

**BOARD OF ASSESSMENT APPEALS,
STATE OF COLORADO**

1313 Sherman Street, Room 315
Denver, Colorado 80203

**Docket No.: 53571 &
56743**

Petitioner:

JEAN-PIERRE AND KAREN L. VERDIER,

v.

Respondent:

**JEFFERSON COUNTY BOARD OF
EQUALIZATION.**

ORDER

THIS MATTER was heard by the Board of Assessment Appeals on March 30, 2011, Debra A. Baumbach and Lyle D. Hansen presiding. Petitioner, Mr. Jean-Pierre Verdier, appeared pro se on behalf of Petitioners. Respondent was represented by James Burgess, Esq. Petitioners are protesting the 2009 and 2010 actual values of the subject property.

Due to an administrative error, the Board's records wrongly indicated that Docket 53571, for tax year 2009, had been withdrawn. Docket 53571 was re-opened and consolidated with the 2010 appeal, Docket 56743.

Subject property is described as follows:

**24234 Eagle Cliff Trail, Conifer, Colorado
Jefferson County Schedule No. 027065**

The subject property consists of a two-story single-family residence built in 1995 of frame construction. The residence has a total of 2,956 square feet of gross living area on the main and upper floors and a walkout basement, containing a total of 1,345 square feet of which 1,009 square feet are finished. The residence has a total of three bedrooms, two and one-half bathrooms, a fireplace, covered porch, wood deck and a basement four-car garage. The residence is situated on a 7.21 acre site.

Petitioners are requesting an actual value of \$408,751.00 for the subject property for tax years 2009 and 2010. Respondent assigned a value of \$625,410.00 for the subject property for tax years 2009 and 2010.

Petitioner, Mr. Jean-Pierre Verdier, derived his value estimate by concluding a value for the subject lot and a separate value for the improvements. Mr. Verdier presented one comparable land sale that sold for \$150,000.00 and contains 5.13 acres or \$29,240.00 per acre. He concluded an improvement value of \$118.34 per square foot. By combining the value of the lot plus the value of the improvements, the Petitioner concluded value at \$408,751.00.

Mr. Verdier testified that the Jefferson County Assessor has indicated the year of construction for his residence as 1995 when the actual year of construction is 1994. He disagreed with the use of Respondent's Comparable Sale 1. He testified that the residence on that property was demolished after the sale and a new permit was issued for a new residence. Mr. Verdier testified that access to his property is from a very steep unpaved road that is inferior to Respondent's Comparable Sale 2. He testified that his property is located in an extreme-rated fire protection red zone and that Respondent's Comparable Sales 3 and 4 are located in a lower rated red zone.

Petitioners are requesting a 2009 and 2010 actual value of \$408,751.00 for the subject property.

Respondent presented a value of \$655,000.00 for the subject property for 2009 and 2010 based on the market approach.

Respondent's appraiser, Mr. Stephen C. DeBell, presented four comparable sales ranging in sale price from \$530,000.00 to \$790,000.00 and in size from 2,040 to 3,136 square feet. After adjustments were made, the sales ranged from \$591,800.00 to \$751,700.00.

Respondent assigned an actual value of \$625,410.00 to the subject property for tax years 2009 and 2010.

Respondent presented sufficient probative evidence and testimony to show that the subject property was correctly valued for tax years 2009 and 2010.

The Board placed greater reliability upon Respondent's value estimate. One of the four comparable sales used by Respondent was located in the same residential subdivision as the subject, and the other three comparable sales were located in front-range subdivisions similar to the subject. The Board agreed with the appraiser's adjustment analysis to the four comparable sales. Mr. DeBell testified that market trends of values for single-family residences in the subject neighborhood during the base study period indicated minimal change in value trends during the study period.

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 7 day of April 2011.

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.

Amy Bruins
Amy Bruins

