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. 21-116**
APN(s): 125-20-710-009, 125-20-710-007	
ARC MCLVSNV001, LLC **PETITIONER**	
v.	
Clark County Assessor, **RESPONDENT**	
Appeal from Decision of the Clark County Board of Equalization	

NOTICE OF DECISION

Appearances

Wayne Tannenbaum appeared on behalf of the Petitioner, ARC MCLVSNV001, LLC (Taxpayer).

Scott Andrle and Mary Ann Weidner 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 18, 2021. The County Board upheld the Assessor's taxable value of $29,226,201.

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 comprises two parcels at the Montecito Crossing Power Center located at 6710 and 6770 North Durango Drive, Las Vegas. The subject property consists of multiple buildings, which include in-line retail, pad retail, discount stores, and restaurants.

6. Taxpayer presented an income statement showing operating income to June 2020 saying that it was for 12 months beginning in June 2019.

7. Based on calculations, the financials provided by Taxpayer appear to apply to 6 months of operating income in 2020, and therefore underreport the annual income for the subject property.

8. Assessor presented evidence of the income approach to support the Assessor's taxable value.

9. 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 failed to meet its burden to show the County Board's decision was in error.

4. The taxable value for the subject property does not exceed full cash 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

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 uphold the County Board's decision for no change to the taxable value determined by the Assessor. The Petition is denied.

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

Shellie Hughes, Secretary