



STATE OF NEVADA
STATE BOARD OF EQUALIZATION

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CHRISTOPHER G.
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Secretary

In the Matter of

Henry Dziegiel Trust
APN: 178-07-812-028
Clark County, Nevada
PETITIONER

Michele Shafe
Clark County Assessor
RESPONDENT

Appeal of the Decision of the
CLARK COUNTY
BOARD OF EQUALIZATION

Case No. 13-150

NOTICE OF DECISION

Appearances

Henry Dziegiel appeared on behalf of Henry Dziegiel Trust (Taxpayer).

David Bichsel, Gary Relyea and Laurie Schneider appeared on behalf of the Clark County Assessor's Office (Assessor).

Summary

The matter of the Taxpayer's petition for review of property valuations for the 2013-14 Secured Roll within Clark County, Nevada, came before the State Board of Equalization (State Board) for hearing in Henderson, Nevada, on June 3, 2013 after due notice to the Taxpayer and the Assessor.

The Assessor offered new evidence and then withdrew it during the hearing.

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

- 1) 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 a two-story, single family residence containing 2,140 square feet, built in 1996 and located on .12 acres on Hanley Way in Henderson, Clark County, Nevada. See *Record, SBE pages 87-88 and 90-92.*
- 5) The Clark County Board of Equalization (County Board) ordered that the land taxable value be reduced \$15,000, from \$30,000 to \$15,000. The total taxable value was reduced to \$154,763 for the 2013-2014 secured roll. See *Record, SBE pages 14 and 96.*
- 6) The State Board found the Taxpayer did not present sufficient evidence to support values different from that established by the County Board. See *Tr., 6-3-13, p. 153, l. 2 through p. 154, l. 5.*
- 7) The State Board affirmed the decision of the County Board. See *Tr., 6-3-13, p. 154, ll. 7-17.*
- 8) 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

- 1) The Taxpayer timely filed a notice of appeal, and the State Board accepted jurisdiction to determine this matter. *NRS 361.360.*
- 2) The Taxpayer and the Assessor are subject to the jurisdiction of the State Board.
- 3) The State Board has the authority to determine the taxable values in the State. *NRS 361.395.*
- 4) The assessed value as previously determined by the County Board is 35% of taxable value as required by *NRS 361.225.*
- 5) The subject property is appraised at the proper taxable value in accordance with *NRS 361.227.*
- 6) 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 denied based on the above Findings of Fact and Conclusions of Law. The Clark County Comptroller is instructed to certify the assessment roll of the county consistent with this decision.

BY THE STATE BOARD OF EQUALIZATION THIS 1 DAY OF AUGUST, 2013.


Christopher G. Nielsen, Secretary
CGN/ter