

BOARD OF EQUALIZATION, WASHOE COUNTY, NEVADA

WEDNESDAY

9:00 A.M.

FEBRUARY 13, 2008

PRESENT:

Patricia McAlinden, Chairperson
Benjamin Green, Vice Chairman
John Krolick, Member
Philip Horan, Alternate Member
Linda Woodland, Member

Nancy Parent, Chief Deputy Clerk
Herb Kaplan, Deputy District Attorney

The Board met in the Silver and Blue Room, Lawlor Events Center, University of Nevada, Reno, 1664 N. Virginia Street, Reno, Nevada. Chairperson McAlinden called the meeting to order, the Clerk called the roll and the Board conducted the following business:

08-664E SWEARING IN OF ASSESSOR STAFF

Nancy Parent, Chief Deputy Clerk, swore in the following Appraisers from the Assessor's staff:

Stacy Ettinger, Appraiser III
Van Yates, Appraiser III
Mark Stafford, Senior Appraiser

08-665E PARCEL NO. 552-250-02 – BUSI, CHARLES R AND JANET M ETAL - HEARING NO. 08-0623 AND 08-0623R07

A Petition for Review of Assessed Valuation received from Charles and Janet Busi ETAL, protesting the taxable valuation on land located on Lemmon Dr., Washoe County, Nevada, was set for consideration at this time.

On motion by Chairperson McAlinden, seconded by Member Horan, which motion duly carried, it was ordered that Hearing Nos. 08-0623 and 08-0623R07 be consolidated.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A, undated letter and attachments

Exhibit B, map

Exhibit C, letter from ReMax Realty dated February 9, 2008

Exhibit D, map and photos

Assessor

Exhibit I, map

Exhibit II, appraisal record

Exhibit III, Assessor's Hearing Evidence Packet, including comparable sales, maps and subject's appraisal record, pages 1 through 7.

Gail Vice, Appraiser III, duly sworn, oriented the Board as to the location of the subject property.

Charles Busi and Lorraine Bushey, Petitioners, were sworn. Mr. Busi stated he disagreed with the comparable sales distributed by the Assessor's Office. He distributed maps of the area and said the subject parcel was the highest taxed vacant property in the area. Mr. Busi explained every time he contacted the Assessor's Office for a formula on how the property tax was established; he would receive different answers from different people. He explained the taxes on neighboring and larger parcels located on main arteries were significantly lower in value. Mr. Busi remarked when the City of Reno proposed to annex their property into the Reno Sphere of Influence, the Washoe County Regional Governing Board agreed, meetings were conducted and the annexation was approved.

Ms. Bushey said the comparable sales used were Arterial Commercial (AC) and General Commercial (GC) and disagreed with those sales. She said the subject property was designated Neighborhood Commercial (NC) and not equal to the other designations. She said according to the City of Reno Zoning Code, Community Commercial (CC) was to provide GC and serve as an enterprise for the community at large. She said the purpose of NC was to provide for commercial and service enterprises customarily associated with residential development. Ms. Bushey stated there were not as many NC uses as General or Arterial Commercial and did not believe that factor was taken into consideration. She indicated comparable sales listed in Exhibit A were compatible to the subject property. Ms. Bushey explained the property was located in a flood zone with a required ditch and that there was a proposed development for the adjacent property. She said since the subject parcel was designated NC it did not have as broad a scope of businesses as the other commercial zoning areas. She explained new development was proposed for the upcoming year, which was the reason the zoning was changed; however, that project had been delayed. She indicated the County had sold the public access road next to their property for unpaid taxes. She commented in order to take public access roads away there needed to be public hearings; however, they were never advised of a meeting.

Chairperson McAlinden asked for clarification on the map of the ditch location. On a map displayed by the Assessor's Office, Ms. Bushey clarified the location of the ditch was down the entire left side of the subject property.

Mr. Busi introduced letters from ReMax Realty. He indicated the subject property was for sale, but would not sell because of the reasons she stated.

Appraiser Vice reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed full cash value. She further testified in 2007 a reopen was completed for a zoning change from General Rural (GR) to NC bringing the property to taxable value. She provided values on properties surrounding the neighborhood and explained there was a base lot value of \$3.00 per square foot. Appraiser Vice said due to the shape of the lot and the flood zone, the subject parcel had a 25 percent downward adjustment.

Member Green questioned whether a 25 percent reduction for the shape of the lot was sufficient due to the extreme triangle. Appraiser Vice stated 25 percent was a substantial adjustment and noted she started with a lower base value on the subject property.

Member Krolick said the Petitioner discussed the possibility of placing a turning lane to develop the property and asked if that had been explored. Appraiser Vice replied to her knowledge that had not been explored.

Member Woodland stated there was a downward adjustment of 25 percent for the shape, but did not see an adjustment for the flood zone. Appraiser Vice replied that was all inclusive.

Member Green asked if there was a ditch on Lemmon Drive where a culvert would be needed for access onto the property from Lemmon Drive. Appraiser Vice replied the commercial properties were off Lemmon Drive and did not recollect a ditch. Chairperson McAlinden clarified there was a sizable ditch located on Lemmon Drive.

Chairperson McAlinden asked if the difference between NC use and comparable properties use were taken into consideration. Appraiser Vice stated they were.

Member Green asked if the comparable sale located on Military Road was in the floodplain. Appraiser Vice stated it was.

In rebuttal, Ms. Bushey said whomever she spoke to at the Assessor's Office did not know the difference between the commercials. She indicated the 25 percent reduction was for the shape of the property; however, heard no mention of the flood zone. She explained there was approximately a 40 percent difference in use between the higher and the lower commercial property designations..

Mr. Busi reiterated they were being taxed at a five times higher rate than other properties in the area.

Member Green asked for clarification on the two parcels used for comparable sales. Appraiser Vice replied because of abatements those parcels were

capped at the 2004 value and the assessments were \$98,500. Member Green said a larger parcel sold in 2007 that could have been used as a comparable sale by the Assessor's Office and that value was \$95,000. Appraiser Vice remarked in 2007 and 2008 there was no value change on those two parcels. Member Green indicated in 2007 the subject property was increased to \$455,000. Appraiser Vice explained the value changed due to the zoning change and then it was brought to current market.

Chairperson McAlinden said in reviewing the residential record there was a 35 percent reduction for shape and asked if that was still current. Appraiser Vice replied that was incorrect and should be listed at 25 percent. Chairperson McAlinden said the Petitioner indicated there was a street that had been closed which limited access. Appraiser Vice stated she was unaware of that closure.

Member Horan asked for an expansion on the tax cap explanation. Appraiser Vice said the Assessor's Office needed to value property according to statute and have the land at market value. She said on actual taxes a primary residence or rental that qualified for a 3 percent tax cap meant the actual taxes on the property could not rise more than 3 percent a year; however, that varied on vacant land and commercial properties that fell outside the primary residences.

Member Green said this created a dilemma because of Land Sale One and Land Sale Two, which listed at \$95,000 in spite of the sale of \$4.64 a square foot, which was more than the subject property and suggested an adjustment.

Ms. Bushey clarified Surge Street was closed and had no public access. She stated it was privately owned property that went into a receivership by the Treasurer's Office. Ms. Bushey said the adjacent parcel was a mobile home park, and if that parcel had been taken and sold it in public auction as the law required, it would have created a land-locked situation. However, when the subject property was the only other parcel affected by that closure the Treasurer's Office did not hold a public hearing and arbitrarily sold the parcel. She indicated they had asked the Planning Commissions from the County and the City of Reno to include them in the legal easement, which the property owner agreed to two years ago, but had yet to do. She reiterated they lost the public access.

Chairperson McAlinden closed the hearing.

Member Green stated a job of this Board was equalization and fair taxation and he wished to make the subject parcel equal with the comparable sales that were presented.

Based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Green, seconded by Member Krolick, which motion duly carried, it was ordered that the taxable value of the land on Parcel No. 552-250-02 be reduced to \$95,000, for a total taxable value of \$95,000. The Board also made the

finding that with this adjustment, the land was valued correctly and the total taxable value does not exceed full cash value.

08-666E PARCEL NO. 160-853-11 – AMERICAN LUNG ASSOCIATION OF NEVADA – HEARING NO. 08-0221F07

A Petition for Review of Assessed Valuation received from The American Lung Association of Nevada, protesting the tax exemption status on land and improvements located at 10615 Double R Blvd., Ste. 100, Washoe County, Nevada, was set for consideration at this time.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A, letter dated October 26, 2006 and additional documents

Assessor

Exhibit I, NRS 361.155

Exhibit II, appraisal record

Exhibit III, Assessor's Hearing Evidence Packet, including comparable sales, maps and subject's appraisal record, pages 1 through 2.

