

dismissed for lack of jurisdiction due to untimely filing of the appeal but later withdrew the recommendation based on the probable delivery date of the county board decision. *See Tr., 6-3-13, p. 87, l.17 through p.88, l. 9.*

The State Board, having considered all evidence, documents and testimony pertaining to the jurisdiction of the State Board in accordance with NRS 361.360, 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. *Record, SBE page 82.*
- 4) The subject property for APN 162-21-316-003 consists of a 520 square foot, condominium built in 2006, and located on East Harmon Avenue in MGM Turnberry Tower in Las Vegas, Clark County, Nevada. *See Record, SBE page 24.*
- 5) The subject property for APN 162-21-316-010 consists of a 520 square foot, condominium built in 2006, and located on East Harmon Avenue in MGM Turnberry Tower in Las Vegas, Clark County, Nevada. *See Record, SBE page 59.*
- 6) The Clark County Board of Equalization (County Board) accepted the Assessor's recommendation to uphold the total taxable value of \$127,651 for APN 162-21-316-003 and also for APN 162-21-316-010 for the 2013-2014 secured roll. *See Record, SBE pages 12 and 25; 48 and 77.*
- 7) The State Board found the Taxpayer did not present sufficient evidence to support values different from that established by the County Board. The State Board found the sales at depressed levels provided in the record support the assessor's value. *See Tr., 6-3-13, p. 169, l. 16 through p. 171, l. 9.*
- 8) The State Board affirmed the decision of the County Board for both APN 162-21-316-003 and APN 162-21-316-010. *See Tr., 6-3-13, p. 171, l. 20 through p. 172, l. 12.*
- 9) The assessed value as previously determined by the County Board is 35% of taxable value.
- 10) 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 1st DAY OF AUGUST, 2013.

Deonue E. Contine for

Christopher G. Nielsen, Secretary
CGN/ter