



STATE OF NEVADA
STATE BOARD OF EQUALIZATION

BRIAN SANDOVAL
Governor

1550 College Parkway, Suite 115
Carson City, Nevada 89706-7921
Telephone (775) 684-2160
Fax (775) 684-2020

DEONNE CONTINE
Secretary

In the Matter of

Sunset Palms Park Apartments, LLC
APN: 139-21-703-012
Clark County, Nevada
PETITIONER

Michele Shafe
Clark County Assessor
RESPONDENT

Appeal of the Decision of the
CLARK COUNTY
BOARD OF EQUALIZATION

Case No. 16-141

NOTICE OF DECISION

Appearances

Robert Conte appeared on behalf of Sunset Palms Park Apartments, LLC(Taxpayer).

Camille Montoya and Brian Lemons 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 2016-17 Secured Roll within Clark County, Nevada, came before the State Board of Equalization (State Board) for hearing in Las Vegas, Nevada, on May 2, 2016 after due notice to the Taxpayer and the Assessor.

The State Board incorporated the testimony and evidence from case no. 16-140. 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. The Department provided evidence to show the Taxpayer received notice of the hearing. *See Record, SBE page 104.*
- 4) The subject property is known as Sunset Park Apartments. The property consists of 56 rent restricted units, and amenities include a clubhouse, fitness center, washer and dryer hook ups, and pool. The property is located on 3.00 acres at 900 Doolittle Avenue in Las Vegas, Clark County, Nevada. *See Record, SBE page 42; Maps, SBE pages 82-86; Tr., 5-2-16, p. 88, ll. 21-25.*
- 5) The Clark County Board of Equalization (County Board) ordered the total taxable value for the subject property of \$2,577,094 be upheld for the 2016-2017 secured roll. *See Record, SBE pages 16 and 99, referencing in Case No. 16-140, SBE page 93.; Tr. 5-2-16, p. 89, ll. 1-2.*
- 6) The Taxpayer presented sufficient evidence to support a value different from that established by the County Board. The State Board found property should be equalized with the property in Case No. 16-140 based on the facts that the two properties were purchased together and are located in the same neighborhood. The taxable value per unit should be the same as the property in Case No. 16-140 at \$35,280 per unit. *See Tr., 5-2-16, p. -91, ll. 8-23.*
- 7) The State Board found the taxable value of the subject property should be reduced to \$1,975,555 with the taxable value of the land remaining the same and the obsolescence applied to the improvements. *See Tr., 5-2-16, p. 92, ll. 13-24.*
- 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, as adjusted, at the proper taxable value in accordance with NRS 361.227. 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 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:

2016-2017 Secured Roll

Parcel Number 139-21-703-012	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	\$280,000	\$280,000	\$98,000	\$98,000
Improvements	\$2,297,094	\$1,695,555	\$803,983	\$593,444
TOTAL	\$2,577,094	\$1,975,555	\$901,983	\$691,444

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 JUNE, 2016.



Deonne Contine, Secretary
DC/ter