

# STATE OF NEVADA STATE BOARD OF EQUALIZATION

BRIAN SANDOVAL Governor

1550 College Parkway, Suite 115 Carson City, Nevada 89706-7921 Telephone (775) 684-2160 Fax (775) 684-2020 CHRISTOPHER G. NIELSEN Secretary

In the Matter of	)
Grant Forrest, LLC APN: 008-681-26 Carson City, Nevada PETITIONER	) ) ) )
David Dawley Carson City Assessor RESPONDENT	) Case No. 12-197 ) ) )
Appeal of the Decision of the CARSON CITY BOARD OF EQUALIZATION	) ) )

## **NOTICE OF DECISION**

### Appearances

John Hancock appeared on behalf of Grant Forrest, LLC (Taxpayer).

Tim Clark appeared on behalf of the Carson City Assessor's Office (Assessor).

#### Summary

The matter of the Taxpayer's petition for review of property valuations for the 2012-13 Secured Roll within Carson City, Nevada, came before the State Board of Equalization (State Board) for hearing in Carson City, Nevada, on May 16, 2012 after due notice to the Taxpayer and the Assessor.

The State Board, having considered all evidence, documents and testimony pertaining to the valuation of the property in accordance with NRS 361.227, hereby makes the following Findings of Fact, Conclusions of Law and Decision.

#### FINDINGS OF FACT

- The State Board is an administrative body created pursuant to NRS 361.375.
- 2) The State Board is mandated to hear all appeals of property tax assessments pursuant to NRS 361.360 and NRS 361.400.

- 3) The Taxpayer and the Assessor were given adequate, proper and legal notice of the time and place of the hearing before the State Board, and the matter was properly noticed pursuant to the Open Meeting Law at NRS 241.020.
- 4) The subject property is 98,881 square feet (2.27 acres) of vacant land zoned as light industrial and terraced; the property is located on the north side of Forrest Way in Carson City, Nevada. See Tr., 5-16-12, p.108, I. 24 through p. 109, I. 3. Record, SBE page 7.
- 5) The Carson City Board of Equalization (County Board) accepted the Assessor's recommendation to uphold the land taxable value of \$2.25 per square foot for a total taxable value of \$222,483 for the 2012-2013 secured roll. See Record, SBE page 7-9.
- The State Board found the values proposed by the Taxpayer and the Assessor were inadequately supported by the evidence. The State Board determined the appropriate value should be based on 85% of the previous year's value. See Tr., 5-16-12, p. 116, l. 24 through p. 117, l. 19.
- 7) The State Board found the taxable value of the subject property should be reduced to \$190,344. See Tr., 5-16-12, p. 118, l. 23 through p. 119, l. 18.
- 8) The assessed value as adjusted by the State Board is 35% of taxable value.
- 9) Any finding of fact above construed to constitute a conclusion of law is adopted as such to the same extent as if originally so denominated.

#### CONCLUSIONS OF LAW

- The Taxpayer timely filed a notice of appeal, and the State Board has jurisdiction to determine this matter.
- The Taxpayer and the Assessor are subject to the jurisdiction of the State Board. In particular, the State Board has jurisdiction to hear Taxpayer's appeal for the 2012-2013 secured roll pursuant to NRS 361.360(1) and NRS 361.400.
- The State Board has the authority to determine the taxable values in the State.
- 4) The subject property is appraised, as adjusted, at the proper taxable value in accordance with NRS 361.227 and NAC 361.118 for the 2012-2013 tax year.
- 5) Any conclusion of law above construed to constitute a finding of fact is adopted as such to the same extent as if originally so denominated.

#### **DECISION**

The Petition of the Taxpayer is granted based on the above Findings of Fact and Conclusions of Law. The Carson City Comptroller is instructed to correct the assessment roll by adjusting the assessed valuation of the subject property as follows:

2012-2013 Secured Roll

	Taxable Value		Assessed Value	
Parcel Number 008-681-26	Established by County Board of Equalization	Revised By State Board	Established by County Board of Equalization	Revised by State Board
Land	\$222,483	\$190,344	\$77,869	\$66,620
TOTAL	\$222,483	\$190,344	\$77,869	\$66,620

The Carson City Comptroller is instructed to certify the assessment roll of the county consistent with this decision.

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BY THE STATE BOARD OF EQUALIZATION THIS	O DAY OF JULY,	2012.

Christopher G. Nielsen, Secretary to the Board

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