long the property was on the market, Mr. Mollenberg replied it had been on and off the market for the last six months. Member Woodland asked how much the Petitioner had gone down on his price. Mr. Mollenberg replied he had gone down another \$300,000 and was listing it for \$475,000 currently.

Member Green agreed with the Petitioner that the appraisal was a little steep, and he said it was hard to look at the listing price and establish the value from that point. He suggested a \$250,000 total taxable value.

Member Krolick felt the taxable value of the land at \$340,000 did not exceed the fair-market value. He asked if the Petitioner would sell the property for \$350,000. Mr. Mollenberg replied Member Krolick was welcome to make an offer.

Chairman Covert agreed with the Assessor that the Petitioner's comparable sales were too old for the Board to consider. Mr. Mollenberg asked how far those parcels fell outside the timeline. Appraiser Johns said they were outside the date range of July 1, 2005 to July 1, 2008.

Mr. Mollenberg commented this process happened so quickly he did not have time to gather all of the sales data for the adjacent parcels, but he recalled the deals

were made around 2005. Appraiser Johns said he was confident the Assessor's Office pulled up the most recent data that fell within the statutory limit and that was for good arms-length transactions. He advised there were numerous sales out there that were not considered to be good arms-length transactions.

With regard to Parcel No. 051-010-03, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Krolick, seconded by Member Woodland, which motion duly carried with Member Green voting "no," it was ordered that the Assessor's taxable values be upheld for tax year 2009-10. It was found that the Petitioner failed to meet his/her burden to show the land and improvements are valued incorrectly or that the total taxable value exceeded full cash value.

09-0094E PARCEL NO. 204-732-07 – NOORI, PARVIZ & NASRIN M –
HEARING NO. 09-0117

A Petition for Review of Assessed Valuation was received protesting the 2009-10 taxable valuation on land and improvements located at 3242 Diamond Ridge Dr, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Listing information and comparable information, 5 pages

Exhibit B: Dickson Realty Flyer - 3205 Diamond Ridge Drive, 1 page.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subject's appraisal records, 9 pages.

On behalf of the Petitioner, Parviz Noori was sworn in by Chief Deputy Clerk Nancy Parent.

On behalf of the Assessor and having been previously sworn, Dona Stafford, Appraiser III, oriented the Board as to the location of the subject property.

Mr. Noori said he made an offer on the property in December 2008 for \$499,900 and it closed on January 23, 2009 for \$510,000. He said one house for sale on the same street listed for \$505,000 and another listed for \$425,000. He said there was a house almost identical to his, but without a basement, listed at \$398,000 as shown in Petitioner's Exhibit B. He felt his property was assessed for more than it was worth for this fiscal year. He advised he was aware he overpaid for the property, and he would not purchase it again if given the opportunity.

Member Krolick asked if the Petitioner had pictures of the interior of his house. Mr. Noori replied he did not, but he noted the house did not have any upgrades

and the backyard was bare. He noted he purchased the property from the bank and there were problems to correct, such as the air conditioning.

Member Woodland asked why he paid more than it was listed for. Mr. Noori said the purchase price was based on a recommendation from his realtor because the bank did not accept his lower offer.

Member Green noted the Petitioner was not the owner when the appraisal was made. Herb Kaplan, Deputy District Attorney, said it was appropriate to consider the appeal due to it being for the 2009/10 tax year. Member Woodland said the Petitioner filed the appeal December 22, 2008, but did not own the property until January 23, 2009. Mr. Kaplan said the Petitioner filed the petition in a timely manner, but the question was if he had the standing to file it in December. He felt the Board had jurisdiction due to the petition being filed in December.

Chairman Covert explained he was wrestling with the timing issue, and he felt the sales were good for the 2010/11 tax year rather than 2009/10, because the Board was dealing with a tax year that ended on June 30th. Member Woodland said she had the same issue. Member Krolick suggested reducing the value to \$510,000. Chairman Covert said it was at \$516,000. Mr. Noori said that was more than he paid for the property. Chairperson said if that was the amount paid before June 30th, he would not have a problem.

Member Krolick said because the deal was made before the end of the calendar year, he asked if it was valid for consideration. Mr. Kaplan said after further reflection, the Board was looking at closings and not contracts that were entered into and not fulfilled for whatever reason. He indicated this fell into the category of a sale after January 1, 2009.

With regard to Parcel No. 204-732-07, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Green, which motion duly carried, it was ordered that the Assessor's taxable values be upheld for tax year 2009-10. It was found that the Petitioner failed to meet his/her burden to show the land and improvements are valued incorrectly or that the total taxable value exceeded full cash value.

10:42 a.m. The Board took a break.

10:55 a.m. The Board reconvened with all members present.

**DISCUSSION – HEARING NO.'S 09-1068A AND 09-1068B –
ROSEWOOD LAKES HOMEOWNERS ASSOC. (MINUTE ITEM
NO. 09-0095E)**

On behalf of the Petitioner, Vern Schulze, Rosewood Lakes Homeowners Association Treasurer, was sworn in by Chief Deputy Clerk Nancy Parent.

