

BEFORE THE IDAHO BOARD OF TAX APPEALS

DENNIS & CHRISTINE RYAN FAMILY TRUST,	)	
	)	
Appellant,	)	APPEAL NO. 14-A-1016
	)	
v.	)	FINAL DECISION
	)	AND ORDER
VALLEY COUNTY,	)	
	)	
Respondent.	)	
	)	
	)	
_____	)	

**RESIDENTIAL PROPERTY APPEAL**

This appeal is taken from a decision of the Valley County Board of Equalization denying the protest of valuation for taxing purposes of property described by Parcel No. RPM05450060630. The appeal concerns the 2014 tax year.

This matter came on for hearing September 30, 2014 in Cascade, Idaho before Board Member Leland Heinrich. Dennis Ryan appeared at hearing for Appellant. Assessor June Fullmer represented Respondent.

Board Members David Kinghorn, Linda Pike and Leland Heinrich participated in this decision.

**The issue on appeal concerns the market value of an improved residential parcel.**

**The decision of the Valley County Board of Equalization is reversed.**

FINDINGS OF FACT

The assessed improvements' valuation is \$683,632, and the land valuation is \$94,587, totaling \$778,219. Appellant contends the total value is between \$672,000 and \$675,000.

The subject property is a 4,081 square foot single family residence built in 2007 on a 1-acre lot located in the Whitetail Subdivision in McCall, Idaho.

Appellant purchased subject in September 2013 for \$710,000. The sale price included a social club membership with a \$20,000 value, which caused an additional \$1,400 in sales tax.

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Subject was listed on the open market for approximately two years. Ultimately, Appellant purchased subject in September 2013 for \$710,000. Included in this sale price was a social club membership with a value of \$20,000, along with an additional \$1,400 in sales tax. Also included in this purchase price was an estimated \$15,000 worth of furnishings.

Respondent provided three (3) sales to compare with subject. Two (2) of the sales took place in 2014. As indicated above, January 1, 2014 is the relevant date of valuation in this appeal. This requires consideration of market value information prior to January 1. Because the sales occurred past the valuation date, the Board will not rely on these sales. This leaves us with the subject sale and Respondent's remaining sale which was a 3,971 square foot residence situated on 1.1 acres which sold for \$650,000, or \$163 per square foot in September 2013.

In this case, we find the best evidence is Appellant's purchase price of \$710,000. The Board understands Respondent did not know the sale included personal property items. Nonetheless, now that the information has been offered, it should be considered. Making an adjustment to include the total value of the personal property of approximately \$35,000 leaves a real property value of \$675,000 or \$165 per square foot.

In appeals to this Board, the burden is with the Appellant to establish that the county valuation is erroneous by a preponderance of the evidence. Idaho Code § 63-511. We find Appellant has met this burden.

Based on the above, the decision of the Valley County Board of Equalization is reversed to reflect a decrease in the value of subject's improvements to \$580,413 with no changes to the assessed land value.

FINAL ORDER

In accordance with the foregoing Final Decision, IT IS ORDERED that the decision of the Valley County Board of Equalization concerning the subject parcel be, and the same hereby is, REVERSED setting the total assessed value at \$675,000.

IT IS FURTHER ORDERED that any taxes which have been paid in excess of those determined to have been due be refunded or applied against other *ad valorem* taxes due from Appellant.

DATED this 18<sup>th</sup> day of December, 2014.