Ivy Diezel, Department System Support Analyst, duly sworn, oriented the Board as to the location of the subject property.

Louise Martin, Executive Director of the American Lung Association of Nevada, Petitioner, was sworn and distributed a letter explaining their status and who they were. She explained she was requesting an exempt status for the building that was purchased in May 2007. She clarified there was no equipment on site when the Appraiser inspected the building because construction was occurring. She was asking for exemption status for the 84 percent of the building that the American Lung Association occupied.

Ms. Diezel distributed the current version of NRS 361.155 that explained deadlines. She explained this was a matter of timing and believed the American Lung Association qualified for exemption; however, were required to notify the Assessor's Office before June 15th concerning new property and said their Office was not notified until July 19th. She explained the statute required the building be used for the purpose of the charity on July 1st and that was in question. Ms. Diezel clarified the office did not receive the notification for exemption so the exemption was not extended to this property.

Member Krolick asked Legal Counsel if the Board had jurisdiction to grant exemption. Herb Kaplan, Legal Counsel, replied the provision of NRS 361.155 was significant in terms of the Board position. He said the copy of NRS in the original packet did not include subsection 6, which was added in the most recent legislation that specifically provides "if a claim for tax exemption on real property and any required affidavit or any other documentation in support of the claim was not filed within the

specified time the person claiming the exemption may on or before January 15th of the fiscal year for which claim of exemption was made file a claim and any required documentation in support of that claim with the County Board of Equalization (CBOE) of the County in which the claim is required to be filed pursuant to subsection 3 and the CBOE shall review the claim of exemption and may grant or deny the claim for that fiscal year as it determines to be appropriate.” He said the legislation now gave the CBOE discretion regardless of whether the claim was filed before the June 15th deadline; however, the June 15th deadline still appeared in statute. Mr. Kaplan said the Board had to review both parts of the statute to determine what the Board would do in terms of why the deadline was missed.

Member Krolick asked when the American Lung Association took possession of the property. Ms. Martin replied the Certificate of Occupancy (C of O) was dated October 15, 2007.

Chairperson McAlinden stated NRS 361.140(2) said the property must be occupied in order to qualify for the exemption and that the American Lung Association of Nevada indicted the building did not receive the C of O until October 15, 2007.

Mr. Kaplan explained the building upon the land would suffice to apply the exemption.

Member Green stated the C of O was dated October 15, 2007, but the lease originated on July 10, 2007 and asked when rent payments began. Ms. Martin said the rental payments began on November 1, 2007.

Chairperson McAlinden closed the hearing.

Based on the evidence presented by the Assessor’s Office and the Petitioner, on motion by Member Krolick, seconded by Member Green, which motion duly carried, it was ordered that the exemption status for Parcel No. 160-853-11 be granted for the 84 percent of the land being used. The Board also made the finding that the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

08-667E PARCEL NOS. 026-021-57 AND 026-021-58 – LIGHTHOUSE OF THE SIERRA LLC – HEARING NOS. 08-0025A AND 08-0025B

A Petition for Review of Assessed Valuation received from Lighthouse of the Sierra LLC, protesting the tax exemption status on land and improvements located on Clearacre Lane, Washoe County, Nevada, was set for consideration at this time.

On motion by Chairperson McAlinden, seconded by Member Woodland, which motion duly carried, it was ordered that Hearing Nos. 08-0025A and 08-0025B be consolidated.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A, 37 page document

Assessor

Exhibit I, aerial maps

Exhibit II, Assessor's Hearing Evidence Packet, pages 1 through 68.

Ivy Diezel, Department System Support Analyst, duly sworn, oriented the Board as to the location of the subject property.

Diaz Dixon, STEP 2 Chief Executive Office (CEO), and Scott Gibson, Chief Financial Officer (CFO), Petitioners, were sworn and testified that STEP 2 was a substance abuse treatment facility for women and children and had served the community since 1986. He explained the requested exemption was for the transitional housing unit used for women and children in the last stages of recovery. He indicated the form was not submitted because a former employee did not take the appropriate responsibility in submitting the forms. He said the Assessor's Office made numerous attempts to receive the appropriate information; however, that did not occur. Mr. Diaz stated when Mr. Gibson returned to STEP 2 this form was discovered on the desk of the former employer and immediately took action.

Ms. Diezel addressed the properties separately. She stated the improved property with the mobile homes had qualified for exemption in the past under NRS 361.082 for low-income housing projects. She explained this was a deadline issue as set forth in NRS 361.082 and NAC 361.089, which was why the Assessor's Office did not allow the exemption. She said the additional parcel was primarily vacant except for two modular buildings used for administration and daycare. She indicated the Petitioners had not supplied documentation on how this was a related property and noted in the past this parcel had not qualified for exemption.

Chairperson McAlinden asked what was required from the Petitioner for the additional parcel. Ms. Diezel replied documentation for the District Attorney's Office to review and qualify that the property was a related facility, but because most of that parcel was vacant, it may only qualify for a partial exemption.

In rebuttal, Mr. Dixon indicated the buildings on the second parcel belonged to the organization and were used as administration and auxiliary services, such as child placement assistance, welfare and child protection services. He explained the childcare was in partnership with the University of Nevada, Reno and Head Start provided the services with slots available to their children as well as others in the community. Mr. Diaz said currently the permit process was beginning on the property to build a new family counseling facility of 44 additional units for families to reside in eliminating the modular buildings on site.

Chairperson McAlinden asked why STEP 2 had not provided information that this property qualified for the exemption. Mr. Diaz replied he would need to research their paperwork since this property was established six years ago and understood that all the paperwork was completed at once for both properties. Mr. Gibson remarked when he discovered the original exemption had not been completed he inquired on both parcels and was told to fill out the form by the Assessor's Office and list both parcels on the same form, which he did. Chairperson McAlinden said there were specific steps that needed to be completed to qualify the second parcel to allow that to qualify for exempt status. Mr. Gibson reiterated he was instructed that since those buildings were used as part of the housing project it could be submitted on the same form without any further information other than it was part of the organization.

Member Green asked if the Petitioner was classified as a non-profit and Mr. Gibson confirmed they were a 501C3 Corporation.

In response to Member Horan, Ms. Diezel remarked she had not reviewed the tax records on that parcel and did not know the status. She said the filing for 2006/07 was the first year the adjacent parcel was included on the application but with no documentation the exemption was not granted.

Member Krolick asked if the organization was billed or paying taxes on the second parcel in previous years. Mr. Dixon replied whenever any information was received concerning taxes, the paperwork was completed.

Member Horan said if the application had been completed with the appropriate information they may have qualified for a partial exemption due to utilization on the second parcel. Ms. Diezel concurred.

Chairperson McAlinden closed the hearing.

Member Woodland commented there were not enough of these facilities in the area and stated one could not exist without the other.

Member Horan said the Board had the discretion to review the late filing of the applicant and noted the two parcels were tied together.

Following discussion, the Board made two motions.

Based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Green, which motion duly carried, it was ordered that the exemption status on Parcel No. 026-021-57 be reinstated.

On motion by Member Krolick, seconded by Member Woodland, which motion duly carried, it was ordered that the exemption status on Parcel No. 026-021-58

be granted for the percent of land being used with the condition that the Petitioner file the necessary paperwork to claim exemption.

11:00 a.m. The Board recessed.

11:10 a.m. The Board reconvened.

08-668E **PARCEL NOS. 011-061-19, 011-061-03, 011-062-12, 011-062-13, 011-062-14, 011-062-15, 011-062-27, 011-062-28, 011-072-13 - SIERRA DEVELOPMENT COMPANY, AMERICAN CANCER SOCIETY CA DIV, ARMANKO PROPERTIES LLC, ERLANGER, LOLITA ETAL TR, CLUB CAL-NEVA – HEARING NOS. 08-0843A, 08-0843B, 08-0843C, 08-0843D, 08-0843E, 08-0843F, 08-0843G, 08-0843H, 08-0843I**

A Petition for Review of Assessed Valuation received from Sierra Development Company, protesting the taxable valuation on land and improvements located at 133 N Virginia St., Washoe County, Nevada, was set for consideration at this time.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A, charts

Exhibit B, financial statements; revenue and expense items, other expenses dated February 7, 2008

Exhibit C, property tax analysis

Assessor

Exhibit I, EBITDAR Analysis

Exhibit II, Assessor's Hearing Evidence Packet, including comparable sales, maps and subject's appraisal record, pages 1 through 41

Exhibit III, appraisal record

Mark Stafford, Senior Appraiser, duly sworn, oriented the Board as to the location of the subject properties.