On behalf of the Assessor and having been previously sworn, Kenneth Johns, Appraiser II, stated he used the same comparable sales for both parcels, but there was a slight difference in the recommendations due to a traffic adjustment. Chairman Covert said they could be heard together.

On behalf of the Petitioner, Vern Schulze, Rosewood Lakes Homeowners Association Treasurer, was sworn in by Chief Deputy Clerk Nancy Parent.

Appraiser Johns oriented the Board as to the location of the subject properties.

Mr. Schulze read, "Comments to the Board of Equalization," Petitioner's Exhibit B. He said the original appeal contained a dollar value that the Association thought was correct and they were not contesting the market value, but was requesting a reduction based on relevant factors.

Appraiser Johns discussed the comparable sales. He said to arrive at today's recommendation the Assessor's Office used the appellant's number of eight feet of fill to bring the land above the flood level, which a contractor determined would cost roughly \$100,000. He noted a 10,000 square foot lot would be an appropriate building site for this neighborhood. He discussed the recommendation contained in Assessor's Exhibit I. He stated all of the lots along that strip had a 60 percent view premium. He said the Assessor's Office felt the recommendation properly dealt with the issue of getting above the flood zone and that the lot's taxable value did not exceed full market value.

Member Brown asked if Appraiser Johns could address the Petitioner's comment that the Assessor's Office failed to consider the removable. Appraiser Johns explained he was not sure what that meant, but there was no time to do an in-depth study of the parcels. He felt there would be a lot of engineering problems with these parcels and a tremendous number of bureaucratic hurdles. Mr. Schulze explained the removable meant the mitigation ratios. He explained a lot that was two feet above the water table needed to be raised eight feet to obtain a permit. He said to create the flood storage to offset the increased fill, one foot of flood storage had to be created for every foot of fill; and he discussed the problem with the water table only being down two feet. He noted Appraiser Johns discussed the fill needed, but not the required flood storage and its associated costs.

Mr. Schulze noted the proximity of the southeast connector justified a further reduction. He said a buyer would have to be told about the planned connector coming within 200 feet of the property because it would create additional noise and would have a sound wall that would impact the view. He stated the impact of the flooding issue and the southeast connector was why the Association was requesting a reduction in its taxable values.

Chairman Covert asked if the material that would be removed could be used for the fill. Mr. Schulze replied that was the approach he would have taken, but the estimate included bringing in fill.

Member Krolick asked if the Assessor's Office knew what percentage of a lot a typical home site took. Josh Wilson, Assessor, explained it depended on what jurisdiction the house was located in because of the differences in required setbacks and so on. Member Krolick said he was looking for the atypical home on a lot in that subdivision covering more than 20 percent of the usable land. Appraiser Johns said a typical lot in the subdivision was 1/3 acre and the Assessor's Office figured a 10,000 square foot raised site was a generous number for building a home commiserate with the neighborhood. Member Green thought the lots in Rosewood Lakes were typically a little smaller than 10,000 square feet.

Chairman Covert asked about the southeast connector issue. Assessor Wilson replied that would be addressed when the attributes of the property changed. He noted the appellant wanted a 20 percent reduction of the current value of \$109,000, which would be approximately \$21,000. He noted the recommendation was \$35,000. He said he had some questions when he saw this appeal because usually homeowners associations were not in the lot development business. He said he would do what he could to get the homeowners association to designate that area as a common area and, pursuant to statute, when the area was designated as such, the land value would be put to zero.

Member Krolick commented the potential freeway was a black cloud over the property and questioned if any consideration was given to its impact. Assessor Wilson said that would be something a buyer would have to consider, but the Assessor's Office looked at the existing market and the price paid to estimate the market value. Appraiser Johns stated an efficient market discounted all known data and the land sales discounted the possibility that someday the link could go through the neighborhood.

Mr. Schulze said he looked at the comparable sales and felt there was only one that was even remotely close to the southeast connector, while the Association's lots were within 200 feet of it. He stated the other comparables might be affected by sound generated by its traffic, but they would not be impacted by the loss of any scenic values.

Appraiser Johns disagreed with the assertion that the comparables would not be affected by the connector, and he discussed why four out of five would feel the impact. Mr. Schulze discussed why he disagreed with that assertion.

Member Green said he favored the Assessor's recommendation on the two lots because he felt the values were reasonable.

Please see Minute Item 09-0095E (two occurrences) below for details concerning the petition, exhibits and decision related to each of the properties.

09-0095E PARCEL NO. 051-440-01 – ROSEWOOD LAKES HOMEOWNERS ASSOC. – HEARING NO. 09-1068A

A Petition for Review of Assessed Valuation was received protesting the 2009-10 taxable valuation on land located at 5150 Mira Loma Dr, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Letter and supporting documentation, 7 pages.

Exhibit B: Written Comments, 1 page.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subject's appraisal records, 11 pages.

Please see "DISCUSSION – HEARING NO.'S 09-1068A AND 09-1068B" above for the discussion.

