

PETITIONER REPLY BRIEF

1 Joe Panicaro
2 2255 Koldewey Drive
3 Reno, Nevada 89509
4 Phone (775) 203-6852

5
6 **STATE OF NEVADA BOARD OF EQUALIZATION**

7
8 **JOE PANICARO,**

9 ,

10 Appellant,

Appeal No. 26-110
APN No. 082-492-02

11 vs.

12 **WASHOE COUNTY ASSESSOR,**

13
14 Respondent. /

15
16
17 **APPELLANT’S REPLY BRIEF**

18
19 On May 14, 2026, Appellant Joe Panicaro filed his Opening Brief. On May 21, 2026, Washoe
20 County appraiser Shannon Scott filed her Response, on behalf of the Respondent, and served it by
21 U.S. Certified Mail, Not having received the Response, Panicaro went to the Assessor’s office on
22 Tuesday morning May 26, 2026 and obtained a copy.¹ Panicaro hereby replies to Scott’s Response.
23 Panicaro’s Reply is brought pursuant to the following Points and Authorities along with the record
24 on file herein.
25

26
27 ¹ When speaking with State Board Management Analyst Kari Skalsky on Friday May 22, 2026,
28 Panicaro was told that his Reply Brief would not be due until 3 business days after he received the
Assessor’s Response.

1 **POINTS AND AUTHORITIES**

2 “The State Board considers the documentary evidence in the record as well as testimony of the
3 parties in the appeal”. In addition, the State Board has authority to consider evidence outside the
4 record. It can take official notice of rules, regulations, official reports, decisions and orders of the
5 Nevada Tax Commission, the State Board or any agency of the State; matters of common
6 knowledge and technical or scientific facts of established character; official documents published
7 and generally circulated; and matters judicially noticed by the courts of the State. (*Presenting*
8 *Evidence to the State Board of Equalization* and NAC 361.720 cited therein).
9

10
11 A review of Scott’s scant two-page Response reveals that she has failed to address the numerous
12 issues raised in Panicaro’s 21-page Opening Brief. Instead, she states we “stand on the information
13 [previously] presented.” However, such “information” was erroneous and contrary to law.
14

15 **RESPONDENT’S REBUTTAL TO THE LANDLOCK ISSUE**
16 **IS FRIVOLOUS, DEVOID OF FACTS AND LAW**

17 A review of the presentation made by Scott at hearing on February 25, 2026, reveals that she did
18 not specifically address the landlock issue at all despite Panicaro making this issue one of
19 paramount importance in both his written Brief filed on February 19, 2026 and in his oral
20 presentation at hearing six days later. (SBE Pg 19, 20, 193, 194, 199 thru 202 & 204 along with
21 Panicaro’s Opening Brief at pages 5 & 20).
22

23 After avoiding the issue in her presentation at hearing, Scott addressed it when questioned by
24 the Board Chair. According to the Minutes: “Chair McDonald asked whether Ms. Scott knew if the
25 City of Reno had begun to act on widening North Virginia Street, which she confirmed they had
26 not. She stated that she was not aware of any immediate plans to widen the road, and explained that
27
28

1 if such actions were ever taken, it would be a factor the AO [Assessor’s Office] would consider at
2 that time.” (SBE Pg 202).

3 Prior to the Board voting on the matter, Board Member Robert Lissner galloped to Scott’s aid
4 in attempt to back up her up and justify her inflated value of the Panicaro property. According to the
5 Minutes, Lissner stated that “he had reviewed the Regional Transportation Commission’s (RTC’s)
6 plan regarding North Virginia Street. He reported that the RTC currently estimated that their
7 organization might have the money to improve North Virginia Street through a potential 2040
8 expansion to four lanes, which was 14 years in the future. He noted that such projects tended to be
9 delayed until the issue became a crisis, which he opined was not the current state of North Virginia
10 Street.” (SBE Pg 209). However, the information Lissner disseminated was **dead wrong** and it
11 appears he was lying to justify the actions of Scott.

