

BEFORE THE IDAHO BOARD OF TAX APPEALS

MATTHEW AND MINDE BEEHNER,)	
)	
Appellants,)	APPEAL NOS. 24-A-1252 and
)	24-A-1253
v.)	
)	FINAL DECISION AND ORDER
SHOSHONE COUNTY,)	
)	
Respondent.)	
_____)	

RESIDENTIAL PROPERTY APPEALS

These appeals are taken from decisions of the Shoshone County Board of Equalization modifying valuations for taxing purposes on properties described by Parcel Nos. RP48N04E262225A and RP48N04E262250A. The appeals concern the 2024 tax year.

These matters came on for hearing November 20, 2024, in Wallace, Idaho, before Board Member Kenneth Nuhn. Appellants Matthew and Minde Beehner were self-represented. Shoshone County Assessor Jerry White represented Respondent.

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

The issues on appeal concern the market values of an improved residential parcel and an unimproved residential parcel.

The decisions of the Shoshone County Board of Equalization are affirmed.

FINDINGS OF FACT

Parcel No. RP48N04E262225A (Appeal No. 24-A-1252)

The assessed land value is \$27,584, and the improvements' value is \$458,426, totaling \$486,010. Appellants contend the correct land value is \$24,714, and the improvements' value is \$369,900, totaling \$394,614.

This subject property is a .79 acre parcel improved with a 2,502 square foot residence with three (3) bedrooms and two and one-half (2½) bathrooms, a 792 square foot attached garage, a small utility shed, a 900 square foot pole building described as an outdoor kitchen, and 9,250 square feet of paving. For purposes of this decision, this parcel will be referred to as the improved parcel.

Parcel No. RP48N04E262250A (Appeal No. 24-A-1253)

The assessed land value is \$1,743. Appellants contend the correct value is \$620.

This subject property is a .14 acre vacant parcel adjacent to the above improved parcel. For purposes of this decision, this parcel will be referred to as the vacant parcel.

Together with another parcel improved with a shop which was not appealed to this Board, subjects comprise Appellants' home property. The three (3) parcels are valued as a contiguous property, with value allocated equitably to each. The improved parcel receives 62% of the total value, the vacant parcel receives 11%, and the shop parcel receives the remaining 27%.

Appellants shared repeated efforts have been made to update subjects' property records for years. Appellants stated the land value allocation was the only correction Respondent made. Appellants shared county personnel have consistently claimed an on-site inspection must be completed to determine improvement or depreciation but argued neighboring properties' records showed notations indicating changes were made based on conversations with the respective owners. Appellants further argued photos should be considered enough proof to make changes to a property record and assessment. Appellants contended fair treatment has not been given to subjects and expressed frustration the identified mistakes have not been corrected in subjects' property records.

Appellants explained in 2020, the BTA adjusted the improved subject's assessment based on corrected measurements of the outdoor kitchen and the stone patio. Appellants claimed the square footages of the two (2) improvements are still overstated on the property record, at 900 square feet and 992 square feet, respectively. Appellants contended the actual measurements are 150 square feet and 570 square feet and provided photographs to demonstrate the size of each improvement.

Appellants also stated the extensive paving on the property was installed in 1992, but some sections show an installation date of 2015 on the property record. According to Appellants, the only reduction in value was made for a crack down the middle of the cement at the back of the residence, but Appellants claimed there is much more cracking and damage throughout all the concrete. Appellants provided various photos to demonstrate the damage. Appellants noted the concrete at the front of the residence is assessed as being in good condition but argued it should be changed to fair condition like the paving at the back of the residence, since it is all in the same deteriorated condition. It was further noted the cement at the front of the residence only has 3% depreciation applied, where the other sections of pavement on the property have a 20% depreciation factor.

Appellants next noted the attached garage has an "average" condition rating compared to the residence's "fair" condition and found this odd, arguing the garage depreciates at the same rate as the residence so should have the same condition rating. Appellants likewise provided photographs demonstrating extensive cracking in the garage's concrete floor. Appellants also expressed concern the residence's outdated kitchen, with sloping and sun-damaged floors, was only adjusted downward by 5%, or

roughly \$25,000. Appellants stated it would cost more than \$25,000 to remodel the kitchen.

Appellants further argued subject is not being assessed at the same standard as other properties in the neighborhood. Specifically, Appellants were concerned about neighbors' improvements escaping assessment and lower landscaping factors on some properties compared to subject. In support of the claim of inequitable assessment, Appellants provided property records for many properties near subject. A few property records appeared to demonstrate there are small wood decks which were not being assessed.

Many of the property records displayed no landscaping factor, but other properties had landscaping factors between 5% and 15%. The subject improved parcel has a landscaping factor of 20%, and the vacant parcel has a landscaping factor of 15%. Appellants shared photos of the neighbors' landscaping compared to subjects, demonstrating many neighborhood properties have more grass, trees, and gravel than subject, and two (2) properties with 5% factors even had raised flower beds. Appellants were concerned subject's landscaping factors are relatively high when subjects' yard area includes a maple tree, gravel, a half circle with decorative rocks, three (3) plants at the front of the residence, and two (2) at the edge.

