

BEFORE THE IDAHO BOARD OF TAX APPEALS

BRADY BARKDULL,)	
)	
Appellant,)	APPEAL NO. 18-A-1239
)	
v.)	FINAL DECISION
)	AND ORDER
BONNEVILLE COUNTY,)	
)	
Respondent.)	
_____)	

RESIDENTIAL PROPERTY APPEAL

This appeal is taken from a decision of the Bonneville County Board of Equalization denying an appeal of the valuation for taxing purposes on property described by Parcel No. LRO5400000034O. The appeal concerns the 2018 tax year.

This matter came on for hearing November 15, 2018 in Idaho Falls, Idaho before Hearing Officer Cindy Pollock. Appellant Brady Barkdull was self-represented. Assessor Blake Mueller 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 Bonneville County Board of Equalization is affirmed.

FINDINGS OF FACT

The assessed improvements' value is \$64,189. Appellant contends the correct improvements' value is \$50,000.

The subject property is a 1,011 square foot cabin built in 1960 and is situated on leased land in the Hoffman Subdivision in Irwin, Idaho.

Appellant explained subject has been slowly sliding downhill every year as it continues to settle, yet subject's assessed value continues to increase. Appellant has installed piers to mitigate the slippage, however, this fix was not permanent. Subject's deck supports have been replaced as well, however, subject continues to slip downhill. Further, the foundation is crumbling. Appellant provided photographs taken in 2002, and a few representing the condition in 2018. Appellant received a bid of between approximately \$45,000 and \$70,000 to stabilize the property. Appellant explained other cabins located in subject's immediate area are having the same issues.

Respondent explained subject was examined in 2016 and at that time the exterior was observed and a condition adjustment of -\$4,566 was made, along with an additional negative adjustment of 10% for the settling issues. The total adjustments made for the settling issue was \$11,481.

Next, Respondent offered information concerning five (5) residential sales located in subject's subdivision. The sales took place between 2012 and 2016, as these were the most recent sales available. The sale properties were built between 1958 and 1974. Residences ranged from 625 square feet to 1,336 square feet, and were all on leased land like subject. Sale prices ranged from \$60 to \$105 per square foot. Subject was assessed at \$63.49 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 the testimony and documentary evidence, 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.

Appellant provided photographs depicting subject's disrepair. While, we agree subject is suffering from damage due to slippage and settling issues, absent from record were detailed cost estimates to cure the defects. Respondent did make a downward 10% adjustment for settling issues, as well as a condition adjustment of \$4,566. As there was no further evidence which suggested a larger adjustment should be applied, the Board is satisfied Respondent adequately addressed subject's issues.

Respondent offered information on sales of residences on leased land in subject's immediate subdivision in support of subject's assessed value. It was noted most the properties in subject's immediate area also suffer from settling issues. No direct comparisons between subject and the sale properties were attempted. However,

Respondent noted the average sale price rate from all the sales was \$81.63 per square foot, which is higher than subject's assessed value at \$63.49 per square foot. As these sales represent the only market value evidence in record, the Board concludes subject's valuation is reasonable and supported.

In appeals to this Board, pursuant to Idaho Code § 63-511, the burden is with Appellant to establish subject's assessed valuation is erroneous by a preponderance of the evidence. Appellant did not provide any recent sales or other current market value evidence for the Board's consideration. The sales and adjustments offered by Respondent were found to be supportive of subject's value, and the Board did not find sufficient cause to disrupt the assessed value. Accordingly, the decision of the Bonneville County Board of Equalization is affirmed.

FINAL ORDER

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

DATED this 7th day of February, 2019.