

BEFORE THE IDAHO BOARD OF TAX APPEALS

BOB RUDOLPH,	)	
	)	
Appellant,	)	APPEAL NO. 20-A-1021
	)	
v.	)	FINAL DECISION
	)	AND ORDER
BANNOCK COUNTY,	)	
	)	
Respondent.	)	
	)	
	)	
	)	

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**RESIDENTIAL PROPERTY APPEAL**

This appeal is taken from a decision of the Bannock County Board of Equalization denying an appeal of the valuation for taxing purposes on property described by Parcel No. RPRCSBT000100. The appeal concerns the 2020 tax year.

This matter came on for telephonic hearing October 8, 2020, before Board Member Leland Heinrich. Appellant Bob Rudolph was self-represented. County Appraiser Jason Hooker 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 residential property.**

**The decision of the Bannock County Board of Equalization is affirmed.**

FINDINGS OF FACT

The assessed land value is \$59,776, and the improvements' value is \$146,963, totaling \$206,739. Appellant contends the correct land value is \$27,227, and the improvements' value is \$94,698, totaling \$121,925.

The subject property is a .63 acre residential parcel located in Chubbuck, Idaho. The property is improved with a 2,578 square foot residence built in 1960. The square footage includes 1,824 finished square feet on the main level and 754 unfinished square feet in the

basement.

Appellant was mainly concerned with the increase in subject's assessed value. Appellant argued subject's assessed value should not have increased, as there have been no improvements to the residence since it was built in 1960. Appellant did not submit any physical exhibits, but provided oral testimony as to the physical condition of subject. It was stated the subject needs repairs to the roof, fence, windows, and garage door. Additionally, the outbuilding on the property has no heating. In Appellant's opinion, the cost to repair the roof would be approximately \$7,000. However, no official bids were discussed or provided in record, nor were any cost-to-cure estimates for the other needed repairs. Lastly, Appellant contended the 2014 assessed land value of \$27,000 was a more accurate representation of subject's lot value than the current land assessment of \$59,776.

Like Appellant, Respondent did not file exhibits for the Board's consideration and instead relied on oral testimony in support of its position. Respondent explained it utilized a sales comparison approach in calculating the assessed value of subject. Specifics were not shared; however, Respondent testified the sale residences were of similar age and had similar levels of finishes. Respondent reported, like subject, the sale residences had average grades of quality and condition. Respondent concluded from the sales that subject's assessment was correct and equitable. Appellant stated the sales comparison approach is unjust and believes the approach assumes residences in the same area are also similar in value.

Respondent also explained no value was given to landscaping, including fencing, therefore the state of subject's fence had no effect on the overall assessment. In regard to Appellant's value increase concerns, Respondent acknowledged Bannock county has seen

substantial market appreciation in the last five (5) to ten (10) years, and asserted subject is accurately and equitably assessed.

### CONCLUSIONS OF LAW

This Board's goal in its hearings is the acquisition of sufficient, accurate evidence to support a determination of fair market value in fee simple interest, or, as applicable, exempt status. This Board, giving full opportunity for all arguments and having considered all the testimony and documentary evidence, hereby enters the following.

Idaho Code § 63-205 requires taxable property be assessed at market value annually on January 1; January 1, 2020, in this case. Market value is always estimated as of a precise point in time. 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. The sales comparison approach is commonly used in the valuation of a residential property. In general terms, the approach examines recent sales of similar property and considers differences in the property characteristics between the subject and the sale properties.

Appellant claimed the assessed value was incorrect due to subject's poor condition and lack of updating. In terms of evidence, Appellant testified the subject residence has not been updated since its original construction. Appellant noted repairs needed to be made to the roof,

fence, windows, and garage door. In regards to cost to cure, Appellant only offered an estimate of \$7,000 for the roof repairs.

Respondent utilized the sales comparison approach to determine subject's value, though specific details were not shared. Respondent testified sufficient adjustments were applied when considering the condition and age of subject. It was reported the market in subject's area has appreciated substantially in the last five (5) to ten (10) years, which is the reason subject has seen value increases each year.

Though Appellant voiced disagreement with the integrity of the sales comparison approach, the Board finds no error in Respondent's reliance on the approach, which is in line with sound appraisal practices. The Board would have appreciated more information on the sales used, and their specific comparisons to subject, but as there is no competing market-based analysis in the record, the Board did not find good cause to disrupt the value conclusion of Respondent.

In accordance with Idaho Code § 63-511, the burden is with the Appellant to establish subject's valuation is erroneous by a preponderance of the evidence. In this case, we do not find sufficient evidence to disturb the assessed value set by the Bannock County Board of Equalization. Considering all the evidence and oral testimony in this appeal, the decision of the Bannock County Board of Equalization is affirmed.

#### FINAL ORDER

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