

<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>LOUIS A. AND MARY K. KOZOIL,</b></p> <p>v.</p> <p>Respondent:</p> <p><b>TELLER COUNTY BOARD OF EQUALIZATION.</b></p>	<p><b>Docket No.: 48310</b></p>
<p><b>ORDER</b></p>	

**THIS MATTER** was heard by the Board of Assessment Appeals on April 15, 2008, James R. Meurer and Diane M. DeVries presiding. Louis A. Kozoil appeared pro se for Petitioners. Respondent was represented by Richard G. Wood, Esq. Petitioners are protesting the 2007 actual value of the subject property.

**PROPERTY DESCRIPTION:**

Subject property is described as follows:

**111 Golden Court, Woodland Park, Colorado  
(Teller County Schedule No. R0023425)**

The subject property is a single family residence located at 111 Golden Court, Woodland Park, Colorado

Petitioners did not present a market approach to value. Petitioners purchased the subject property June 30, 2006 for \$206,000.00. Petitioners experienced a fire at their previous residence and purchased the subject property for a place for the family to live and explained that the purchase was in duress and they felt they had no alternative but to continue with the closing.

Certain personal property was included in the sale of the subject property since Petitioners experienced a total loss of all property in the fire that occurred in April 2006. Petitioners believe that personal property they received should be deducted from the purchase price. Petitioners provided costs of the personal property as if new.

Petitioners are requesting a 2007 actual value of \$201,782.00 for the subject property.

The parties agreed that the purchase of the subject property should be used to establish actual value; the only issue was whether the personal property Petitioners received from the sellers should be deducted from the sales price.

Respondent assigned an actual value of \$206,000.00 to the subject property for tax year 2007. Respondent did not provide a market approach to the Board and valued the subject property at the purchase price which occurred June 30, 2006. The personal property received by Petitioners was in exchange for the condition the subject property.

Petitioners did not present sufficient probative evidence and testimony to prove the subject property was incorrectly valued for tax year 2007. The Board agrees in valuing the subject property at the purchase price and feels that no further reduction should be applied for personal property that Petitioners received from the seller. After careful consideration of the evidence and testimony presented by the parties, the Board does not agree that a portion of the purchase price of the subject property was devoted to personal property items.

### **ORDER:**

The petition is denied.

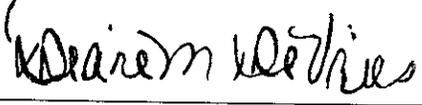
### **APPEAL:**

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 Colorado Revised Statutes ("CRS") section 24-4-106(11) (commenced by the filing of a notice of appeal with the Court of Appeals within forty-five days after the date of the service of the final order entered). Colo. Rev. Stat. § 39-8-108(2) (2007).

DATED and MAILED this 7<sup>th</sup> day of May 2008.

BOARD OF ASSESSMENT APPEALS

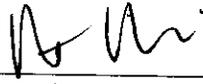
  
James Meurer

  
Diane M. DeVries

This decision was put on the record

MAY 07 2008

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

  
Heather Heinlein

