

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

Docket No.: 57555

Petitioner:

MARK L. GRIFFIN AND JANIS L. HARRISON,

v.

Respondent:

**ARAPAHOE COUNTY BOARD OF
EQUALIZATION.**

ORDER ON MOTION TO DISMISS

THIS MATTER was heard by the Board of Assessment Appeals on May 18, 2011, Louesa Maricle and Diane M. DeVries presiding. Mark L. Griffin appeared pro se on behalf of Petitioners. Respondent was represented by George Rosenberg, Esq. Petitioners are protesting the 2010 actual value of the subject property.

Subject property is described as follows:

**3236 Cherryridge Road, Cherry Hills Village, Colorado
Arapahoe County Schedule No. 2077-12-2-02-013**

The Board found Respondent issued a decision on Petitioner's appeal on August 6, 2010 and dated/mailed that decision on the same day. Petitioner had 30 days from the date of mailing of Respondent's decision, or until September 5, 2010, to appeal to the Board. Section 39-2-125(1)(c), C.R.S. The Board received Petitioner's petition on March 22, 2010.

Mr. Griffin testified that he "thought" he sent a petition to the Board on September 1, 2010, but he did not testify unequivocally that he did, in fact, send a petition to the Board on that date. The Board did not receive any documentation for this docket prior to March 22, 2010, and Mr. Griffin does not have any documentation supporting that he submitted a petition to the Board on or around September 1, 2010. After weighing the testimony and evidence, the Board does not find that Petitioners' petition was filed timely and grants Respondent's Motion to Dismiss.

ORDER:

The petition is dismissed.

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.

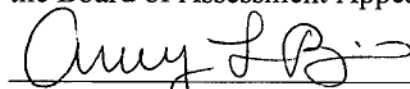
If the Board does not recommend its decision to be a matter of statewide concern or to have resulted in a significant decrease in the total valuation of the respondent county, Respondent may petition the Court of Appeals for judicial review of such questions within thirty days of such decision.

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

DATED/MAILED this 16 day of June 2011.

BOARD OF ASSESSMENT APPEALS

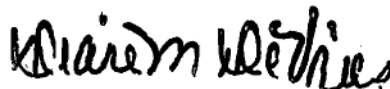
I hereby certify that this is a true and correct copy of the decision of the Board of Assessment Appeals.



Amy Bruins



Louesa Maricle



Diane M. DeVries

