

BEFORE THE IDAHO BOARD OF TAX APPEALS

MARK WELKER,)	
)	
Appellant,)	APPEAL NO. 20-A-1065
)	
v.)	FINAL DECISION
)	AND ORDER
BONNEVILLE COUNTY,)	
)	
Respondent.)	
)	
)	
)	

RESIDENTIAL PROPERTY APPEAL

This appeal is taken from a decision of the Bonneville County Board of Equalization denying an appeal of the valuation for taxing purposes on property described by Parcel No. RPB2740007004C. The appeal concerns the 2020 tax year.

This matter came on for telephonic hearing October 20, 2020, before Board Member Leland Heinrich. Appellant Mark Welker was self-represented. Assessor Blake Mueller 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 Bonneville County Board of Equalization is affirmed.

FINDINGS OF FACT

The assessed land value is \$44,991, and the improvements' value is \$186,468, totaling \$231,459. Appellant contends the correct land value is \$35,000, and the improvements' value is \$180,000, totaling \$215,000.

The subject property is a .31 acre parcel located in Ammon, Idaho. The parcel is improved with a single-level residence consisting of 1,716 square feet on the main floor and 1,716 finished square feet in the basement. The residence was constructed in 1976. The

property is further improved with a 728 square foot detached garage.

Appellant noted subject's property taxes have increased roughly 36% over the past several years and questioned the accuracy of the property's current valuation. In particular, Appellant was concerned with the amount of subject's finished basement area. Appellant explained subject's initial valuation included roughly 1,700 square feet of finished basement space under the addition made to the residence; however, there is only a crawl space under the addition. Once it was learned subject's addition did not have a basement, Respondent corrected the property record and applied a 13% downward adjustment to account for the error.

Appellant was further concerned with the amount of finished basement space under the original residence. Respondent reported 1,092 finished square feet in the basement area. According to Appellant, approximately 120 square feet of the basement is unfinished space used for storage. Respondent was hesitant to correct the size figure for the current assessment year because it would result in a somewhat higher valuation. Instead, Respondent testified the correction would be made for the 2021 assessment year.

Respondent provided information concerning four (4) sales which transpired during 2019. The residences were similar to subject in terms of quality and condition, and all included finished basement space, though none had detached garages. The sale residences ranged in size from 1,442 to 1,712 square feet. Sale prices ranged from \$186,000 to \$240,000, or from roughly \$104 to \$116 per square foot. Subject's current assessed value is \$231,459, or \$108.66 per square foot.

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. The three (3) primary methods for determining market value include the sales comparison approach, the cost approach, and the income approach. *Merris v. Ada Cnty.*, 100 Idaho 59, 63, 593 P.2d 394, 398 (1979). 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 was concerned subject's property record was inaccurate with respect to the amount of finished space in the basement. Specifically, Respondent's records reflected 1,092 square feet of finished area in the basement; however, according to Appellant roughly 120 square feet of the basement remain unfinished. Despite the concerns with the amount of

basement finish, Appellant ultimately agreed during the hearing that the current assessed value of \$231,459 was reasonable given the sales data provided by Respondent.

Idaho Code § 63-511 places the burden on the Appellant to demonstrate error in subject's valuation by a preponderance of the evidence. Given the fact Appellant agrees with subject's current assessed value, the Board finds the burden of proof was not satisfied and therefore will not disturb subject's valuation.

Based on the above, the decision of the Bonneville County Board of Equalization is affirmed.

FINAL ORDER

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