

**BOARD OF ASSESSMENT APPEALS,
STATE OF COLORADO**
1313 Sherman Street, Room 315
Denver, Colorado 80203

Docket No.: 53105

Petitioner:

JAMES B. AND BARBARA A. HANRAHAN,

v.

Respondent:

DOUGLAS COUNTY BOARD OF EQUALIZATION.

ORDER

THIS MATTER was heard by the Board of Assessment Appeals on June 15, 2010, Debra A. Baumbach and Lyle D. Hansen presiding. James B. Hanrahan appeared pro se on behalf of Petitioners. Respondent was represented by Robert D. Clark, Esq. Petitioners are protesting the 2009 actual value of the subject property.

PROPERTY DESCRIPTION:

Subject property is described as follows:

**6243 Mt. Sneffels Place, Castle Rock, Colorado
Douglas County Schedule No. R0439231**

The subject is one-story detached single family residence containing 2,546 square feet of gross living area on the main level with a walkout basement containing 2,508 square feet of which 1,932 square feet is finished living area. There is a three car attached garage. The residence is situated on a 0.52 acre lot.

Based on the market approach, Petitioners presented an indicated value of \$750,000.00 for the subject property.

Petitioners presented several comparable sales that were not admitted as evidence since the sale dates occurred outside the base period. Mr. Hanrahan based his value conclusion on an appraisal that was not admitted as evidence since the appraisal date occurred outside the base period.

Mr. Hanrahan testified that he believes the assessment on his property is too high and that property values in his neighborhood have been declining for several years. Mr. Hanrahan testified that his home has received some upgrades including granite tile counter tops in the kitchen and upgrades to the bathrooms. Mr. Hanrahan is familiar with the five comparable sales utilized by the Respondent's appraiser. He testified that these sales are the same floor plan as his residence and that their condition and quality are comparable to his property. Mr. Hanrahan testified that his view amenity from his residence is superior to the view amenity of Respondent's five comparable sales.

Petitioners are requesting a 2009 actual value of \$750,000.00 for the subject property.

Respondent presented an indicated value of \$850,000.00 for the subject property based on the market approach.

Respondent presented five comparable sales ranging in sales price from \$821,200.00 to \$925,000.00 and in size from 2,532 to 2,572 square feet. After adjustments were made, the sales ranged from \$811,546.00 to \$900,835.00.

Respondent assigned an actual value of \$830,000.00 to the subject property for tax year 2009.

Respondent presented sufficient probative evidence and testimony to prove that the subject property was correctly valued for tax year 2009.

Respondent presented five comparable sales from the same neighborhood as the subject. All five sales were located within 0.4 to 1.0 miles from the subject. All five sales were of similar floor plan, construction quality, and condition as the subject. Respondent's appraiser placed most weight upon Comparable Sales 1 and 2. Comparable Sale 1 had adjustments for year built and for basement finish square feet. The indicated value from Comparable Sale 1 was \$850,868.00. Comparable Sale 2 had adjustments for year built, basement area and finish square feet, fewer bathrooms, and fewer fireplaces. The indicated value from Comparable Sale 2 was \$900,835.00. Respondent's appraiser concluded to a market value for the subject at the lower range of Comparable Sales 1 and 2 at \$850,000.00, a value slightly higher than the assigned value.

The Board affirms Respondent's assigned value of \$830,000.00.

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 14th day of July 2010.

BOARD OF ASSESSMENT APPEALS

Debra A. Baumbach
Debra A. Baumbach

Lyle D. Hansen
Lyle D. Hansen

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

H.A. Flannery
Heather Flannery

