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| <p><b>BOARD OF ASSESSMENT APPEALS,<br/>STATE OF COLORADO</b><br/>1313 Sherman Street, Room 315<br/>Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p><b>BRONWYN ANGLIN,</b></p> <p>v.</p> <p>Respondent:</p> <p><b>PITKIN COUNTY BOARD OF EQUALIZATION.</b></p> | <p><b>Docket No.: 62729</b></p> |
| <p><b>ORDER</b></p>  |                                 |

**THIS MATTER** was heard by the Board of Assessment Appeals on May 15, 2014, Debra A. Baumbach and Diane M. DeVries presiding. Petitioner appeared pro se. Respondent was represented by Laura Maker, Esq. Petitioner is protesting the 2013 actual value of the subject property.

Subject property is described as follows:

**331 Holland Hills Road #1, Basalt, Colorado  
Pitkin County Schedule No. R007269**

The subject property consists of a townhouse style condominium built in 1970. It is the east unit in a building that has seven units. There are 1635 square feet, three levels, four bedrooms, two and one-half baths, a kitchen and a living room/dining room. There is no garage. The exterior is stucco and brick with wood shingle roof. The subject has city water and sewer. The subject property has its own metro district for water and road maintenance. It is easily accessible from State Highway 82. The subject is an end unit with a large open grass area to the south.

Petitioner is requesting an actual value of \$203,262 for the subject property for tax year 2013. Respondent assigned a value of \$339,200 for the subject property for tax year 2013.

Petitioner presented seven comparable sales ranging in sale price from \$230,000 to \$346,500 and in size from 1,411 to 2,196 square feet. After adjustments were made, the sales ranged from \$202,300 to \$251,300.

Ms. Bronwyn Anglin testified that she adjusted the comparable sales for age, size, quality, and extras (such as garages, fireplaces, and lake views). These sales are located 1.8 to 5.5 miles from the subject property. Based on these adjusted sales prices, she derived a value of \$203,262, rounded (\$124.32 times 1,635 subject's square feet).

Petitioner presented 17 additional comparable sales located in six residential complexes within five miles of the subject ranging in sales prices from \$149,900 to \$311,145. No adjustments were made.

Petitioner is requesting a 2013 actual value of \$203,262 for the subject property.

Respondent presented a value of \$339,200 for the subject property based on the market approach.

Respondent presented three comparable sales and one listing ranging in sale price from \$228,000 to \$404,500 and in size from 1,040 to 1,789 square feet. After adjustments were made, the sales ranged from \$316,700 to \$345,700.

Stephen T. Miller, Certified Residential Appraiser with Pitkin County Assessor's Office, testified that the subject property has an overall quality rating of "good," and has functional obsolescence due to a spiral staircase. Comparable Four was a listing within the subject complex that has not sold during the base period.

Respondent assigned an actual value of \$339,200 to the subject property for tax year 2013.

Petitioner presented sufficient probative evidence and testimony to prove that the subject property was incorrectly valued for tax year 2013.

Petitioner used sales located 1.8 to 5.5 miles from the subject property. Respondent used three sales located within a mile of the subject and one listing in the same complex as the subject property. Due to the special district that is part of the subject property, the Board considered the listing presented by Respondent as a "test of reasonableness" for the values within the subject complex. The Board believes that inadequate adjustments were made to Respondent's comparable sales that were remodeled and were in superior condition to that of the subject.

The Board does not agree with Petitioner that the REO or short sales are the market in the subject location. There were adequate arms-length transactions to value the subject property for tax year 2013.

The Board believes that the subject property should be valued on the lower end of Respondent's range at \$316,700 or \$193.70 per square foot. As another test of reasonableness, the Board reviewed the values placed on units within the subject complex, Holland Hills Country Townhomes; (Respondent's Exhibit B indicates a value of \$198.00 to \$266.00 per square foot). Due to the condition of the subject property, the Board believes that the value should be on the low end of the range.

The Board concluded that the 2013 actual value of the subject property should be reduced to \$316,700.

**ORDER:**

Respondent is ordered to reduce the 2013 actual value of the subject property to \$316,700.

The Pitkin County Assessor is directed to change their records accordingly.

**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 16<sup>th</sup> day of June, 2014.

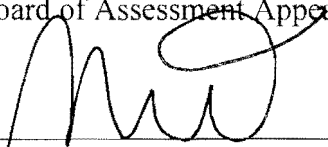
**BOARD OF ASSESSMENT APPEALS**

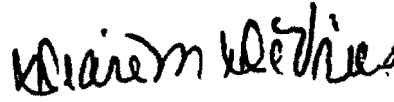


Debra A. Baumbach

I hereby certify that this is a true

and correct copy of the decision of  
the Board of Assessment Appeals.

  
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Milla Lishchuk



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Diane M. DeVries

