

<p>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p>FOUR-M ENTERPRISES,</p> <p>v.</p> <p>Respondent:</p> <p>DENVER COUNTY BOARD OF EQUALIZATION.</p>	<p>Docket No.: 50041</p>
<p>ORDER</p>	

THIS MATTER was heard by the Board of Assessment Appeals on January 28, 2010, MaryKay Kelley and Diane M. DeVries presiding. Petitioner was represented by Sharon Slater, owner. Respondent was represented by Max Taylor, Esq. Petitioner is protesting the 2007 actual value of the subject property.

PROPERTY DESCRIPTION:

Subject property is described as follows:

**1860 South Corona Street, Denver, Colorado
(Denver County Schedule No. 05233-24-008-000)**

The subject property is a single family dwelling built in 1926 with 704 square feet of living area and a 484 square foot basement on a 5,990 square foot lot. The subject is in fair condition. It has one bedroom and one bath. There is a non-functioning garage is that 212 square feet.

Ms. Slater described one of Respondent’s “bedrooms” to be without a closet and the other off the living room with French doors, large enough to accommodate a bed and a shallow closet.

Petitioner presented eight comparable sales within the base period ranging in sales price from \$130,000.00 to \$179,000.00 and in size from 645 to 868 square feet. No adjustments were made to these sales for differences in comparison to the subject property.

Petitioner is requesting a 2007 actual value of \$175,000.00 for the subject property.

Respondent presented an indicated value of \$228,800.00 for the subject property based on the market approach.

Respondent presented three comparable sales ranging in sales price from \$221,000.00 to \$249,000.00 and in size from 720 to 837 square feet. Adjustments were made for time, square footage, bathroom count, basement size and finish, functional utility, garage, and wood deck. After adjustments were made, the sales ranged from \$214,760.00 to \$240,105.00.

Respondent assigned an actual value of \$216,100.00 to the subject property for tax year 2007.

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

The Board gives little weight to Petitioner's comparable sales because the Board was provided insufficient data to make an adequate comparison. Lack of data includes: sales concessions, construction type, physical condition, etc.

The Board determines that there is functional utility to the subject property as a one bedroom and that the garage is not functional and without value. The Board believes that the assigned valuation takes this into account. The Board believes that the 2007 actual value should be on the lower end of Respondent's adjusted range. Therefore, the Board affirms the 2007 actual value assigned to the subject property of \$216,100.00

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 Section 24-4-106(11), C.R.S. (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 Section 24-4-106(11), C.R.S. (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).

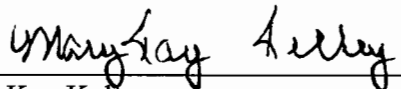
In addition, if the decision of the Board is against Respondent, Respondent may petition the Court of Appeals for judicial review of alleged procedural errors or errors of law within thirty days of such decision when Respondent alleges procedural errors or errors of law by the Board.

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.

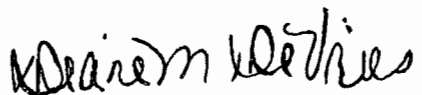
Section 39-8-108(2), C.R.S.

DATED and MAILED this 22nd day of April 2010.

BOARD OF ASSESSMENT APPEALS

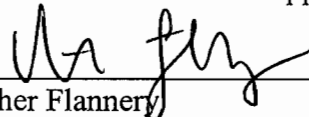


MaryKay Kelley



Diane M. DeVries

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



Heather Flannery

