

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 vacant land containing 2.10 gross acres (estimated 1.28 net acres) located south of Warm Springs and west of Decatur in Clark County, Nevada. The parcel is zoned M1 with a planned land use of BDRP. *See Record, SBE pages 26 and 28; Tr., 7-9-13, p. 291, l. 23 through p. 292, l. 1.*
- 5) The Clark County Board of Equalization (County Board) ordered the total taxable value for the subject property of \$191,100 be reduced to \$167,270, or \$3.00 per square foot, for the 2013-2014 secured roll. *See Record, SBE pages 3, 25 and 36-37; Tr. 7-9-13, p. 292, ll. 2-4.*
- 6) The Taxpayer presented sufficient evidence to support a value different from that established by the County Board. The State Board found that the parcel has limited access and size which affects functionality for other uses. In addition, the M1 zoning would be difficult to change for residential purposes. *See Tr., 7-9-13, p. 305, l. 16 through p. 306, l. 6; p. 310, ll. 15-21; p. 314, ll. 6-15.*
- 7) The State Board found the taxable value of the subject property should be reduced to \$55,757. *See Tr., 7-9-13, p. 315, l. 14 through p. 316, l. 9.*
- 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

- 1) The Taxpayer timely filed a notice of appeal, and the State Board accepted jurisdiction to determine this matter.
- 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.
- 4) The subject property is appraised, as adjusted, at the proper taxable value in accordance with NRS 361.227.
- 5) The assessed value as previously determined by the County Board is 35% of taxable value.
- 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 granted based on the above Findings of Fact and Conclusions of Law. The Clark County Comptroller is instructed to correct the assessment roll by adjusting the assessed valuation of the subject property as follows:

2013-2014 Secured Roll

Parcel Number	Taxable Value		Assessed Value	
	Established by County Board of Equalization	Revised By State Board	Established by County Board of Equalization	Revised by State Board
Land	\$167,270	\$55,757	\$58,545	\$19,515
TOTAL	\$167,270	\$55,757	\$58,545	\$19,515

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 30th DAY OF AUGUST, 2013.



Christopher G. Nielsen, Secretary
CGN/ter