

<p>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p>CLIFFORD R. YOUNG,</p> <p>v.</p> <p>Respondent:</p> <p>JEFFERSON COUNTY BOARD OF EQUALIZATION.</p>	<p>Docket No.: 45883</p>
<p>ORDER</p>	

THIS MATTER was heard by the Board of Assessment Appeals on September 22, 2006, Karen E. Hart and Diane M. DeVries presiding. Petitioner appeared pro se. Respondent was represented by Eric Butler, Esq. Petitioner is protesting the 2005 actual value of the subject property.

PROPERTY DESCRIPTION:

Subject property is described as follows:

**11114 Thomas Drive, Conifer, Colorado
Jefferson County Schedule No. 418419**

The subject property consists of 1,366 square foot two-story barn-like garage/apartment built on 7.07 acres in 1989.

FINDINGS OF FACT:

1. The Petitioner did not present a market approach as he does not believe that any of the Conifer Mountain sales are similar to the subject property.
2. The Petitioner presented a videotape showing the layout of the subject property. The first floor consists of a small eating area, kitchen, and bathroom. A living room and a bedroom are located on the second floor. The basement consists of the garage, a utility room and a closet.

3. Petitioner is requesting a 2005 actual value of \$200,000.00 for the subject property.

4. Respondent presented an indicated value of \$264,000.00 for the subject property based on the market approach.

5. Respondent presented three comparable sales ranging in sales price from \$210,000.00 to \$285,000.00 and in size from 1,008 to 1,873 square feet. After adjustments were made, the sales ranged from \$239,000.00 to \$282,400.00.

6. The indicated value of the subject property was depreciated by 10 percent to reflect functional obsolescence due to the layout of the area.

7. Respondent assigned an actual value of \$264,000.00 to the subject property for tax year 2005.

CONCLUSIONS OF LAW:

1. Petitioner presented sufficient probative evidence and testimony to prove that the subject property was incorrectly valued for tax year 2005.

2. The layout of the subject property warrants a greater adjustment for functional obsolescence. Therefore, the lower end of the range of comparable sales presented was determined to more accurately reflect the value of the subject property.

3. The 2005 actual value of the subject property should be reduced to \$240,000.00, with \$184,250.00 allocated to land and \$55,750.00 allocated to improvements.

ORDER:

Respondent is ordered to reduce the 2005 actual value of the subject property to \$240,000.00, with \$184,250.00 allocated to land and \$55,750.00 allocated to improvements.

The Jefferson County Assessor is directed to change his records accordingly.

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 6th day of October 2006.

BOARD OF ASSESSMENT APPEALS

Karen E. Hart

Karen E. Hart

Diane M. DeVries

Diane M. DeVries

This decision was put on the record

OCT 06 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

