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| <p>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p>MARTIN AND ANNE GINSBERG,</p> <p>v.</p> <p>Respondent:</p> <p>GRAND COUNTY BOARD OF EQUALIZATION.</p> | <p>Docket No.: 48222</p> |
| <p>ORDER</p> | |

THIS MATTER was heard by the Board of Assessment Appeals on May 7, 2008, Diane M DeVries and James R. Meurer presiding. Petitioner, Martin Ginsberg, appeared pro se by phone. Respondent was represented by Mr. Robert Franken, Esq. Petitioner is protesting the 2007 actual value of the subject property.

PROPERTY DESCRIPTION:

Subject property is described as follows:

**205 County Road 668 Grand Lake, Colorado
(Grand County Schedule No. R181260)**

The subject is a 2,592 square foot, single-family detached house located in the Highland Heights subdivision approximately 3.5 miles south of the town of Grand Lake, Colorado. The house contains three bedrooms and two and three quarters baths. The original year of construction was 1980 and a remodel and addition were completed in 2005. The house has a two car garage and lot size is 1.20 acres. Access to the property is via a county maintained dirt road.

Based on the market approach, Petitioner presented an indicated value of \$592,397.00 for the subject property.

Petitioner presented comparable sales derived from county records and MLS data; however, provided minimal discussion on the physical characteristics of these sales and the resulting

adjustments. Petitioner also indicated errors in Respondent's comparables, and with emphasis on adjustments to Comparables 3 and 5, concluded a value of \$592,397.00 for the subject.

Petitioner is requesting a 2007 actual value of \$592,397.00 for the subject property.

Respondent presented an indicated value of \$738,000.00 for the subject property based on the market approach.

Respondent presented eight comparable sales ranging in sales price from \$424,000.00 to \$750,000.00 and in size from 1,736 to 3,812 square feet. After adjustments were made, the sales ranged from \$575,600.00 to \$823,500.00. The major adjustments to Respondent's comparable sales were for sale date, lot size, living area square footage, basement, year of construction, and construction quality.

Respondent assigned an actual value of \$613,790.00 to the subject property for tax year 2007.

The major points of disagreement between Petitioner and Respondent were the comparable sales used in the analysis and the appropriate adjustments to these sales. Petitioner also questioned the architectural style classification of the house, as well as other physical characteristics used to describe and value the subject by Respondent. Petitioner and the Board also noted other errors in Respondent's appraisal.

Respondent presented sufficient probative evidence and testimony to prove that the subject property was correctly valued for tax year 2007. After review of the comparables used by Petitioner and Respondent, the Board determines that the sales and adjustments to the sales used in Respondent's market approach are more reflective of the market conditions during the study period. These comparables result in a supportable indication of market value of \$613,790.00 for the subject.

ORDER:

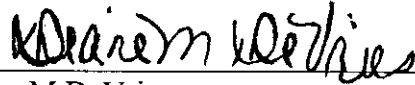
The petition is denied.

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 28th day of May 2008.

BOARD OF ASSESSMENT APPEALS



Diane M DeVries

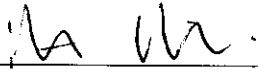


James R. Meurer

This decision was put on the record

MAY 28 2008

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



Heather Heinlein