Jeff Siri, Sierra Development Company Chief Executive Officer, Petitioner, was sworn and testified that due to the Native American Casinos in California there had been a decrease in gaming over the past 10 years. He said over the years the Club Cal-Neva had been a Casino without hotel rooms and relied on other hotels to feed business into the area. He said the Assessor's Office had aggregated different parcels for the Cal-Neva and tried to assess values and Mr. Siri stated he disagreed with that analysis. He said all of the Casino property was part of the operation. He said the hotel property, The Nevadan Tower, was primarily used for Casino marketing and was an integral part of operations. Mr. Siri said the operating income, EBITDAR, had fluctuated

over the years and said the significance of that was in valuing the property it had been a multiple of the EBITDAR in the past and that would include all of the parcels that were part of the Casino operation. He said the Assessor's numbers indicated the average EBITDAR for the three years ending June 30, 2007 was about \$2.5 million, but the valuation factor using a five times multiple would have listed the value of the property at \$12.5 million. He explained in the calculations the Appraiser provided he added back the expenses associated with the operation of the First Street Garage, which on average over the past three years were \$150,000, and noted the garage was part of the Cal-Neva operation. He said if that \$150,000 was subtracted, the EBITDAR would have been approximately \$2.35 million and the value of the property would be approximately \$11.7 million. Mr. Siri said the significance was looking at the Cal-Neva properties in aggregate as one operation that had multiple properties and all a part of the gaming operations. He requested the total valuation in aggregate of all the parcels be lowered to approximately \$11.7 million from the proposed assessed value of \$23.5 million.

Chairperson McAlinden said it appeared the Board was hearing all of the parcels at once and moved for consolidation.

On motion by Chairperson McAlinden, seconded by Member Woodland, which motion duly carried, it was ordered that Parcel Nos. 011-061-19, 011-061-03, 011-062-12, 011-062-13, 011-062-14, 011-062-15, 011-062-27, 011-062-28, 011-072-13 be consolidated.

Chairperson McAlinden asked for clarification on Parcel No. 011-061-03 that listed the American Cancer Society as owner. Mr. Siri said that parcel was adjacent to the Nevadan Hotel Tower and was a parcel of land that Sierra Development Company leased then sub-leased.

Appraiser Stafford reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed full cash value. He further testified there had been a significant decline in revenue due to gaming outside of the State's borders and indicated there was obsolescence on the subject property. He said in the past three years stabilization had occurred in revenues and EBITDAR for these properties. Appraiser Stafford explained he had identified the parcels essential to the Cal-Neva operations and segregated three parcels. He said the First Street Parking Garage had a Use Agreement between the Sierra Development Company and the City of Reno. He said the Sierra Development Company sold the building on First Street to the City of Reno, which was now the City Hall. He explained part of the agreement was that the Petitioner had the use of the First Street Garage and the document set forth the hours of use and the number of parking spaces. He felt that agreement was necessary to consummate the sale of the Tower. He explained in 1995 the Cal-Neva constructed a parking stadium on Center Street with an attached sky bridge into the Casino and noted there was adequate parking in that structure to serve their customers. He explained in the past this had been analyzed separately. He said the value of this property had not changed and had been at \$2.375 million for some time. He added the Nevadan Tower was acquired by the Cal-Neva in 1999 and purchased out of foreclosure. He said historically the Cal-Neva

operated without that property and it was a recent acquisition whose income did not justify what it was worth in the market on a per unit basis. Appraiser Stafford explained the Cal-Neva had been a foot traffic property, which had declined and over the years had made continual adjustments to the property. He stated he took the net income calendar year data that was submitted with the petition and made adjustments by removing the inappropriate expenses such as depreciation and interest and the rent paid by the Sierra Development Company to some of their leased properties. He explained the property was reviewed in fee simple and then made that adjustment by adding the rent back and adjusted for expenses associated with the First Street Garage. He said the Cal-Neva Sports Book operated in locations throughout the area, but was not a function of the property and subtracted that net revenue and made an adjustment for salaries. Appraiser Stafford indicated the analysis for supporting the value of the parking garage was difficult with just two sales of parking garages, and explained the value for the parking garage had not changed over the past three years. He stated the analysis he had concluded on the properties was listed in Assessor Exhibit II.

Chairperson McAlinden asked why the First Street Parking Garage subject parcel higher per square foot in building value than the two comparable sales. Appraiser Stafford replied the subject had a gross building area of 159,900 feet and explained it was difficult to draw patterns with only two sales.

Member Horan asked if Appraiser Stafford had a response to Petitioner's Exhibit B. Appraiser Stafford said it was supplemental information and after review of fiscal year data he elected to review calendar year data, which was the Petitioner's original information.

In rebuttal, Mr. Siri said the easement agreement for the First Street Parking Garage was between the Sierra Development Company and the City of Reno and allowed the City to use 345 parking spaces during daytime business hours. He said the garage also housed an upholstery shop, maintenance facilities and the storage of records for the Casino. Mr. Siri indicated the City of Reno was offered the opportunity to purchase the parking garage for \$1 million but declined, so he felt the value of \$2.375 million was too high. He said as a result of the other casino closures in the area the Nevadan Hotel Tower had become an integral part and felt it was inappropriate not to consider that part of the Cal-Neva's operations. However, if that were not to be considered, then an adjustment should be made on the Club Cal-Neva site because the revenue would not be associated with the people staying in those rooms. He explained the rent for the American Cancer Society was \$115,000 per year and noted the current rental income being generated from the two sub-leased tenants was approximately \$4,500 per month resulting in a loss of \$5,000 per month. Mr. Siri concluded if that parcel was valued based upon the \$115,000 using the same income approach that would put the value at \$560,000 which was below the \$831,000 as listed.

In response to Member Green, Appraiser Stafford replied if the Petitioner was paying \$115,000 to the American Cancer Society then that was the income that should be capitalized, which was the indicator of value on that property.

Chairperson McAlinden closed the hearing.

Member Krolick said since he was involved with sales along the downtown area he would abstain from voting.

Member Green stated on APN 011-062-28, the Petitioner testified the garage was offered to the City of Reno for \$1 million, but was declined and the \$5,000 per space per year was the equivalent to \$100 per week per space and questioned the price per space on the First Street Garage. Member Horan said the key point was that it was offered to the City of Reno and the Petitioner did not refute statements by the Appraiser. He indicated he was ready to make a motion and would consider all of the properties that were consolidated.

Based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Horan, seconded by Chairperson McAlinden, which motion duly carried with Member Krolick abstaining, it was ordered that the taxable value of the land and improvements on Parcel Nos. 011-061-19, 011-061-03, 011-062-12, 011-062-13, 011-062-14, 011-062-15, 011-062-27, 011-062-28, 011-072-13 be upheld. The Board also made the finding that the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

**08-669E PARCEL NOS. 012-143-59 AND 012-143-60 – CYPRESS
HOLDINGS NEVADA LLC – HEARING NOS. 08-1277 AND 08-1278**

A Petition for Review of Assessed Valuation received from Cypress Holdings Nevada LLC, protesting the taxable valuation on land located at 850 Mill St. and Willow Street, Washoe County, Nevada, was set for consideration at this time.

On motion by Chairperson McAlinden, seconded by Member Woodland, which motion duly carried, it was ordered that Parcel Nos. 012-143-59 and 012-143-60 be consolidated.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A, 4 page letter entitled "Petition for Review"

Assessor

Exhibit I, appraisal record

Exhibit II, Assessor's Hearing Evidence Packet, including comparable sales, maps and subject's appraisal record, pages 1 through 17 for APN 012-143-59 and pages 1 through 9 for APN 012-143-60

Van Yates, Appraiser III, duly sworn, oriented the Board as to the location of the subject properties.

Paul Covec, Petitioner, was sworn and testified that he was a real estate investor and commented on the national and local real estate market. He said the properties were in a factored area and not reappraised in the past two years. He argued that the properties were improperly valued because the factors used were not correctly calculated and not applied properly to the properties. He addressed the errors made in computing the taxable value, the adverse factors affecting the value and the fair economic income expectance of the subject properties and felt these factors did not justify the valuation. Mr. Covec stated the comparable sales used were untimely and covered a three year period from 2004 to 2007. He said those sales indicated significant changes in real estate values, reviewed properties that had a different zoning and included properties with a dramatically different range of values. Mr. Covec stated the subject properties had been in a state of redevelopment for the past three years. He said he purchased the properties in 2004 and at that time the building was in a poor state of maintenance, had a high degree of functional obsolescence, and tenants were leaving with no new tenants replacing them. He explained because of the functional obsolescence there was a high vacancy rate in the 40 to 60 percent range. Mr. Covec said there was no improved revenue until the occupancy was rebuilt in 2007. He said the taxable value established by the Assessor's Office was greater than the estimated value of the properties. He stated he calculated the income approach value was \$1.583 million and said the reappraised value in 2006 was \$1.621 million. Mr. Covec requested the 2006 value be placed on the property.