12 In a recent conversation with RTC Property Agent Michele Payne, Panicaro learned that the
13 widening of North Virginia Street is **currently** in the planning stages at RTC with the full extent of
14 the project being discussed over the next several months where comments will be solicited from
15 citizens, property owners, the City of Reno, Washoe County and NDOT. As confirmed by Payne,
16 the Panicaro parcel is within the widening zone. According to RTC’s “Latest News” provided by
17 Payne to Panicaro: “The project design will continue through spring 2026. Right-of-Way
18 acquisition is anticipated to take placed between fall 2025 and spring 2026.” Under “Project
19 Description”, it’s stated that the widening of North Virginia Street from Panther Drive to Stead
20 Boulevard is in “response to the escalating traffic demands” with the goal to create a “safer roadway
21 that will include two lanes in each direction” and to “alleviate the current congestion on North
22 Virginia Street” Under “Financial Information”, it’s stated that the total project estimate is
23
24
25
26
27
28

1 “\$98,901,490.37” and that funding will come from “RTC Fuel Tax”. (rtcwashoe.com – Upcoming
2 Projects). (See also Exhibit A attached hereto).

3
4 Given this, why wasn’t Scott aware of the project? Furthermore, why wasn’t Scott aware of the
5 right-of-way prior to Panicaro bringing it to her attention? One would expect a county appraiser to
6 do her research when valuing property and before digging into taxpayers’ pockets. Such is again
7 demonstrative of the ineptitude and malfeasance permeating the Washoe County Assessor’s office.

8
9 In light of this RTC posting, one must question just what was Lissner reviewing when giving his
10 comments in relation to North Virginia Street? Washoe County taxpayers certainly don’t need
11 incompetency and malfeasance like this from Board members either, many of which were “new”
12 and “learning alongside the AO [Assessor’s Office]” as boasted by Washoe County Clerk Jan
13 Galassini. (SBE Pg 213).

14
15 Alarming also is the fact that Lissner felt the need to back up Scott and aid her in the landlock
16 issue. Such is indicative that the Washoe County Board of Equalization is in “bed” with the
17 Assessor’s office, ready to rubber stamp whatever is placed in front of them and find justification
18 for doing so. Certainly, **no Board member aided Panicaro in his presentation.**

19
20 NRS 361.227(1)(a)(1) mandates that when determining taxable value, the appraiser shall
21 consider any legal or physical restrictions upon the land. (SBC Pg 193). Scott and her office failed
22 in this regard. Although Panicaro provided evidence at hearing that landlock property is
23 conservatively given an 80-85% reduction in value, Scott failed to address this in her Response.
24 (SBE Pg 102 & 103).

25 ///

26 ///

27 ///

1 eliminated altogether when a right-of-way exists which would landlock the Panicaro property when
2 proposed construction begins by RTC?

3 As Panicaro posited, the 25% access reduction applied to both his parcel and the one next door
4 may have originated from the fact that both parcels have the right-of-way situated in the front of
5 their properties. Of course, the neighboring parcel does not have the landlock issue like the Panicaro
6 property since the neighboring parcel can connect with North Virginia Street at a flat grade. (SBE
7 Pg 101, 204 & 208).
8

9 **SCOTT CONTINUES TO MISREPRESENT**

10 **ISSUES ON THE NEIGHBORING PARCEL**

11
12 At hearing, Scott misrepresented that the neighboring parcel #082-492-01, Panicaro’s comp, had
13 “no legal access”. (SBE Pg 201). In her Response, Scott misrepresents that #082-492-01 has no
14 access of its own and must be accessed through parcel #082-492-05. Yet, the Appraisal Record for
15 #082-492-01 makes no mention of the lack of access Scott alleges. (SBE Pg 58). Stark Accelerators
16 listed parcel #082-492-01 for lease/build to suit. The listing makes no mention of lack of access
17 and, in fact, shows a driveway connecting to North Virginia Street. (SBE Pg 63 thru 68). Parcel
18 Map #906 shows the Panicaro property Parcel A (15,577 sq. ft.) and the neighboring property,
19 Panicaro’s comp, Parcel B (17,169 sq. ft.) separated by a public drainage easement. As clearly
20 shown on Map #906, Parcel B has access to North Virginia Street just like Parcel A. (SBE Pg 43)
21 (See also Exhibit B attached hereto - a more legible version of Map #906). The statements made by
22 Scott simply can’t be trusted.
23
24

25 Scott then makes issue, in her Response, that the neighboring parcel is not graded. However,
26 grading is not a taxable improvement. NAC 361.1133 defines “Improvement” as “any building,
27 fixture or other structure erected upon or affixed to the land, including without limitation, any of
28

1 those improvements listed in paragraphs (a) and (b) of NRS 361.035. The term does not include any
2 land enhancements.” NAC 361.1127 defines “Fixture” as “an item, other than a trade fixture, that
3 was originally personal property which has been installed or attached to land or an improvement in
4 a permanent manner.”

