

<p>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioners:</p> <p>BRENDA BLOTIAUX & ELIZABETH WOOLARD,</p> <p>v.</p> <p>Respondent:</p> <p>MESA COUNTY BOARD OF COMMISSIONERS.</p>	<p>Docket No. 60556</p>
<p>ORDER</p>	

THIS MATTER came before the Board of Assessment Appeals on Respondent’s Motion to Dismiss on August 28, 2012, Diane M. DeVries and MaryKay Kelley presiding. Ms. Brenda Blotiaux appeared pro se on behalf of Petitioners. Respondent was represented by David Frankel, Esq.

Petitioners are requesting an abatement/refund of taxes on the subject property for tax year 2009. The subject property houses Petitioners’ Better Built Trailers, an open space storage rental business. The property’s address is 746 23½ Road, Grand Junction, Colorado. The subject is identified by the Mesa County Schedule Number 2701-324-00037. 1

On August 26, 2009, the Board received Petitioners’ valuation appeal pertaining to the subject property. Subsequently, on April 23, 2010, Petitioners filed a written request to withdraw their 2009 valuation appeal of the subject property. The withdrawal request specifically stated that Petitioners relinquished all rights to obtain a reduction in value for the subject property for the 2009 tax year. The Board issued an Order on Withdrawal on April 27, 2010.

On April 26, 2012, the Board received Petitioners’ abatement petition seeking abatement/refund of taxes on the subject property for the 2009 tax year.

Respondent argues that Petitioners’ abatement appeal should be dismissed as Petitioners have previously relinquished all rights to obtain a reduction in value for the subject property for tax year 2009.

1 Although Petitioner’s Petition to State Board of Assessment Appeals references Schedule Number 2701-321-00036, Ms. Blotiaux clarified at the hearing that her appeal actually pertains to Schedule Number 2701-324-000371.

The Board finds that Petitioners' withdrawal of their 2009 valuation petition pertaining to the subject parcel bars Petitioners from seeking an abatement/refund of taxes on the subject property for the same tax year.

ORDER:

Petitioners' appeal is hereby dismissed.

DATED and MAILED this 4th day of September, 2012.

BOARD OF ASSESSMENT APPEALS

Diane M. DeVries

Diane M. DeVries

MaryKay Kelley

MaryKay Kelley

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

Milla Crichton

Milla Crichton

