

<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>BRIAN COFFIN,</b></p> <p>v.</p> <p>Respondent:</p> <p><b>JEFFERSON COUNTY BOARD OF EQUALIZATION.</b></p>	<p><b>Docket No.: 48995</b></p>
<p><b>ORDER</b></p>	

**THIS MATTER** was heard by the Board of Assessment Appeals on April 9, 2008, Karen E. Hart and Lyle D. Hansen presiding. Petitioner appeared pro se. Respondent was represented by James Burgess, Esq. Petitioner is protesting the 2007 actual value of the subject property.

**PROPERTY DESCRIPTION:**

Subject property is described as follows:

**207 Alpine Avenue, Golden, Colorado  
(Jefferson County Schedule No. 075107)**

The subject property is a single-family residence built in 1977 of frame construction. The bi-level residence has 1,772 square feet of gross living area on the main level, 1,068 square feet of gross living area on the garden level and 533 square feet in a two-car built-under garage. The residence has 4 bedrooms, 2 baths, 2 fireplaces, a wood deck, and a finished garden level with a walkout. The residence is situated on 1.452 acre lot.

Petitioner presented no comparable sales and provided no appraisal to support his estimate of market value. Petitioner testified that the residence is in need of extensive interior and exterior repairs and that he has made no major improvements to the property since it was purchased in 2003. Petitioner further testified that the comparable sales used by Respondent were not representative of his residence. He testified that his residence has a view of the valley where Comparable Sale 1 had a

superior city view. He further testified that where his residence is a typical bi-level architectural design, Comparable Sale 1 had a superior modern architecture design.

Petitioner testified that Respondent's modeling system for determining property appreciation rates in his neighborhood was inaccurate. Petitioner based his value estimate upon the application of his own derived appreciation rates as applied to his original purchase price.

Petitioner is requesting a 2007 actual value of \$407,670.00 for the subject property.

Respondent presented an indicated value of \$510,000.00 for the subject property based on the market approach.

Respondent presented three comparable sales ranging in sales price from \$500,000.00 to \$557,000.00 and in size from 2,588 to 3,310 square feet. After adjustments were made, the sales ranged from \$488,300.00 to \$536,200.00.

Respondent testified that the Assessor's property appreciation modeling system is audited every two years by the Division of Property Taxation and their system has never failed an audit.

Respondent assigned an actual value of \$499,940.00 to the subject property for tax year 2007.

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

Respondent adjusted Comparable Sales 2 and 3 approximately 12% to reflect inferior design/quality in comparison to the subject property. The Board was not convinced that the subject property was superior to Comparable Sales 2 and 3 in design and quality; the positive adjustment was not supported. By elimination of the positive adjustments to Comparable Sales 2 and 3 for design/quality, the indicated market value range for the three comparable sales becomes \$441,300.00 to \$488,300.00. The Board gave further consideration to testimony from Petitioner that no major additions or upgrades had occurred since his purchase of the property and concluded a value indication in the lower indicated market value range at \$450,000.00.

The Board concluded that the 2007 actual value of the subject property should be reduced to \$450,000.00.

**ORDER:**

Respondent is ordered to reduce the 2007 actual value of the subject property to \$450,000.00.

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

**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).

If the decision of the Board is against Respondent, Respondent, upon the recommendation of the Board that it either is a matter of statewide concern or has resulted in a significant decrease in the total valuation of the Respondent county, may petition the Court of Appeals for judicial review according to the Colorado appellate rules and the provisions of 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).

In addition, if the decision of the Board is against Respondent, Respondent may petition the Court of Appeals for judicial review of alleged procedural errors or errors of law within thirty days of such decision when Respondent alleges procedural errors or errors of law by the Board.

If the Board does not recommend its decision to be a matter of statewide concern or to have resulted in a significant decrease in the total valuation of the respondent county, Respondent may petition the Court of Appeals for judicial review of such questions within thirty days of such decision.

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

**DATED and MAILED** this 20<sup>th</sup> day of May 2008.

**BOARD OF ASSESSMENT APPEALS**

*Karen E Hart*

Karen E. Hart

*Lyle B. Hansen*

Lyle B. Hansen

This decision was put on the record

**MAY 20 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

