

<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>DARREN V. ROGERS AND SUSAN D. PERRIN,</b></p> <p>v.</p> <p>Respondent:</p> <p><b>ADAMS COUNTY BOARD OF EQUALIZATION.</b></p>	<p><b>Docket No.: 44839</b></p>
<p><b>ORDER</b></p>	

**THIS MATTER** was heard by the Board of Assessment Appeals on June 8, 2006, Debra A. Baumbach and Steffen A. Brown presiding. Petitioner appeared pro se. Respondent was represented by Nathan Lucero, Esq. Petitioner is protesting the 2005 actual value of the subject property.

**PROPERTY DESCRIPTION:**

Subject property is described as follows:

**9456 Steele Drive, Thornton, Colorado  
(Adams County Schedule No. R0124468)**

The subject property consists of a 1,917 square foot two-story dwelling built in 2001 on a 6,833 square foot site.

**FINDINGS OF FACT:**

1. Petitioner presented the Appraisal Report prepared by the Adams County Assessor’s Office for the July 18, 2005 County Board of Equalization hearing (Petitioner’s Exhibit 1).

2. Petitioner maintains that Sales 1 and 2 are not comparable to the subject property, as they have walkout basements and should be considered three-story homes. We disagree. In standard appraisal practice, Comparable Sales 1 and 2 would be considered two-story dwellings with walkout basements. As indicated in Respondent’s Exhibit A, the prices of the comparable sales with

3. Petitioner believes that Sale 3 is most comparable to the subject property. However, the lot size of Sale 3 is 3,314 square feet larger than the subject's lot size. No adjustment was made to reflect the difference in lot sizes. Respondent did not find any market-based evidence to indicate that larger lots garner higher sales prices and Petitioner did not provide any evidence to substantiate that larger lots sell for more than smaller lots.

4. The subject property backs to an open field that is not maintained, which Petitioner asserts is not as desirable as the comparable sales that have greenbelt or corner locations. Petitioner did not present any market data with which to support a location adjustment and Respondent did not find any evidence that these differences in location affect sales prices.

5. Petitioner is requesting a 2005 actual value of \$216,000 for the subject property.

6. Respondent presented an indicated value of \$245,000 for the subject property based on the market approach.

7. Respondent presented three comparable sales ranging in sales price from \$231,600 to \$263,900 and in size from 1,883 to 1,917 square feet. After adjustments for differences in physical characteristics, the sales ranged from \$229,254 to \$257,922. Based on the market approach, Respondent concluded to an indicated value for the subject property of \$245,000. The value indicated by Respondent's market approach is well substantiated.

8. Respondent assigned an actual value of \$245,000 to the subject property for tax year 2005.

### **CONCLUSIONS OF LAW:**

Respondent presented sufficient probative evidence and testimony to prove that the subject property was correctly valued for tax year 2005.

### **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 22<sup>nd</sup> day of June 2006.

**BOARD OF ASSESSMENT APPEALS**

*Debra A. Baumbach*

Debra A. Baumbach

*Steffen A. Brown*

Steffen A. Brown

This decision was put on the record

**JUN 21 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

