

BEFORE THE IDAHO BOARD OF TAX APPEALS

DWAYNE SUDWEEKS,)	
)	
Appellant,)	APPEAL NO. 25-A-1208
)	
v.)	FINAL DECISION AND ORDER
)	
BANNOCK COUNTY,)	
)	
Respondent.)	
)	
_____)	

RESIDENTIAL PROPERTY APPEAL

This appeal is taken from a decision of the Bannock County Board of Equalization modifying an appeal of the valuation for taxing purposes on property described by Parcel No. RPRRSTR000200. The appeal concerns the 2025 tax year.

This matter came on for hearing November 14, 2025, in Pocatello, Idaho, before Board Member Doug Wallis. Appellant Dwayne Sudweeks was self-represented. Bannock County Assessor Anita Hymas represented Respondent.

Board Members 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 Bannock County Board of Equalization is affirmed.

FINDINGS OF FACT

The original assessed land value was \$229,573, and the value of the improvements was \$506,675, totaling \$736,248. The Bannock County Board of Equalization reduced the improvements' valuation to \$490,775, with no change to the \$229,573 land value, totaling \$720,348. Appellant agrees with the value of the

improvements, but contends the correct land value is \$127,500, for a total assessed value of \$618,275.

The subject property is a 9.3 acre rural residential parcel situated in the Sterling Ridge subdivision located a few miles south of Pocatello, Idaho. The property is improved with a two-story three (3) bedroom, two and one-half (2½) bathroom residence constructed in 1997. The residence totals 4,016 square feet in size, with 2,831 square feet of above grade space and 1,185 square feet in the basement, of which 119 square feet are finished. The residence includes a basement garage and an attached garage on the main level.

Appellant's primary concern centered on the rise in subject's land value, which was noted to have increased 32% over the 2024 assessment and roughly 163% since 2021. Appellant explained most of the subject parcel sits on a steep hillside and is encumbered by a protective easement stating, "There shall be no construction, buildings, fences . . . permitted within the area of the protective easement . . ." In Appellant's view, the acreage within the protective easement carries little value because it cannot be developed in any way, which greatly reduces the property's utility. Appellant estimated roughly 1.1 acres of subject's 9.3 total acres were usable, of which approximately .83 acres are improved with the residence, driveway, and landscaping.

Appellant also questioned whether subject's land value was equitable compared to other parcels in the area. In this regard, Appellant shared land assessments for nineteen (19) parcels located within 1.5 miles of subject. The parcels varied in size from 0.99 to 192 acres, with assessed land values from \$1,507 to \$295,974, or from \$87 to roughly \$29,600 per acre. Appellant removed the standard \$86,000 one-acre homesite

value from the assessed land values of those parcels improved with a homesite. Appellant then calculated valuation rates from \$87 to \$17,893 per acre by dividing the land value (minus the homesite value) by the respective acreages. Appellant reported an average¹ value of \$2,614 per acre. By contrast, subject's 8.3 non-homesite acres are assessed at roughly \$17,298 per acre, which Appellant viewed as excessive.

Appellant also offered a comparative sales analysis based on six (6) recent sales. Lot sizes varied from 1.07 to 7.7 acres. Five (5) of the sale residences were single-level designs with basements and the other was a split-entry model. The sale residences, constructed between 1977 and 2023, varied in above grade living area from 1,600 to 1,885 square feet and in total size from 3,060 to 3,352 square feet. Sale prices ranged from \$500,000 to \$660,000. The sale properties were compared to subject, and adjustments were made for differences in lot size, finished living area, and bedroom and bathroom count. The result was adjusted sale prices from \$500,000 to \$655,000, or from \$149 to \$212 per square foot. The analysis concluded a value of \$591,591, or \$202 per square foot, for the subject property.

Though Appellant's main focus was on subject's land value, some concerns were raised with respect to subject's residence. Noting subject's twenty-eight (28) year age, Appellant stated subject's furnaces and air conditioners, of which there are several throughout the residence, needed to be replaced. Appellant also shared the residence needs new exterior paint, as well as new carpeting, which was noted to be mostly original. Appellant solicited bids of nearly \$26,000 to replace the heaters and air conditioning units,

¹ To calculate the "average" value rate, Appellant did not divide the average value-per-acre by the average parcel size. Instead, Appellant summed the land values for all the non-homesite acres (\$1,349,986) and divided that figure by the total number of non-homesite acres (516.38 acres).

