

<p>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p>DAVID COPP,</p> <p>v.</p> <p>Respondent:</p> <p>BOULDER COUNTY BOARD OF EQUALIZATION.</p>	<p>Docket No.: 53554</p>
<p>ORDER</p>	

THIS MATTER was heard by the Board of Assessment Appeals on October 5, 2010, Karen E. Hart and Diane M. DeVries presiding. Petitioner appeared pro se. Respondent was represented by Michael A. Koertje, Esq. Petitioner is protesting the 2009 actual value of the subject property.

Subject property is described as follows:

**229 Airport Road, SH-2T Unit A, Longmont, Colorado
Boulder County Schedule No. R0505330**

The subject property is a 1,920 square foot hangar condominium located in Vance Brand Municipal Airport, Longmont, Colorado. The hangar was built in 2003 and is located in Building 2, Unit A. This appeal is on the hangar improvements only since the City of Longmont has a possessory interest over the land.

Petitioner presented the following indicators of value:

Market:	None
Cost:	\$26,000.00
Income:	None

Petitioner is requesting an actual value of \$26,000.00 for the subject property for tax year 2009. Respondent assigned a value of \$38,100.00 for the subject property for tax year 2009.

Petitioner testified that a metal shed could be constructed including materials and labor for \$26,000.00. However, no details were presented.

Respondent presented the following indicators of value:

Market:	n/a
Cost:	\$39,300.00
Income:	n/a

Respondent used a state-approved cost estimating service to derive a market-adjusted cost value for the subject property of \$39,300.00.

Samuel M. Forsyth, Advanced Appeals Deputy and Certified General Appraiser for the Boulder County Assessor's Office, used the Marshall Valuation Service to determine a valuation using the cost approach of the subject property. The subject property was described as being 100% T-Hangar. The hangar has a 15 foot height, is ranked level 1 (the lowest rank possible), is type S, and is supported by a single metal steel frame. This criterion was applied to the entire 11,520 square foot building, which includes all nine hangars. Actual age of the subject building was determined to be three years on a 30-year life. Nine percent was applied to physical and functional depreciation.

Replacement cost new less depreciation of the entire 11,520 square feet is \$235,766.00; the subject hangar is 1,920 square feet, which is 16.67% of the total value or \$39,300.00.

Respondent assigned an actual value of \$38,100.00 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.

Board determined that the Respondent's witness properly applied the Colorado State Constitution, State Statutes and Division of Property Taxation Guidelines in valuing the subject property for tax year 2009. Petitioner did not provide the Board with any information using the applied approaches to value, i.e. cost, market or income.

Equalization is not an applicable method in which the Board can use to determine valuation of the subject property.

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 21 day of October 2010.

BOARD OF ASSESSMENT APPEALS

Karen E. Hart
Karen E. Hart

Diane M. DeVries
Diane M. DeVries

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

Amy Bruins
Amy Bruins

