



STATE OF NEVADA
STATE BOARD OF EQUALIZATION

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DEONNE CONTINE
Secretary

In the Matter of)

Hacienda Care XIV LP)
dba Pinnacle Health facilities XXXI, LP)
APN: 186-09-701-002)
Clark County, Nevada)
PETITIONER)

) Case No. 15-237

Michele Shafe)
Clark County Assessor)
RESPONDENT)

)
Appeal of the Decision of the)
CLARK COUNTY)
BOARD OF EQUALIZATION)

NOTICE OF DECISION

Appearances

Guy McCollum and Josh McCollum appeared on behalf of Hacienda Care XIV LP dba Pinnacle Health Facilities XXXI, LP (Taxpayer).

Leon Maj and Mary Ann Weidner appeared on behalf of the Clark County Assessor's Office (Assessor)

Summary

The matter of the Taxpayer's petition for review of property valuations for the 2015-16 Secured Roll within Clark County, Nevada, came before the State Board of Equalization (State Board) for hearing in Las Vegas, Nevada, on July 20, 2015 after due notice to the Taxpayer and the Assessor

The Taxpayer submitted new evidence consisting of a national capitalization rate study for seniors housing. The State Board admitted the new evidence. *See Tr., 7-20-15, p. 143, l. 9 through p. 144, l. 18.*

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 the matter was properly noticed pursuant to the Open Meeting Law at NRS 241.020. The Department provided evidence to show the Taxpayer received notice of the hearing. *See Record, SBE pages 181-183.*
- 4) The subject property is a skilled nursing facility with an 87 bed capacity, known as the Mountain View Care Center, constructed in 1981, and located on 3.63 acres on Adams Boulevard in Boulder City, Clark County, Nevada. *See Record, SBE page 43; Maps, SBE pages 172-174; Tr., 7-20-15, p. 141, ll. 19-25.*
- 5) The Clark County Board of Equalization (County Board) ordered the total taxable value for the subject property of \$2,339,071 be upheld for the 2015-2016 secured roll. *See Record, SBE pages 10 and 179-180; Tr 7-20-15, p. 141, l. 25 through p. 142, l. 4.*
- 6) The Taxpayer presented sufficient evidence to support a value different from that established by the County Board. The State Board tested the taxable value by applying the income approach to value. The State Board used the income and actual performance of the property provided by taxpayer of \$200,606 and divided by a capitalization rate of 10.18% to derive a market value of \$1,958,051. *See Tr., 7-20-15, p 159, l. 10 through p. 161, l. 3.*
- 7) The State Board found the taxable value of the subject property should be reduced to \$1,958,051 with the taxable value of the land remaining the same and the obsolescence applied to the improvements. *See Tr., 7-20-15, p. 161, l. 9 through p. 162, l. 3.*
- 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 timely filed a notice of appeal, and the State Board accepted jurisdiction to determine this matter.
- 2) The Taxpayer and the Assessor are subject to the jurisdiction of the State Board.
- 3) The State Board has the authority to determine the taxable values in the State.
- 4) The subject property is appraised, as adjusted, at the proper taxable value in accordance with NRS 361.227. The assessed value is 35% of taxable value.
- 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

The Petition of the Taxpayer is granted based on the above Findings of Fact and Conclusions of Law. The Clark County Comptroller is instructed to correct the assessment roll by adjusting the assessed valuation of the subject property as follows:

2015-2016 Secured Roll

Parcel Number 186-09-701-002	Taxable Value		Assessed Value	
	Established by County Board of Equalization	Revised By State Board	Established by County Board of Equalization	Revised by State Board
Land	\$790,614	\$790,614	\$276,715	\$276,715
Improvements	\$1,548,457	\$1,167,437	\$541,960	\$408,603
TOTAL	\$2,339,071	\$1,958,051	\$818,675	\$685,318

The Clark County Comptroller is instructed to certify the assessment roll of the county consistent with this decision.

BY THE STATE BOARD OF EQUALIZATION THIS 23RD DAY OF SEPTEMBER, 2015.

Deonne G. Contine

Deonne Contine, Secretary
DC/ter