Chairperson McAlinden asked if the rent was raised on the existing tenants when the building was purchased. Mr. Covec replied the first rent increase occurred in 2008.

Appraiser Yates reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed full cash value. He further testified that based on the income approach for improved sales and land sales, taxable value was not exceeded. Appraiser Yates stated based on the rental chart he felt the current rent of \$1.63 per square foot on the subject parcel was a good indication of market and noted the occupancy rate had increased since 2006. He reviewed the historical background of expenses on the subject and indicated a net operating income of \$146,019. He explained he used three sales that had capitalization rates available and estimated a cap rate for the subject property at 6.6 percent. Appraiser Yates explained by dividing the net operating income of \$146,019 by the 6.6 percent cap rate, a total value of the income approach was \$2,212,407 and remarked the two properties were an economic unit.

In addressing the parking lot parcel, Appraiser Yates said the parcel was located south of the above parcel and not contiguous because there was an abandoned alleyway between them. He said the land value on this parcel was \$12.43 per square foot. Appraiser Yates reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed full cash value.

Member Green asked for clarification at the arrival of the factor number.

Nancy Parent, Chief Deputy Clerk, swore in Gary Warren, Senior Appraiser.

Appraiser Warren clarified the current year broke down the factors into individual factor districts. He said every parcel that was not physically reappraised was located within a factor district. He explained the reappraisals conducted this year were in Areas 1 and 5. Appraiser Warren explained the analysis was based upon the individual factor district and remarked prior years estimated one factor for the entire reappraisal area. He said this year the 15 land sales used were located specifically within the 330C factor district designation and established an overall assessment ratio. He explained that ratio compared the sales price to the assessed value on that particular parcel as of the 2007/08 roll. He said the assessment ratio followed a different statute than the one where it was physically reappraised. Member Green asked if there was approval from the State for using that factor. Appraiser Warren said the factors were submitted to the Department of Taxation and then the State Tax Commission who approve factors used throughout the State.

In response to Member Krolick, Appraiser Warren replied all land sales were verified; however, only sales that the Assessor's Office felt represented market value were used.

In rebuttal, Mr. Covec felt the factoring resulted in erroneous results and stated on all of his properties the land factor ran from 18 percent to 55 percent. He stated that he disagreed with the comparable sales used in valuing his properties.

Chairperson McAlinden said there was 52.5 percent depreciation on APN 012-143-59 and asked if improvements were factored. Appraiser Yates said the improvements that were completed were not reflected in any change and/or value. He explained the Assessor's Office received yearly updated versions of the *Marshall and Swift Construction Manual* and, based on the appraisal record, the improvements were costed through *Marshall and Swift*, and then depreciation was applied based on 1.5 percent, per year. Appraiser Yates said if the yearly change in depreciation was increased by more than 1.5 percent there would be a net increase in the building value. He said *Marshall and Swift* values after depreciation from last year for commercial buildings increased approximately 10 percent.

Chairperson McAlinden closed the hearing.

Based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Green, which motion duly carried, it was ordered that the taxable value of the land and improvements on Parcel Nos. 012-143-59 and 012-143-60 be upheld. The Board also made the finding that the

land and improvements are valued correctly and the total taxable value does not exceed full cash value.

1:15 p.m. The Board recessed.

1:45 p.m. The Board reconvened.

08-670E **PARCEL NO. 012-402-29 – COVEC, PAUL A AND JOANNE W – HEARING NO. 08-1574**

A Petition for Review of Assessed Valuation received from Paul and Joanne Covec, protesting the taxable valuation on land located on Equity Ave., Washoe County, Nevada, was set for consideration at this time.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A, 3 page letter discussing valuation

Assessor

Exhibit I, appraisal record

Exhibit II, Assessor's Hearing Evidence Packet, including comparable sales, maps and subject's appraisal record, pages 1 through 7

Van Yates, Appraiser III, duly sworn, oriented the Board as to the location of the subject property.

Paul Covec, Petitioner, previously sworn, testified there were six parcels in this land factor study. He stated the land factor analysis was inaccurate, incorrect and inappropriate, and he discussed the comparable sales. Mr. Covec indicated the subject parcel had been on the market for three years and had received no offers or inquiries, but he had rented a small portion of the property to the adjacent tenant for parking at a fixed-rate. He indicated that rent paid the taxes on the property; however, he did not anticipate a 23 percent increase in taxes last year or a 32 percent increase this year due to the land factoring. Mr. Covec argued that the 32 percent increase in value was more than 10 times the annual inflation rate of the US Gross National Product or the Consumer Price Index for the past five years and driving land values up at that rate was unrealistic and would discourage future investment. He requested that the land value be rolled back to the 2005/06 reappraisal year and that the assessed values be removed from the taxable value.

Appraiser Yates reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed full cash value.

In rebuttal, Mr. Covec reiterated his previous comments.

Member Woodland asked about the list price for this property. Mr. Covec replied a selling price had not been established.

In response to Member Green, Appraiser Yates discussed the most recent sale he used for a comparable and said it was a less desirable parcel than the subject and had not yet been developed.

Chairperson McAlinden closed the hearing.

Member Woodland said since there was no listing price placed on the subject, it made it difficult for the Board.

Member Krolick stated considering the Petitioner had purchased the property in 2004 it would seem unrealistic that the value would have increased by approximately \$100,000 and said the Board did not have the appropriate data to make a decision that the subject was worth \$300,000.

Member Horan struggled with the fact there were such dated sales. Chairperson McAlinden agreed; however, was concerned that the parcel was listed without an amount attached.

Member Green said with only six sales that was not good for a factor line and he would be inclined to offer some relief to the Petitioner.

Member Krolick suggested rolling the parcel back to the 2007 value. Member Green commented 20 percent was too high.

Based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Horan, which motion duly carried with Member Green voting "no", it was ordered that the taxable value of the land on Parcel No. 012-402-29 be rolled back to the 2007 values and be reduced to \$224,229, for a total taxable value of \$224,229. The Board also made the finding that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

**08-671E PARCEL NO. 012-402-43 – CYPRESS INVESTMENT NEVADA
LLC – HEARING NO. 08-1293**

A Petition for Review of Assessed Valuation received from Cypress Investments Nevada LLC, protesting the taxable valuation on land located on Financial Blvd., Washoe County, Nevada, was set for consideration at this time.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A, 3 page letter discussing valuation

Assessor

Exhibit I, appraisal record

Exhibit II, Assessor's Hearing Evidence Packet, including comparable sales, maps and subject's appraisal record, pages 1 through 12

Van Yates, Appraiser III, duly sworn, oriented the Board as to the location of the subject property.

Paul Covec, Petitioner, previously sworn testified this was an improved parcel. He said the new lease resulted in increased rental income, which increased the overall value of the property. He argued the increase was brought about by the building and the facilities therein and not by the land. He explained the current lease called for annual rent increases of 3 percent, but there was no provision for increasing the income to cover the large annual taxable land value increases, which were 23 percent in the prior year and 32 percent projected for the coming year. He said, as a result, the net operating income would continue to decrease. He said the Assessor's proposed increase for the taxable land value was calculated using a land factor analysis inappropriately applied and resulted in a lack of equalization with similarly situated properties. Mr. Covec requested the land taxable value be rolled back to the last reappraisal year of 2006.

Appraiser Yates reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed full cash value. He further testified that the subject was 100 percent occupied and the rent per square foot was \$1.42 for an annual income of \$223,855. He said an analysis of the income and expense statement indicated that the subject parcel had a modified gross lease with the tenant paying utilities. He said the total taxable value on the subject parcel was \$1,429,726, and based upon the income approach, taxable value did not exceed full cash value. Appraiser Yates also provided additional support for the sales comparison approach.

Member Krolick said this parcel was improved and the improvement made it an income producing property that increased the value of the land.

In rebuttal, Mr. Covec clarified as part of the negotiated lease items such as heating, air-conditioning and landscaping were maintained at a certain standard and said there was a provision in the lease where that was provided and then reimbursed. He said the lease rate on the subject property was \$1.30 per square foot and not \$1.42 as calculated, and explained the additional amount went toward paying the expenses. He felt the percentage increase was excessive and unjustified.

Chairperson McAlinden closed the hearing.