With regard to Parcel No. 051-440-01, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Green, which motion duly carried, it was ordered that the taxable land value be reduced to \$39,661, resulting in a total taxable value of \$39,661 for tax year 2009-10. The reduction was based on the Assessor's Office recommendation that the topographic and flood adjustments be removed from the property and the parcel credited with a \$100,000 cost-to-cure lump sum adjustment for the mitigation of these issues. With the adjustment, it was found that the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

09-0095E PARCEL NO. 051-431-07 – ROSEWOOD LAKES HOMEOWNERS ASSOC. – HEARING NO. 09-1068B

A Petition for Review of Assessed Valuation was received protesting the 2009-10 taxable valuation on land located at Mira Loma Dr, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Letter and supporting documentation, 7 pages.

Exhibit B: Written Comments, page 1.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subject's appraisal records, 11 pages.

Please see “DISCUSSION – HEARING NO.’S 09-1068A AND 09-1068B” above for the discussion.

With regard to Parcel No. 051-431-07, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Green, which motion duly carried, it was ordered that the taxable land value be reduced to \$35,334, resulting in a total taxable value of \$35,334 for tax year 2009-10. The reduction was based on the Assessor's Office recommendation that the topographic and flood adjustments be removed from the property and the parcel credited with a \$100,000 cost-to-cure lump sum adjustment for the mitigation of these issues. With the adjustment, it was found that the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

**09-0096E PARCEL NO. 080-421-02 – BHUIYA FAMILY TRUST, M ABUL K
– HEARING NO. 09-1105**

A Petition for Review of Assessed Valuation was received protesting the 2009-10 taxable valuation on land and improvements located at 494 Niles Way, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Owner's opinion that subject property is improperly valued, 10 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subject's appraisal records, 8 pages.

On behalf of the Petitioner, M. Abul K. Bhuiya was sworn in by Chief Deputy Clerk Nancy Parent.

On behalf of the Assessor and having been previously sworn, Michael Churchfield, Appraiser II, oriented the Board as to the location of the subject property.

Mr. Bhuiya stated the crashing property values nationwide were causing properties to lose up to 40 percent of their value and the downturn showed no signs of turning around in the near future. He discussed several newspaper articles regarding the falling property values that were included as part of Petitioner's Exhibit A.

Mr. Bhuiya said this property was an investment property. He stated its value increased from \$44,542 in 2006 to \$80,000 in 2009 and felt the decline in home prices was not being reflected in the Washoe County's values. He stated the value of the two properties in the neighborhood that sold between March 2007 and December 2008

were indicators of the area's current market value. He estimated his property's current total value to be \$34,924 as stated in Petitioner's Exhibit A.

Appraiser Churchfield discussed the comparable sales. He noted the subject property's land value was \$68,000 after the 15 percent reduction. Member Green asked if the value jumping to \$80,000 was due to it being a reappraisal year. Appraiser Churchfield replied it was a reappraisal year. He said during this year's reappraisal there were not many sales, but the Assessor's Office did not want to bump the value up to \$90,000 as indicated by two of the sales, so the value was kept at \$80,000. He stated it was then reduced to \$68,000 due to the 15 percent county-wide reduction.

In response to Member Krolick asking about the Petitioner's comments regarding the value of the mobile home on the property dropping 30 percent, Josh Wilson, Assessor, stated personal property depreciation was significantly accelerated over the 1.5 percent depreciation that was applied to real property pursuant to statute and regulation. He explained the personal property manual established different ages for different items.

Member Krolick asked if the Petitioner knew how old the mobile home was. Mr. Bhuiya replied it was dated from 1975. Member Green asked about the improvements on the property. Appraiser Churchfield said the well and septic systems were costed out using *Marshall & Swift* and there were no other buildings besides the mobile home.

With regard to Parcel No. 080-421-02, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Krolick, which motion duly carried, it was ordered that the Assessor's taxable values be upheld for tax year 2009-10. It was found that the Petitioner failed to meet his/her burden to show the land and improvements are valued incorrectly or that the total taxable value exceeded full cash value.

09-0097E PARCEL NO. 037-341-22 – YOUNG, BARBARA & DONALD S JR – HEARING NO. 09-1113

A Petition for Review of Assessed Valuation was received protesting the 2009-10 taxable valuation on land located at 1185 Harbour Cove Ct, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Representative Authorization, 1 page.

Exhibit B: Neighborhood comparables, 1 page.

Exhibit C: Washoe County Residential Records, 4 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subject's appraisal records, 5 pages.

Exhibit II: Paired sales for lake adjustment, DIFB, 1 page.

On behalf of the Petitioner, Gary Roger Schmidt was sworn in by Chief Deputy Clerk Nancy Parent.

Chairman Covert asked if the Representative Authorization was a legal and valid Power of Attorney for Mr. Schmidt. Herb Kaplan, Deputy District Attorney, replied it was.

On behalf of the Assessor and having been previously sworn, Pete Kinne, Appraiser II, oriented the Board as to the location of the subject property.