5
6 Proceeding further down this rabbit hole, Scott makes issue that the neighboring parcel “is in a
7 raw state”. As Panicaro pointed out, the neighboring parcel is vacant land. NAC 361.1176 defines
8 “Vacant land” as “any land other than improved land, including without limitation: (1) Raw land;
9 and (2) Land that has been prepared or developed for use, but on which there are not yet any
10 improvements sufficient to allow the identification of or establish the current actual use.”

11
12 Pursuant to NRS 361.227, valuing real property for taxation purposes begins with determining
13 the value using vacant land and then adding the value of improvements appearing on the land. NAC
14 361.113 defines “Improved land” as “land on which there are any improvements sufficient to allow
15 the identification of or establish the current actual use.”

16
17 Although Scott makes issue that the Panicaro property has onsite utilities, municipal sewer and
18 water, these are not taxable improvements. Such is substantiated on the Appraisal Record of
19 Panicaro’s own property where, even though the “Property Characteristics” list municipal sewer and
20 water, these do not appear as improvements nor is there a taxable amount showing for them. (SBE
21 Pg 38).

22
23 The Appraisal Records of Weile’s “IMPROVED SALES”, used as comparables to Panicaro’s
24 property, substantiate that neither grading nor onsite utilities are taxable improvements. (SBE Pg 70
25 & 78 thru 85). Likewise, the Appraisal Records for the improved sales Weile used to compose the
26 capitalization rate on his Income Approach do not show any taxable improvements for grading or
27 onsite utilities. (SBE Pg 87, 90, 92, 93 & 99).
28

1 Most telling is the fact that Weile did not adjust for sewer and water when monkeying around
2 with the price paid for Panicaro’s comp, adjusting only for the neighboring parcel’s alleged
3 “unusable area” and “lack of access”, both of which were shown to be contrived. (SBE Pg 60 & 61).
4

5 Regardless if the property is vacant or has a building situated on it, Appraisal Records indicate,
6 under “Property Characteristics”, whether the property has municipal sewer and water available at
7 the street or if well and septic tank are needed. A prime example is included in the Assessor’s
8 production of documents to Panicaro’s public records request where an “11/10/2022” sale appears,
9 as a comp, for the “2026-2027 REAPPRAISAL” with the parcel’s description stating, “RAW
10 LAND” “MUNI UTILITIES ARE AVAILABLE ON N. VIRGINIA St.” (SBE Pg 149). In fact, the
11 neighboring parcel has the “Property Characteristics” of “sewer” and “water” listed on its Appraisal
12 Record, a parcel which Scott refers to as “raw” in her Response. (SBE Pg 58).
13

14 **SCOTT’S COMP SALES ARGUMENT IS**
15 **NONSENSICAL AND DEFIES LAW**
16

17 When using a sales comparison approach, the county assessor “must determine” the “degree of
18 homogeneity of elements of comparison between the subject property and the comparable
19 properties” as mandated by NAC 361.1218(2). Scott failed here too.
20

21 As Panicaro pointed out, not a single comp listed by the Assessor’s office, has a landlock issue
22 like his property does. Furthermore, the list of comps included lot sizes which are much larger than
23 the 25% differential set forth in appraisal publications. The buildings on these properties are much
24 larger than his and have more amenities. The parcels are located in different neighborhoods, cities
25 or tax districts than his and have different zoning codes. The properties listed are not at all
26 comparable to his and Scott was simply looking for any way possible to justify the inflated value of
27
28

1 the Panicaro property. (SBE Pg 23 thru 25 & 206). Notably, Scott failed to address all of this in her
2 Response.

3 Contrary to that stated in Scott's Response, Panicaro did indeed provide a comp sale, that of the
4 neighboring parcel #082-492-01. (SBE Pg 54 thru 56).

