

- 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 consists of a two story, 24,000 square foot telephone/data building built in 2001, and located on 1.14 acres on the north side of Sahara Ave. one block east of Lamb Blvd. in Las Vegas, Clark County, Nevada. *See Record, SBE pages 141; 143-145; 148; and 170-172; Tr., 7-10-13, p. 62, l. 25 through p. 63, l. 4.*
- 5) The Clark County Board of Equalization (County Board) ordered the total taxable value for the subject properties of \$3,306,766 be upheld for the 2013-2014 secured roll. *See Record, SBE pages 14 and 178.*
- 6) The Taxpayer presented sufficient evidence to support a value different from that established by the County Board. The State Board found that the lease term ends in August, 2014 which creates uncertainty whether the building will continue to be occupied. The State Board found the building was a specialized communications building that would be difficult to market for other uses. *See Tr., 7-10-13, p. 86, l. 21 through p. 87, l. 22; p. 89, l. 12 through p. 90, l. 9.*
- 7) The State Board found the taxable value of the subject property should be reduced to \$2,325,000 using an income indicator of value, based on a net operating income (NOI) of \$232,560 and a capitalization rate of 10.00%. The NOI was derived by adjusting the potential gross income to \$1.25 per square foot for the first floor and \$.75 for the second floor, using a vacancy / rent loss of 15%, and expenses of 5%. *See Tr., 7-10-13, p. 87, l. 23 through p. 88, l. 17; Record, SBE pages 148.*
- 8) The State Board found the reduction in value to \$2,325,000 should be applied to the improvements, with the value of the land remaining the same. *See Tr., 7-10-13, p. 91, l. 19 through p. 92, l. 6*
- 9) The assessed value as adjusted by the State 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.
- 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) 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	\$198,631	\$198,631	\$69,521	\$69,521
Improvements	\$3,108,135	\$2,126,369	\$1,087,847	\$744,229
TOTAL	\$3,306,766	\$2,325,000	\$1,157,368	\$813,750

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 16th DAY OF AUGUST, 2013.



Christopher G. Nielsen, Secretary
CGN/ter