Mr. Schmidt discussed his background. He advised he was familiar with the subject property having been inside it and because he had been looking at properties at the Sparks Marina for the last two years and watched the prices plummet. He stated the Petitioner requested a reduction to \$320,000, at a minimum, based on equalization and the market value as shown in the Assessor's evidence; but he noted the Petitioner's evidence would show a market value from \$280,000 to as low as \$220,000.

Mr. Schmidt said he wanted referenced into the record all presentations by Josh Wilson, Assessor, to this Board including the request granted by this Board for the 15 percent reduction in land values throughout Washoe County.

Mr. Schmidt stated all of the listed properties with basements had finished (daylight) basements. He noted the basements were the ground floor of a three-story structure with the main entrance up one level.

Mr. Schmidt said the dates of the comparables became relevant when establishing market values. He stated the Assessor's initial 25 percent reduction in land values granted during the normal reappraisal process and the recent 15 percent county-wide reduction in land values indicated the Assessor acknowledged that over the last 9-10 months there was a drop in land values of 40 percent. He noted this "subdivision" was on the allocation method with 75 percent allocated to improvements and 25 percent to land. He said appropriate reductions must be made in today's world for the sales price.

Mr. Schmidt advised improved sale IS-1 was not a good comparable because it was 30 percent larger than the subject, and he discussed his issue with the basement and that the sale was in May prior to the 40 percent reduction given by the Assessor's Office. He said the Assessor asked for a reduction in land values because, by statute, he could not reduce the value of the improvements because they were costed by *Marshall & Swift*. He said if the comparable was adjusted for being larger than the subject and after applying the 40 percent reduction by the Assessor, it would bring that

comparable down to around \$320,000. He said land sale LS-2 should be rejected because the sale happened in 2007. He noted listings were not the most favorable comparables because they only indicated what the seller felt the property was worth and not what a property would actually sell for. He felt Listing 1 was the best comparable because it was a recent listing. He said based on that comparison, the subject property would have to be valued at somewhat less than \$339,000. He said Listing 2 was 1/3 larger and, if adjusted for size, it would bring the price down to \$320,000.

Mr. Schmidt stated he was approaching this appeal from a market and equalization basis. He discussed the taxable values and square footage of the comparables and the subject, which he felt clearly demonstrated that the subject was out of equalization and, if the average of the comparables was used, it would bring the subject down to \$320,000. He discussed the comparables in Petitioner's Exhibit B, which he also felt demonstrated the actual cash value of the subject property was something less than \$320,000.

Mr. Schmidt said he disagreed with any legal opinion that stated the Board could not use comparable sales beyond the January 1st cutoff in determining the taxable value for the tax year July 1, 2009 through June 30, 2010, and his disagreement was based on the fact that the year had not yet occurred. He asserted any taxpayer could present evidence to State Board of Equalization if the market dropped substantially after January 1st, after the Petitioner's appeal date, or after February 28th.

Mr. Schmidt stated the difference between being on the cove and being on the lake was the boats on the lake were subject to vandalism and high-wind conditions. He said the homes on the lake also had a wide public sidewalk immediately outside their backyard so any advantage in having a view of the lake was negated by the lack of privacy. He felt there was no evidence that being on the lake was of a higher value than being on the water in the sheltered cove. He said even though the cove was public to boat traffic, there was no public sidewalk.

Mr. Schmidt discussed the four comparables in Petitioner's Exhibit C versus the subject and the amount the subject would have to be reduced to bring it into equalization with those comparables. He felt there was clear evidence the value was down 5 percent and further evidence that the market value was down to \$250,000. He discussed land values and supply and demand in this current economy.

Assessor Wilson said he wanted to refer to some of Mr. Schmidt's comments regarding the statutes. He read NRS. 361.357(3), which contained the legal authority for the Board to consider sales up to January 1st. He said the State Board would limit the review of an appeal to what was established at the hearing before the County Board. He stated there were property owners who purchased a property after January 1st and appealed to the State Board and the State Board felt January 1st was an important cutoff.

Assessor Wilson advised that typically *Marshall & Swift* costs would not be adjusted because they were adopted by the Nevada Tax Commission and he did not have that authority to make adjustments; but if the total taxable value exceeded market value and it was demonstrated the land value was where it should be, then the improvement had to be reduced by obsolescence so the total taxable value did not exceed full cash value. He said the Board would see a significant number of properties being reduced because of that fact.

Assessor Wilson felt that new properties could not be built and sold for the price at which some of the foreclosures were selling. Member Krolick felt what created the mess everyone was in was there were no regulations to stop banks from dumping properties. Assessor Wilson advised the current market changes were reflected in the assessments, so the market corrections were being acknowledged.

Assessor Wilson stated he was not sure where Mr. Schmidt got his sales price information because the recorded document for the \$320,000 sale showed Parcel No. 037-341-11 sold for \$360,000. He said Parcel No. 037-342-01 sold for \$250,000 according to the recorded sales price, not the \$217,000 as Mr. Schmidt claimed. He advised this demonstrated the relationship between lakefront versus non-lakefront parcels because the parcel that sold for \$360,000 faced the lake and the one that sold for \$250,000 did not. He objected to contention that the subject was out of equalization and was over market.

