



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 E. CONTINE
Secretary

In the Matter of

Michele W. Shafe
Clark County Assessor
PETITIONER

Case No. 17-114

BCLO Trust
Benedict Ow
APN 163-29-612-005
RESPONDENT

Appeal of the Decisions of the
CLARK COUNTY
BOARD OF EQUALIZATION

REVISED NOTICE OF DECISION

Appearances

Dallas Tripp appeared on behalf of the Petitioner, Clark County Assessor's Office (Assessor).

Steve Lewis appeared on behalf of the Respondent (Taxpayer).

Summary

The matter of the Taxpayers' petition for review of property valuations for the 2017-18 Secured Roll within Clark County, Nevada, came before the State Board of Equalization (State Board) for hearing in Las Vegas, Nevada, on June 14, 2017, after due notice to the Taxpayers and the Assessor.

On or about January 17, 2017, the Taxpayer petitioned the Clark County Board of Equalization (County Board) for a review of taxable valuation of their real property. *See Record SBE at 15-16.* On or about January 24, 2017, the Appraisal Division of the Clark County Assessor's Office provided the Taxpayer with its opinion that a downward adjustment of the improvement value of the property, from \$1,979,274 to \$1,640,000, was justified; this adjustment resulted in a total taxable value of \$1,900,823. *See Record SBE at 24.* On or about February 4, 2017, the County Board held a hearing and reviewed the Taxpayers' petition and Assessor's recommendation. *See Record SBE at 20.* The County Board reduced the total taxable value of the property from \$1,450,000 (plus common element), with the additional reduction to be taken against the improvement value. *Id.* On or about February 4, 2017, the Assessor appealed to the State Board. *See Record SBE at 1-4.*

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. *See Record SBE at 52-54.*
- 4) The subject property consists of a 7,794 sq. ft. residential property located in a guard gated community in Clark County. The Clark County Assessor's Office recommended a taxable value of \$1,900,823. *See Record SBE at 24.*
- 5) Based on the Assessor's recommendation, the (County Board) ordered that the total taxable value for the subject property be reduced at \$1,450,000 for 2017-2018. *See Record, SBE at 20.*
- 6) The State Board found that the comparable sales supplied by the Taxpayer from the Spanish Trails neighborhood included significantly smaller homes than those located in the Spanish Hills neighborhood, where the subject property is located, and therefore were too different to be relied upon. *See Transcript 06-15-2017 at 79; see also Record, SBE at 41.*
- 7) The State Board found that the method, dividing the sales price by 50 percent and then adding 25 percent, used by the County Board to arrive at the taxable value of \$1,450,000 was not an accurate or approved method of valuation. *See Transcript 06-15-2017 at 34, 65, and 75.*
- 8) The State Board found that the 2017/2018 total taxable value of \$1,808,837, for the subject property was the correct valuation. *See Transcript 06-15-2017 at 83; see also Record, SBE at 22.*
- 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 Assessor timely filed a notice of appeal, and the State Board accepted jurisdiction to determine this matter.
- 2) The Assessor and the Taxpayer are subject to the jurisdiction of the State Board.
- 3) The Taxpayer failed to overcome the statutory burden of proof set by NAC 361.741.
- 4) The Taxable Value of the subject property is hereby corrected to \$1,808,837, in accordance with the 2017/2018 total taxable value applied to the subject property, as 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 denied based on the above Findings of Fact and Conclusions of Law.

2017-2018 Secured Roll

	Taxable Value		Assessed Value	
Parcel Number	Established by County Board of Equalization	Revised By State Board	Established by County Board of Equalization	Revised by State Board
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Land	\$260,000	\$260,000	\$91,000	\$91,000
Improvements	\$1,190,000	\$1,548,014	\$416,500	\$541,805
Supplemental Value	0	0	0	0
Common Element	\$823	\$823	\$288	\$288
TOTAL	1,450,823	1,808,837	\$507,788	\$633,093

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 17th DAY OF OCTOBER, 2017.

Deonne Contine, Secretary
DC/jm