



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. 19-130
)	
APN: 046-080-50)	
)	
Washoe County Assessor,)	
PETITIONER)	
)	
v.)	
)	
C5 Investments, LLC)	
RESPONDENT)	
)	
Assessor appeal of Decision from Washoe)	
County Board of Equalization)	

NOTICE OF DECISION

Appearances

Ken Johns appeared on behalf of the Petitioner, Washoe County Assessor (Assessor).

Michael Churchfield and Steven T. Polikalas appeared on behalf of the Respondent, C5 Investments, LLC (Taxpayer).

Summary

The matter of the Assessor'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 27,360 square foot greenhouse cultivation and dispensary facility in Washoe County, Nevada.

Taxpayer petitioned the Washoe County Board of Equalization (County Board) for review of the taxable valuation of the subject property by petition dated January 15, 2019 for the 2019-2020 secured roll and the 2018-2019 Supplemental Roll. The County Board reduced the subject property value to \$3 Million for both the 2018-2019 and 2019-2020 tax years applying the reduction to the improvement value based on obsolescence.

The State Board, having considered all evidence, documents and testimony pertaining to the jurisdiction of the State Board in accordance with NRS 361.360(1), 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 an institutional greenhouse and a retail store for the cultivation, production and sale of marijuana.
5. The County Board decided to reduce the improvement value of the subject property due to obsolescence in the amount of \$749,263 for the 2018-2019 tax year and \$787,749 for the 2019-2020 tax year, resulting in a total taxable value of \$3 Million for each tax year.
6. The Assessor argued that the taxable for the subject property should be \$3,749,263 for the 2018-2019 tax year and \$3,787,749 for the 2019-2020 tax year and that those values did not exceed full cash value for the respective years.
7. The Assessor argued that the County Board did not use an approved method of valuation when it reduced the value of the subject property.
8. 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 County Board had sufficient evidence before it to support its decision to reduce the improvement value due to obsolescence.
4. The Assessor failed to meet its burden that the County Board's decision was in error.
5. 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 unanimous vote to uphold the County Board's decisions to reduce the improvement value for both the 2018-2019 and 2019-2020 tax years. The Petition is denied.

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


Melanie Young, Secretary