6 **IN HER RESPONSE, SCOTT EVEN ADMITS THAT THE ASSESSOR'S INCOME**
7 **APPROACH IS FLAWED AND CONCLUDES LITTLE WEIGHT SHOULD BE GIVEN IT**

8 From the-get-go, Scott admits in her Response that the Income Approach prepared by her office
9 is flawed because "Industrial properties less than 5,000 sq ft typically transact as owner-users" and
10 do not typically transact for investment purposes. Thus, Scott concludes that "little weight" should
11 be given to the Assessor's Income Approach.

13 In his Opening Brief filed on May 14, 2026, Panicaro thoroughly dissected the Assessor's
14 Income Approach, pointing out the errors, illogical assumptions, lack of supporting documentation
15 and contradictions to basic appraisal principals. (Opening Brief at pages 11 thru 19). Scott failed to
16 rebut this in her Response.

18 **CONCLUSION**

19 Since the Nevada Supreme Court found that the Washoe County Assessor used unconstitutional
20 methods when assessing Crystal Bay and Incline Village property owners, resulting in refunds
21 owing of nearly \$56 million including interest, it appears that Washoe County property values have
22 been improperly inflated to raise the shortfall in revenue this has created.

24 As thoroughly demonstrated in Panicaro's Opening Brief as well as his Brief at hand, Panicaro's
25 property values have been enormously inflated.

26 NRS 361.227(5) mandates that the Assessor make a reduction to Panicaro's property value
27 when he sets forth facts warranting it as he has done here. NRS 361.395 mandates that the State
28

1 Board: "Equalize property valuations in the State." NRS 361.410 authorizes a property owner the
2 relief of judicial review to redress a ruling by the State Board of equalization should he choose.

3
4 Panicaro requests that the State Board reduce his taxable values so they are uniform, just and
5 equal as required by Article 10, Section 1 of the Nevada Constitution and as dictated by the
6 Supreme Court of Nevada in *State Board of Equalization vs. Barta* 124 Nev. 612, 188 P.3d 1092
7 (2008).

8
9 Dated this 27th day of May 2026.

10
11 Joe Panicaro

12
13
14 **CERTIFICATE OF SERVICE**

15
16
17 I certify that a copy of this Reply Brief was served on the Washoe County Assessor's office on
18 May 27, 2026 by email to the following address: exemptions@washoecounty.gov

19
20 Dated this 27th day of May 2026.

21
22 Joe Panicaro

EXHIBIT A

EXHIBIT A

7490 North Virginia Street

1 message

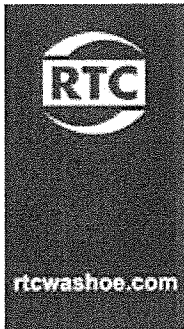
Michele Payne <mpayne@rtcwashoe.com>
To: "dosreno@gmail.com" <dosreno@gmail.com>

Fri, May 22, 2026 at 1:05 PM

Good Morning,

I received a voicemail from you about requesting plans after we spoke this morning. I can't release those draft plans just yet. But I will keep in touch with you about the property impacts to your parcel for this project in the next couple of months.

Sincerely,



Michele Payne, SR/WA

Right of Way Agent- Real Estate Specialist
Regional Transportation Commission of Washoe County
1105 Terminal Way, Suite #108
Reno, NV 89502
Office: (775) 332-2144
Cell: (775) 219-5175

Email: mpayne@rtcwashoe.com
Building A Better Community Through Quality Transportation



NORTH VALLEYS NORTH VIRGINIA STREET CAPACITY

Project Overview

Status	Upcoming Projects
Project Details	0217010
RTC Project Manager (PM)	Garrett Rodgers, P.E.
RTC Engineering Department	(775) 332-2139
Design Firm	DOWL
Construction Contractor	To be determined

Project Description

The North Valleys North Virginia Street Capacity Project is a transformative effort to address the growing congestion along North Virginia Street, one of Reno’s key thoroughfares. As the City of Reno experiences increased population and the expansion of manufacturing employment centers in the North Valleys, there is an ongoing need for improved infrastructure.

Currently, the section of North Virginia Street from Panther Drive to Stead Boulevard is characterized by one lane in each direction, with

intermittent sections featuring a center turn lane. In response to the escalating traffic demands, the Regional Transportation Commission (RTC) of Washoe County, in collaboration with the City of Reno and dedicated regional partners, is embarking on a comprehensive redesign and capacity-improvement initiative.

