

BEFORE THE IDAHO BOARD OF TAX APPEALS

SID LEZAMIZ, JR.,)	
)	
Appellant,)	APPEAL NO. 17-A-1252
)	
v.)	FINAL DECISION
)	AND ORDER
TWIN FALLS COUNTY,)	
)	
Respondent.)	
)	
)	
)	

RESIDENTIAL PROPERTY APPEAL

This appeal is taken from a decision of the Twin Falls County Board of Equalization modifying the protest of valuation for taxing purposes of property described by Parcel No. RPT1541003005CA. The appeal concerns the 2017 tax year.

This matter came on for hearing October 24, 2017 in Twin Falls, Idaho before Board Member Leland Heinrich. Appellant Sid Lezamiz, Jr. was self-represented. Assessor Gerry Bowden 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 a residential duplex.

The decision of the Twin Falls County Board of Equalization is affirmed.

FINDINGS OF FACT

The assessed land value is \$34,788, and the improvements' value is \$207,010, totaling \$241,798. Appellant contends the correct improvements' value is \$137,724, with no change to the land value of \$34,788, totaling \$172,512.

The subject property is a 2,846 square foot duplex situated on a .31 acre lot. The property is located in Twin Falls, Idaho. The single-level duplex, constructed in 1996,

includes a total of six (6) bedrooms and four (4) bathrooms. Other improvements include two (2) attached double garages.

Appellant provided information on three (3) 2016 duplex sales located in subject's general area. The sale properties were built in 1978, 1995 and 2000. Sale prices ranged from \$139,000 to \$197,500 and the duplexes consisted of between 1,920 and 3,232 square feet. Appellant used these sales to compare with subject. First Appellant subtracted subject's assessed land value of \$34,788 from the prices to calculate price-per-square-foot rates for the sale properties' improvements. After extracting the land value, the improvements' ranged in indicated price rates from \$37.81 to \$54.28 per square foot. Appellant used an average price rate of about \$48.39 and applied it to subject's 2,846 square feet to conclude a value for subject's improvements of \$137,724. Respondent noted no appraisal adjustments were made for differences between the subject and the sale properties, and further that the qualities of the duplexes chosen were inferior in comparison to subject's quality.

On appeal Respondent updated its cost approach analysis for the subject by doing an exterior inspection of the property. As Respondent was unable to gain access to the interior, some estimations were made in the cost approach. After updating the property characteristics on file, Respondent estimated a new depreciated cost approach value for the improvements of \$217,944, which together with the land's value totaled \$252,723.

Respondent in a sales comparison approach provided three (3) duplex sales to compare with subject. The sale dates were not listed. The prices ranged from \$148,000

to \$350,000 for duplexes ranging in size from 2,584 to 2,846 square feet. Respondent made adjustments to the sale prices for differences between the sale properties and the subject. Adjustments considered were for differences in design and appeal, quality of construction, age, condition, gross living area, functional utility, and garage size. The adjusted prices ranged from \$184,800 to \$324,200. Respondent explained Comparable No. 3 needed the least amount of adjustment and therefore was most similar to subject. This sale property was built in 2009, contained 2,584 square feet and sold for \$265,000. A final value of \$264,600 was concluded in the sale comparison approach. Appellant disagreed with some of Respondent's adjustments arguing the information on subject's interior and exterior condition was not accurate.

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. The three (3) primary approaches for determining market value include 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 often valued using the sales comparison approach. Both parties looked to the sales comparison approach. Respondent also sought to update its cost approach based on minor changes to the original analysis. The new cost approach valuation was \$252,723. The interior information for subject was not updated where Respondent was unable to gain access.

Both parties offered sales and other information relevant to the sales comparison approach. The key difference centered on the locations and conditions of the sale properties. Appellant used three (3) sales to compare with subject, two (2) of which were found to be much older than the subject duplex and no adjustments were made for such differences. Respondent on the other hand made adjustments to its comparable sales for property differences and submitted a cost approach.

Idaho Code § 63-511 places the burden on Appellant to establish subject's valuation is erroneous by a preponderance of the evidence. We did not find the burden of proof satisfied here. The sales most similar to subject in age and quality demonstrate subject's assessed value of \$241,798 is in line with the property's indicated market value. Appellant presented an alternative valuation that was not deemed superior to the valuation offered by Respondent, nor was Appellant's evidence found to prove error in subject's

assessment. Given the record in this matter, we did not find cause to disturb subject's assessed value. Accordingly, the value decision of the Twin Falls County Board of Equalization is affirmed.

FINAL ORDER

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

DATED this 2nd day of February, 2018.