

BEFORE THE IDAHO BOARD OF TAX APPEALS

DAVID BARRON,	)	
	)	
Appellant,	)	APPEAL NO. 16-A-1085
	)	
v.	)	FINAL DECISION
	)	AND ORDER
ADA COUNTY,	)	
	)	
Respondent.	)	
	)	
	)	
_____	)	

**RESIDENTIAL PROPERTY APPEAL**

This appeal is taken from a decision of the Ada County Board of Equalization denying the protest of valuation for taxing purposes of property described by Parcel No. R5125310440. The appeal concerns the 2016 tax year.

This matter came on for hearing November 2, 2016 in Boise, Idaho before Board Member Leland Heinrich. Appellant David Barron was self-represented. Chief Deputy Assessor Tim Tallman 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 Ada County Board of Equalization is affirmed.**

FINDINGS OF FACT

The assessed land value is \$70,000, and the improvements' value is \$357,500, totaling \$427,500. Appellant contends the correct total value is \$360,000.

The subject property is a .17 acre residential parcel situated in the gated Lakemoor No 02 subdivision in Eagle, Idaho. The lot is improved with a 2,734 square foot multi-level residence constructed in 2013 for the Parade of Homes. The residence includes three (3)

bedrooms and two and one-half (2½) bathrooms, and attached is a 786 square foot garage.

Appellant noted subject's assessed value increased roughly 24% for 2016 and questioned how such a large increase could occur in a single year. Appellant described subject's location as undesirable compared to other areas of the subdivision because it is an interior lot with no direct view or access to nearby water features. Appellant further suggested subject's value was negatively impacted because renters occupied the neighboring residence.

In terms of value evidence, Appellant referenced a couple sales and active listings in subject's neighborhood. One (1) nearby property was reportedly listed for sale with an asking price of \$399,000, though it was not clear when the property was on the market. Reference was made to several properties in the area which were on the market, however, asking prices were not known. Appellant highlighted another neighborhood sale for \$370,000 after being on the market for seven (7) months with an original asking price of \$419,900. Respondent noted this property sold in August 2016.

Respondent's market data consisted of three (3) 2015 sales from subject's immediate area. The sale properties were generally similar to subject in terms of square footage, bedroom and bathroom count, garage size, and age. Sale prices ranged from \$489,900 to \$525,000. After adjusting the sales for differences compared to subject, with location representing the largest adjustment factor, adjusted sale prices were between \$454,160 and \$508,540. Based on this, Respondent concluded subject's current assessed

value of roughly \$427,000 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, 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, 2016 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. *Merris v. Ada County*, 100 Idaho 59, 63, 593 P.2d 394, 398 (1979). Residential property is typically valued using the sales comparison approach.

Appellant referenced several properties in subject's neighborhood which had either recently sold or were on the market. The problem, however, is there were few details in

the record concerning the sold and listed properties. Of particular concern was most of the listing information did not include asking prices, nor indicate listing dates. And of the sales discussed by Appellant, only one (1) sale price was reported. However, this sale occurred in mid-2016, so is not considered timely market data because the effective date of valuation in this appeal is January 1, 2016.

Respondent's value evidence, on the other hand, was well received by the Board. The three (3) sales offered were located in subject's immediate vicinity and were generally representative of subject's physical features. The primary difference between subject and the sale properties was larger lot sizes and somewhat superior locations within the subdivision. Respondent adjusted for this factor and others in its sales grid analysis and determined adjusted sale prices ranging from \$454,160 and \$508,540. Subject's total assessed value is \$427,500, which appears reasonable given the value range indicated by Respondent's sales comparison approach.

Idaho Code § 63-511 places the burden on Appellant to demonstrate error in subject's assessed value by a preponderance of the evidence. Given the record in this case, we did not find the burden of proof satisfied. Appellant's information was incomplete which made direct comparisons with the subject property difficult. Respondent's analysis was thorough and thoughtful, and yielded a value conclusion which was well supported by recent timely sales from subject's immediate neighborhood.

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

FINAL ORDER

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

DATED this 22<sup>nd</sup> day of March, 2017.