



STATE OF NEVADA
STATE BOARD OF EQUALIZATION

BRIAN SANDOVAL
Governor

1550 College Parkway, Suite 115
Carson City, Nevada 89706-7921
Telephone (775) 684-2160
Fax (775) 684-2020

DEONNE CONTINE
Secretary

In the Matter of)

EVAPS, LLC)
APN: 139-34-701-009)
Clark County, Nevada)
PETITIONER)

Case No. 15-245

Michele Shafe)
Clark County Assessor)
RESPONDENT)

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

NOTICE OF DECISION

Appearances

Michael P. Killion appeared on behalf of EVAPS, LLC (Taxpayer).

Bob Costello 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 2014-15 Supplemental Unsecured Roll within Clark County, Nevada, came before the State Board of Equalization (State Board) for hearing in Las Vegas, Nevada, on June 2, 2015 after due notice to the Taxpayer and the Assessor.

The testimony and record of case number 15-244 was incorporated into the record of the current case.

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 page 55.*
- 4) The subject property is located on south 7th Street on a .64-acre site south of Bridger Avenue and north of Clark Avenue. The building consists of 47,757 square feet of office space and about 29,464 square feet devoted to basement parking and above grade level parking, in Clark County, Nevada. *See Record, SBE page 47; Maps 36-38; Tr., 6-2-15, p. 337, l. 23 through p. 338, l. 9.*
- 5) Upon recommendation of the Assessor, the Clark County Board of Equalization (County Board) ordered the total taxable value for the subject property of \$11,038,405 be upheld for the 2014-2015 supplemental unsecured roll. *See Record, SBE pages 11 and 53.*
- 6) The State Board found the Taxpayer did not present sufficient evidence to support values different from that established by the County Board. Based on the findings the State Board made in Case No. 15-244 for the same property on the 2015-2016 Secured Roll, the taxable value of the property on the 2014-2015 Supplemental Unsecured roll also does not exceed market value. The State Board found in Case No. 15-244 that the taxable value established by the Assessor of \$155 per square foot does not exceed market value. In Case No. 15-244, the State Board considered the income approach and found the \$8 per square foot expenses used by the Assessor was reasonable. These findings were applicable in the current case. *See Tr., 6-2-15, p. 342, l. 17 through p. 344, l. 1; p. 352, l. 16 through p. 354, l. 2.*
- 7) The State Board affirmed the decision of the County Board. *See Tr., 6-2-15, p. 357, l. 18 through p. 358, l.7.*
- 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 at the proper taxable value as previously determined by the County Board in accordance with NRS 361.227 for the 2014-2015 tax year. 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 denied based on the above Findings of Fact and Conclusions of Law. 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 31st DAY OF AUGUST, 2015.



Deonne Contine, Secretary
DC/ter