

<p><b>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO</b> 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p><b>ROBERT B. MORSE,</b></p> <p>v.</p> <p>Respondent:</p> <p><b>BOULDER COUNTY BOARD OF EQUALIZATION.</b></p>	<p><b>Docket No.: 46170</b></p>
<p><b>ORDER</b></p>	

**THIS MATTER** was heard by the Board of Assessment Appeals on June 18, 2007, Debra A. Baumbach and MaryKay Kelley presiding. Petitioner appeared pro se. Respondent was represented by Michael A. Koertje, Esq. Petitioner is protesting the 2005 actual value of the subject property.

**PROPERTY DESCRIPTION:**

Subject property is described as follows:

**7993 Grasmere Drive, Boulder, Colorado  
Boulder County Schedule No. R0038792**

The subject property is a split-level house built in 1972 on a 10,018 square foot lot in the Heatherwood subdivision. Respondent assigned a value of \$360,500.00 for tax year 2005, but is recommending a reduction to \$340,000.00. Petitioner is requesting a value of \$310,000.00.

Petitioner described flooding in 1978 and 1989 caused by runoff from open space grasslands. Sump pump well holes were installed around the perimeter, and re-seeding by the city appears to have mitigated the problem. The Board finds that flooding is not a value issue for the subject property.

Petitioner described the following improvements and deferred maintenance on the subject property: vinyl windows (1975), cherry wood cabinets and vinyl floor in the kitchen (2004), interior paint (2004), original carpet except for the family room and basement (1989), interior cracks, rotted

landscaping timbers, exterior paint showing wear (1994-1995), driveway cracks, warped decorative front door trim, garage ceiling hole, and a 13 year old roof.

Petitioner's appraiser indicated a value of \$315,000.00. Petitioner's appraiser presented three comparable sales ranging in sales price from \$313,000.00 to \$347,000.00. After adjustments were made, the adjusted sales price ranged from \$312,175.00 to \$345,360.00. All were split-level floor plans ranging in size from 1,693 to 1,856 square feet.

Respondent's witness presented a value of \$340,000.00 for the subject property. Respondent's witness presented three comparable sales ranging in sales price from \$322,000.00 to \$341,500.00. After adjustments were made, the adjusted sales price ranged from \$335,790.00 to \$348,334.00. All were split-level floor plans ranging in size from 1,856 to 2,304 square feet.

Petitioner reported the total improved square feet of the subject property to be 1,983; Respondent reported 1,950 improved square feet. The Board finds the difference in the two values insignificant and therefore made no adjustments to either party's comparables for total improved square footage.

Respondent did not convince the Board that a basement apartment with a full kitchen would contribute more value than typical basement finish. Therefore, the Board did not apply Respondent's \$6,500.00 adjustment in the recalculation. Respondent did not convince the Board that the subject property's basement bathroom would add \$7,500.00 in value, although a contribution of \$2,000.00 was considered appropriate. The Board finds that Respondent's view adjustment of \$6,000.00 was appropriate rather than Petitioner's adjustments ranging between \$15,000.00 and \$20,000.00. Also, the Board agrees with Respondent's physical obsolescence adjustment of \$20,000.00 rather than Respondent's \$35,000.00 adjustment for condition.

Petitioner presented sufficient probative evidence and testimony to prove that the subject property was incorrectly valued for tax year 2005. Recalculation of the six comparable sales results in an adjusted range of \$320,175.00 to \$353,360.00. The Board did not weigh Petitioner's Comparable 2 at \$353,360.00 because of its superior remodeling. The final adjusted value range is from \$320,175.00 to \$336,334.00. The Board, due to the subject property's condition, concludes at the lower end of the range to a value of \$325,000.00.

**ORDER:**

Respondent is ordered to reduce the 2005 actual value of the subject property to \$325,000.00.

The Boulder County Assessor is directed to change his records accordingly.

**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 14<sup>th</sup> day of August 2007.

**BOARD OF ASSESSMENT APPEALS**

*Debra A. Baumbach*

Debra A. Baumbach

*MaryKay Kelley*

MaryKay Kelley

This decision was put on the record

AUG 13 2007

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

*Heather Heinlein*

Heather Heinlein

