

BEFORE THE IDAHO BOARD OF TAX APPEALS

JON AND MARDEE WYMAN,)	
)	
Appellants,)	APPEAL NO. 15-A-1076
)	
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. RP00176002049A. The appeal concerns the 2015 tax year.

This matter came on for hearing October 15, 2015 in Cascade, Idaho before Hearing Officer Cindy Pollock. Appellants Jon and Mardee Wyman were self-represented. 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 property.

The decision of the Valley County Board of Equalization is affirmed.

FINDINGS OF FACT

The assessed land value is \$340,256, and the improvements' value is \$122,563, totaling \$462,819. Appellants contend the correct land value is \$200,000, and the improvements' value is \$50,000, totaling \$250,000.

The subject property contains a 1,659 square foot residence built in 1986. The lot has 270 waterfront feet along Cascade Lake. Respondent considered the residence a Fair

grade in Fair condition.

Appellants explained subject is plagued with defects. The defects include plywood siding which was not sealed properly before the stucco-like material was sprayed on which caused the siding to erode in areas. The cost to cure was said to be thousands of dollars. The heating was described as a wood stove which was insufficient to heat the building. Further, the interior of the residence was never completed. The upstairs bathroom is missing a shower and, the second floor stair case stands in the middle of the living room. A large basement crack was described running approximately 30 feet in length. This settlement crack was said to have dramatically intensified over the past year, causing the structure to sink approximately an inch. The entire interior of the residence was described as dilapidated and in need of major repairs. Appellants reported the problems were so great that subject needs to be torn down and built new.

Appellants further explained subject is located near the boat launch on the inlet of the lake and as a result the water movement has caused some beachfront to disappear. The walk from the upper part of the property to the beach has been swept away and the concrete steps have collapsed. There is currently not a means of getting to the beach because of a steep drop off. Basically, Appellants contended subject's frontage has washed away.

Respondent explained in evaluating subject's land value adjustments were made as follows: -35% for excess front footage, -10% for location, and -20% for waterfront. Subject's assessed land value has not changed since 2013.

Focusing on the improvements, Respondent explained subject was recently reappraised based on a conversation with Appellants. Subject was noted to be in “fair” condition, this being the lowest condition possible to still occupy a property. A “poor” rated residence means the residence cannot be occupied. Subject was assessed as 75% complete, with an additional physical depreciation adjustment of -20%.

Respondent provided information concerning three (3) 2014 land sales. The sales were located within 2.2 miles of subject. Sale prices ranged from \$100,000 to \$180,000 or from \$923 to \$1,764 per front foot.

Respondent also provided information concerning three (3) 2014 improved sales. These sales were also located within 2.2 miles of subject. Sale prices ranged from \$259,000 to \$500,000. Respondent adjusted the sales to account for physical differences compared to subject. The adjustments were for differences in total square feet, bathroom and bedroom count, central heating, fireplaces, front footage, effective age, and grade/condition. The largest dollar adjustments were for front footage and grade/condition. Net adjustments ranged from 34% to 108%. Adjusted sale prices were between \$514,687 and \$669,941, or from \$401 to \$487 per square foot. Subject was assessed for a total of \$462,819, or \$279 per square foot.

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. In a unique way, each approach considers the available information on recent comparable sales.

The parties both provided a good amount of information for the Board’s consideration. Appellants’ information included detailed verbal testimony regarding the physical condition subject’s residence is challenged with, along with the waterfront issues affecting the land. The Board understands subject is facing major deterioration with regards to the condition of the residence, however no detailed cost-to-cure evidence was provided in record. The residence is still used. Appellants also failed to produce any appraisal evidence to otherwise support a reduction in value.

Respondent offered timely sales information in support of subject’s assessed value. The land sales supported the fairness of subject’s land value. As for the improved sales,

while they are the only sales in record, we do not find them highly similar to subject, as indicated by the large adjustments made. However, it was the only market value evidence provided for the Board's consideration. As such, it was not found to suggest any over-assessment. Respondent also detailed reductions applied in order to reflect subject's poor condition.

Per Idaho Code § 63-511, in appeals to this Board, the burden is with the Appellants to establish subject's valuation is erroneous by a preponderance of the evidence. Given the evidence presented in this matter, the Board finds Appellants did not satisfy the burden of proof. In all, the Board did not find sufficient cause to reduce the value.

Based on the above, the decision of the Valley County Board of Equalization is affirmed.

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, AFFIRMED.

DATED this 19th day of January, 2016.