Based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Chairperson McAlinden, which motion duly carried, it was ordered that the taxable value of the land and improvements on Parcel No. 012-402-43 be upheld. The Board also made the finding that

the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

08-672E PARCEL NO. 011-402-09 – HASH, ALLAN L –
HEARING NO. 08-0904

A Petition for Review of Assessed Valuation received from Allan Hash, protesting the taxable valuation on land and improvements located at 100 N. Arlington Ave., Washoe County, Nevada, was set for consideration at this time.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A, 8 page evidence packet dated February 5, 2008

Exhibit B, revised pages 8 and 9 of Exhibit A

Assessor

Exhibit I, 4 page document – Calculator Method

Exhibit II, appraisal record

Exhibit III, Assessor's Hearing Evidence Packet, including comparable sales, maps and subject's appraisal record, pages 1 through 10

Stacy Ettinger, Appraiser III, duly sworn, oriented the Board as to the location of the subject property.

Allan Hash, Petitioner, was sworn and discussed the land factor valuation the Assessor's Office had given Arlington Towers for the past few years. He said last year there was a 17 percent increase and this year a 42 percent increase. Mr. Hash stated those numbers invited scrutiny of the Assessor's calculations of the Arlington Towers assessments. He described the demographics of the location and stated the first three floors of the Tower were commercial. He indicated there were differences in the way the commercial and residential areas were being taxed and said the three commercial floors received a 7 percent reduction. Mr. Hash said the Assessor had proposed a land factor of .93 which was a 7 percent reduction for the three commercial areas for 2008/09; however, for the proposed residential land value the Assessor proposed 1.42 land factors, a 42 percent increase. He indicated it was a single parcel of land, so commercial and residential should not be taxed differently. Mr. Hash explained he calculated the assessments for the various sizes of the units and the Assessor had valued the land at \$8.1 million. He said Arlington Towers was 15,000 square feet so the taxable total of the building and the land was \$18.62 million with \$8.1 million for the land. He said he owned approximately three-quarters of an acre which equated to \$24 million per acre. He remarked the valuation on the land far exceeded the cash value. He said Arlington Towers was listed in the Assessor's book as built in 1968; however, it was built in 1966 and 1967 and occupied in 1968, and he requested consistency and clarification in the method the Assessor's Office used in terms of year built, which spoke to the depreciation factor. He noted the assessment showed that the Tower had central air-conditioning and

heat and Mr. Hash indicated there were boilers and chillers and felt it affected the quality of the building.

Josh Wilson, Assessor, commented the County Board of Equalization did not govern the factor nor did the Board have the ability to remove the factor. He explained the Board reviewed whether the application of that factor had pushed the land value above its full cash value. He said the Petitioner discussed the \$8.1 million on a third-acre lot, but the Board had not heard the gross value of all the units. He could extrapolate that from the Petitioner's purchase price, times the number of units in the complex, and that would give the Board a better understanding of why the land value was valued at \$8.1 million. Mr. Wilson said the median ratio on a single family condominium was approximately 60 percent and the subject was at approximately 35 percent of market value. He said there would be justification in the next year on condominiums and land values. He explained the rating system between commercial and residential units and said through the *Marshall and Swift Construction Manual*, the luxury high-rise apartment occupancy code was more applicable than a typical end or interior unit townhouse costing code. He said the Assessor's Office started using the commercial cost for valuing these apartments and then allocating the percentage of footprint that the subject property occupied.

In response to Member Green, Mr. Wilson replied this property was receiving 60 percent depreciation off the replacement cost new.

Appraiser Ettinger clarified the age of the property and said typically it was not when occupancy was taken, but when the building was constructed. He said if the Petitioner provided information to the contrary he would review that data and make any necessary corrections. He said until recently the computer system in the Assessor's Office did not have the capacity to cost these high rise buildings as commercial type high rise and said they used a residential record for high rise condominiums, which would account for the residential quality class and a lower valuation of the improvements. Appraiser Ettinger reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed full cash value.

Chairperson McAlinden asked for clarification in establishing improved sales. Appraiser Ettinger replied improved sales one through four were the most recent sales of the exact same unit. Mr. Wilson replied pursuant to NAC 361.118 it defined a 36-month period for this current year, July 1, 2007 to July 1, 2004, which was the allowable timeframe for establishing value.

Chairperson McAlinden asked if there was a distinction made for the shape of a parcel versus the shape of the condominium. Appraiser Ettinger replied the 15,000 square foot parcel referred to did not exist. He indicated on page 7 of the Hearing Evidence Packet were the footprints of the actual units.

Member Horan asked about the land factor between commercial and condominium. Appraiser Ettinger indicated they adhered to statute, and only residential units were used when applying the residential factor.

Chairperson McAlinden asked how land assessments were spread between condominiums. Appraiser Ettinger said a value was estimated based on a sales price for like units and for condominiums they would be grouped by numbers of bedrooms and bathrooms.

In rebuttal, Mr. Hash stated there was an inequity in the process and felt the homeowners should be given preferential treatment over the commercial areas. He requested a reduction in quality class, roll back on the land value to the prior appraisal year and an adjustment for the irregular shape of the parcel.

Chairperson McAlinden closed the hearing.

Member Green commented the Petitioner conducted a good presentation, but he could not completely agree and said the value of the land was it's use. He felt with the comparable sales presented he could not offer an adjustment.

Based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Horan, seconded by Member Woodland, which motion duly carried, it was ordered that the taxable value of the land and improvements on Parcel No. 011-402-09 be upheld. The Board also made the finding that the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

08-673E ROLL CHANGE REQUESTS

On motion by Chairperson McAlinden, seconded by Member Horan, which motion duly carried, it was ordered that Roll Change Request Nos. 332S07 through 335F07 be consolidated.

Following review and discussion, on motion by Chairperson McAlinden, seconded by Member Krolick, which motion duly carried, it was ordered that the following Roll Change Request Nos. 332S07 through 335F07, resulting in decreases and placed on file with the Clerk, be approved:

ASSESSOR'S PARCEL NUMBER	OWNER	RCR#
026-311-24	EMTM NEVADA INC	332S07
122-202-05	EWART, LARRY AND ELIZABETH	328F07
234-321-16	GORDON, NATHA I TR	333F07
160-593-15	MOORE, DIANE & ROBERT	334F05
160-593-15	MOORE, DIANE & ROBERT	334F06

160-593-15	MOORE, DIANE & ROBERT	334F07
510-381-03	RIALTO, LLC	335F07

08-674E ASSESSOR'S RECOMMENDATIONS – 1 (DORADO SUBDIVISION)

On motion by Chairperson McAlinden, seconded by Member Horan, which motion duly carried, it was ordered that Assessor's Recommendations A.R. 1 through A.R. 102 for the Dorado Subdivision be consolidated.

Pete Kinne, Appraiser II, duly sworn, oriented the Board as to the location of the subject properties.

Following review and discussion, on motion by Member Krolick, seconded by Member Horan, which motion duly carried, it was ordered that the following Assessor's Recommendations Nos. A.R 1 through A.R 102, and placed on file with the Clerk, be approved:

ASSESSOR'S PARCEL NO.	OWNER	RCR#
140-741-01	DORADO SUBDIVISION	A.R.1
140-741-02	DORADO SUBDIVISION	A.R.2
140-741-03	DORADO SUBDIVISION	A.R.3
140-741-04	DORADO SUBDIVISION	A.R.4
140-741-05	DORADO SUBDIVISION	A.R.5
140-741-06	DORADO SUBDIVISION	A.R.6
140-741-07	DORADO SUBDIVISION	A.R.7
140-741-08	DORADO SUBDIVISION	A.R.8
140-741-09	DORADO SUBDIVISION	A.R.9
140-741-10	DORADO SUBDIVISION	A.R.10
140-741-11	DORADO SUBDIVISION	A.R.11
140-741-12	DORADO SUBDIVISION	A.R.12
140-741-13	DORADO SUBDIVISION	A.R.13
140-741-14	DORADO SUBDIVISION	A.R.14
140-741-15	DORADO SUBDIVISION	A.R.15
140-741-16	DORADO SUBDIVISION	A.R.16
140-741-17	DORADO SUBDIVISION	A.R.17
140-741-18	DORADO SUBDIVISION	A.R.19
140-741-20	DORADO SUBDIVISION	A.R.20
140-742-01	DORADO SUBDIVISION	A.R.21
140-742-02	DORADO SUBDIVISION	A.R.22
140-742-03	DORADO SUBDIVISION	A.R.23
140-742-04	DORADO SUBDIVISION	A.R.24
140-742-05	DORADO SUBDIVISION	A.R.25
140-742-06	DORADO SUBDIVISION	A.R.26

