

BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203	Docket No.: 71940
<hr/> Petitioner: THOMAS E. AND PEGGY S. MCINTOSH, v. Respondent: ADAMS COUNTY BOARD OF EQUALIZATION.	
ORDER	

THIS MATTER was heard by the Board of Assessment Appeals (“the Board”) on October 12, 2018. On November 21, 2018, being unable to determine an actual value of the subject property based on the evidence presented at the hearing, the Board issued an interim Order directing Respondent to prepare a new assessment. The Board gave specific instructions to Respondent on the preparation of the sales comparison and cost approaches when valuing the subject.

In accordance with the Board’s November 21, 2018 interim Order, Respondent submitted a new assessment on December 24, 2018. Petitioners filed a Notice of Disagreement with New Assessment on January 9, 2019. On January 16, 2019, Respondent filed a Supplemental Response to Order on Remand. Petitioners filed a Rebuttal to Respondent’s Supplemental Response on January 14, 2019.

The Board conducted a supplemental hearing on March 18, 2019, Diane M. DeVries and Sondra W. Mercier presiding. The Board admitted Petitioners’ Exhibit 9 and Respondent’s revised Appraisal Report, Revised Exhibit A.

Respondent’s witness, Mr. Greg Korth, a Certified General Appraiser with the Adams County Assessor’s Office presented a sales comparison approach which relied on the same sales as previously used, applied quantitative adjustments, and concluded to a higher value in the market approach of \$43,997. Mr. Korth also developed a revised cost approach, concluding to a value of \$20,634. Giving greater weight to the market approach, Mr. Korth reconciled to an appraised value of \$40,000.

Petitioners presented the Assessor’s values assigned to other hanger buildings and argued that the subject was not valued fairly. While equalization is the goal of uniform means and methods of assessment, perfect uniformity is not required under statute or the constitution. *See Crocog Company v. Arapahoe County Bd. Of Equaliz.*, 813 P.2d 768 (Colo. App. 1990); *Bishop v. Colo. Bd. Of Assess. Appeals*, 899 P.2d 251 (Colo. App. 1994). While the properties submitted

by Petitioners were in fact hangers, the evidence indicated they were substantially larger buildings and not believed similar to the subject in size.

In both approaches, Mr. Korth valued the subject as “average” to “low cost” construction quality, as defined by Marshall Valuation Service. Based on evidence and testimony from both parties, the Board was convinced that a quality rating of “low cost” to “cheap” provided a more accurate description for the subject. Therefore, the Board was not persuaded by Mr. Korth’s conclusions in either approach.

Using a base cost of \$20.61 per square foot based on the average of “low cost” to “cheap” construction quality, the Board has recalculated the cost approach to indicate a value of \$14,400 (rounded). Applying a similar change to the adjustment for construction quality in the sales comparison approach produced a value estimate of \$31,200 (rounded). Giving equal consideration to the two approaches, the Board concludes to a value of \$22,800.

ORDER:

Respondent is ordered to reduce the 2017 actual value of the subject property to \$22,800.

The Adams County Assessor is directed to change their 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 Section 24-4-106(11), C.R.S. (commenced by the filing of a notice of appeal with the Court of Appeals within forty-nine 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-nine 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/MAILED this 3rd day of April, 2019.

BOARD OF ASSESSMENT APPEALS:

Diane M DeVries

Diane M. DeVries

Sondra W. Mercier

Sondra W. Mercier

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

Milla Lishchuk

Milla Lishchuk