The RTC's goal is to create a reconfigured, wider, and safer roadway that will include two lanes in each direction. This strategic enhancement will not only alleviate the current congestion on North Virginia Street, but is also anticipated to relieve traffic pressure on nearby U.S. 395. This project is more than just a construction effort; it is an investment in the future of our community, facilitating smoother commutes, improved safety, and enhanced connectivity.

Join the RTC in the journey to create a more accessible, efficient, and vibrant North Virginia Street, making Reno's growth and development even more sustainable. Together, we are paving the way for a brighter transportation future.

Community Benefits:

- Enhanced traffic flow and safety
- Increased roadway capacity to accommodate more vehicles efficiently
- Enriched multimodal transportation opportunities for pedestrians, bicyclists, and people on scooters
- Enhanced safety measures at intersections
- Improved drainage systems
- Accessibility improvements

Public Meeting #1 Materials

Comment Period: January 16 – February 14, 2025

English

- [Presentation](#)
- [Exhibits](#)
- [Meeting Packet](#)

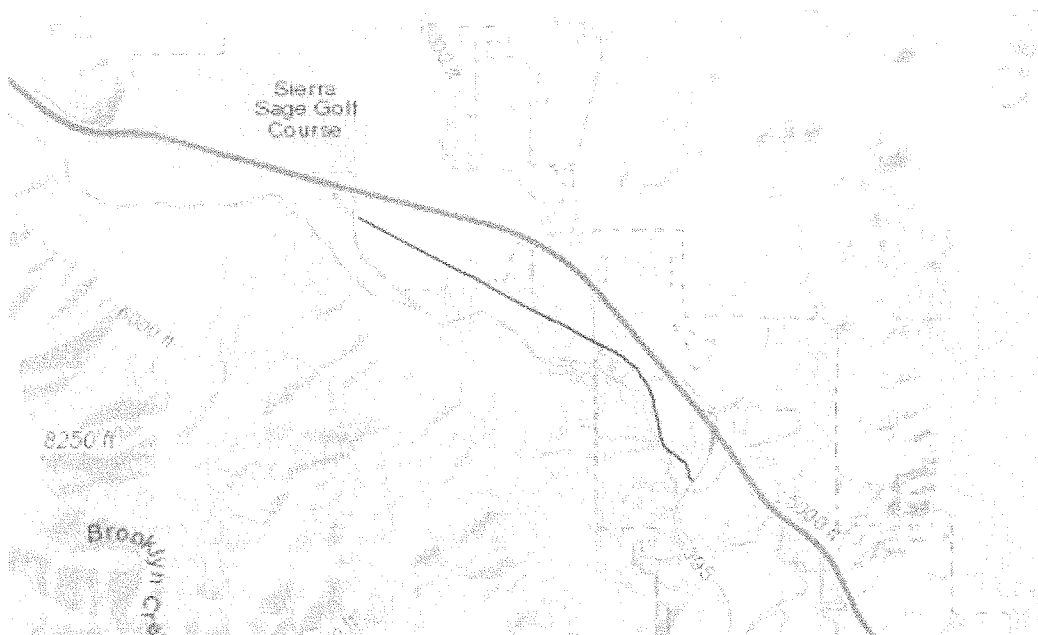
Spanish

- [Presentación](#)
- [Exposiciones](#)
- [Paquete de reunión](#)

Latest News

The project has reached the 30% (preliminary) engineering is advancing to sixty percent design, currently performing survey, geotechnical investigations, hydraulics analysis, traffic modeling, utility coordination, and preliminary engineering. The RTC is seeking community input on the design plans. Project design will continue through spring 2026. Right-of-Way acquisition is anticipated to take place between fall 2025 and spring 2026. If your property is impacted, the RTC will be reaching out to you.

Please note, construction is tentatively anticipated to begin in 2027 and will **not** occur at the same time as U.S. 395 improvements.



