

<p>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p>TED AND PATRICIA ANN TEDESCO,</p> <p>v.</p> <p>Respondent:</p> <p>LARIMER COUNTY BOARD OF EQUALIZATION.</p>	<p>Docket No.: 58020</p>
<p>ORDER</p>	

THIS MATTER was heard by the Board of Assessment Appeals on April 4, 2012, Debra A. Baumbach and Diane M. DeVries presiding. Ted Tedesco appeared pro se on behalf of Petitioners. Respondent was represented by Linda Connors, Esq. Petitioners are protesting the 2011 actual value of the subject property.

Subject property is described as follows:

**236 Bald Mountain Court, Livermore, Colorado
Larimer County Schedule No. R02600700**

The subject property consists of a 5.81 acre parcel of residential vacant land. The site has a well, septic, a prepared building site and a driveway, and electricity is available to the property line.

Petitioners are requesting an actual value of \$40,000.00 for the subject property for tax year 2011. Respondent assigned a value of \$54,000.00 for the subject property for tax year 2011.

Petitioners presented four comparable sales ranging in sale price from \$29,900.00 to \$49,900.00 and in size from 4.38 to 8.63 acres. These sites have no wells, septic or electricity available.

Mr. Ted Tedesco testified that he believed that the subject property should be valued at \$40,000.00; \$25,000.00 for the lot, \$10,000.00 for the well and \$5,000.00 for the septic. He stated that he paid \$7,295.00 to have the well drilled and \$2,430.00 for the septic system.

Petitioners are requesting a 2011 actual value of \$40,000.00 for the subject property.

Respondent presented a value of \$75,000.00 for the subject property based on the market approach.

Respondent's witness, Jody Masters, Certified General Appraiser with the Larimer County Assessor's Office, presented four comparable sales ranging in sale price from \$49,000.00 to \$70,000.00 and in size from 2.45 to 5.69 acres. After adjustments were made for time, well and septic, the sales ranged from \$74,000.00 to \$95,000.00. All of the Respondent's comparable sales were in the same filing as the subject property.

Respondent assigned an actual value of \$54,000.00 to the subject property for tax year 2011.

Respondent presented sufficient probative evidence and testimony to prove that the subject property was correctly valued for tax year 2011.

The Board determined that Respondent's witness properly used the Colorado Revised Statutes, Division of Property Taxation Guidelines, and Colorado case law in valuing the subject property for tax year 2011. Respondent's witness used sales that occurred in the same Glacier View Meadows filing as the subject property. All of the sales occurred within the extended 60 month time period as provided by law and were adjusted for time to a level of value of June 30, 2010.

The Board did not agree with Petitioners' methodology in valuing the subject property.

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 Section 24-4-106(11), C.R.S. (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 Section 24-4-106(11), C.R.S. (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.

Section 39-8-108(2), C.R.S.

DATED and MAILED this 10th day of April, 2012.

BOARD OF ASSESSMENT APPEALS

Debra A. Baumbach

Debra A. Baumbach

Diane M. DeVries

Diane M. DeVries

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

Milla Crichton
Milla Crichton

