



STATE OF NEVADA
STATE BOARD OF EQUALIZATION

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Governor

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WILLIAM D. ANDERSON
Secretary

In the Matter of	)	Case No.	18-113, 18-114, 18-115
	)		
APN 139-35-112-002;	)		
139-35-112-003	)		
	)		
Nevada Developments LLC	)		
	)		
APN 139-35-112-004	)		
	)		
Sparus, LLC	)		
	)		
PETITIONERS	)		
	)		
v.	)		
	)		
Michele Shafe,	)		
Clark County Assessor	)		
RESPONDENT	)		
	)		
Appeal of the Decision of the Clark County	)		
Board of Equalization	)		

NOTICE OF DECISION

Appearances

Ryan Misaresh appeared on behalf of Nevada Developments LLC and Sparus, LLC (Taxpayers).

Melodie Garfield, Stephanie Jones, and Jeff Payson appeared on behalf of the Clark County Assessor's Office (Assessor).

Summary

The matter of the Taxpayers' petitions for review of property valuations for the 2018-2019 Secured Roll within Clark County, Nevada, came before the State Board of Equalization (State Board) for hearing in Las Vegas, Nevada, on July 30, 2018, after due notice to the Taxpayers and the Assessor.

On or about January 15, 2018, the Taxpayers petitioned the Clark County Board of Equalization (County Board) for a review of taxable valuation of the real property in each of these matters. On or about February 16, 2018, the County Board held a hearing and reviewed the Taxpayers' petitions. In each case, the County Board accepted the Assessor's recommendation for no

change in the total taxable value for the subject properties. On or about March 8, 2018, the Taxpayers appealed to the State Board in Case No. 18-115, and on or about March 10, 2018, the Taxpayers appealed to the State Board in Case Nos. 18-113 and 18-114.

As the Taxpayers and the Assessor agreed that the three parcels are contiguous and raise similar considerations, and no party objected, the State Board consolidated Case No. 18-113, Case No. 18-114, and Case No. 18-115. At the hearing, the State Board treated Case No. 18-113 as the lead case.

The State Board, having considered all evidence, documents and testimony pertaining to the valuation of the properties 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 Taxpayers 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 Taxpayers have the burden of proof pursuant to NAC 361.741.
- 5) The subject properties are currently vacant, totaling 0.75 acres in downtown Las Vegas, and are currently being listed for sale at \$1,100,000 (approximately \$33.67 per square foot).
- 6) The Taxpayers disputed the valuation of their properties. The Taxpayers noted that there was a surge in assessed value after the Taxpayers were required by the City of Las Vegas to demolish the dilapidated improvements on the properties, and that the tax assessments on neighboring properties increased at a lower rate; the Taxpayers also argued that the properties to which their land was compared in establishing value were not truly comparable. However, the Taxpayers did not submit adequate evidence to support a valuation lower than the Assessor's recommendation.
- 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.

CONCLUSIONS OF LAW

- 1) The Taxpayers timely filed notices of appeal, and the State Board accepted jurisdiction to determine these matters.
- 2) The Taxpayers 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 Taxpayers failed to meet their burden to show the County Board's decision was in error.
- 5) The taxable value for the subject property of \$30 per square foot does not exceed full cash value and is below the range for comparable properties.

6) 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

Based on the above Findings of Fact and Conclusions of Law and a preponderance of the evidence, the State Board decided by unanimous vote to uphold the County Board's decision to accept the Assessor's recommendation for no change to the total taxable value of \$222,151 in Case No. 18-113; no change to the total taxable value of \$209,071 in Case No. 18-114; and no change to the total taxable value of \$548,851 in Case No. 18-115. The Petition is denied.

BY THE STATE BOARD OF EQUALIZATION THIS 1st DAY OF OCTOBER, 2018.



William D. Anderson, Secretary