Schedule

Planning: N/A

Environmental: To be determined

Preliminary Design: Summer 2025

Final Design: Spring 2027

Construction: (Tentative 2027)

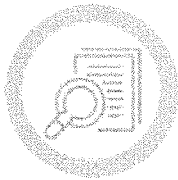
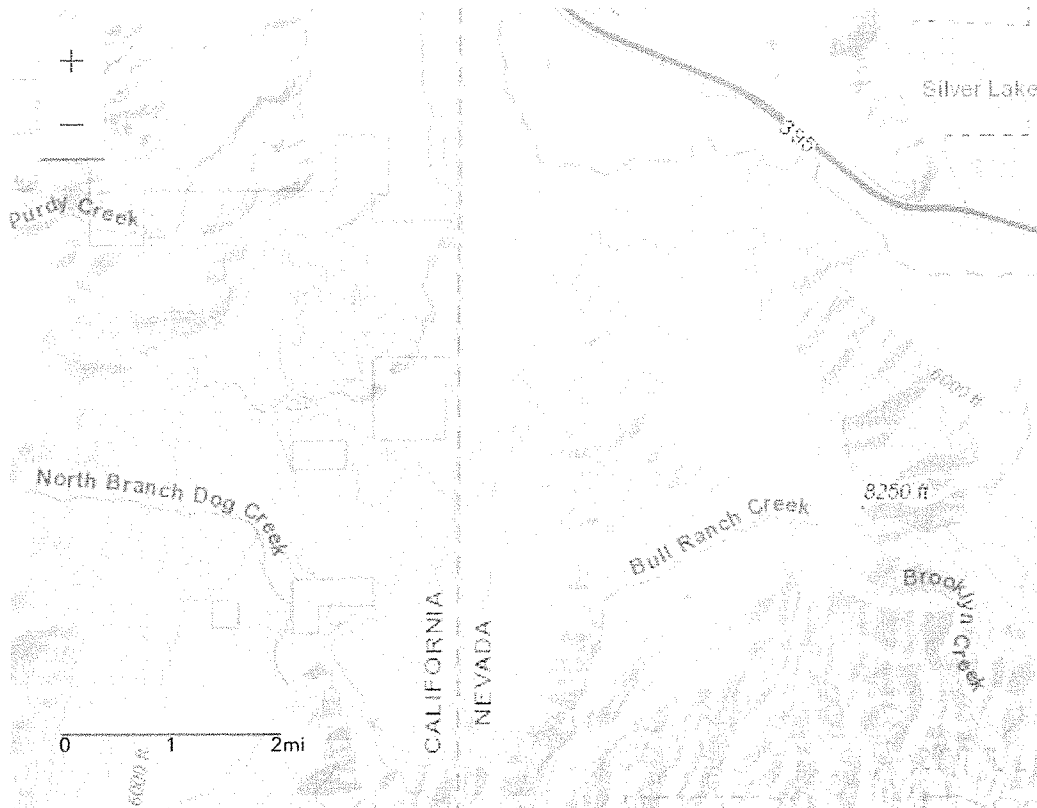
Financial Information

Total Project Estimate: \$98,901,490.37

Funding Source: RTC Fuel Tax

To bid, click here: <https://rtcwashoe.procureware.com/login>

Project Map



Get the latest from RTC

Stay connected with RTC. Sign up for our newsletter and service notifications to get the latest updates, alerts, and transit news.

