

BEFORE THE IDAHO BOARD OF TAX APPEALS

KECIA CARLSON,)	
)	
Appellant,)	APPEAL NO. 17-A-1233
)	
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 modifying the protest of valuation for taxing purposes of property described by Parcel No. R2884060210. The appeal concerns the 2017 tax year.

This matter came on for hearing October 12, 2017 in Boise, Idaho before Hearing Officer Travis VanLith. Appellant Kecia Carlson was self-represented. Chief Deputy Assessor Tim Tallman represented Respondent.

Board Members David Kinghorn, Leland Heinrich and Kenneth Nuhn join in issuing 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 \$120,800, and the improvements' value is \$237,000, totaling \$357,800. Appellant contends the correct total value is \$292,000.

The subject property a .335 acre residential lot located in the Foothills East subdivision. The property is improved with a multi-level residence of 2,002 square feet containing two (2) bedrooms and two (2) bathrooms. A 551 square foot garage is

attached. The residence was constructed in 1995.

Appellant described subject as a stick frame home with no upgrades, situated on a steep slope and not having many amenities found in most homes and the master bedroom does not have a built-in closet. Subject was built in an awkward design, making it hard to place furniture in the rooms. Appellant also explained subject has multiple sets of stairs making it more difficult to get around than in a typical home.

Appellant believed the comparable sales Respondent used at the Board of Equalization hearing are superior to subject. Appellant alleged the comparable sales had more bedrooms, bathrooms, more square footage and had different lot sizes and characteristics. It was argued of the twelve (12) homes sold in 2016, Respondent picked the three (3) highest price sales found to use as comparable sales.

Appellant's real estate agent also picked four (4) of the twelve (12) above-referenced properties to use as comparable sales. The four (4) ranged in sales price from about \$110 a square foot to about \$156 a square foot. Subject's assessment was at \$178.72 per square foot. Appellant also provided a 2016 East Boise Real Estate Market Report that showed an average selling price in the Foothills East subdivision of \$409,854, or \$160 per square foot. Appellant believes the correct market value of subject is \$292,000, or \$145.85 per square foot.

Respondent explained subject's construction quality is good and the property is in average condition with no upgrades or updating. The subject lot is larger than average for the area, with extensive landscaping providing privacy. Respondent explained there was

a partial view of downtown Boise from a second level deck and the property is bordered on the east and south sides by public land owned by the City of Boise. Subject's subdivision was trended for the 2017 assessment year and there were uniform value increases of about 7% to 8%. Respondent reported visiting subject in July and confirmed that no updating had been done to the property.

In support of subject's assessed value Respondent provided an analysis of four (4) comparable sales. Comparable Nos. 1 and 2 were described as most similar to the subject in construction quality, age, and practical view, but both had been updated. Comparable Nos. 3 and 4 were somewhat older properties, smaller, and had no updating or views of downtown. On the whole, and after sales adjustments, the comparable sales ranged in indicated value from about \$176 per square foot to \$187 per square foot. Respondent believed the quality of subject's design, appeal, and architecture is superior to that of a basic home. Respondent explained the best comparables with subject's construction quality had been updated, whereas the comparables with no updating were of inferior construction quality. Therefore it was opined subject would likely reflect a value range indicated by the comparable sales used, because subject is a high quality home but has no updating.

Respondent provided a map of subject's neighborhood showing the assessed lot values and explained the subject lot has the lowest assessed value for .335 acres. Respondent provided pictures from the physical inspection to show the home is private, with extensive landscaping. It was explained a sloping driveway is common in the foothills

and this was not believed to adversely affect value.

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, 2017 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. The sales comparison approach is commonly used to value residential property like the subject.

The issue for the Board to decide is whether subject's assessed value is an accurate reflection of the property's current market value. The Board appreciates the efforts by both parties in gathering value evidence for hearing. Both Appellant and

Respondent provided a plentitude of evidence for the Board's consideration.

Appellant discussed in great detail how subject was built on a hill, resulting in a steep driveway and a multi-story dwelling. The Board understands Appellant's position on the multi-level construction, however, we found subject's custom architecture and design more likely to add overall value whether built that way out of necessity or not. The adverse impact of the steepness of the driveway was stressed by Appellant. The Board, however, agreed with Respondent in finding a steep driveway in the foothills would not generally affect the ability to sell a property in this particular neighborhood. Appellant did provide four (4) comparable sales from a real estate agent and an East Boise Real Estate Market Report, all from 2016. This information was also taken into consideration by the Board.

Respondent provided information on four (4) comparable sales and discussed in detail how the first two (2) were upgraded but the last two (2) were not. Respondent explained subject's value should be between the first two (2) and the second two (2) because subject had good quality construction, architecture, and a partial view of downtown, but had never been updated. Respondent also explained its appraisal was a matter of expert or professional opinion gained from years of appraisal and assessment experience.

Idaho Code § 63-511 places the burden on Appellant to demonstrate error in subject's assessed value by a preponderance of the evidence. Although a great deal of evidence was provided by Appellant, given the record in this case we did not find the burden of proof satisfied. Respondent was found to present a superior analysis of

pertinent comparable sales. For the reasons expressed, we do not find sufficient cause to disturb the value decision of the Ada County Board of Equalization, and therefore affirm such decision.

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 22nd day of January, 2018.