

BEFORE THE IDAHO BOARD OF TAX APPEALS

JOHN PAYNTER,)	
)	
Appellant,)	APPEAL NO. 23-A-1023
)	
v.)	FINAL DECISION AND ORDER
)	
ADAMS COUNTY,)	
)	
Respondent.)	
)	
_____)	

RESIDENTIAL PROPERTY APPEAL

This appeal is taken from a decision of the Adams County Board of Equalization denying an appeal of the valuation for taxing purposes on property described by Parcel No. RP18N02E050655A. The appeal concerns the 2023 tax year.

This matter came on for hearing October 17, 2023, in Council, Idaho, before Board Member Leland Heinrich. Appellant John Paynter was self-represented. Adams County Appraiser Kala Nichols represented Respondent.

Board Members Leland Heinrich, Kenneth Nuhn, and Doug Wallis join in issuing this decision.

The issue on appeal concerns the market value of a vacant residential property.

The decision of the Adams County Board of Equalization is affirmed.

FINDINGS OF FACT

The assessed land value is \$195,030. Appellant contends the correct value is \$5,000.

The subject property is a vacant 5.91 acre property located adjacent to the Whitney Ranch subdivision southeast of New Meadows, Idaho.

Appellant's primary concern is that subject is "landlocked." Appellant shared there are no public roads which would give access to subject, and it would be against the Whitney Ranch CC&Rs to go through the subdivision to get to non-subdivision property. No documentation was provided, but Appellant stressed the subdivision is a private community which is only accessible to its homeowners.

Appellant next shared the neighboring property was being privately appraised, and Appellant asked the appraiser's opinion of subject's value. The property being appraised was also not within the Whitney Ranch subdivision. No documentation was provided, as Appellant did not want to pay for a formal appraisal, but Appellant stated a verbal opinion of \$5,000 per acre was given. Appellant also shared that the neighboring property was 8.37 acres, yet it had an identical assessment as subject's.

Respondent countered Appellant's claim subject is landlocked, arguing that unless there is documentation demonstrating subject has no access, there is no reason to conclude the opposite. Respondent shared that Idaho law bars the sale of land without access or easement. Additionally, Respondent stated there is no documentation indicating subject is unbuildable or unsellable. Power is readily available due to the proximity of Whitney Ranch subdivision, and Respondent was able to observe a power box which neighbors the subject property.

In further support of subject's utility, Respondent provided a letter from the Adams County Planning and Zoning Administrator which states the property "meets the minimum size requirement of five acres, and the dimensions of the lot are such that it could comply with setbacks. Additionally, no part of the property is within a floodplain." The letter also supports Respondent's claim subject is accessible, stating the Planning and Zoning

Administrator was not aware of “any deed restriction that would restrict building or hinder Paynter from granting access, were he to sell the property.” Overall, Respondent maintained subject is independent, buildable, and accessible.

Respondent provided two (2) sets of sales data to support subject’s assessment. The first data set included four (4) properties which sold in 2021 and 2022. Sale No. 1 was a 4.58 acre parcel which sold in August 2022 for \$165,000. Respondent removed the value of onsite improvements, resulting in a residual land value of \$161,037, or roughly \$35,161 per acre. Sale No. 2 was a 4.6 acre unimproved parcel which sold for \$187,500, or roughly \$40,761 per acre, in February 2021. Sale No. 3 was a 5.05 acre unimproved parcel which sold in May 2021 for \$197,500, or roughly \$39,109 per acre. Sale No. 4 was a 5.62 acre unimproved parcel which sold in April 2021 for \$135,000, or roughly \$24,021 per acre. Respondent shared the median sale rate of the first four (4) sales was roughly \$37,135 per acre, and the average rate was roughly \$34,763 per acre.

The second set of sales included three (3) properties which sold in June 2023. As the sales occurred after the assessment date of January 1, 2023, Respondent provided them just as a demonstration of value. Sale Nos. 2 and 3 in this analysis were located in subdivisions. Sale No. 1 was a 6.24 acre unimproved parcel which sold for \$299,000, or roughly \$47,917 per acre. Sale No. 2, a 5.0 acre unimproved parcel, sold for \$225,000, or \$45,000 per acre. Sale No. 3 was a 5.43 acre improved parcel which sold for \$279,000. Respondent removed the value of the improvements, resulting in a residual land value of \$258,625, or roughly \$47,629 per acre. The median sale rate of the June 2023 sales was roughly \$47,629 per acre, and the average rate was roughly \$46,849 per acre.

In comparison, subject is a 5.91 acre unimproved parcel whose 2023 assessment is \$195,030, or \$33,000 per acre.

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, 2023, 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 subject and the sale properties.

Appellant offered no market evidence in support of a lower valuation, only a verbal estimate of \$5,000 per acre from an unknown appraiser. The Board afforded no weight to the unsupported verbal estimate. Appellant's primary concern was the subject property is landlocked and therefore unsellable. However, no documentation was offered to

substantiate Appellant's claim, and the Planning and Zoning Administrator was unaware of any restrictions on subject's access. Where no documentation was provided regarding any accessibility issues, the Board was strained to find subject is not accessible or sellable.

Respondent provided seven (7) sales in support of subject's assessment, focusing on the four (4) which sold before the valuation date. The sale properties were between 4.58 acres and 5.62 acres in size, and Respondent shared the median sale rate was roughly \$37,135 per acre, and the average rate was roughly \$34,763 per acre. Where subject is assessed at \$195,030, or \$33,000 per acre, for its 5.91 acres, the Board did not find subject is overvalued.

In accordance with Idaho Code § 63-511, the burden is with Appellant to establish subject's valuation is erroneous by a preponderance of the evidence. Where Appellant provided no market-supported information, the burden of proof was not met in this instance. Respondent's sales analysis demonstrated the assessed value is fair and reasonable. The Board will affirm the decision of the Adams County Board of Equalization.

FINAL ORDER

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

DATED this 27th day of February, 2024.