Get Notifications

Sign Up for our Newsletter



RTC Washoe
1105 Terminal Way
Reno, NV 89502



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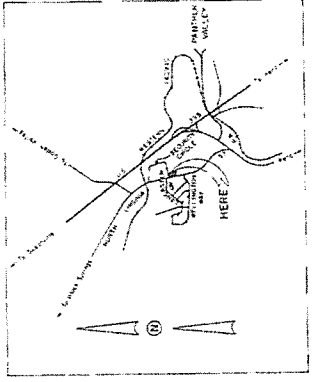
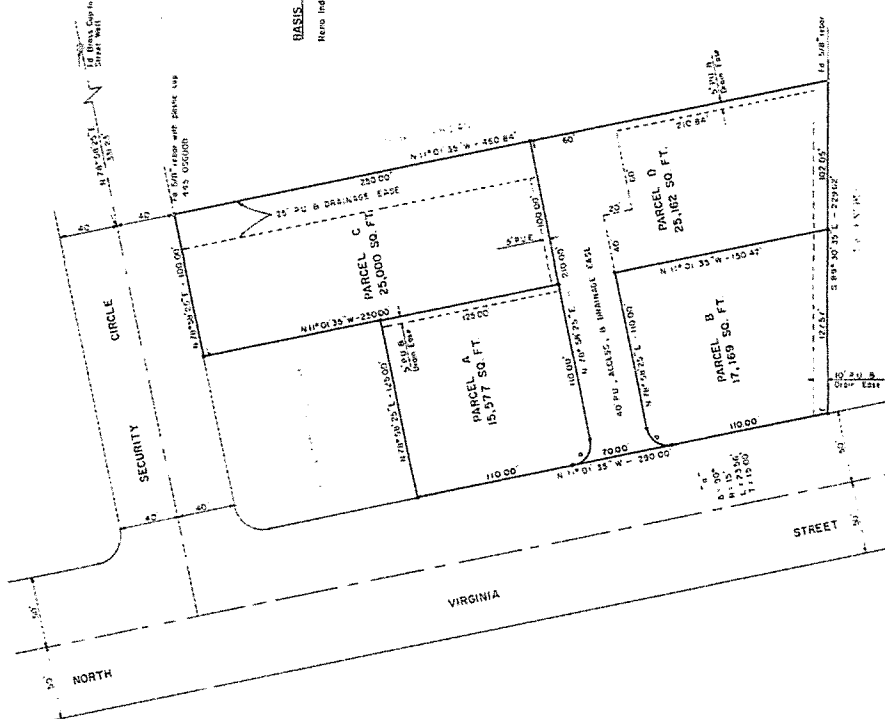
EXHIBIT B

EXHIBIT B

906

LEGEND

Set 5/11" rebar with alum cap stamped R.L.S. 2170



BASIS OF BEARINGS

Here indicated from the subdivision map of 10/1/79

OWNER'S CERTIFICATE

I, the undersigned do hereby certify that they are the owners of the tract of land shown hereon, and hereby consent to the preparation and recording of this map for the purpose of showing permanent easements for access and utility installation shown hereon.

Joan Arnett
Orval Arnett

STATE OF NEVADA

COUNTY OF WASHOE

On this 11th day of MAY 1979, Joan and Orval Arnett did personally appear before me, a Notary Public, and acknowledged to me that they executed the foregoing plat and voluntarily for the uses and purposes stated hereon.

Robert T. Ramsey
Notary Public

PARCEL MAP REVIEW COMMITTEE

This parcel map has been examined by the Parcel Map Review Committee of the City of Reno and was found to be satisfactory.

Chairman
City of Reno

RENO CITY COUNCIL

I hereby certify that this Parcel Map has been examined and approved by the City Council of Reno, Washoe County, Nevada on this 22nd day of MAY 1979.

Mayor, City of Reno
City Clerk

RECORDERS CERTIFICATE

FILE NO 210881
I have for record at the request of Robert T. Ramsey, in the 122nd day of May 1979, a parcel map of the above described premises, in the official records of Washoe County, Nevada.

Joe Melcher
County Recorder

SURVEYOR'S CERTIFICATE

I, Dale D. Kilm, a duly Registered Land Surveyor in the State of Nevada, do hereby certify that this map is a true and accurate copy of the original survey made by me or under my direct supervision at the request of Joan and Orval Arnett and completed on 2/11/79. The plat hereon is correct and we sufficient to enable the survey to be retraced.

Dale D. Kilm
Date D Kilm, R.L.S. 2170

UTILITY COMPANIES CERTIFICATE

I hereby certify that I have examined and approved the easements shown on this parcel map to be used by my company.

DATE

TOUR

City of Nevada
State Public Power Company

NOTES

A public utility assessment is also hereby provided with this parcel map. The assessment is for the purpose of maintaining utility service facilities, to that parcel at the time of installation and the utility company.

All public improvements will be installed as per Fire Department requirements will be installed as per Fire Department

This Parcel Map is a portion of Lot 6, Block 11 of Reno Industrial North Subdivision

PARCEL MAP

FOR
JOAN & ORVAL ARNETT
A PORTION OF THE NE 1/4,
OF SECTION 22, T.20N., R.19E., M.D.M.
WASHOE COUNTY, NEVADA

DALE D. KILM, R.L.S. 2170
140 BELLS STREET
SPRINGS, NEVADA 89431

PARCEL MAP #906

906