



STATE OF NEVADA  
STATE BOARD OF EQUALIZATION

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CHRISTOPHER G.  
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*Secretary*

In the Matter of	)	
	)	
Desert Inn Management Co., LTD	)	
APN: 162-09-805-012	)	
Clark County, Nevada	)	
PETITIONER	)	
	)	Case No. 14-168
Michele Shafe	)	
Clark County Assessor	)	
RESPONDENT	)	
	)	
Appeal of the Decision of the	)	
CLARK COUNTY	)	
BOARD OF EQUALIZATION	)	

**NOTICE OF DECISION**

***Appearances***

Steve Lyons appeared on behalf of Desert Inn Management Co., LTD (Taxpayer).

James Wulff and Mary Anne Weidner 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 2014-15 Secured Roll within Clark County, Nevada, came before the State Board of Equalization (State Board) for hearing in Las Vegas, Nevada, on July 28, 2014 after due notice to the Taxpayer and the Assessor.

The Assessor offered new evidence consisting of a capitalization summary. The State Board admitted the new evidence into the record. *See Tr., 7-28-14, p. 264, ll. 6-20.*

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. *Record, SBE page 422.*
- 4) The subject property is a 221 unit full service motel, built in 1991 known as Blair House Suites, and located on 2.95 acres on East Desert Inn Road, just south of Convention Center Drive, 3 blocks west of the Convention Center, Las Vegas, Clark County, Nevada. *See Record, SBE pages 216; 402-404; Tr., 7-28-14, p. 263, l. 16 through p. 264, l. 5.*
- 5) The Clark County Board of Equalization (County Board) ordered that the total taxable value for the subject properties of \$10,436,757 be reduced to \$8,470,788 for the 2014-2015 secured roll. The reduction was determined by capitalizing a net operating income of \$720,017 using a capitalization rate of 8.5%. *See Record, SBE pages 17 and 420.*
- 6) 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 that the appraisal submitted by the Taxpayer was prepared as of July 19, 2012 and was intended for use in a bankruptcy action rather than for taxable value in the current year. *See Record, SBE 26.* The State Board found the income indicator of value was reasonably supported by the Assessor's analysis and found the decision of the County Board was credible based on the County Board's understanding of the market. *See Tr., 7-28-14, p. 278, l. 10 through p. 280, l. 15.*
- 7) The State Board affirmed the decision of the County Board. *See Tr., 7-28-14, p. 280, l. 17 through p. 281, l. 14.*
- 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.
- 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 at the proper taxable value as previously determined by the County Board in accordance with NRS 361.227 and NAC 361.118 for the 2014-2015 tax year. The assessed value is 35% of taxable value.
- 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 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 20<sup>th</sup> DAY OF OCTOBER, 2014.

A handwritten signature in black ink, appearing to read 'C. Nielsen', written over a horizontal line.

Christopher G. Nielsen, Secretary  
CGN/ter