



STATE OF NEVADA
STATE BOARD OF EQUALIZATION

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Governor

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SHELLIE HUGHES
Secretary

In the Matter of)	Case No. 21-117
)	
APN(s): 160-22-512-003)	
)	
Pacifica LLV Hotel, LLC,)	
PETITIONER)	
)	
v.)	
)	
Clark County Assessor,)	
RESPONDENT)	
)	
Appeal from Decision of the Clark County)	
Board of Equalization)	

NOTICE OF DECISION

Appearances

Wayne Tannenbaum and Austin Glidewell appeared on behalf of the Petitioner, Pacifica LLV Hotel, LLC (Taxpayer).

Jill Wood appeared on behalf of the Respondent, Clark County Assessor (Assessor).

Summary

The matter of the Taxpayer's petition for review of property valuation for real property on the 2021-2022 secured roll came before the State Board of Equalization (State Board) for hearing via Zoom on August 31, 2021. The Clark County Board of Equalization (County Board) heard Taxpayer's property tax appeal on February 8, 2021. The County Board upheld the Assessor's taxable value of \$50,669,579.

The State Board, having considered all evidence, documents and testimony pertaining to the taxable value for the subject property, 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. Taxpayer and 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. Taxpayer has the burden of proof pursuant to NAC 361.741.

5. The subject property is the Marriott Westin resort located at Lake Las Vegas.

6. Taxpayer presented financials showing income information from 2018 and 2019 to show the subject property's performance before Covid.

7. Assessor presented its income approach analysis using a net operating income of \$5,115,825, and also provided comparable sales.

8. The subject property's location contributes to its revenue challenges.

9. To test the Assessor's taxable value of the subject property it is appropriate to use:

- a. The 2018 and 2019 income information as those were stabilized years and come to a net operating income of \$3,900,000; and
- b. Apply a 7.5% capitalization rate which derives a value of \$52,000,000 from which FF&E in the amount of \$7,694,161 is deducted to avoid double taxation.

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. Taxpayer and 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.

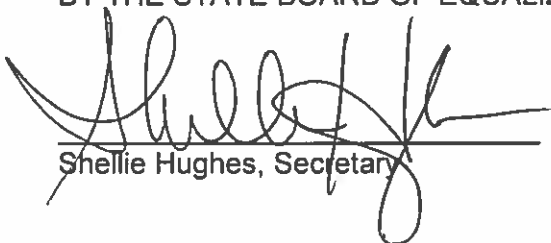
3. Taxpayer met its burden to show the taxable value for the subject property exceeded the full cash value.

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 and a preponderance of the evidence, the State Board decided by a unanimous vote to reduce the Assessor's taxable value for the subject property to \$44,305,839 with the reduction to be applied to the improvement value. The Petition is granted, and the 2021-2022 secured roll shall be amended as set forth in this decision.

BY THE STATE BOARD OF EQUALIZATION THIS 26th DAY OF January, 2022.



Shellie Hughes, Secretary