In rebuttal, Mr. Schmidt stated Nevada's property tax law was dysfunctional. He clarified his discussion regarding the \$320,000 sale. He felt most of what Assessor Wilson said was irrelevant and nowhere in statute did it say sales beyond December 31st could not be considered to determine the value on December 31st. He discussed why Assessor Wilson offered no evidence refuting the property was out of equalization.

Assessor Wilson stated the land was valued at \$97,500 on all of the comparable sales and most of the value differences were attributed to costing the improvements through *Marshall & Swift*.

In rebuttal, Mr. Schmidt said the Assessor's Office could adjust for errors in equalization through *Marshall & Swift*, such as basements being identified and appraised as "daylight" basements when they were not.

Assessor Wilson said the Assessor's Office was bound to apply costs based on what was built. He stated if an area was built more like a basement than a living area, that was how it was costed pursuant to *Marshall & Swift*. He explained the only *Marshall & Swift* designation for a basement was whether or not it was finished.

Member Green asked if *Marshall & Swift* issued a new book every year and if there were supplements. Assessor Wilson said the books were issued October 1st

for residential properties and September 1st for commercial properties and only one set of numbers was used for the whole year.

Appraiser Kinne discussed the comparable sales that were all in the same neighborhood as the subject and were similar regarding square footage, bed and bath counts, and quality class. He noted the subject was considered superior because of its location in the Sparks Marina. Member Krolick asked if the comparables were all on the waterfront. Appraiser Kinne stated he did a compared sales analysis that proved it made a difference if a property fronted the water, and he made an upward 30 percent lake adjustment. Member Krolick asked if there was a negative factor in being located next to the pedestrian right-of-way. Appraiser Kinne replied there was no adjustment for foot traffic.

Member Green asked if the developer placed a larger premium on the lots facing the lake when they were sold. Appraiser Kinne replied he did not know if that was done.

In rebuttal, Mr. Schmidt stated he objected to the compared sales analysis being submitted at this late date and asked for a continuance so it could be examined if it was accepted as evidence. He said the prices the Assessor questioned earlier were from Barbara and Donald Young and it was information received from a broker. He said the price information mentioned by Assessor Wilson was not on record and, at a minimum, he wanted a copy of the information. He again requested a continuance. He suggested Assessor Wilson might be looking at the original foreclosures on those properties and what the Assessor had was what the bank subsequently sold them for, but he did not know that because no one had a copy of the documents. He said the Board should disregard that submission of hearsay evidence.

Mr. Schmidt said State Law was clear regarding the Assessor's responsibility in equalizing properties and it had nothing to do with *Marshall & Swift*. He said properties had to be taxed equally if they were equal in nature. He stated there was a lot of discussion regarding the basement, and he discussed why he suggested the Assessor go out and relook at those properties. He reiterated there was clear evidence the subject property should be taxed at no more than \$320,000 based on equalization and the evidence that was properly submitted.

Chairman Covert clarified this was not a court of law and there was no requirement that evidence be submitted to the opposing party. Herb Kaplan, Deputy District Attorney, replied that was correct. Chairman Covert stated the Board could receive evidence at any time during the hearing. Mr. Kaplan replied that was also correct. He noted the Petitioner had the opportunity to request information from the Assessor's Office prior to the hearing and the Assessor's Office had responded appropriately upon such requests. Mr. Schmidt reiterated his comments about the evidence and a continuance.

Assessor Wilson said he was under oath, which he took to mean something.

Assessor Kinne submitted the compared sales analysis as Assessor's Exhibit II.

Member Woodland felt Petitioner's Exhibit B was also hearsay evidence because there was no evidence backing up the prices. Chairman Covert said it could be accepted and given whatever consideration was deemed appropriate.

After further discussion regarding the location of the water on the map, Member Krolick indicated those parcels located by Parcel A, the boat dock, should have a lower value than those by the lake. After additional discussion between Members Green and Krolick, Member Krolick requested the Board see a satellite photo of the area.

12:55 p.m. The Board took a break.

1:06 p.m. The Board reconvened with all members present.

After viewing the satellite photo, Assessor Wilson said the photo demonstrated the entirety of the subject parcel was not encumbered by the boat dock. He stated being close to the pier would be a detriment for some people and to others it would not. Member Krolick still felt an adjustment was warranted for location.

With regard to Parcel No. 037-341-22, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Green, which motion duly carried with Member Krolick voting "no," it was ordered that the Assessor's taxable values be upheld for tax year 2009-10. It was found that the Petitioner failed to meet his/her burden to show the land and improvements are valued incorrectly or that the total taxable value exceeded full cash value.

09-0098E PARCEL NO. 204-691-15 – PARK, CHANJAE & EUNKYUNG – HEARING NO. 09-0917

A Petition for Review of Assessed Valuation was received protesting the 2009-10 taxable valuation on land and improvements located at 5810 Blue Canyon Dr, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Letter and supporting documentation, 33 pages.

Exhibit B: Letter dated 1/09/2009 and supporting documentation, 6 pages.

