



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

Tahoe IV, LLC and
JS Devco Limited Partnership
APN 5-051-03; 5-051-04; 5-051-05; 5-051-09;
5-051-16; 5-051-22; 5-051-23; 5-054-03
5-054-04; 5-054-08; and 5-054-11

PETITIONERS

Dave Dawley,
Carson City Assessor
RESPONDENT

Appeal of the Decision of the
CARSON CITY BOARD OF EQUALIZATION

Case No. 17-120

NOTICE OF DECISION

Appearances

John Serpa appeared on behalf of Tahoe IV, LLC and JS Devco Limited Partnership (Taxpayer)

Denise Gillott appeared on behalf of the Carson City Assessor's Office (Assessor).

Summary

The matter of the Taxpayer's petition for review of property valuations for the 2017-18 Secured Roll within Carson City, Nevada, came before the State Board of Equalization (State Board) for hearing in Carson City, Nevada, on August 28, 2017, after due notice to the Taxpayer and the Assessor.

On or about January 17, 2017, the Taxpayer petitioned the Carson City Board of Equalization (City Board) for a review of taxable valuation of 32 separate parcels. On or about February 28, 2017, the City Board heard the petition and decided to uphold the Assessor's taxable values and to apply a 30% subdivision discount for certain parcels and not for others. On or about March 8, 2017, the Taxpayer appealed to the State Board for 11 parcels not modified by the City Board.

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.
- 4) The Taxpayer requested a subdivision discount under NAC 361.129 and an overall reduction to the taxable values assigned by the Assessor.
- 5) According to the Assessor's testimony, based on the Assessor's absorption study, the subdivision discount for these properties would be 30%.
- 6) The Assessor did not allow the subdivision discount based on non-common ownership among the parcels.
- 7) The 11 parcels, subject to this appeal, are owned by two separate entities.
- 8) The owners of the two entities are within the same family lineage. There are no outside investors who have any ownership interest in the two entities.

CONCLUSIONS OF LAW

- 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 11 parcels meet the definition of a subdivision.
- 5) A 30% subdivision discount should be applied to the 11 parcels.
- 6) The Taxpayer failed to provide adequate evidence that the Assessor's taxable values should be reduced further.
- 7) 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.

DECISION

Based on the above Findings of Fact and Conclusions of Law, the State Board decided, by 4-0-1 vote (Member Johnson recused), to keep the taxable values as set by the Assessor and to apply a 30% subdivision discount to the taxable value for the 11 parcels.

BY THE STATE BOARD OF EQUALIZATION THIS 17th DAY OF NOVEMBER, 2017.

Deonne E. Contine

Deonne Contine, Secretary
DC/jm