

BEFORE THE IDAHO BOARD OF TAX APPEALS

GEORGE AND DARLENE HOBBS FAMILY)	
TRUST,)	
)	APPEAL NO. 19-A-1370
Appellant,)	
)	FINAL DECISION
v.)	AND ORDER
)	
BOISE COUNTY,)	
)	
Respondent.)	

RESIDENTIAL PROPERTY APPEAL

This appeal is taken from a decision of the Boise County Board of Equalization denying the protest of valuation for taxing purposes of property described by Parcel No. RP07205006004B. The appeal concerns the 2019 tax year.

The Board determined to hear this matter on the written record of evidence and argument presented. Ordered submissions were received from the parties after which the record was closed. The Board now issues its decision based on the record created. George and Darlene Hobbs represented Appellant. Assessor Chris Juszczak represented Respondent.

Board Members David Kinghorn, Leland Heinrich and Kenneth Nuhn join in issuing this decision.

The issue on appeal concerns the market value of an improved rural residential property.

The value decision of the Boise County Board of Equalization is affirmed.

FINDINGS OF FACT

The assessed land value is \$46,500, and the improvements' value is \$205,420, totaling \$251,920. Appellant agrees with the assigned land value, however, contends the correct value of the improvements is \$173,500, totaling \$220,000.

The subject property is a 1.85 acre rural lot located in the Terrace Lakes Subdivision, a mountain resort community located in or near Garden Valley, Idaho. The lot is improved with a

residence constructed in 1994. The total size of the residence is 1,816 square feet, with 742 square feet across the upper floor. Subject also has a two (2) car basement garage.

Appellant disagreed with subject's approximately 44% increase for the current 2019 assessment year. It was maintained if subject were sold, the price range would be between \$200,000 and \$220,000. Appellant also noted the basement garage is unfinished and only used for storage purposes. It was further explained the narrow access road to subject is difficult to plow in the winter.

Appellant also contended subject's value was negatively impacted by several deferred maintenance issues. Appellant detailed subject is in need of a new heat pump, and roof repairs. The paint and carpet are between thirteen (13) and twenty-three (23) years old, and the kitchen countertops are damaged. Appellant estimated a total cost to cure of \$14,300. Respondent countered that the assessment took into account the deferred maintenance issues. It was noted a \$25,389 depreciation allowance was made using the computer appraisal system. This amount was said to factor in the items noted by Appellant and to account for the residence being approximately twenty-five (25) years old. For perspective, Respondent noted the average of the sale price was \$94 per square foot, while subject's assessed value price per square foot was \$85.

Respondent explained the change in subject's assessed value for this year was the result of trending. The trend decision was based on sales information from within the neighborhood. Subject's particular subdivision saw 84 reported sales within the past four (4) years, which totaled 19% of the subdivision. The sales showed an average per month price appreciation of 1.25%.

To directly support subject's assessed value, Respondent offered information on eight (8)

comparable sales. Adjustments were made to the sale prices for the differences compared to subject. These included adjustments for year built, square footage, property condition, bathroom count, heating/cooling, garage size and outbuildings. Adjusted sale prices ranged from \$207,676 to \$326,471. The average adjusted sale price of the eight (8) comparable sales was \$264,679. In comparison, subject's current assessment is \$251,920.

CONCLUSIONS OF LAW

This Board's goal in its proceedings is the acquisition of sufficient, accurate evidence to support a determination of fair market value. This Board, giving full opportunity for all arguments and having considered the evidence submitted by the parties in support of their respective positions, hereby enters the following conclusions.

Idaho Code § 63-205 requires taxable property be assessed at market value annually on January 1; January 1, 2019 in this case. Market value is defined in Idaho Code § 63-201, as,

“Market value” means the amount of United States dollars or equivalent for which, in all probability, a property would exchange hands between a willing seller, under no compulsion to sell, and an informed, capable buyer, with a reasonable time allowed to consummate the sale, substantiated by a reasonable down or full cash payment.

Market value is estimated according to recognized appraisal methods and techniques. There are three (3) approaches to value, the sales comparison approach, the cost approach, and the income approach. *Merris v. Ada County*, 100 Idaho 59, 63, 593 P.2d 394, 398 (1979). The sales comparison approach, which considers multiple recent sales of similar property, is often used to estimate the market value of a residential property.

Appellant argues subject's assessment is too high. In support of this, details on the deferred maintenance items were shared together with an estimated cost for repairs of \$14,300.

No bids were provided for the repair work, nor was it apparent to the Board how the estimates were derived. However, even if bids were provided Respondent explained the deferred maintenance was considered in arriving at the subject's assessed value. Appellant also referenced the road access to subject is narrow and difficult to navigate at times, however, information or precise value evidence was lacking in record from which to consider the affect of the road access on subject's market value.

Respondent provided the only detailed market data in record. Information from multiple sales in subject's immediate area were analyzed and compared directly to the subject. Respondent adjusted the gross sale prices for property differences and determined the adjusted sale prices ranged from \$207,676 to \$326,471. Subject's assessed market value is \$251,920, which is lower than the average and mid-point of the comparable sale value indications. From the sales in record before us, subject's current assessment appears reasonable and supported.

Idaho Code § 63-511 requires Appellant to demonstrate error in subject's valuation by a preponderance of the evidence. Given the record in this matter, the Board did not find the burden of proof satisfied. Market price data was not submitted for the Board's consideration. While some evidence was provided regarding deferred maintenance issues, Respondent was found to have given consideration to subject's age and condition. The Board did not find sufficient evidence to disrupt the subject's current assessed value. As such, the value decision of the Boise County Board of Equalization is affirmed.

FINAL ORDER

In accordance with the foregoing Final Decision, IT IS ORDERED that the decision of the Boise County Board of Equalization concerning the subject parcel be, and the same hereby is,

AFFIRMED.

DATED this 18th day of February, 2020.

IDAHO BOARD OF TAX APPEALS