Exhibit C: Maps and charts with assessed value history, 3 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subject's appraisal records, 7 pages.

On behalf of the Petitioner, Chanjae Park was sworn in by Chief Deputy Clerk Nancy Parent.

On behalf of the Assessor and having been previously sworn, Virginia Sutherland, Appraiser II, oriented the Board as to the location of the subject property.

Mr. Park noted this was his second appearance before the Board and his first appeal was rejected. He explained he purchased his house in October 2007. He stated the property's valuation history was shown in Table 2 of Petitioner's Exhibit B and noted the total taxable value for 2008 was his purchasing price. He stated for 2009 the land value decreased almost 50 percent, and he did not understand how the value was calculated. He asked what it meant when the Assessor stated he had a nice view. He said his land value was \$178,423 and then \$91,400, and he did not understand which was correct. He stated he lived in a dangerous area for earthquakes, which was why he appealed the first time. For 2009, he asked why his building's taxable value increased even though there were no improvements made. He was concerned why the Assessor calculated it like that.

Mr. Park discussed the map from a web site that showed his house's value was now at \$256,000, which was down almost 10 percent from its purchase price of \$273,000. He said many neighbors sold their houses for a low price. He discussed the sale of 5861 September Circle, which was a better house at a lower price. He stated it looked like his house's value was more than that house.

Chairman Covert asked if the Petitioner was aware of the 15 percent land reduction applied to the property. Mr. Park said it was not dropped when he appealed last year. He said last year he asked about his values and the Assessor's Office said he had a nice view, which was why he had to pay a \$178,000 value; but now it was valued at \$77,000 and where was his view price.

Appraiser Sutherland said comparable sales LS-1 and LS-2 were model matches to the subject and LS-1 had an inferior view and LS-2 had no view. She said the Petitioner's view was of the city, the south and the west.

In response to Member Brown asking about the where the view could be seen from, Appraiser Sutherland replied the view was seen from the whole yard and by looking out the windows and there was a 30 percent adjustment to the land value for the view along with a 5 percent downward adjustment for size. She said IS-3 and IS-4 were slightly larger with inferior views. She said based on those sales, the taxable value did not exceed full cash value and the recommendation was to uphold the Assessor's value.

Chairman Covert asked if there was any consideration for the property being in an earthquake zone. Appraiser Sutherland indicated there were no reports of damage from this neighborhood, so no adjustments were made. Member Krolick stated it was up to the seller to disclose to a buyer about the earthquakes. He said it was significant because it made the national news. Appraiser Sutherland said it was, but some pockets felt it more strongly than other areas. Chairman Covert said the disclosure at the time of sale would help determine the sales price. Appraiser Sutherland stated the dates of the sales being long after the earthquake would reflect the impact of the earthquake.

In rebuttal, Mr. Park said his property values decreased a lot, but why should he pay more than \$3,000 in property tax. Josh Wilson, Assessor, explained the value notice went out before the 15 percent land adjustment. He thought he figured out where the Petitioner was going with this when he reviewed the 2004 value on this property, which served as the base year for the tax cap. He said the property's tax cap value was \$219,340 and with the new recommended value of \$179,000 this property would see a reduction in its tax bill next year. Mr. Park said when he purchased the property his land and building taxable values were increased, which was why he paid more than \$3,000 in taxes. He stated if the correct calculation was done, he would not have to pay that kind of money.

Chairman Covert said he wanted to make sure the Petitioner understood the Board's job was to make sure the taxable value of the Petitioner's property would not exceed its full cash value. He explained regarding his own property, the taxable value went down and the property taxes went up due to a number of factors, but the taxable value still did not exceed its full cash value. He felt the Petitioner would see a significant reduction on his tax bill in July because the Assessor had reduced the value almost \$100,000 than was established last year, based on the sale of the subject.

Member Green stated there was no basis to lower the property's taxable value any further, based on the comparable sales.

Mr. Park said the building's value did not decrease. Assessor Wilson said every Assessor in Nevada used *Marshall & Swift* to cost improvements. He said based on the sales provided, it was demonstrated that taxable value did not exceed full cash value.

With regard to Parcel No. 204-691-15, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Brown, seconded by Member Woodland, which motion duly carried, it was ordered that the Assessor's taxable values be upheld for tax year 2009-10. It was found that the Petitioner failed to meet his/her burden to show the land and improvements are valued incorrectly or that the total taxable value exceeded full cash value.

**09-0099E PARCEL NO. 204-675-04 – PEREYRA FAMILY TRUST –
HEARING NO. 09-1351**

A Petition for Review of Assessed Valuation was received protesting the 2009-10 taxable valuation on land and improvements located at 2791 Robb Dr, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Letter and supporting documentation, 11 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subject's appraisal records, 9 pages.

The Petitioner was not present.

On behalf of the Assessor and having been previously sworn, Dona Stafford, Appraiser III, oriented the Board as to the location of the subject property. She discussed the comparable sales and, based on those sales, it was recommended the total taxable value of \$437,205 be upheld.

