

<p>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p>THEKKEURIMBIL & DHARMAJAC RAVIENDRAN,</p> <p>v.</p> <p>Respondent:</p> <p>DOUGLAS COUNTY BOARD OF EQUALIZATION.</p>	<p>Docket No.: 49225</p>
<p>ORDER</p>	

THIS MATTER was heard by the Board of Assessment Appeals on October 15, 2008 Karen E. Hart and Debra A. Baumbach presiding. Thekkeurimbil Raviendran appeared pro se for Petitioners. Respondent was represented by Michelle Whisler, Esq. Petitioners are protesting the 2007 actual value of the subject property.

PROPERTY DESCRIPTION:

Subject property is described as follows:

**8331 Augusta Place, Lonetree, Colorado
(Douglas County Schedule No. R0329097)**

The subject is a stucco and frame, two-story, single-family residence built in 1987. There are 3,786 square feet of above grade living area. The basement consists of 2,133 square feet with 1,898 square feet of finish. There is a three-car garage and patio. The subject is located in a golf course community.

Petitioners presented an indicated value of \$825,000.00 for the subject property.

Petitioners did not present any comparable sales for consideration. Mr. Raviendran testified the subject property is considered to be a unique style single-family residence and there were no suitable sales for comparison.

Petitioners contend Respondent has incorrectly reported the subject's physical characteristics. There are reported discrepancies with respect to the square footage, style, and amenities. Respondent has calculated three different measurements for the square footage and rated the design/style as a 2-story not a 1½-story. The rear yard backs up to the 10th tee box on a golf course. There is no view of the golf course and there is traffic noise from Lincoln Avenue. Additionally, the roof leaked causing water damage to the windows, flooring, and drywall requiring moderate repairs.

Regarding Respondent's sales, Mr. Raviendran testified the sales used are superior in quality, condition, size, style, and market appeal. The value derived is overstated as a result of adjustments made based on the discrepancies. Respondent has not given adequate consideration to the all the factors affecting the subject property.

Petitioners are requesting a 2007 actual value of \$825,000.00 for the subject property.

Respondent presented an indicated value of \$995,000.00 for the subject property based on the market approach.

Respondent presented three comparable sales ranging in sales price from \$1,070,000.00 to \$1,150,000.00 and in size from 3,578 to 4,229 square feet. After adjustments the sales ranged from \$977,967.00 to \$1,030,655.00.

The Douglas County Assessor's Office performed a physical inspection of the exterior and interior of the subject property. The square footage was calculated by exterior measurements. As to the differences in reported square footage, the other numbers were based on previous measurements and the property record card. Respondent's witness selected comparable sales and made adjustments based on the inspection.

Respondent contends all the comparable sales are similar in size, style, quality, location, and condition. The sales are located on the golf course and share similar traffic influence. An adjustment was made for view as the sales have superior views. Adjustments were made for all physical differences including time, design, condition, and square footage. After the interior inspection it was determined that the style is a 2-story and not a 1½-story and adjustments were made for square foot differences.

Respondent's witness testified he adjusted for all factors affecting the subject property. An adjustment was made for condition taking into account the water damage caused by the leaky roof. The assigned value is well below the indicated value and takes into consideration any other factors.

Respondent assigned an actual value of \$975,000.00 to the subject property for tax year 2007.

Respondent presented sufficient probative evidence and testimony to prove that the subject was properly valued for tax year 2007.

The Board gave most weight to Respondent's appraisal report. The comparable sales are similar and adjustments were made for all differences in physical characteristics. Respondent made a physical inspection of the interior and exterior of the subject property. The property was measured and the Board relied on Respondent's measurements as Petitioners did not provide the Board with reliable data refuting the reported square footage.

Respondent did adjust for condition taking into account the water damage caused by the leaky roof. The assigned value is below the indicated value taking into consideration any other factors affecting the subject.

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 CRS § 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).

If the decision of the Board is against Respondent, Respondent, upon the recommendation of the Board that it either is a matter of statewide concern or has resulted in a significant decrease in the total valuation of the respondent county, may petition the Court of Appeals for judicial review according to the Colorado appellate rules and the provisions of CRS § 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).

In addition, if the decision of the Board is against Respondent, Respondent may petition the Court of Appeals for judicial review of alleged procedural errors or errors of law within thirty days of such decision when Respondent alleges procedural errors or errors of law by the Board.

If the Board does not recommend its decision to be a matter of statewide concern or to have resulted in a significant decrease in the total valuation of the respondent county, Respondent may petition the Court of Appeals for judicial review of such questions within thirty days of such decision.

CRS § 39-8-108(2) (2008).

DATED and MAILED this 5th day of November 2008.

BOARD OF ASSESSMENT APPEALS

Karen E Hart

Karen E. Hart

Debra A Baumbach

Debra A. Baumbach

This decision was put on the record

NOV 04 2008

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

Heather Flannery

Heather Flannery

