

BEFORE THE IDAHO BOARD OF TAX APPEALS

MYRON WILSON,)	
)	
Appellant,)	APPEAL NO. 23-A-1123
)	
v.)	FINAL DECISION AND ORDER
)	
CASSIA COUNTY,)	
)	
Respondent.)	
)	
_____)	

RESIDENTIAL PROPERTY APPEAL

This appeal is taken from a decision of the Cassia County Board of Equalization denying an appeal of the valuation for taxing purposes on property described by Parcel No. RPAMM040020010. The appeal concerns the 2023 tax year.

This matter came on for hearing October 25, 2023, in Burley, Idaho, before Board Member Leland Heinrich. Appellant Myron Wilson was self-represented. Cassia County Assessor Martin K. Adams 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 an improved residential property.

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

FINDINGS OF FACT

The assessed land value is \$59,002, and the improvements' value is \$403,820, totaling \$462,822. Appellant contends the correct land value is \$30,000, and the improvements' value is \$283,500, totaling \$313,500.

The subject property is a .42 acre parcel located in the Mountain Meadows subdivision in Albion, Idaho. The property is improved with a two (2) story residence built

in 2016. The three (3) bedroom, two (2) bathroom residence has 2,665 square feet, which includes 1,293 square feet on the first floor, 1,008 square feet on the second floor, and a 364 square foot basement. The property is further improved with a 720 square foot attached garage, 660 square feet of paving, and a 186 square foot porch.

Appellant recognized land values in subject's neighborhood were all \$59,002 except for one (1) property but was concerned with the assessments of properties neighboring the subdivision not matching as well. Appellant characterized this as a lack of equalization and requested subject's assessment be lowered to more closely approximate values outside subject's subdivision. Appellant also suggested the assessment rate per acre should be uniform throughout the county.

Appellant offered voluminous assessment information to demonstrate subject is not equitably assessed. Appellant shared eleven (11) properties focusing on land values and five (5) focusing on improvement values. Of the land value properties, six (6) were just outside subject's neighborhood. The properties ranged in size from .57 to 2.7 acres and had land assessments between \$35,134 and \$47,840. It was not clear where the other five (5) properties were located in relation to subject. The properties were between .63 and 1.26 acres in size and had land assessments of \$25,555 to \$80,000. The three (3) properties with the most acreage and highest assessed land values were waterfront properties. In comparison, subject's .42 acres are assessed at \$59,002.

Of the five (5) properties which Appellant shared improvement information for, two (2) were in subject's immediate vicinity. The first property included a 2,231 square foot residence which was built in 2007 and had a 541 square foot attached garage. The value of the residence and garage totaled \$324,001. The second property had a 1,406 square

foot residence built in 2007 and a 477 square foot attached garage. The assessed value of the residence and garage totaled \$215,731. It was again unclear where the other three (3) properties were located in relation to subject. The residences were 1,684; 1,543; and 2,135 square feet, and had attached garages of 564, 442, and 648 square feet, respectively. They were built in 2021, 2007, and 2020, and the values of the residence and garages totaled \$294,350, \$238,300, and \$351,380. In comparison, subject is improved with a 2,665 square foot residence built in 2016 with a 720 square foot attached garage. The assessed value of subject's residence and garage totals \$398,390.

Appellant shared subject's residence cost approximately \$200,000 to build and around \$50,000 in labor. Appellant contended the residence was worth \$254,000, minus depreciation and plus market appreciation, as the residence was completed in 2016. Appellant was unsure of what the value would be after these adjustments, but generally argued the actual cost to build demonstrated the residence was overvalued.

Respondent explained land values in subject's subdivision were recently equalized, so each parcel—except one (1) which was missed in the process—is now assessed at \$59,002, including subject. Respondent also explained why all land in the county is not assessed at the same rate. According to Respondent, the most important factors that affect land value are type of land and market interactions. Type of land refers to the quality of land as well as its use, such as agricultural. And market interactions dictate assessments. Where the market has shown properties in subject's neighborhood sell differently than properties outside of it, Respondent stated it would not be equitable to assess them the same.

To support subject's assessment, Respondent provided two (2) different sets of sales information. The first set included three (3) vacant lot sales. Sale dates were not shared. Sale No. 1 was a .38 acre parcel which sold for \$82,500. Sale No. 2 was a .35 acre property which sold for \$65,000. And Sale No. 3 was a .43 acre parcel with a sale price of \$55,000. Respondent also shared assessment information for the three (3) sale properties. The assessments were \$47,840, \$30,121, and \$59,002, respectively. In comparison, subject is .42 acres and has a land assessment of \$59,002.

The second data set involved three (3) improved sales. Sale No. 1 involved a 2,603 square foot residence with four (4) bedrooms and two (2) bathrooms built in 2018. Respondent stated the residence's assessed value was \$379,535, or roughly \$146 per square foot. Sale No. 2 was a 2,301 square foot residence with four (4) bedrooms and three (3) bathrooms built in 2016. The residence was assessed at \$337,340, or roughly \$147 per square foot. Sale No. 3 was a 2,105 square foot residence with three (3) bedrooms and two (2) bathrooms built in 2011. The residence's assessment was \$284,860, or roughly \$135 per square foot. The average assessed value was \$333,912, and the average valuation rate was roughly \$143 per square foot. In comparison, subject's 2016-built residence is 2,665 square feet with three (3) bedrooms and two (2) bathrooms with an assessed value of \$360,720, or roughly \$135 per square foot.

Respondent also included assessment information for ten (10) properties requested by Appellant. Respondent stated the information was included to further demonstrate subject's assessment is fair, equitable, and accurate. Eight (8) of the properties were improved, and two (2) were vacant. The improved parcels were .15 to 3.35 acres in size and residences were from 720 to 3,844 square feet. The residences

were constructed from 1987 to 2020. Land valuations ranged between \$39,166 and \$74,950, and improvement values ranged from \$97,164 to \$400,209, or roughly \$132 to \$182 per square foot. The acreages of the vacant lots were not shared, but the assessments were \$25,555 and \$74,950.

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 did not provide a traditional valuation analysis to support a reduction in subject's value. Instead, Appellant focused on a comparison of assessed values and

shared the costs associated with building subject's residence. Where a comparison of assessed values is not an acceptable appraisal approach which would lead to an accurate estimation of market value, the Board did not give the assessment information any weight in its consideration of subject's value. The Board likewise did not view Appellant's cost information as indicative of subject's current market value, as the residence was built approximately seven (7) years prior to the assessment date. Subject's assessment must reflect its actual value in the market, and where sales have occurred recently, it is unnecessary and improper to rely on an analysis of the cost to build a residence almost seven (7) years ago.

Respondent provided sales information but did not perform a traditional analysis where adjustments are made to make the sale properties more comparable to subject. Sale dates were also unstated in the record. While the Board would have preferred more information about the sale properties, and a more traditional comparison approach, the sales generally supported subject's assessed value.

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. The burden of proof was not met in this instance. Appellant offered no market information to support a lower valuation for subject, and the assessment information did not demonstrate inequity. Respondent's sales analysis was lacking substantial information and adjustments, but without any definitive market evidence contradicting subject's assessment, the Board does not have sufficient evidence to disturb subject's assessment. The decision of the Cassia County Board of Equalization is upheld.

FINAL ORDER

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

DATED this 5th day of March, 2024.