\$9,400 for exterior painting, and \$14,300 to replace the carpets. Appellant contended these repairs were necessary to sell the subject property. In Appellant's opinion, subject's value would be approximately \$625,000 after making the repairs, but only \$575,000 in its current condition.

Respondent explained the repairs and condition issues described by Appellant were representative of typical wear-and-tear for a nearly thirty (30) year old residence. It was further noted the value impact of condition items like these are inherently captured in the depreciation schedules applied to the residence and reflected in the effective age. In Respondent's opinion, the value of subject's residence accurately reflects the age and condition of the structure, so no adjustment is warranted.

Respondent also shared details concerning its methodology used for determining land values for parcels with a homesite in subject's land schedule. Respondent explained the one (1) acre homesite on each parcel is assessed at \$86,000. Any additional acreage is valued on a declining schedule, starting at a rate of \$19,000 per acre, which gradually decreases as the size of the parcel increases. Subject's additional 8.3 acres are assessed at \$17,298 per acre, which was noted to be identical to land assessment of the adjacent parcel, also with 8.3 additional acres.

In more direct support of subject's assessed value, Respondent offered two (2) sales analyses: one (1) for the value of subject's residence, and one (1) aimed at subject's land value. The first analysis included three (3) recent improved residential sales. The sale residences were two-story designs with basements situated on 4.24 to 5.98 acre parcels. The sale residences were constructed between 1992 and 2005 and varied in total finished living area from 3,161 to 4,666 square feet. Sale prices ranged from

\$840,000 to \$1,240,000. After applying an unknown time-adjustment factor, Respondent extracted assessed land values and assessed garage/outbuilding values from the respective sale prices, leaving residual price indications from \$722,730 to \$1,105,680, or \$169 to \$237 per square foot, for the sale residences. Subject's residence, with 3,050 square feet of finished living area, is assessed at \$486,365, or \$159 per square foot.

Respondent's second comparative sales model included three (3) bare land sales situated within rural subdivisions. According to Respondent, all three (3) sale parcels were encumbered with various development restrictions to some degree. Sale No. 1 was an 8.39 acre parcel which sold for \$255,000 in May 2025, with a time-adjusted sale price of \$260,610, or \$0.71 per square foot. Sale No. 2 was the May 2025 purchase of an 8 acre parcel for \$195,000, with a time-adjusted price of \$198,510, or \$0.57 per square foot. Sale No. 3 concerned a 7.64 acre parcel purchased in September 2024 for \$300,000, with a time-adjusted price of \$319,200, or \$0.96 per square foot. Respondent noted Sale Nos. 1 and 3 were in the same market area as subject, so were assessed using the same land schedule. Subject's land value is \$229,573, or \$0.57 per square foot, which Respondent contended was reasonable, if not conservative, against the sales data.

In an effort to further demonstrate subject's land value was reasonable and consistent with other parcels, Respondent provided information on additional bare land sales. The first group consisted of twelve (12) county-wide sales involving parcels from 7.02 to 10 acres in size. Sale prices ranged from \$152,830 to \$300,000, or from \$16,962 to \$39,267 per acre, with an average price of \$213,836, or \$24,688 per acre. Respondent also submitted a group of sales for parcels less than one (1) acre in size and a group of land sales between two (2) and three (3) acres, all from subject's same land schedule.

The average price of the first group was \$122,940, or \$115,982 per acre, and the average of the second group was \$175,720, or \$67,797 per acre. Respondent also shared sales data from a different land schedule, showing even higher average prices. Respondent pointed out subject's 9.3 acres are assessed at an overall rate of \$24,685 per acre, which was lower than the rate suggested by the broader sales data.

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, 2025, 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. The three (3) primary approaches for determining 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 makes adjustments for key differences in property characteristics between subject and the sale properties.

