



STATE OF NEVADA  
STATE BOARD OF EQUALIZATION

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Governor

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Shellie Hughes  
Secretary

In the Matter of	)	
	)	
DIGITAL DESERT BPR1, LLC,	)	Case No. 24-167
	)	
Petitioner	)	
	)	
vs.	)	
	)	
CLARK COUNTY ASSESSOR,	)	
	)	
Respondent	)	
_____	)	

**NOTICE OF DECISION**

***Appearances***

Matt Morris appeared on behalf of the Petitioner, Digital Desert BPR1, LLC. (Taxpayer).

Nick Brown and Darryl Prawalsky appeared on behalf of the Respondent, Clark County Assessor (Assessor).

***Summary***

The matter of the Taxpayer’s petition for review of the valuation of real property on the 2023-24 unsecured tax roll within Clark County, Nevada, came before the State Board of Equalization (State Board) for hearing on September 9, 2024. The State Board, via motion, consolidated this case with case No. 24-168 for hearing purposes only.

**FINDINGS OF FACT**

1. The State Board is an administrative body created pursuant to NRS 361.375.
2. The parties hereto 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.
3. On February 22, 2024, the Clark County Board of Equalization accepted the Assessor’s recommendation for a reduction in total taxable value to \$46,596,543.
4. The Taxpayer has the burden of proof under NAC 361.741.
5. The property at issue in this matter are high rise buildings that are currently

under construction.

6. The taxable value for the improvements on the property was set at \$44,058,401. The Taxpayer asserted that the value for the improvements should be set at \$31,211,858. The Taxpayer did not appeal the value of the land.
7. The evidence indicated that the Assessor utilized Marshal and Swift to determine the replacement costs for the buildings.
8. The Taxpayer asserted that their builders risk insurance policy provided a more accurate replacement value.
9. The State Board found that the Assessor's evidence was reasonable and credible and that the use of the Marshal and Swift methodology provided a more accurate replacement cost valuation than the Taxpayer's builders risk policy.
10. The State Board also determined that the Taxpayer's builders risk insurance policy and other evidence presented was insufficient to establish the full cash value of the property.
11. Any finding of fact above construed to constitute a conclusion of law is adopted as such to the same extent as if originally so designated.

#### **CONCLUSIONS OF LAW**

1. The Taxpayer and the Assessor are subject to the jurisdiction of the State Board.
2. The State Board has the authority to determine the taxable value of property in the State of Nevada.
3. Based on the evidence presented, the State Board determined that the Assessor's replacement value for the property value using the Marshal and Swift methodology was accurate and fair.
4. The Taxpayer failed to carry their burden to show that the Marshal and Swift values were incorrect, and the evidence provided by the Taxpayer failed to accurately show the full cash value of the property.
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 designated.

#### **DECISION**

Based on the above Findings of Fact and Conclusions of Law and a preponderance of the evidence, the State Board denied the Taxpayer's petition and upheld the Assessor's taxable value of \$46,596,543.

BY THE STATE BOARD OF EQUALIZATION THIS 31 DAY OF January, 2025.

  
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Shellie Hughes, Secretary