

**Order of the Thurston County
Board of Equalization**

Property Owner: HARRY AND MARGARET BENNETTS

Parcel Number(s): 11712420201

Assessment Year: 2016

Petition Number: 16-0137

Having considered the evidence presented by the parties in this appeal, the Board hereby:

☐ sustains ☒ overrules the determination of the assessor.

Assessor's True and Fair Value Determination

<input checked="" type="checkbox"/> Land	\$ <u>119,700</u>
<input checked="" type="checkbox"/> Improvements	\$ <u>0</u>
<input type="checkbox"/> Minerals	\$ _____
<input type="checkbox"/> Personal Property	\$ _____
TOTAL:	\$ <u>119,700</u>

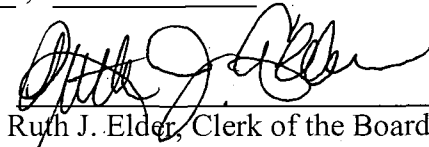
BOE True and Fair Value Determination

<input checked="" type="checkbox"/> Land	\$ <u>51,700</u>
<input checked="" type="checkbox"/> Improvements	\$ <u>0</u>
<input type="checkbox"/> Minerals	\$ _____
<input type="checkbox"/> Personal Property	\$ _____
TOTAL:	\$ <u>51,700</u>

This decision is based on our finding that: The Board overrules the Assessor's determination of value based on the testimony and evidence presented. The Board relies, in a measure, on its previous review of the subject property. The Petitioners purchased the subject property and parcel number 11712420202 together for \$502,000 on October 11, 2013 via a statutory warranty deed. The Petitioner testified that realtors have advised him to combine this parcel with his home (Parcel Number 11712420202) and that the realtors will not list the property for sale for more than \$600,000. He explained that restrictions render this property unbuildable including: pocket gopher restrictions, the *Hirst* court decision that limits his ability to obtain water for the parcel, restrictions related to the steep slopes with a 29 percent grade, and McAllister Springs Geologically Sensitive Area restrictions that permit only 10 percent impervious surface on the lot (effectively precluding an access road to the top of the slope). The Assessor provided a market-adjusted cost approach and comparable sales in support of the current assessed value. The Assessor contends that the Petitioners' purchase involved a short sale. The Board finds that in Docket No. 89763, the Board of Tax Appeals (BTA) found that the minimum to be invested by the Petitioner in developing the subject property was \$68,000 and the BTA determined the value for the 2013 assessment year to be \$48,400. The Board finds the BTA's decision to be persuasive authority and trends the decision to the January 1, 2016 assessment date. The Board concludes that there is clear, cogent, and convincing evidence sufficient to overcome the Assessor's presumption of correctness and to warrant a reduction in the valuation.

Dated this 4th day of May, 2017


Robert B. Shirley, Chairman


Ruth J. Elder, Clerk of the Board

NOTICE

This order can be appealed to the State Board of Tax Appeals by filing a notice of appeal with them at PO Box 40915, Olympia, WA 98504-0915 or at their website at bta.state.wa.us/appeal/forms.htm within thirty days of the date of mailing of this order. The Notice of Appeal form is available from either your county assessor or the State Board.

To ask about the availability of this publication in an alternate format for the visually impaired, please call 1-800-647-7706. Teletype (TTY) users use the Washington Relay Service by calling 711. For tax assistance, call (360) 534-1400.

Distribution: • Assessor • Petitioner • BOE File

SHIPPED MAY 12 2017

**Order of the Thurston County
Board of Equalization**

Property Owner: HARRY AND MARGARET BENNETTS

Parcel Number(s): 11712420202

Assessment Year: 2016

Petition Number: 16-0138

Having considered the evidence presented by the parties in this appeal, the Board hereby:

☐ sustains ☒ overrules the determination of the assessor.

Assessor's True and Fair Value Determination

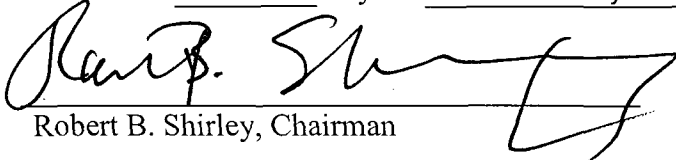
<input checked="" type="checkbox"/> Land	\$ 165,150
<input checked="" type="checkbox"/> Improvements	\$ 549,000
<input type="checkbox"/> Minerals	\$
<input type="checkbox"/> Personal Property	\$
TOTAL:	\$ 714,150

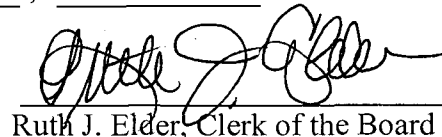
BOE True and Fair Value Determination

<input checked="" type="checkbox"/> Land	\$ 165,150
<input checked="" type="checkbox"/> Improvements	\$ 499,850
<input type="checkbox"/> Minerals	\$
<input type="checkbox"/> Personal Property	\$
TOTAL:	\$ 665,000

This decision is based on our finding that: The Board overrules the Assessor's determination of value based on the testimony and evidence presented. The Board relies, in a measure, on its previous review of the subject property. The Petitioners purchased the subject property and parcel number 11712420201 together for \$502,000 on October 11, 2013 via a statutory warranty deed. The Petitioner provided comparable sales in support of his opinion of value. The Petitioner testified that realtors have advised him to combine this parcel with the vacant parcel (Parcel Number 11712420201) and that the realtors will not list the property for sale for more than \$600,000. The Assessor provided a market-adjusted cost approach and comparable sales in support of the current assessed value. The Board finds that Assessor's comparable sales numbers 2, 4, 5, and 6 are located 12 or more miles from the subject property and in distinctly different market areas and different school districts. The Board finds further that Assessor's comparable sales numbers 5 and 6 are located in a Street of Dreams neighborhood in West Olympia, which is significantly superior to the location of the subject property. The Assessor contends that the Petitioners' purchase involved a short sale. The Board finds that in Docket No. 89764, the Board of Tax Appeals (BTA) determined the value for the 2013 assessment year to be \$602,450. The Board finds the BTA's decision to be persuasive authority and trends the valuation to the January 1, 2016 assessment date. The Board concludes that there is clear, cogent, and convincing evidence sufficient to overcome the Assessor's presumption of correctness and to warrant a reduction in the valuation.

Dated this 4th day of May, 2017


Robert B. Shirley, Chairman


Ruth J. Elder, Clerk of the Board

NOTICE

This order can be appealed to the State Board of Tax Appeals by filing a notice of appeal with them at PO Box 40915, Olympia, WA 98504-0915 or at their website at bta.state.wa.us/appeal/forms.htm within thirty days of the date of mailing of this order. The Notice of Appeal form is available from either your county assessor or the State Board.

To ask about the availability of this publication in an alternate format for the visually impaired, please call 1-800-647-7706. Teletype (TTY) users use the Washington Relay Service by calling 711. For tax assistance, call (360) 534-1400.

Distribution: • Assessor • Petitioner • BOE File

REV 64 0058 (6/9/14)

SHIPPED MAY 12 2017