140-742-07	DORADO SUBDIVISION	A.R.27
140-742-08	DORADO SUBDIVISION	A.R.28
140-743-01	DORADO SUBDIVISION	A.R.29
140-743-02	DORADO SUBDIVISION	A.R.30
140-743-03	DORADO SUBDIVISION	A.R.31
140-743-04	DORADO SUBDIVISION	A.R.32
140-743-05	DORADO SUBDIVISION	A.R.33
140-743-06	DORADO SUBDIVISION	A.R.34
140-743-07	DORADO SUBDIVISION	A.R.35
140-743-08	DORADO SUBDIVISION	A.R.36
140-743-09	DORADO SUBDIVISION	A.R.37
140-743-10	DORADO SUBDIVISION	A.R.38
140-743-11	DORADO SUBDIVISION	A.R.39
140-743-12	DORADO SUBDIVISION	A.R.40
140-743-13	DORADO SUBDIVISION	A.R.41
140-743-14	DORADO SUBDIVISION	A.R.42
140-743-15	DORADO SUBDIVISION	A.R.43
140-744-01	DORADO SUBDIVISION	A.R.44
140-744-02	DORADO SUBDIVISION	A.R.45
140-744-03	DORADO SUBDIVISION	A.R.46
140-744-04	DORADO SUBDIVISION	A.R.47
140-744-05	DORADO SUBDIVISION	A.R.48
140-744-06	DORADO SUBDIVISION	A.R.49
140-744-07	DORADO SUBDIVISION	A.R.50
140-744-08	DORADO SUBDIVISION	A.R.51
140-744-09	DORADO SUBDIVISION	A.R.52
140-744-10	DORADO SUBDIVISION	A.R.53
140-744-11	DORADO SUBDIVISION	A.R.54
140-744-12	DORADO SUBDIVISION	A.R.55
140-744-13	DORADO SUBDIVISION	A.R.56
140-744-14	DORADO SUBDIVISION	A.R.57
140-744-15	DORADO SUBDIVISION	A.R.58
140-744-16	DORADO SUBDIVISION	A.R.59
140-744-17	DORADO SUBDIVISION	A.R.60
140-744-18	DORADO SUBDIVISION	A.R 61
140-744-19	DORADO SUBDIVISION	A.R 62
140-744-20	DORADO SUBDIVISION	A.R 63
140-744-21	DORADO SUBDIVISION	A.R 64
140-744-22	DORADO SUBDIVISION	A.R 65
140-744-23	DORADO SUBDIVISION	A.R 66
140-744-24	DORADO SUBDIVISION	A.R 67
140-751-01	DORADO SUBDIVISION	A.R 68
140-751-02	DORADO SUBDIVISION	A.R 69
140-751-03	DORADO SUBDIVISION	A.R 70

140-751-04	DORADO SUBDIVISION	A.R 71
140-751-05	DORADO SUBDIVISION	A.R 72
140-751-06	DORADO SUBDIVISION	A.R 73
140-751-07	DORADO SUBDIVISION	A.R 74
140-751-08	DORADO SUBDIVISION	A.R 75
140-751-09	DORADO SUBDIVISION	A.R 76
140-751-10	DORADO SUBDIVISION	A.R 77
140-751-11	DORADO SUBDIVISION	A.R 78
140-752-01	DORADO SUBDIVISION	A.R 79
140-752-02	DORADO SUBDIVISION	A.R 80
140-752-03	DORADO SUBDIVISION	A.R 81
140-752-04	DORADO SUBDIVISION	A.R 82
140-752-05	DORADO SUBDIVISION	A.R 83
140-752-06	DORADO SUBDIVISION	A.R 84
140-752-07	DORADO SUBDIVISION	A.R 85
140-752-08	DORADO SUBDIVISION	A.R 86
140-752-09	DORADO SUBDIVISION	A.R 87
140-752-10	DORADO SUBDIVISION	A.R 88
140-752-11	DORADO SUBDIVISION	A.R 89
140-752-12	DORADO SUBDIVISION	A.R 90
140-752-13	DORADO SUBDIVISION	A.R 91
140-752-14	DORADO SUBDIVISION	A.R 92
140-752-15	DORADO SUBDIVISION	A.R 93
140-753-01	DORADO SUBDIVISION	A.R 94
140-753-02	DORADO SUBDIVISION	A.R 95
140-753-03	DORADO SUBDIVISION	A.R 96
140-753-04	DORADO SUBDIVISION	A.R 97
140-753-05	DORADO SUBDIVISION	A.R 98
140-753-06	DORADO SUBDIVISION	A.R 99
140-753-07	DORADO SUBDIVISION	A.R 100
140-753-08	DORADO SUBDIVISION	A.R 101
140-753-09	DORADO SUBDIVISION	A.R 102

08-675E ASSESSOR’S RECOMMENDATIONS – 2 (BRIGHTON MANOR SUBDIVISION)

On motion by Chairperson McAlinden, seconded by Member Woodland, which motion duly carried, it was ordered that Assessor’s Recommendations A.R. 1 through A.R. 38 for the Brighton Manor Subdivision be consolidated.

Pete Kinne, Appraiser II, duly sworn, oriented the Board as to the location of the subject properties. He stated Parcel No. 019-542-05 was an additional parcel in the subdivision that needed to be scheduled and had been scheduled for February 20, 2008.

Following review and discussion, on motion by Member Krolick, seconded by Member Horan, which motion duly carried, it was ordered that the following Assessor's Recommendations Nos. A.R 1 through A.R 38, and placed on file with the Clerk, be approved:

ASSESSOR'S PARCEL NO.	OWNER	RCR#
019-531-03	BRIGHTON MANOR SUBDIVISION	A.R 1
019-531-05	BRIGHTON MANOR SUBDIVISION	A.R.2
019-531-06	BRIGHTON MANOR SUBDIVISION	A.R.3
019-532-02	BRIGHTON MANOR SUBDIVISION	A.R.4
019-532-03	BRIGHTON MANOR SUBDIVISION	A.R.5
019-532-04	BRIGHTON MANOR SUBDIVISION	A.R.6
019-532-05	BRIGHTON MANOR SUBDIVISION	A.R.7
019-533-04	BRIGHTON MANOR SUBDIVISION	A.R.8
019-533-07	BRIGHTON MANOR SUBDIVISION	A.R.9
019-533-08	BRIGHTON MANOR SUBDIVISION	A.R.10
019-534-01	BRIGHTON MANOR SUBDIVISION	A.R.11
019-534-02	BRIGHTON MANOR SUBDIVISION	A.R.12
019-534-03	BRIGHTON MANOR SUBDIVISION	A.R.13
019-534-04	BRIGHTON MANOR SUBDIVISION	A.R.14
019-534-05	BRIGHTON MANOR SUBDIVISION	A.R.15
019-534-06	BRIGHTON MANOR SUBDIVISION	A.R.16
019-535-01	BRIGHTON MANOR SUBDIVISION	A.R.17
019-535-02	BRIGHTON MANOR SUBDIVISION	A.R.18
019-535-03	BRIGHTON MANOR SUBDIVISION	A.R.19
019-535-04	BRIGHTON MANOR SUBDIVISION	A.R.20
019-535-05	BRIGHTON MANOR SUBDIVISION	A.R.21
019-535-06	BRIGHTON MANOR SUBDIVISION	A.R.22
019-535-07	BRIGHTON MANOR SUBDIVISION	A.R 23
019-541-02	BRIGHTON MANOR SUBDIVISION	A.R 24
019-541-03	BRIGHTON MANOR SUBDIVISION	A.R 25
019-541-05	BRIGHTON MANOR SUBDIVISION	A.R 26
019-541-06	BRIGHTON MANOR SUBDIVISION	A.R 27
019-541-07	BRIGHTON MANOR SUBDIVISION	A.R 28
019-541-08	BRIGHTON MANOR SUBDIVISION	A.R 29
019-542-01	BRIGHTON MANOR SUBDIVISION	A.R 30
019-542-02	BRIGHTON MANOR SUBDIVISION	A.R 31
019-542-03	BRIGHTON MANOR SUBDIVISION	A.R 32
019-542-04	BRIGHTON MANOR SUBDIVISION	A.R 33
019-543-01	BRIGHTON MANOR SUBDIVISION	A.R 34
019-543-02	BRIGHTON MANOR SUBDIVISION	A.R 35
019-543-03	BRIGHTON MANOR SUBDIVISION	A.R 36
019-543-04	BRIGHTON MANOR SUBDIVISION	A.R 37

ASSESSOR'S PARCEL NO.	OWNER	RCR#
019-543-05	BRIGHTON MANOR SUBDIVISION	A.R 38

08-676E ASSESSOR'S RECOMMENDATIONS – 3 (SIENNA RIDGE)

On motion by Chairperson McAlinden, seconded by Member Horan, which motion duly carried, it was ordered that Assessor's Recommendations A.R. 1 through A.R. 104 for Sienna Ridge be consolidated.

Pete Kinne, Appraiser II, duly sworn, oriented the Board as to the location of the subject properties.

