

BEFORE THE IDAHO BOARD OF TAX APPEALS

HEIDI LAMEY,	)	
	)	
Appellant,	)	APPEAL NO. 15-A-1079
	)	
v.	)	FINAL DECISION
	)	AND ORDER
BLAINE COUNTY,	)	
	)	
Respondent.	)	
_____	)	

**RESIDENTIAL CONDOMINIUM APPEAL**

This appeal is taken from a decision of the Blaine County Board of Equalization modifying the protest of valuation for taxing purposes of property described by Parcel No. RPS07500002625. The appeal concerns the 2015 tax year.

This matter came on for hearing September 22, 2015 in Hailey, Idaho before Hearing Officer Travis VanLith. Appellant Heidi Lamey was self-represented. Valdi Pace represented Respondent.

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

**The issue on appeal concerns the market value of a residential condominium unit.**

**The decision of the Blaine County Board of Equalization is affirmed.**

FINDINGS OF FACT

The Blaine County Board of Equalization assessed subject’s market value at \$283,807. Appellant contends the correct value is \$250,000.

The subject property is a 1,192 square foot condominium unit located in The Ridge in Sun Valley, Idaho. Subject, an end unit, was built in 1978 and unlike some neighboring units has not been upgraded or remodeled, nor does it have an added home office area.

Appellant contended that in valuing The Ridge units, Respondent's considerations of golf course location, upgrades and remodels, and additional square footage (added office space) were invalid. When present with a unit the additional office space was purportedly about 50 square feet in size. Respondent did not consider these extra areas where the spaces lacked a building permit and could not be otherwise verified, for instance through an interior inspection. Appellant also contended units with different bedroom counts should not be compared to one another. Appellant presented detailed information and extensive interior and exterior photographs in support of these claims. All the offered material pertained to The Ridge condominiums.

Appellant also presented sale price information from The Ridge. Three (3) year average sale prices were calculated for all unit sales, golf course area units, non golf course area units, and for a truncated calculation again considering all unit sales. Older sale prices were not time-adjusted for date of sale, nor were the prices otherwise adjusted. Bank-owned properties were included in the analysis. The average price calculation ranged from a low indicator of \$265,833 per unit for non golf course units, to a high of \$283,571 for golf course area units. Subject is not located in the golf course area. Appellant noted each of the calculated averages were lower than subject's current assessment.

In support of subject's assessment, Respondent presented a sales comparison approach which considered three (3) comparable sales. The sales transactions were all from 2014 and each involved a unit in The Ridge condominiums. In general, the

comparable sales were selected where they were two (2) or three (3) bedroom units and not located in the golf course area. Respondent excluded from its analysis the consideration of recent sales where a unit had only one (1) bedroom. After applying time-adjustments for date of sale and in one instance a size adjustment, the adjusted sale prices ranged from \$294,250 to \$302,275. Respondent noted there was a good pattern evident in the value range measured from similar units. Appellant objected to Respondent's consideration of a three (3) bedroom sale. At the same time, Appellant considered units with different room counts. Subject is a two (2) bedroom unit.

Respondent presented pictures of the subject and the comparable sale units, as well as a location map and other property characteristics information. A full set of 2014 sales was admitted as Respondent's Exhibit No. 2. From this set of nine (9) sales, the three (3) most similar units were selected for comparison with the subject. In comparison, Appellant presented information on a total of three (3) 2014 sales.

#### 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, or as applicable exempt status. This Board, giving full opportunity for all arguments and having considered all testimony and documentary evidence submitted by the parties in support of their respective positions, hereby enters the following.

Idaho Code § 63-205 requires taxable property be assessed at market value annually on January 1; January 1, 2015 in this case. 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. A residence, and in particular a residential condominium unit, is commonly valued with reference to the sales comparison approach.

The sales comparison approach considers the price information of recent, nearby sales of similar property. Both parties presented such sales information in support of their respective cases. Appellant’s analysis was somewhat broader in considering a wider set of comparable sales. The associated sale dates went back in time as far as two and one-half (2½) years prior to the effective date of valuation. Appellant presented a detailed sales analysis.

By comparison, Respondent screened a set of nine (9) recent sales down to those believed to be most similar to subject. Like Appellant, all these sales involved units in The Ridge condominiums. To the final set of three (3), Respondent made standard appraisal adjustments; mid-2014 sales were adjusted for time, and one (1) sale was further adjusted for a material size difference. The resulting value indicators fell within a narrow price range.

The Board found Respondent’s consideration of the available sales information

consistent with recognized appraisal methods. Supporting documentation and details were presented to the record. In the presence of other arm's-length factors, generally the more recent and the more similar a comparable sale is, the more reliable the value indicator. Here the Board did not find it error to exclude golf course area sales or older sales in the appraisal of subject. Nor was it error to disregard the sale of foreclosure property where the predominant number of recent sales were arm's-length.

Appellant's value position was supported by an analysis of multiple sales of comparable property. The Board in weighing this evidence did not find where the thoughtful consideration presented a better or more reliable indication of subject's current market value than that offered by Respondent.

In appeals to this Board, the burden is with the Appellant to establish that Respondent's valuation is erroneous by a preponderance of the evidence. Idaho Code § 63-511. The Board finds the burden of proof not satisfied in this case.

For the reasons above, the decision of the Blaine County Board of Equalization is affirmed.

#### FINAL ORDER

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

DATED this 23<sup>rd</sup> day of December, 2015.