



**STATE OF NEVADA  
STATE BOARD OF EQUALIZATION**

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**MELANIE YOUNG**  
Secretary

<b>In the Matter of</b>	)	<b>Case No. 19-129</b>
	)	
<b>APN: 163-061-13</b>	)	
	)	
<b>South Meadows Promenade LLC,</b>	)	
<b>PETITIONER</b>	)	
	)	
<b>v.</b>	)	
	)	
<b>Washoe County Assessor,</b>	)	
<b>RESPONDENT</b>	)	
	)	
<b>Appeal from the Decision of the Washoe</b>	)	
<b>County Board of Equalization</b>	)	

**NOTICE OF DECISION**

***Appearances***

Michael Churchfield and Steven T. Polikalas appeared on behalf of Petitioner, South Meadows Promenade LLC (Taxpayer).

Al Holwill appeared on behalf of the Respondent, Washoe County Assessor (Assessor).

***Summary***

The matter of the Taxpayer's petition for review of property valuations for the 2018-2019 Supplemental Roll and 2019-2020 Secured Roll within Washoe County, Nevada, came before the State Board of Equalization (State Board) for hearing in Carson City, Nevada, on July 1, 2019, after due notice to the Taxpayer and the Assessor. The subject property is a commercial shopping center built in 2017 on 8.06 acres in Washoe County, Nevada.

Taxpayer petitioned the Washoe County Board of Equalization (County Board) for review of the taxable valuation of the subject property which was heard by the County Board on or about February 22, 2019. The County Board upheld the Assessor's values finding that Taxpayer had not met its burden.

The State Board, having considered all evidence, documents and testimony pertaining to the jurisdiction of the State Board in accordance with NRS 361.360, 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 subject property is a commercial retail center built in 2017 known as South Meadows Promenade containing a discount store.

5. The Taxpayer objected to the 2.0 (average) quality class assigned by the Assessor for the subject property improvements.

6. The Taxpayer requested equalization with another shopping center with a quality class of 1.5 (low average). Both properties contain a discount store.

7. The Assessor testified that the quality class for the improvements is based on Marshall & Swift and goes from 1 to 4.

8. The Assessor testified that according to Marshall & Swift an average discount store is usually a good industrial shell with some interior finish and partitioning and very little storefront.

9. The Assessor tested its taxable value by using a sales comparison approach and income approach to conclude the taxable value did not exceed full cash value.

10. 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. The State Board has the authority to determine the taxable values in the State.

3. The Assessor applied the principles in Marshall & Swift to determine the quality class of the subject property's improvements.

4. There is no lack of equalization among the discount stores identified by Taxpayer.


5. The Taxpayer failed to meet its burden of proof.

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 by a preponderance of the evidence, the State Board decided by a 4-1 vote to uphold the County Board's decision to uphold the Assessor's values. The Petition is denied.

BY THE STATE BOARD OF EQUALIZATION THIS 26<sup>th</sup> DAY OF July, 2019.

  
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Melanie Young, Secretary