Following review and discussion, on motion by Member Krolick, seconded by Member Horan, which motion duly carried, it was ordered that the following Assessor's Recommendations Nos. A.R 1 through A.R 104, and placed on file with the Clerk, be approved:

ASSESSOR'S PARCEL NO	OWNER	RCR#
003-781-14	SIENNA RIDGE	A.R.1
003-781-15	SIENNA RIDGE	A.R.2
003-781-16	SIENNA RIDGE	A.R.3
003-781-17	SIENNA RIDGE	A.R.4
003-781-18	SIENNA RIDGE	A.R.5
003-781-19	SIENNA RIDGE	A.R.6
003-781-20	SIENNA RIDGE	A.R.7
003-781-21	SIENNA RIDGE	A.R.8
003-781-22	SIENNA RIDGE	A.R.9
003-781-23	SIENNA RIDGE	A.R.10
003-782-01	SIENNA RIDGE	A.R.11
003-782-02	SIENNA RIDGE	A.R.12
003-782-03	SIENNA RIDGE	A.R.13
003-782-04	SIENNA RIDGE	A.R.14
003-783-01	SIENNA RIDGE	A.R.15
003-783-02	SIENNA RIDGE	A.R.16
003-783-03	SIENNA RIDGE	A.R.17
003-783-06	SIENNA RIDGE	A.R.18
003-783-07	SIENNA RIDGE	A.R.19
003-783-08	SIENNA RIDGE	A.R.20
003-783-09	SIENNA RIDGE	A.R.21
003-783-10	SIENNA RIDGE	A.R.22
003-783-11	SIENNA RIDGE	A.R.23
003-783-12	SIENNA RIDGE	A.R.24
003-783-13	SIENNA RIDGE	A.R.25

003-783-14	SIENNA RIDGE	A.R.26
003-791-01	SIENNA RIDGE	A.R.27
003-791-02	SIENNA RIDGE	A.R.28
003-791-03	SIENNA RIDGE	A.R.29
003-791-04	SIENNA RIDGE	A.R.30
003-791-05	SIENNA RIDGE	A.R.31
003-791-06	SIENNA RIDGE	A.R.32
003-791-07	SIENNA RIDGE	A.R.33
003-791-08	SIENNA RIDGE	A.R.34
003-791-09	SIENNA RIDGE	A.R.35
003-791-10	SIENNA RIDGE	A.R.36
003-791-11	SIENNA RIDGE	A.R.37
003-791-12	SIENNA RIDGE	A.R.38
003-791-13	SIENNA RIDGE	A.R.39
003-791-14	SIENNA RIDGE	A.R.40
003-792-01	SIENNA RIDGE	A.R.41
003-792-02	SIENNA RIDGE	A.R.42
003-792-03	SIENNA RIDGE	A.R.43
003-792-04	SIENNA RIDGE	A.R.44
003-811-01	SIENNA RIDGE	A.R.45
003-811-02	SIENNA RIDGE	A.R.46
003-811-03	SIENNA RIDGE	A.R.47
003-811-04	SIENNA RIDGE	A.R.48
003-811-05	SIENNA RIDGE	A.R.49
003-811-06	SIENNA RIDGE	A.R.50
003-811-07	SIENNA RIDGE	A.R.51
003-811-08	SIENNA RIDGE	A.R.52
003-811-09	SIENNA RIDGE	A.R.53
003-812-01	SIENNA RIDGE	A.R.54
003-812-02	SIENNA RIDGE	A.R.55
003-812-03	SIENNA RIDGE	A.R.56
003-813-07	SIENNA RIDGE	A.R.57
003-813-08	SIENNA RIDGE	A.R.58
003-813-09	SIENNA RIDGE	A.R.59
003-813-10	SIENNA RIDGE	A.R.60
003-813-11	SIENNA RIDGE	A.R.61
003-813-12	SIENNA RIDGE	A.R.62
003-813-13	SIENNA RIDGE	A.R.63
003-813-14	SIENNA RIDGE	A.R.64
003-813-15	SIENNA RIDGE	A.R.65
003-813-16	SIENNA RIDGE	A.R.66
003-813-17	SIENNA RIDGE	A.R.67
003-813-18	SIENNA RIDGE	A.R.68
003-813-20	SIENNA RIDGE	A.R.69

003-813-21	SIENNA RIDGE	A.R.70
003-813-22	SIENNA RIDGE	A.R.71
003-821-01	SIENNA RIDGE	A.R.72
003-821-02	SIENNA RIDGE	A.R.73
003-821-03	SIENNA RIDGE	A.R.74
003-821-04	SIENNA RIDGE	A.R.75
003-821-05	SIENNA RIDGE	A.R.76
003-821-06	SIENNA RIDGE	A.R.77
003-821-07	SIENNA RIDGE	A.R.78
003-821-08	SIENNA RIDGE	A.R.79
003-822-01	SIENNA RIDGE	A.R.80
003-822-02	SIENNA RIDGE	A.R.81
003-822-03	SIENNA RIDGE	A.R.82
003-822-04	SIENNA RIDGE	A.R.83
003-822-05	SIENNA RIDGE	A.R.84
003-822-06	SIENNA RIDGE	A.R.85
003-822-07	SIENNA RIDGE	A.R.86
003-841-11	SIENNA RIDGE	A.R.87
003-841-12	SIENNA RIDGE	A.R.88
003-841-13	SIENNA RIDGE	A.R.89
003-841-15	SIENNA RIDGE	A.R.90
003-841-16	SIENNA RIDGE	A.R.91
003-841-17	SIENNA RIDGE	A.R.92
003-841-18	SIENNA RIDGE	A.R.93
003-841-19	SIENNA RIDGE	A.R.94
003-841-20	SIENNA RIDGE	A.R.95
003-841-21	SIENNA RIDGE	A.R.96
003-841-22	SIENNA RIDGE	A.R.97
003-841-23	SIENNA RIDGE	A.R.98
003-841-24	SIENNA RIDGE	A.R.99
003-841-25	SIENNA RIDGE	A.R.100
003-841-26	SIENNA RIDGE	A.R.101
003-841-27	SIENNA RIDGE	A.R.102
003-843-09	SIENNA RIDGE	A.R.103
003-843-10	SIENNA RIDGE	A.R.104

08-677E PARCEL NO. 008-061-03 – CLARITY, DANIEL E. ETAL –
HEARING NO. 08-0010F07

A Petition for Review of Assessed Valuation received from Patricia Clarity, protesting tax exemption status on land and improvements located at 1350 Manhattan St., Washoe County, Nevada, was set for consideration at this time.

The following exhibits were submitted into evidence:

Assessor

Exhibit I, NRS 361.155

Exhibit II, appraisal record

Exhibit III, Assessor's Hearing Evidence Packet, pages 1 through 2

Ivy Diezel, Department System Support Analyst, duly sworn, stated this was an appeal on a personal exemption that was being applied to real property. She explained a personal exemption could be given to a person not a property and in this case the person who qualified for the exemption under NRS 361.085 was Patricia Clarity. She applied for the exemption in 2004 on her real property and was mailed a renewal card the following year. She stated in 2006 the Petitioner did not return the renewal card, therefore no exemption was applied and pursuant to NRS 361.085(2) a new renewal card was not mailed out. Ms. Diezel stated the taxpayer came in to the Assessor's Office in August 2007 and indicated she was not aware the card had to be filled out each year.

The Petitioner was not present.

Chairperson McAlinden closed the hearing.

Based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Krolick, seconded by Member Horan, which motion duly carried, it was ordered that the exemption status on Parcel No. 008-061-03 be reinstated.

**08-678E PARCEL NO. 232-352-03 - RAYMUNDO, RAY S AND
FLORDELIZA A – HEARING NO. 08-0015F07**

A Petition for Review of Assessed Valuation received from Ray Raymundo, protesting the tax exemption status on land and improvements located at 2120 Peavine, Washoe County, Nevada, was set for consideration at this time.

The following exhibits were submitted into evidence:

Assessor

Exhibit I, NRS 361.155

Exhibit II, appraisal record

Exhibit III, Assessor's Hearing Evidence Packet, pages 1 through 2

Ivy Diezel, Department System Support Analyst, duly sworn, stated this was a personal exemption that the Petitioner selected to apply to the real property. She indicated the renewal card was mailed to the Petitioner and not returned. Ms. Diezel said this qualified for exemption under NRS 361.091 as a disabled veteran with a 100 percent disability. She testified the Petitioner did not know he had to reapply each year.

Chairperson McAlinden asked what a veteran needed to provide to the Assessor's Office to verify their disability. Ms. Diezel replied they needed verification

from the Veteran's Administration as to the percent of disability and the disability had to occur in association with their service.

The Petitioners were not present.

Chairperson McAlinden closed the hearing.

Based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Horan, which motion duly carried, it was ordered that the exemption status on Parcel No. 232-352-03 be reinstated.

