

BEFORE THE IDAHO BOARD OF TAX APPEALS

SID LEZAMIZ, JR.,)	
)	
Appellant,)	APPEAL NO. 18-A-1063
)	
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 denying an appeal of the valuation for taxing purposes of property described by Parcel No. RPT01810000070A. The appeal concerns the 2018 tax year.

This matter came on for hearing October 11, 2018 in Twin Falls, Idaho before Hearing Officer Cindy Pollock. Appellant Sid Lezamiz, Jr. was self-represented. Prosecuting Attorney Nancy Austin 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 Twin Falls County Board of Equalization is affirmed.

FINDINGS OF FACT

The assessed land value is \$21,892, and the improvements' value is \$91,180, totaling \$113,072. Appellant contends the correct improvements' value is \$63,736, with no change to the land value, totaling \$85,628.

The subject property is a single-family residence built in 1959. The residence contains 1,428 square feet, and includes two (2) bedrooms, one (1) bathroom, and contains

an unfinished basement and detached garage. The property is situated on a .14 acre lot in Twin Falls, Idaho.

Appellant provided information on three (3) 2017 residential sales situated in subject's general area. The sale properties were built in 1920, 1945 and 1915. Sale prices ranged from \$89,900 to \$95,000 for residences consisting of between 1,242 and 1,264 finished square feet. The sale residences also contained unfinished basements, and Appellant's analysis purported basements are typically valued at half the price per square foot value compared to main floor space, thus Appellant used one-half ($\frac{1}{2}$) of the basement square footage in its analysis. Appellant used these sales to compare with subject and subtracted subject's assessed land value of \$21,892 from the respective sale prices to calculate price per square foot rates for the sale properties' improvements. After extracting land values, the improvements' ranged in indicated price rate from \$46.36 to \$65.71 per square foot. Appellant used the median price per square foot of \$53.56 and applied it to 1,190¹ square feet to conclude a \$63,736 value for subject's improvements. Respondent noted Appellant did not make adjustments for physical differences between the subject and the sale properties.

Respondent provided four (4) sales of comparable properties, two (2) of which sold in 2016, with the remaining two (2) sales taking place in 2017. Sale prices ranged from \$79,977 to \$146,000 for residences ranging in size from 820 to 1,484 finished square feet.

¹ Appellant used the above ground finished square feet of 952, and one-half ($\frac{1}{2}$) of the square footage of the finished basement of 476 square feet, to derive a total of 1,190 square feet.

Respondent made adjustments to the sale properties, as compared to subject, for differences in quality of construction, age, gross living area, and other amenities. The adjusted prices ranged from \$103,000 to \$161,000. Using the sales comparison approach, Respondent concluded a total subject value of \$113,000.

Respondent physically inspected subject in June 2018. After inspection, the County data records were updated and the cost approach reflected the changes made. The roof was in need of repair so a downward -3% adjustment was applied. Further, the concrete driveway was considered poor condition and a downward -50% depreciation adjustment was also applied. After updating the data in Respondent's cost approach, a value of \$113,072 was concluded.

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, 2018 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. Residential property is typically valued using the sales comparison approach. Both parties looked to the sales comparison approach.

Both parties offered sales for the Board's review. The major difference between the parties analyses was Respondent made adjustments for differences between the sale properties and subject. Appellant provided three (3) sales of similar sized properties and used an average price per square foot to apply to subject's square footage. Troubling however, was Appellant's failure to make adjustments for differences between the sale properties and subject's improvements. Most notably was the age difference of the sales. The Board found this lack of adjustments led to improper comparisons between subject and the sales. The Board found Appellant's value request of \$85,628 was not soundly supported by the evidence in record.

Respondent provided comparable sales and adjustments were made for differences. Further, Respondent inspected the subject property and updated the property characteristics. In all, the Board found Respondent's analysis well supported.

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. Respondent's information and analysis was well supported. On the record before us, we find subject's assessed value of \$113,072 reasonable. Accordingly, the

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 17th day of December, 2018.