

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

**Docket No.: 71527**

Petitioner:

**PAUL S. SHERBO,**

v.

Respondent:

**JEFFERSON COUNTY BOARD OF  
EQUALIZATION.**

**ORDER**

**THIS MATTER** was heard by the Board of Assessment Appeals on June 4, 2018, Diane M. DeVries and Sondra W. Mercier presiding. Petitioner, Paul Sherbo, appeared pro se. Respondent was represented by Rachel Dehlinger, Esq. Petitioner is protesting the 2017 actual value of the subject property.

Subject property is described as follows:

**2995 Parfet Drive, Lakewood, Colorado  
Jefferson County Schedule No. 300068253**

The subject is a ranch style single-family residence built in 1967. The home has approximately 2,079 square feet of main floor living area, along with a 739-square foot partially finished basement. The residence is situated on an 11,483-square foot lot in the Applewood Knolls Subdivision.

Petitioner is requesting an actual value of \$408,870 for the subject property for tax year 2017. Respondent assigned a value of \$453,600 for the subject property for tax year 2017.

To support the requested value, Mr. Sherbo presented three comparable sales, concluding to a value of \$408,870. Mr. Sherbo relied on a qualitative analysis of the comparable sales based on the sales price per square foot of total area.

Respondent's witness, Loretta I. Barela, Certified Residential Appraiser with the Jefferson County Assessor's Office, presented an appraisal report to support a value of \$457,600 based on the market approach.

Colorado Constitution Article X, Section 20 and Section 39-1-103, C.R.S. specify that the actual value of residential real property shall be determined **solely** by consideration of the market approach to appraisal.

The Board found Respondent's testimony and evidence to be the most credible and market based in the valuation of the subject residence. Respondent's witness correctly completed a site-specific market approach to value the subject property. The sales were adjusted for improving market conditions in compliance with Section 39-1-104(10.2)(d) C.R.S. which states, "...said level of value shall be adjusted to the final day of the data-gathering period". Respondent's sales were also adjusted for differences in property characteristics. The appraisal report indicated a market value for the subject of \$457,600.

Petitioner's application of the market approach using a unit value based on sales price per square foot of gross living area does not conform to accepted appraisal practice, as it does not adequately reflect differences in property characteristics. Petitioner failed to make adjustment to the older sales used; therefore, he did not comply with the statutory requirement to adjust sales for changing market conditions. Petitioner presented insufficient probative evidence and testimony to prove that the subject property was incorrectly valued for tax year 2017.

### **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-nine 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-nine days after the date of the service of the final order entered).

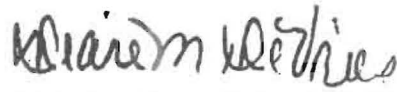
In addition, if the decision of the Board is against Respondent, Respondent may petition the Court of Appeals for judicial review of alleged procedural errors or errors of law within thirty days of such decision when Respondent alleges procedural errors or errors of law by the Board.

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 20th day of June, 2018.

**BOARD OF ASSESSMENT APPEALS**



\_\_\_\_\_  
Diane M. DeVries



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Sondra W. Mercier

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