

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

1313 Sherman Street, Room 315
Denver, Colorado 80203

Docket No.: 47922

Petitioner:

**MEHDI FARHAD HAJI MOHAMMAD AND
FAKHARZADEH TAYEBEH**

v.

Respondent:

ADAMS COUNTY BOARD OF EQUALIZATION.

ORDER

THIS MATTER was heard by the Board of Assessment Appeals on March 10, 2008, Debra A. Baumbach, James R. Meurer, and MaryKay Kelley presiding. Farhad-Haji appeared pro se on behalf of Petitioners. Respondent was represented by Jennifer M. Wascak, Esq. Petitioner is protesting the 2007 actual value of the subject property.

PROPERTY DESCRIPTION:

Subject property is described as follows:

**11348 Locust Street, Thornton, Colorado
(Adams County Schedule No. R0146528)**

The subject property is a 1,965 square foot two-story house built in 2003 and located on a 6,000 square foot site in the Skylake Ranch subdivision. Respondent assigned a value of \$253,510.00. Petitioner is requesting a value of \$200,000.00

Petitioner testified that he and his wife purchased the subject property from the builder, the only upgrade being a second floor loft. He testified that Adams County's reported dwelling size is incorrect and should be 1,776 square feet. The Board considers the loft to be included in the county's square footage and that 1,965 square feet is the correct measurement.

Based on the market approach, Petitioner presented one comparable sale at 11359 Locust Street. It is the same floor plan by the subject's builder and sold for \$225,000.00 on June 21, 2007.

Petitioner testified that the original purchase included a second floor loft and greenbelt premium and that the original owner later installed a concrete patio and utility shed. The Board is unable to consider this sale because it occurred after the base period (January 1, 2005, through June 30, 2006).

Based on the market approach, Respondent presented four comparable sales ranging in sales price from \$260,000.00 to \$266,200.00. After adjustments were made, the sales ranged from \$256,500.00 to \$266,200.00. All were located in the subject's subdivision, three were built by the subject's builder, and Sales 1 and 2 were the subject's floor plan with the second floor loft upgrade.

Respondent assigned time adjustments for declining market values in the area but did not address seller incentives, concessions, builder upgrades, or improvements, which the Board considers integral to appraisal research in a site-specific appraisal and which might substantially affect value.

The Board, due to lack of Petitioner data within the base period, upholds the assigned value of \$253,510.00.

Respondent presented sufficient probative evidence and testimony to prove that the subject property was correctly valued for tax year 2007.

ORDER:

The petition is denied.

APPEAL:

If the decision of the Board is against Petitioner, Petitioner may petition the Court of Appeals for judicial review according to the Colorado appellate rules and the provisions of Colorado Revised Statutes ("CRS") section 24-4-106(11) (commenced by the filing of a notice of appeal with the Court of Appeals within forty-five days after the date of the service of the final order entered).

Colo. Rev. Stat. § 39-8-108(2) (2007).

DATED and MAILED this 18th day of March 2008.

BOARD OF ASSESSMENT APPEALS

Debra A. Baumbach
Debra A. Baumbach

James R. Meurer
James R. Meurer

MaryKay Kelley
MaryKay Kelley

This decision was put on the record

MAR 18 2008

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

Heather Heinlein
Heather Heinlein