**08-679E PARCEL NO. 011-172-14 – US BANCORP –
HEARING NO. 08-1656**

A Petition for Review of Assessed Valuation received from US Bancorp, protesting the taxable valuation on land and improvements located at 300 S. Virginia St., Washoe County, Nevada, was set for consideration at this time.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A, 7 page packet dated January 15, 2008

Exhibit B, Liberty Rent Roll and email dated February 5, 2008

Exhibit C, US Bank Building analysis

Assessor

Exhibit I, appraisal record

Exhibit II, Assessor's Hearing Evidence Packet, including comparable sales, maps and subject's appraisal record, pages 1 through 10

Mark Stafford, Senior Appraiser, duly sworn, oriented the Board as to the location of the subject property.

The Petitioner was not present.

Appraiser Stafford reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed full cash value. He further testified that this appeal was brought forth by a tax representative for US Bank Corp. and indicated there had been numerous telephone conversations regarding the parcel. Appraiser Stafford stated there was no agreement on net leasable area and the area occupied by the owner. He explained more work needed to be completed to establish the square footage with regard to owner/occupancy. He said the representative elected not to attend the hearing and file with the State Board of Equalization.

Chairperson McAlinden closed the hearing.

Based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Green, seconded by Chairperson McAlinden, which motion duly carried, it was ordered that the taxable value of the land and improvements on Parcel No. 011-172-14 be upheld. The Board also made the finding that the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

**08-680E PARCEL NO. 019-341-02 – WINDSOR WEST VENTURES LLC-
HEARING NO. 08-0964**

A Petition for Review of Assessed Valuation received from Windsor West Ventures LLC, protesting the taxable valuation on land and improvements located at 745 W Moana Lane, Washoe County, Nevada, was set for consideration at this time.

The following exhibits were submitted into evidence:

Assessor

Exhibit I, appraisal record,

Exhibit II, Assessor's Hearing Evidence Packet, including comparable sales, maps and subject's appraisal record, pages 1 through 15

Van Yates, Appraiser III, duly sworn, oriented the Board as to the location of the subject property. Appraiser Yates recommended a reduction in value and stated the taxpayer was in agreement with the value reduction.

The Petitioner was not present.

Chairperson McAlinden closed the hearing.

Based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Chairperson McAlinden, seconded by Member Woodland, which motion duly carried, it was ordered that the taxable value of the improvements on Parcel No. 019-341-02 be reduced to \$8,205,570, and that the taxable value of the land be upheld, for a total taxable value of \$8,900,000. The Board also made the finding that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

**08-681E PARCEL NO. 163-180-11 – BRUSCO, DONALD B AND DIANE I
TR – HEARING NO. 08-1419**

A Petition for Review of Assessed Valuation received from Donald and Diane Brusco, protesting the taxable valuation on land and improvements located at 9460 Double R Blvd., Washoe County, Nevada, was set for consideration at this time.

The following exhibits were submitted into evidence:

Assessor

Exhibit I, fax from Petitioner dated February 12, 2008

Exhibit II, appraisal record

Exhibit III, Assessor's Hearing Evidence Packet, including comparable sales, maps and subject's appraisal record, pages 1 through 14

Van Yates, Appraiser III, duly sworn, oriented the Board as to the location of the subject property. Appraiser Yates recommended a reduction in value based on low occupancy of the building and that the building was unusually large for an office/condominium. He said the taxpayer was in agreement with the reduction in value.

The Petitioner was not present.

Chairperson McAlinden closed the hearing.

Based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Green, which motion duly carried, it was ordered that the taxable value of the improvements on Parcel No. 163-180-11 be reduced to \$1,941,200, and that the taxable value of the land be upheld, for a total taxable value of \$2,575,000. The Board also made the finding that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

08-682 PARCEL NO. 164-352-25 – SDA TCD VA LLC –
HEARING NO. 08-0736

A Petition for Review of Assessed Valuation received from SDA TCD VA, LLC, protesting the taxable valuation on land and improvements located at 5460 Reno Corporate Dr., Washoe County, Nevada, was set for consideration at this time.

The following exhibits were submitted into evidence:

Assessor

Exhibit I, appraisal record

Exhibit II, Assessor's Hearing Evidence Packet, including comparable sales, maps and subject's appraisal record, pages 1 through 14

Van Yates, Appraiser III, duly sworn, oriented the Board as to the location of the subject property. Appraiser Yates recommended a reduction in land value based on recent land sales in the area that reduced the square footage to \$13 per square foot. He noted the taxpayer was in agreement.

The Petitioner was not present.

Chairperson McAlinden closed the hearing.

Based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Green, seconded by Chairperson McAlinden, which motion duly carried, it was ordered that the taxable value of the land on Parcel No. 164-352-25 be reduced to \$1,443,442, and that the taxable value of the improvements be upheld, for a total taxable value of \$6,101,344. The Board also made the finding that with this adjustment, the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

08-683E HEARING NO. 08-0035PP – BC AVIATION LLC –
PERSONAL PROPERTY I.D. NO. 5101070

A Petition for Review of Assessed Valuation received from BC Aviation LLC, protesting the taxable valuation on personal property was set for consideration at this time.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A, payment schedule dated December 3, 2007

Assessor

Exhibit I, Assessor's Hearing Evidence Packet, pages 1 through 24

Mark Stafford, Senior Appraiser, duly sworn, oriented the Board as to the location of the subject property.

The Petitioner was not present.

Appraiser Stafford stated this concerned the valuation for the 2007 tax year and, based on a reporting error done by the taxpayer, he recommended a reduction. He said the property was a 1997 Lear Jet Model 60 located at the Reno-Tahoe Airport. He said the taxpayer incorrectly reported the acquisition price in 2004 of approximately \$7 million; however, it was determined that the person employed by the company reported the principal amount plus interest or the total cost paid plus financing for the aircraft. Appraiser Stafford determined that the actual acquisition price was \$5,385,000 in 2004 and recalculated that value and recommended that the taxable value be adjusted to \$4,166,450, which was based upon the correct acquisition price and year of acquisition. He stated the taxpayer was advised of this and in agreement.

Chairperson McAlinden closed the hearing.

Based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Chairperson McAlinden, seconded by Member Woodland, which motion duly carried, it was ordered that since the Assessor's Office appraised the wrong sales price reported, Personal Property I.D. No 5101070 be reduced to \$4,166,450

for a total taxable value of \$4,166,450. The Board also made the finding that, with this adjustment, the personal property is valued correctly and the total taxable value does not exceed full cash value.

4:35 p.m. Member Krolick left the meeting.

08-684E **PARCEL NO. 017-360-22 – REPTILE RIDGE PROPERTIES – HEARING NO. 08-1214**

A Petition for Review of Assessed Valuation received from Reptile Ridge Properties Inc., protesting the taxable valuation on land and improvements located on Andrew Lane, Washoe County, Nevada, was set for consideration at this time.

The following exhibits were submitted into evidence:

Assessor

Exhibit I, appraisal record

Exhibit II, Assessor's Hearing Evidence Packet, including comparable sales, maps and subject's appraisal record, pages 1 through 8

Pat O'Hair, Appraiser III, duly sworn, oriented the Board as to the location of the subject property.

The Petitioner was not present.

Appraiser O'Hair reviewed sales of comparable properties substantiating that the Assessor's total taxable value does not exceed full cash value.

Chairperson McAlinden closed the hearing.

Based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Chairperson McAlinden, which motion duly carried with Member Krolick absent, it was ordered that the taxable value of the land and improvements on Parcel No. 017-360-22 be upheld. The Board also made the finding that the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

BOARD MEMBER COMMENTS

Chairperson McAlinden requested a discussion and possible action regarding the administrative procedure to handle receipt of evidence received after the petition has been heard and the hearing was closed, and recommended this be agendized for the February 21, 2008 meeting.

PUBLIC COMMENT

Josh Wilson responded to Board concerns about the subdivision discounts. He explained whether the regulatory authority granted a subdivision discount and if the Assessor's Office had properly applied that resulting in taxation ramifications of a tax cap bill was not necessarily the jurisdiction of this Board. He said if the regulations were written in such a way that these subdivision discounts could never be reinstated he would go to the Nevada Tax Commission. He explained the recommendations of staff were to grant the adjustments pursuant to the Administrative Code.

* * * * *

4:58 p.m. There being no further hearings or business to come before the Board, on motion by Member Woodland, seconded by Member Horan, which motion duly carried, it was ordered that the Board adjourn.

BENJAMIN GREEN, Vice Chairman
Washoe County Board of Equalization

ATTEST:

AMY HARVEY, County Clerk
and Clerk of the Washoe County
Board of Equalization

*Minutes prepared by
Stacy Gonzales, Deputy Clerk*