

<p>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p>HEIDI BOYD,</p> <p>v.</p> <p>Respondent:</p> <p>JEFFERSON COUNTY BOARD OF COMMISSIONERS.</p>	<p>Docket No.: 60585</p>
<p>ORDER</p>	

THIS MATTER was heard by the Board of Assessment Appeals on October 3, 2012, James R. Meurer and MaryKay Kelley presiding. Petitioner was represented by Tom Keyes, agent. Respondent was represented by Casie Stokes, Esq. Petitioner is requesting an abatement/refund of taxes on the subject property for tax years 2009 and 2010.

Subject property is described as follows:

**7701 Ralston Road, Arvada, Colorado
Jefferson County Schedule No. 008269**

The subject property is comprised of two improvements on a 6,750 square foot site. The primary structure is a 706 square foot conversion from residential to commercial use (owner-occupied beauty salon). Updating and remodeling, occurring subsequent to Petitioner's 2006 purchase, included electrical and plumbing updating, window replacement, drywall and texture, wall furnaces, water heater, and concrete flatwork. The secondary structure at the rear of the site is a 600-square-foot office and an attached 600-square-foot two-car garage. Off-street parking for three vehicles (one of them handicapped) is available but carries obsolescence due to its location in front of the overhead garage doors.

Respondent assigned an actual value of \$286,700 for each tax year 2009 and 2010. Petitioner is requesting a value of \$235,000.

Petitioner presented an indicated value of \$235,000 for the subject property. Mr. Keyes presented four comparable sales ranging in sale price from \$225,000 to \$540,000 (\$165.08 to \$288.67 per square foot) and including the 2006 purchase of the subject itself for \$225,000. Qualitative adjustments were made for location, condition, basement, parking, and land to building ratio, and Mr. Keyes reconciled to a value of \$180.00 per square foot.

Respondent presented a market approach to derive a value of \$300,380. Respondent's witness, Darla Jaramillo, Certified General Appraiser, presented four comparable sales ranging in sale price from \$202,500 to \$540,000 (\$165.08 to \$278.87 per square foot); three of the four sales were also presented by Petitioner. Quantitative adjustments were made for location, improvement size, parking, and condition. Adjusted sales ranged from \$210.29 to \$264.93 per square foot. Considering two of the sales superior and two inferior, Ms. Jaramillo reconciled to a value of \$230.00 per square foot.

Respondent presented sufficient probative evidence and testimony to show that tax year 2009 and 2010 valuations of the subject property were correct.

Respondent's appraisal was more persuasive. Quantitative adjustments, which indicate more thorough research and application of appraisal methodology, are more persuasive. The Board agrees with Respondent's witness that basements add minimal value as storage. Land to building ratio adjustments per Petitioner are not considered factors in marketability or value; excess land offers parking, which is addressed elsewhere. Petitioner's Sale Three, the subject property itself, should have included a condition adjustment, not having been updated or remodeled at time of sale in 2006.

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 for assessment of the county wherein the property is located, may petition the Court of Appeals for judicial review according to the Colorado appellate rules and the provision 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 when Respondent alleges procedural errors or errors of law by the Board.

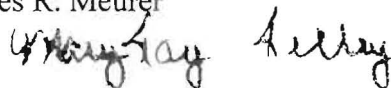
If the Board does not recommend its decision to be a matter of statewide concern or to have resulted in a significant decrease in the total valuation for assessment of the county in which the property is located, Respondent may petition the Court of Appeals for judicial review of such questions.

Section 39-10-114.5(2), C.R.S.

DATED and MAILED this 23rd day of October, 2012.

BOARD OF ASSESSMENT APPEALS


James R. Meurer



MaryKay Kelley

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


Milla Crichton