Member Green noted the Petitioner commented that former County Commissioner Peter Sferrazza's appraisal was less. Appraiser Stafford said the Petitioner felt Mr. Sferrazza had a bigger and better view lot. She said she went out and looked at both views, which were very similar with neither property being able to see the city, and neither property was being assessed a view premium.

After further discussion, Appraiser Stafford explained the difference between the two properties was Mr. Sferrazza's house was built in 2002 and the Petitioner's was built in 2004, and Mr. Sferrazza was receiving more depreciation.

With regard to Parcel No. 204-675-04, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Green, which motion duly carried, it was ordered that the Assessor's taxable values be upheld for tax year 2009-10. It was found that the Petitioner failed to meet his/her burden to show the land and improvements are valued incorrectly or that the total taxable value exceeded full cash value.

**09-0100E PARCEL NO. 027-063-19 – CODMAN, TOM – HEARING NO.
09-1053**

A Petition for Review of Assessed Valuation was received protesting the 2009-10 taxable valuation on land and improvements located at 5550 High Rock Way, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

None.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subject's appraisal records, 6 pages.

The Petitioner was not present.

On behalf of the Assessor and having been previously sworn, Kenneth Johns, Appraiser II, oriented the Board as to the location of the subject property.

Appraiser Johns said the recommendation was to reduce the total taxable value to \$363,000. Chairman Covert noted the quality class was changed from 5 to 4. Appraiser Johns said the quality class was determined while the home was still under construction. He stated after a touring the home, it was determined a quality class of 4 was more appropriate.

With regard to Parcel No. 027-063-19, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Green, seconded by Member Woodland, which motion duly carried, it was ordered that the taxable land value be reduced to \$93,500 and the taxable improvement value be reduced to \$269,500, resulting in a total taxable value of \$363,000 for tax year 2009-10. The reduction was based on reducing the quality class to 4.0 and applying obsolescence of \$38,670. With the adjustment, it was found that the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

09-0101E PARCEL NO. 512-121-47 – JORDAN, JAMES M & BRANDY Z – HEARING NO. 09-0179R08

A Petition for Review of Assessed Valuation was received protesting the 2008-09 taxable valuation on land and improvements located at 5185 Komatite Ct, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Tax Notice and Sales Document, 2 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subject's appraisal records, 7 pages.

The Petitioner was not present.

On behalf of the Assessor and having been previously sworn, Dona Stafford, Appraiser III, oriented the Board as to the location of the subject property and noted the appeal was for the 2008/09 tax year. She discussed the comparables, which were all model matches. She said the sales indicated that the total taxable value of \$450,840 exceeded the full cash value. It was recommended the application of \$41,815 in obsolescence to the building value be applied resulting in a taxable improvement value of \$244,425 and that the land value remain unchanged at \$164,600, for a total taxable value of \$409,025 for the property. She noted the taxpayer was in agreement with the recommendation.

With regard to Parcel No. 512-121-47, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Krolick, which motion duly carried, it was ordered that the taxable land value be upheld and the taxable improvement value be reduced to \$244,425, resulting in a total taxable value of \$409,025 for tax year 2008-09. The reduction was based on the Assessor's Office recommendation to apply obsolescence in the amount of \$41,815. With the adjustment, it was found that the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

09-0102E PARCEL NO. 512-121-31 – WATERS, DUSTIN S & LILLIAN M –
HEARING NO. 09-1189R08

A Petition for Review of Assessed Valuation was received protesting the 2008-09 taxable valuation on land and improvements located at 5115 Dacite Ct, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

None.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subject's appraisal records, 6 pages.

The Petitioner was not present.

On behalf of the Assessor and having been previously sworn, Dona Stafford, Appraiser III, oriented the Board as to the location of the subject property and noted this appeal was for the 2008/09 tax year. She discussed the comparable sales and, noted the taxable value did not exceed its full cash value and the recommendation to was uphold the Assessor's value.

With regard to Parcel No. 512-121-31, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Green, seconded by Member Woodland, which motion duly carried, it was ordered that the Assessor's taxable

values be upheld for tax year 2008-09. It was found that the Petitioner failed to meet his/her burden to show the land and improvements are valued incorrectly or that the total taxable value exceeded full cash value.

09-0103E PARCEL NO. 522-132-23 – HULES, GARY & MICHEL –
HEARING NO. 09-0152

A Petition for Review of Assessed Valuation was received protesting the 2009-10 taxable valuation on land and improvements located at 6348 Firebee Ct, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Letter and supporting documentation, 20 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subject's appraisal records, 10 pages.

The Petitioner was not present.

On behalf of the Assessor and having been previously sworn, Michael Churchfield, Appraiser II, oriented the Board as to the location of the subject property. He said the neighborhood as a whole would have a recommendation at a later date to reduce the improvements by 15 percent. He discussed the comparable sales and said, based on the comparables and the recommendation that would be brought to the Board at a later date, the taxable would not exceed market value.

Member Green made a motion and Member Woodland seconded it where Member Green gave the taxable improvement value as \$271,616 instead of \$271,816. He withdrew the motion and Member Woodland withdrew her second.

