

<p><b>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO</b> 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p><b>NASSER OSSAREH,</b> v.</p> <p>Respondent:</p> <p><b>DOUGLAS COUNTY BOARD OF EQUALIZATION.</b></p>	<p><b>Docket No.: 43986</b></p>
<p><b>ORDER</b></p>	

**THIS MATTER** was heard by the Board of Assessment Appeals on February 15, 2006, Diane M. DeVries and Lyle Hansen presiding. Petitioner appeared pro se. Respondent was represented by George Rosenberg, Esq. Petitioner is protesting the 2004 actual value of the subject property.

**PROPERTY DESCRIPTION:**

Subject property is described as follows:

**6939 N. Village Road, Parker, Colorado  
Douglas County Schedule No. 2347-07-0-06-010**

The subject property is a two-story single-family residence with four bedrooms and four bathrooms constructed in 2001 on a 3.2-acre parcel. The residence has 3,480 square feet of above grade living area, a 1,777 square foot unfinished walkout basement and an 804 square foot built-in garage.

**FINDINGS OF FACT:**

1. Petitioner contends that the subject property was overvalued based on the following:
  - The subject property was not valued on an equal basis with other properties in the subdivision.
  - Respondent’s comparable sales are unrelated to the subject property and are situated in a distant location.

- Respondent used the wrong parameters when comparing the comparable sales to the subject property, and specifically failed to consider the condition of the subject property.
- Respondent's adjustment for view was improper.

2. Petitioner did not present any estimates related to the cost to cure the subject property's deficiencies.

3. Petitioner is requesting a 2004 actual value of \$508,000.00 for the subject property but presented no comparable sales to substantiate the requested value.

4. Respondent did not perform an interior inspection of the subject property, as Petitioner believed that all information necessary to arrive at an accurate conclusion of value was contained in Douglas County's records. The Board disagrees. Physical inspections of properties are an integral component of standard appraisal practice, and provide the baseline from which accurate adjustments to the comparable sales are determined.

5. Respondent presented an indicated value of \$565,500.00 for the subject property based on the market approach.

6. Respondent presented three comparable sales ranging in sales price from \$528,600.00 to \$590,000.00 and in size from 3,062 to 3,388 square feet. After adjustments for time and differences in physical characteristics, the sales ranged from \$554,444.38 to \$592,660.00.

7. Respondent stated that Comparable Sale 1 is adjacent to the subject property. Respondent's Comparable Sales 2 and 3 are located in comparable neighborhoods and are of comparable quality to the subject property.

8. Respondent stated that Comparable Sale 1 provides the best indication of value for the subject property, as it is most similar in location and view.

9. Respondent assigned an actual value of \$565,500.00 to the subject property for tax year 2004.

### **CONCLUSIONS OF LAW:**

1. Respondent presented sufficient probative evidence and testimony to prove that the subject property was correctly valued for tax year 2004.

2. In arriving at its conclusion of value, the Board relied primarily on Respondent's Sale 1 and secondarily on Respondent's Sales 2 and 3. The Board determined that the adjustments made to Respondent's comparable sales for view, quality and location were substantiated.

**ORDER:**

The petition is denied.

**APPEAL:**

Petitioner may petition the Court of Appeals for judicial review within 45 days from the date of this decision.

If Respondent alleges procedural errors or errors of law by this Board, Respondent may petition the Court of Appeals for judicial review within 30 days from the date of this decision.

**DATED and MAILED** this 1<sup>st</sup> day of March 2006.

**BOARD OF ASSESSMENT APPEALS**

*Diane M. DeVries*

Diane M. DeVries

*Lyle D. Hansen*

Lyle D. Hansen

This decision was put on the record

**MAR 01 2006**

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

*Penny S. Lowenthal*

Penny S. Lowenthal