Appellant's primary concern was with subject's land value, though Appellant also questioned whether the age and condition of the residence were adequately considered in the valuation. Appellant noted the residence is twenty-eight (28) years old and is in need of new paint and carpet, as well as heaters and air-conditioning units. While condition issues can certainly influence the value of a residence, the Board was not persuaded the value of subject's residence should be adjusted in this instance. As noted by Respondent, the impact of typical condition issues like those described by Appellant is captured in the depreciation schedules applied to the residence. Also, it is generally understood that cost typically does not equal value. So, while the bids Appellant obtained totaled nearly \$50,000, it is unlikely, in the Board's experience, subject's market value would increase by \$50,000 once the work was completed.

The value of subject's residence was further demonstrated to be reasonable by the sales analysis offered by Respondent. Though the Board had concerns generally with the extraction methodology utilized by Respondent, particularly because it effectively ignores the impact location has on a property's overall market value, the sale residences were generally representative of the subject residence in size and multi-level design. After removing assessed values for all non-dwelling components from the respective sale prices, Respondent calculated residual price indications from \$722,730 to \$ 1,105,680, or from \$169 to \$237 per square foot, for the sale residences. With subject's residence assessed at \$486,365, or \$159 per square foot, the Board did not find support for a lower valuation.

Regarding subject's land value, Appellant offered assessment information on nineteen (19) properties located within roughly 1.5 miles of subject. While the data was appreciated, there were some concerns. First, several of the properties in the group were agricultural parcels so they were specially assessed according to the provisions of the agricultural exemption. The inclusion of agricultural valuations in the analysis, which ranged from \$87 to \$877 per acre, skewed the results downward. Indeed, the median for all non-homesite acreage in the data set was roughly \$7,600 per acre, whereas the median rate increases to approximately \$14,800 per acre after removing the agricultural values from the analysis. And the median rate is even higher, at \$17,298 per acre, when narrowing the data to parcels between roughly five (5) and twelve (12) acres in size, which interestingly, is the same valuation rate applied to subject's additional acreage. It is also noteworthy that subject's land value mirrors the assessed land value of the adjacent 9.3 acre parcel, which is further evidence subject was assessed consistently with other rural parcels in the area.

Appellant's sales analysis was better received by the Board, as it represented a traditional sales comparison approach model, wherein the sale properties were directly compared to subject, on a whole property basis, with adjustments made for differences in property characteristics. That being said, the Board identified some concerns. First, all six (6) of the sale residences included notable amounts of below-grade finished living area, whereas nearly all of subject's 2,950 square feet of finished living area is above grade. It is well understood that above grade space carries more value per-square-foot than basement space, yet no adjustments were made for this characteristic. Another concern was the smaller sizes of the sale lots, which varied from 1.07 to 7.7 acres. Also,

the source of the \$5,000 per acre adjustment rate used for differences in acreage was a mystery, as it was considerably lower than every bare land sale price in the record. Lastly, the two (2) sale prices at \$500,000 appeared to be outliers compared to the other four (4) prices, which ranged from \$630,000 to \$660,000. Given these concerns, the Board was hesitant to rely heavily on the roughly \$592,000 value concluded by Appellant's sales model.

The Board also had some concerns with the Respondent's bare land sales. To begin, all three (3) sale parcels had relatively flat topography so did not face the same topography challenges as subject. More importantly, however, was two (2) of the sales transpired in May 2025, roughly five (5) months after the January 1, 2025, assessment date. An opinion of value as of a specific date is inherently dependent on sales and market data in existence as of the date of valuation, because information from beyond the valuation date is unknown to market participants at the time. In other words, two (2) of the land sales proffered by Respondent were untimely for purposes of evaluating subject's market value on January 1st. Lastly, in addition to being untimely, the sale prices were also time-adjusted upward, not back to the January 1, 2025, assessment date, which the Board found curious. In any event, the other sales data shared by Respondent did not demonstrate subject's land value is above market.

The burden of proving error in subject's valuation by a preponderance of the evidence is Appellant's to bear. Idaho Code § 63-511. Given the record in this matter, the Board did not find the burden of proof satisfied. Subject's land value was shown to be consistent with other land values in the area and subject's total assessed value was found

to be reasonably well-supported by recent sales activity. In short, the Board did not find good cause to disturb subject's current assessed value.

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.

DATED this 12th day of January, 2026.