Respondent shared information regarding some of Appellants' concerns. It was noted that when an item on a property record does not have a specific value noted, the value is included in the rest of the improvement value. For example, Respondent explained the decks pointed out by Appellants were included in the valuation of their respective residences. Respondent also noted the improved subject parcel's landscaping

factor was recently reduced from 35% to 20% to account for the pavement and asphalt damage, as well as a leaning fence and retaining wall. Appellants argued the adjustment was not sufficient, and subjects' landscaping factors were still inequitable compared to the rest of the neighborhood.

Respondent next provided information on three (3) sales. The sales were compared to all three (3) of the parcels which make up Appellants' home parcel. Sale No. 1 was a .21 acre property improved with a 1,513 square foot 1915 residence with three (3) bedrooms and two and one-half (2½) bathrooms. The residence class was fair, and the condition was good. The property sold in February 2023 for \$310,000.

Sale No. 2 was a .27 acre property improved with an 891 square foot 1950 residence with two (2) bedrooms and one (1) bathroom. The residence class was average, and the condition was good. The property sold in August 2023 for \$279,000.

Sale No. 3 was a .28 acre property improved with a 1,060 square foot 1980 residence with three (3) bedrooms and one (1) bathroom. The residence class was fair, and the condition was average. The property sold in July 2023 for \$299,000.

In comparison, Appellants' three (3) parcels total 1.28 acres and are improved with a 2,502 square foot residence among other improvements. The 1990 residence has three (3) bedrooms and two and one-half (2½) bathrooms. Both the class and condition were rated at fair. The subject improved parcel is assessed at \$486,010. Respondent claimed that if the other improvement and excess land values from Appellants' three (3) home parcels were added to the respective sale prices, the value indications would closely approximate the full \$592,256 assessment for the three (3) parcels comprising Appellants'

home property. Given all the sales information, Respondent maintained the current assessments are at market value.

Appellants shared some information on Sale Nos. 1 and 2 garnered from Zillow, arguing the properties are not comparable to subjects. Sale No. 1 was remodeled and almost everything, including electrical and plumbing, was brand new at the time of sale. The residence had new siding and roofing, large bedrooms and walk-in closets, and a walk-in pantry. Sale No. 2 was also completely remodeled, with a fully updated kitchen, and had a large yard. The listing also stated it had three (3) bedrooms, not two (2) as reported by Respondent.

CONCLUSIONS OF LAW

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

Idaho Code § 63-205 requires taxable property be assessed at market value annually on January 1; January 1, 2024, in this case. Market value is always estimated as of a precise point in time. Idaho Code § 63-201 provides the following definition,

“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 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 the differences in property characteristics between subject and the sale properties.

Appellants did not provide an analysis of value utilizing traditional appraisal methods. Appellants were mostly concerned with the accuracy of subjects' property records and equitable assessment in the neighborhood, so focused on detailing subjects' property characteristics and sharing property records from the surrounding area.

Regarding subjects' property records, Appellants shared concern the sizes of the stone patio and outdoor kitchen were incorrect; one of the concrete areas was built in the early 1990s, not 2015 as noted on the property record; the garage has a different condition rating than the residence; and depreciation adjustments were inconsistently applied to the concrete.

Respondent noted subjects' landscaping factor was decreased from 35% to 20% to account for the concrete condition and other items. Though it was not apparent how Respondent determines specific landscaping adjustments, the Board found there was no evidence demonstrating subjects were inequitably assessed regarding the landscaping.

The Board also determined there was insufficient information to verify the outdoor kitchen and stone patio's sizes and whether they were inaccurately described in the property record as Appellants claimed. Photographs were provided, but it was unclear where exactly they were taken and whether they depicted the whole area under scrutiny.

The Board appreciated Respondent's market information but had some concerns regarding the comparability of the sale properties and the analysis. The properties were quite dissimilar to subjects: the residences were between 989 and 1,611 square feet smaller than subject's residence and ten (10) to seventy-five (75) years older. Also, subjects have additional improvements the sale properties did not enjoy. Respondent stated adding subjects' excess land and improvement values to the sale prices would conclude in a similar value conclusion to subjects' total assessment, but no calculations were provided. Overall, there was a distinct lack of adjustments, which are necessary in a traditional sales analysis—and necessary to make meaningful comparisons to subjects' assessments. Respondent's sales information comprised the only market information provided, however.

In accordance with Idaho Code § 63-511, the burden is with Appellants to establish subjects' valuations are erroneous by a preponderance of the evidence. The burden of proof was not met in this instance. There was not sufficient evidence to demonstrate subjects were incorrectly or inequitably assessed. And though the Board had concerns regarding the sales and analysis, Respondent provided the only market evidence in this matter. The decisions of the Shoshone County Board of Equalization are affirmed accordingly.

FINAL ORDER

In accordance with the foregoing Final Decision, IT IS ORDERED that the decisions of the Shoshone County Board of Equalization concerning the subject parcels be, and the same hereby are, AFFIRMED.

DATED this 19th day of March, 2025.