

**BOARD OF ASSESSMENT APPEALS,
STATE OF COLORADO**

1313 Sherman Street, Room 315
Denver, Colorado 80203

Docket No.: 45171

Petitioner:

EUGENE J. DOERING,

v.

Respondent:

LARIMER COUNTY BOARD OF EQUALIZATION.

ORDER

THIS MATTER was heard by the Board of Assessment Appeals on March 26, 2007, MaryKay Kelley and Diane M. DeVries presiding. Petitioner appeared pro se. Respondent was represented by George Haas, Esq. Petitioner is protesting the 2005 actual value of the subject property. The Petitioner stated that the subject property has been consistently valued high since 1995 and believes that a more accurate valuation of the subject property would be using a total finished square feet analysis or a linear regression analysis.

PROPERTY DESCRIPTION:

Subject property is described as follows:

**1300 Iva Court, Fort Collins, Colorado
(Larimer County Parcel/Schedule No. 87313-36-007 / R1320190)**

The subject property is a frame siding patio home built in 1991 with 1498 square feet and a full basement with 550 finished square feet. The structure is classified as a ranch home of average quality.

The Petitioner provided the Board with time-adjusted sale prices for 21 ranch units with finished basements. The median was \$96.34 per total finished square feet (TFSF) which translated to \$206,264.00 for the subject property. Using the Respondent's appraisals for those 21 ranch sales with finished basements, the median was \$101.24 per TFSF which translates to \$216,755.00 for the subject property.

The Petitioner expanded his analysis to include all ranch units or 247 comparables using 89 units with finished basements, 126 units with unfinished basement and 32 units without basements. The median of these three analyses is \$211,188.00 or \$211,200.00 for the subject property.

Petitioner is requesting a 2005 actual value of \$206,300.00 for the subject property.

Respondent presented an indicated value of \$240,900.00 for the subject property based on the market approach.

Respondent presented three comparable sales ranging in sales price from \$247,000.00 to \$276,500.00 and in size from 1,563 to 1,690 square feet. Adjustments were made for time, square footage, finished basement, garage, age, baths, and central air. After adjustments were made, the sales ranged from \$252,900.00 to \$264,000.00.

Respondent assigned an actual value of \$240,900.00 to the subject property for tax year 2005.

CONCLUSIONS OF LAW:

Respondent presented sufficient probative evidence and testimony to prove that the subject property was correctly valued for tax year 2005.

The Respondent is required by Colorado Revised Statutes and Colorado State Constitution to value all residential property using the market approach to value. The Respondent performed an independent appraisal on the subject property, applied all applicable characteristics and made adjustments when necessary.

The Board cannot give weight to a linear regression analysis of 247 ranch units within Larimer County. Proper adjustments must be made for differences to the subject property. The Board agrees with the Respondent's appraisal valuing the subject property at \$240,900.00.

ORDER:

The petition is denied.

APPEAL:

Petitioner may petition the Court of Appeals for judicial review within 45 days from the date of this decision.

If Respondent alleges procedural errors or errors of law by this Board, Respondent may petition the Court of Appeals for judicial review within 30 days from the date of this decision.

DATED and MAILED this 12th day of May 2007.

BOARD OF ASSESSMENT APPEALS

MaryKay Kelley

MaryKay Kelley

Diane M DeVries

Diane M. DeVries

This decision was put on the record

MAY 11 2007

I hereby certify that this is a true
and correct copy of the decision of
the Board of Assessment Appeals.

Diane M. Fechisin

Diane M. Fechisin

