



STATE OF NEVADA
STATE BOARD OF EQUALIZATION

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BRIAN SANDOVAL
Governor

WILLIAM D. ANDERSON
Secretary

In the Matter of)	Case No.	18-157
)		
APN 038-881-08)		
)		
Cabela's Retail Inc.)		
PETITIONER)		
)		
v.)		
)		
Michael E. Clark)		
Washoe County Assessor)		
RESPONDENT)		
)		
Appeal of the Decision of the Washoe)		
County Board of Equalization)		

NOTICE OF DECISION

Appearances

Sev Carlson, Attorney, appeared on behalf of Cabela's Retail Inc. (Taxpayer).

Pete Kinne appeared on behalf of the Washoe County Assessor's Office (Assessor).

Summary

The matter of the Taxpayer's petition for review of property valuations for the 2018-2019 Secured Roll within Washoe County, Nevada, came before the State Board of Equalization (State Board) for hearing in Carson City, Nevada, on August 14, 2018, after due notice to the Taxpayer and the Assessor.

On or about January 16, 2018, the Taxpayer petitioned the Washoe County Board of Equalization (County Board) for a review of taxable valuation of real property. On or about February 21, 2018, the County Board held a hearing and reviewed the Taxpayer's petition. The subject property is a Cabela's sporting goods store located in Verdi, Nevada. The County Board accepted the Assessor's total taxable value of \$13,925,606 for the subject property. On or about March 7, 2018, the Taxpayer appealed to the State 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 has the burden of proof pursuant to NAC 361.741.
- 5) The Taxpayer argued that obsolescence, both economic and functional, justify a reduction in the taxable value.
- 6) The Taxpayer argued that the finer finishes in the subject property are so unique to Cabela's that they make the property harder to market.
- 7) The Taxpayer spent approximately \$41M to purchase and build the property ten years ago.
- 8) The improvements constructed by the Taxpayer are still in use by the Taxpayer.
- 9) The Assessor's valuation of the property is based on value of the land plus the replacement costs of the improvements.
- 10) The Assessor then tested his value using the sales comparison approach and the income approach.
- 11) The Taxpayer would not provide specific income information for the subject property, but reported Cabela's as a whole is underperforming.
- 12) 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 Taxpayer failed to meet its burden to show the County Board's decision was in error.
- 5) The Assessor's taxable value for the subject property includes obsolescence.
- 6) The taxable value for the subject property does not exceed the full cash value based on the evidence of comparable sales and income approach provided by the Assessor.
- 7) 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 (Member Johnson absent), to uphold the County Board's decision to uphold the Assessor's total taxable value of the subject property. The Petition is denied.

BY THE STATE BOARD OF EQUALIZATION THIS 17th DAY OF OCTOBER, 2018.



William D. Anderson, Secretary