

BEFORE THE IDAHO BOARD OF TAX APPEALS

JULIE ANDERSON,	)	
	)	
Appellant,	)	APPEAL NO. 23-A-1017
	)	
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. RPRPPSP000200. The appeal concerns the 2023 tax year.

This matter came on for hearing October 12, 2023, in Pocatello, Idaho, before Board Member Doug Wallis. Appellant Julie Anderson was self-represented. Bannock County Chief Deputy Assessor Randy Hobson 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 Bannock County Board of Equalization is affirmed.

FINDINGS OF FACT

The assessed land value is \$60,000, and the improvements' value is \$166,297, totaling \$226,297. Appellant contends the correct land value is \$24,000, and the improvements' value is \$153,000, totaling \$177,000.

The subject property is a .14 acre residential parcel located in Pocatello, Idaho. The property is improved with a 1,092 square foot residence constructed in 1920. The

residence was relocated to its current location and placed atop a 1,204 square foot 1978 basement foundation with updated plumbing and electrical.

Appellant's concern centered on whether the subject property was equitably assessed with other properties in the neighborhood, particularly with respect to land value. Appellant provided assessed land values for thirteen (13) parcels in subject's immediate neighborhood. Lot sizes ranged from .10 to .93 acres. With the exception of the .93 acre lot, which had the same \$69,750¹ land value as subject, the remaining lots were assessed from \$18,026 to \$46,000. Appellant also shared land values for another eleven (11) parcels located outside the neighborhood. Lot sizes ranged from .13 to .41 acres and assessed land values were from \$21,000 to \$77,740. In Appellant's view, subject's land value of nearly \$70,000, despite being one of the smallest lots in the data set, was strong evidence subject was inequitably assessed.

Appellant additionally provided basic assessment information for sixteen (16) properties located in the neighborhood and surrounding areas. The residences ranged in size from 920 to 3,276 square feet and were constructed between 1925 and 1978. Appellant reported assessed values from approximately \$40,000 to \$377,409. In subject's immediate neighborhood, the referenced dwellings were from 920 to 2,294 square feet in size, with total assessed values ranging from roughly \$193,000 to \$237,000. Subject's current assessed value is \$226,297, which was erroneously high in Appellant's opinion.

Respondent first pointed out the assessed values reported by Appellant were values from 2022, not 2023 values. Respondent explained subject's neighborhood is comprised of different property types and uses, including commercial, multi-family

¹ The \$69,750 figure was subject's 2022 land value, as were the other assessed values included in Appellant's data set. Subject's 2023 land assessment value is \$60,000.

apartments, mobile homes, and single-family residences. Respondent testified all single-family lots in subject's neighborhood were assessed the same \$60,000 value for 2023, the same as subject.

In support of subject's current valuation, Respondent offered information on three (3) recent sales located within roughly one-half ($\frac{1}{2}$) mile of the subject property, including one (1) situated a block away. The sale residences, constructed from 1919 to 1950, ranged in total finished living area from 860 to 1,562 square feet. Sale prices varied from \$195,000 to \$260,000. Respondent applied an upward 1.5% per month time adjustment to the respective sale prices to reflect pricing levels on January 1, 2023, the relevant date of valuation in this appeal. The result was time-adjusted sale prices from \$222,300 to \$280,800, or from \$139 to \$183 per square foot. For comparison, subject's current assessed value is \$226,297, or \$122 per square foot, which Respondent maintained was reasonable.

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. *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 subject and the sale properties.

Appellant did not provide any sales information or other market data, but instead offered a number of 2022 assessed values from the neighborhood and surrounding areas and argued subject was inequitably assessed by comparison. While the Board appreciates Appellant's concerns regarding inequitable assessment, the evidence provided in this matter did not suggest inequity. To begin, the question in this appeal concerns subject's 2023 market value, so a comparison of 2022 assessed values is outside the scope of the issue and not particularly relevant to 2023. Even if such were not the case, the limited assessment data shared did not demonstrate subject was inequitably assessed. Subject's assessed value was at the higher end of the range, but this on its own is not evidence of inequitable assessment. A more thorough review of the property characteristics would be necessary to identify inequitable assessment, but there were too few details about the referenced properties to perform such an analysis.

In discussing uniformity and equitable assessment, the Idaho Supreme Court has offered,

While the courts will not attempt to correct mere mistakes or errors of judgment on the part of the assessor or board of equalization, where intentional, systematic discrimination occurs, either through undervaluation or through overvaluation of one property or class of property as compared to other property in the county, the courts will grant relief.

Anderson's Red & White Store v. Kootenai Cnty., 70 Idaho 260, 264, 215 P.2d 815, 817 (1950).

The assessment information shared by Appellant did not indicate the subject property's valuation was the result of intentional, systematic discrimination on the part of the assessor's office. Instead, the data showed that properties with different physical characteristics were assessed at different values, which is to be expected. Lastly and most importantly, each single-family lot in subject's neighborhood, including subject, was assessed at \$60,000 for 2023. Rather than evidence of inequity, this demonstrates uniformity, which is the key underlying principle guiding property assessment in Idaho.

Subject's assessed value was further shown to be reasonable through Respondent's comparative sales analysis. The sale properties included in the model were located in subject's neighborhood and were generally representative of the subject residence in terms of age, size, and design. Subject's assessed value is approximately \$226,000, which is near the bottom of the range indicated by the adjusted sale prices from roughly \$222,000 to \$281,000. Without competing sales data or other market information pointing to a lower value, the Board did not find support for the value reduction petitioned by Appellant.

Idaho Code § 63-511 places the burden on Appellant to establish subject's valuation is erroneous by a preponderance of the evidence. The Board did not find the burden of proof satisfied in this instance. Appellant relied on a comparison of 2022 assessed values, which is not only stale data for purposes of establishing subject's 2023

market value but is also not a recognized appraisal approach. Respondent's sales analysis was found reasonably supportive of subject's current valuation, and given the lack of competing market value evidence, the Board did not find cause to reduce the 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 19th day of January, 2024.