With regard to Parcel No. 522-132-23, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Green, seconded by Member Woodland, which motion duly carried, it was ordered that the taxable land value be upheld and the taxable improvement value be reduced to \$271,816, resulting in a total taxable value of \$390,816 for tax year 2009-10. The reduction was based on a recommendation by the Assessor's Office based on the sales and listings provided that the taxable value of the subject should be reduced by \$47,956. With the adjustment, it was found that the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

09-0104E PARCEL NO. 080-481-34 – MCPHILLIAMY, JOSEPH P –
HEARING NO. 09-0158

A Petition for Review of Assessed Valuation was received protesting the 2009-10 taxable valuation on land and improvements located at 535 Budger Way, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Copies of newspaper articles, 2 pages.

Exhibit B: Letter sent to Assessor's Office 2/3/09, 1 page.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subject's appraisal records, 8 pages.

The Petitioner was not present.

On behalf of the Assessor and having been previously sworn, Michael Churchfield, Appraiser II, oriented the Board as to the location of the subject property and discussed the comparable sales. He said the subject's taxable value fell well below the comparable sales and the recommendation was to uphold the Assessor's value.

Chairman Covert asked if the improvements were the hookups or if the property's water supply came from a well. Josh Wilson, Assessor, replied the water was municipal water. Chairman Covert considered that was more valuable than well water.

With regard to Parcel No. 080-481-34, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried, it was ordered that the Assessor's taxable values be upheld for tax year 2009-10. It was found that the Petitioner failed to meet his/her burden to show the land and improvements are valued incorrectly or that the total taxable value exceeded full cash value.

09-0105E PARCEL NO. 021-684-31 – MCCLUSKEY, WILLIAM P & AILEEN
A – HEARING NO. 09-0107

A Petition for Review of Assessed Valuation was received protesting the 2009-10 taxable valuation on land and improvements located at 4720 Parkpoint Ct, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Letter and supporting documentation, 2 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subject's appraisal records, 8 pages.

The Petitioner was not present.

On behalf of the Assessor and having been previously sworn, John Thompson, Appraiser III, oriented the Board as to the location of the subject property. He discussed the comparable sales and, based on those sales, the taxable value of the subject property did not exceed full cash value and was equalized with similarly situated properties in Washoe County.

With regard to Parcel No. 021-684-31, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Green, seconded by Member Woodland, which motion duly carried, it was ordered that the Assessor's taxable values be upheld for tax year 2009-10. It was found that the Petitioner failed to meet his/her burden to show the land and improvements are valued incorrectly or that the total taxable value exceeded full cash value.

09-0106E PARCEL NO. 051-203-10 – MOURADIAN, VAN & KATHLEEN – HEARING NO. 09-0456

A Petition for Review of Assessed Valuation was received protesting the 2009-10 taxable valuation on land and improvements located at 4261 W Hidden Valley Dr, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

None.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subject's appraisal records, 9 pages.

The Petitioner was not present.

On behalf of the Assessor and having been previously sworn, Kenneth Johns, Appraiser II, oriented the Board as to the location of the subject property. He said the Assessor's Office would stand on its written record to uphold the Assessor's value.

Chairman Covert asked about all of the comparables having considerably less square footage than the subject. Appraiser Johns said the first comparable was an inferior home and did not have the view premium the subject had. The second comparable had no views, but was superior in quality class. It also had streets on two

sides and a dirt access road on the third side. He stated the final two comparables were listings, but the improvements were the most similar to the subject, but they had no views. He agreed in most regards that the comparables were inferior to the subject.

Member Green asked if the subject was on the west side of the street. Appraiser Johns replied it was. Member Green commented that side of the street had unobstructed views.

Member Krolick asked, based on the Petitioner's comments, if the property was in a flood zone. Appraiser Johns said after investigating that assertion, he determined that 46 percent of the property was in a flood zone, but none of the improvements except the driveway were located in the flood zone. He discussed the comparable sales and their relationship to the flood zone.

With regard to Parcel No. 051-203-10, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Krolick, which motion duly carried, it was ordered that the Assessor's taxable values be upheld for tax year 2009-10. It was found that the Petitioner failed to meet his/her burden to show the land and improvements are valued incorrectly or that the total taxable value exceeded full cash value.

BOARD MEMBER COMMENTS

Member Krolick said he could stay to 2:00 p.m. on both February 10th and February 11th. Chairman Covert advised he would not be available on either day, and he would inform Alternate Member Philip Horan he would be needed to fill in on February 10th and 11th. Member Woodland said there would be some nights she would have to leave at 5:00 p.m.

PUBLIC COMMENT

There was no public comment.

* * * * *

2:11 p.m. There being no further hearings or business to come before the Board, on motion by Member Woodland, seconded by Member Krolick, which motion duly carried, the meeting was adjourned.



JAMES COVERT, Chairman
Washoe County Board of Equalization

ATTEST:



AMY HARVEY, County Clerk
and Clerk of the Washoe County
Board of Equalization

*Minutes prepared by
Jan Frazzetta, Deputy Clerk*