



STATE OF NEVADA
STATE BOARD OF EQUALIZATION

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Governor

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CHRISTOPHER G.
NIELSEN
Secretary

In the Matter of)
)
 Joseph Jingoli & Son, Inc)
 Account No. 003614-1N)
 Clark County, Nevada)
 PETITIONER)
) Case No. 11-482
 Michele Shafe)
 Clark County Assessor)
 RESPONDENT)
)
 Appeal of the Decision of the)
 CLARK COUNTY)
 BOARD OF EQUALIZATION)

NOTICE OF DECISION

Appearances

Craig Newby, Esq. of McDonald, Carano, Wilson LLP appeared on behalf of Joseph Jingoli & Son, Inc. (Taxpayer).

Angela Menzel, Doug Scott and Paul Johnson, Deputy District Attorney, appeared on behalf of the Clark County Assessor's Office (Assessor).

Summary

The matter of the Taxpayer's petition for review of exemption of property valuations for prior years on property located within Clark County, Nevada, came before the State Board of Equalization (State Board) for hearing in Las Vegas, Nevada, on October 16, 2012 and continued to October 17, 2012 after due notice to the Taxpayer and the Assessor.

The Taxpayer asserted the subject property, a 2008 Hawker aircraft 900 XP was exempt pursuant to NRS 361.1670, the Freeport Act. The State Board considered Taxpayer's argument that the subject property was exempt under the Nevada Freeport Act, NRS 361.160 to 361.185. The State Board made a motion that the property was not exempt, but the motion failed due to a lack of a majority vote. See *Tr.*, 10-17-12, p. 39, ll. 3-17. The Taxpayer subsequently withdrew its Freeport Act claim in order for the State Board to consider a stipulated agreement. See *Tr.*, 10-17-12, p. 193, ll. 19-23.

The State Board, having considered all evidence, documents and testimony pertaining to the pertaining to the jurisdiction of the State Board, 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 consists of a 2008 Hawker aircraft 900 XP. *See Record, SBE page 5; Tr. 10-16-12, p. 320, l. 25.*
- 5) At the hearing on October 17, 2012, the Assessor and the Taxpayer proposed to settle the matter and presented a stipulated agreement for review and approval by the State Board. *See Tr., 10-17-12, p. 12, l. 22 through p. 13, l. 1; p. 193, l.17 through p. 194, l. 10.* The State Board moved to approve the specific property tax values proposed by the parties. *See Tr., 10-17-12, p. 194, ll. 12-20.*

DECISION

The State Board, having considered all evidence, documents and testimony, hereby approves the taxable values proposed by the parties for the subject property, case number 12-482.


The County Comptroller is instructed to correct the assessment roll by adjusting the assessed valuation of the subject property as follows:

2011-2012 Unsecured Roll

Parcel Number 003614-1N	Taxable Value		Assessed Value	
	Established by County Board of Equalization	Revised By State Board	Established by County Board of Equalization	Revised by State Board
Personal Property	\$1,573,923	\$860,411	\$550,873	\$301,144
TOTAL	\$1,573,923	\$860,411	\$550,873	\$301,144

The County Comptroller is instructed to certify the assessment roll for net proceeds of minerals tax with this decision.

BY THE STATE BOARD OF EQUALIZATION THIS 31st DAY OF JANUARY, 2013.



 Christopher G. Nielsen, Secretary
 CGN/ter