

<p>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p>JON BOND,</p> <p>v.</p> <p>Respondent:</p> <p>BOULDER COUNTY BOARD OF EQUALIZATION.</p>	<p>Docket No.: 49262</p>
<p>ORDER</p>	

THIS MATTER was heard by the Board of Assessment Appeals on November 3, 2008, Karen E. Hart and Diane M. DeVries presiding. Petitioner appeared pro se. Respondent was represented by Michael A. Koertje, Esq. Petitioner is protesting the 2007 actual value of the subject property.

PROPERTY DESCRIPTION:

Subject property is described as follows:

**911 Pine Street, Boulder, Colorado
(Boulder County Schedule No. R0006865)**

The subject property consists of a single-family residence built in 1883, added on in 1941 and 1961, and remodeled in 1997-98. The subject has a total of 2,923 square feet, 1,438 square feet on the first floor and 1,485 square feet on the second floor, four bedrooms, two full baths, and a 480 square foot detached garage. The property is located in the City of Boulder Mapleton Hill Historic District.

Petitioner believes that the architectural integrity has not been maintained. There has been property damage and the subject property is in disrepair.

Based on the market approach, Petitioner presented an indicated value of \$755,005.00 for the subject property.

Petitioner presented three comparable sales ranging in sales price from \$700,000.00 to \$735,000.00 and in size from 2,097 to 2,530 square feet. After adjustments were made for time trending, the sales ranged from \$732,900.00 to \$783,510.00. These sales were not in the Mapleton Hill Historic District.

Petitioner provided photographs of the subject property showing old and recurrent structural damage on brick veneer. The porch showed cracking as well. No cost-to-cure estimates were submitted to the Board.

Petitioner is requesting a 2007 actual value of \$755,005.00 for the subject property.

Respondent presented an indicated value of \$830,000.00 for the subject property based on the market approach.

Respondent presented three comparable sales ranging in sales price from \$650,000.00 to \$950,000.00 and in size from 1,442 to 2,228 square feet. After adjustments were made, the sales ranged from \$766,000.00 to \$929,000.00. Respondent's witness adjusted for time, location, land size, above-grade square footage, basement square footage, baths, and condition.

Respondent assigned an actual value of \$887,200.00 to the subject property for tax year 2007.

Sufficient probative evidence and testimony was presented to prove that the subject property was incorrectly valued for tax year 2007. Respondent used comparable sales that occurred within the Mapleton Hill Historic District and all sales were within a few blocks of the subject property. Respondent's witness took into consideration the condition of the subject property and the comparable sales. The sales used by Respondent were built in 1883, 1900, and 1930, respectively. The subject property is considered to have an adjusted year built of 1916. After doing a site-specific appraisal and making adjustments based on a physical inspection, Respondent's witness recommends a value reduction to \$830,000.00. The Board agrees that the adjustments made were adequate to address Petitioner's concerns.

Petitioner used three comparable sales outside of the Mapleton Hill Historic District. The Board determines that Petitioner's sales did not have the same restrictions as the subject and the comparable sales used by Respondent. Petitioner adjusted only for time.

The Board believes that the evidence and testimony supports a 2007 actual value of \$830,000.00 for the subject property.

ORDER:

Respondent is ordered to reduce the 2007 actual value of the subject property to \$830,000.00.

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

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 13th day of January 2009.

BOARD OF ASSESSMENT APPEALS

Karen E Hart

Karen E. Hart

This decision was put on the record

Diane M DeVries

Diane M. DeVries

JAN 12 2009

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

Heather Flannery
Heather Flannery

