



**STATE OF NEVADA
STATE BOARD OF EQUALIZATION**

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Governor

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MELANIE YOUNG
Secretary

In the Matter of)	Case No. 17-114
)	
APN: 163-29-612-005)	
)	
Michele W. Shafe)	
Clark County Assessor)	
PETITIONER)	
)	
v.)	
)	
BCLO Trust)	
Benedict Ow)	
RESPONDENT)	
)	
Appeal of the Decision of the Clark County)	
Board of Equalization)	
)	

NOTICE OF DECISION

Appearances

Dallas Tripp, Jeff Payson, and Deputy District Attorney Lisa Logsdon appeared on behalf of the Petitioner, Clark County Assessor's Office (Assessor).

David Kaplan appeared on behalf of the Respondent BCLO Trust, Benedict Ow (Taxpayer).

Summary

The matter of the Assessor's 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 January 25, 2019. This matter was first heard on February 4, 2017 as an appeal by the Assessor of the decision of the Clark County Board of Equalization (County Board). The State Board increased the taxable value of the subject property. The Taxpayer filed and was granted a petition for judicial review. The State Board held a hearing after the petition was granted and decided to remand the matter to the County Board to explain their methodology in finding a taxable value of \$1,450,000 (plus common element).

On October 22, 2018, the County Board held the remand hearing and decided on a value of \$1,675,000, plus common element as of January 1, 2017.

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/or waived full notice and the matter was properly noticed pursuant to the Open Meeting Law at NRS 241.020.
- 4) The subject property is residential and improved with a single-family residence and located in Las Vegas, Clark County, Nevada.
- 5) The State Board remanded the case to the County Board pursuant to NRS 361.360(6).
- 6) The County Board discussed valuation methods and voted to approve a value of \$1,675,000, plus common element as of January 1, 2017.
- 7) The Assessor no longer objects to the County Board's valuation, but did not withdraw its appeal, and requested that the County Board value be upheld.
- 8) The Taxpayer argued that the County Board did not have authority to issue a new decision and that the prior decision should stand.
- 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.

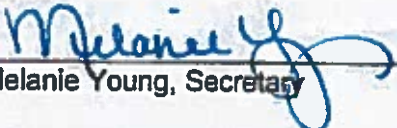
CONCLUSIONS OF LAW

- 1) The Taxpayer and the Assessor are subject to the jurisdiction of the State Board.
- 2) Based on the remand order, the County Board was authorized to change its prior decision regarding the taxable value for the subject property.
- 3) The County Board's decision is supported by approved valuation methods.
- 4) 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, the State Board decided by a unanimous vote to uphold the County Board valuation for the subject property of \$1,675,000, plus common element as of January 1, 2017.

BY THE STATE BOARD OF EQUALIZATION THIS 26 DAY OF MARCH, 2019.


Melanie Young, Secretary