

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

Property Owner: ROBERT HIGHLEY

Parcel Number(s): 55200100000

Assessment Year: 2017

Petition Number: 17-0662

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>1,436,800</u>
<input checked="" type="checkbox"/> Improvements	\$ <u>0</u>
<input type="checkbox"/> Minerals	\$ _____
<input type="checkbox"/> Personal Property	\$ _____
TOTAL:	\$ <u>1,436,800</u>

BOE True and Fair Value Determination

<input checked="" type="checkbox"/> Land	\$ <u>450,000</u>
<input checked="" type="checkbox"/> Improvements	\$ <u>0</u>
<input type="checkbox"/> Minerals	\$ _____
<input type="checkbox"/> Personal Property	\$ _____
TOTAL:	\$ <u>450,000</u>

This decision is based on our finding that: The Board overrules the Assessor's determination of value based on the testimony based on the testimony and evidence presented.

The Board heard this Petition, along with Petition Number 17-0663 for Parcel Number 55201200000. The Board relies, in a measure, on its previous reviews of these properties.

The Petitioner purchased the subject property for \$300,000 on February 13, 2017. The subject property was bank-owned at the time of sale and transferred via a bargain and sale deed.

The Petitioner's Representative testified that: the subject property was rezoned to medium density residential zoning; there are construction challenges related to steep slopes and development requirements including sidewalks and landscaping, which will result in increased costs to develop the subject property; he refuted the Assessor's comparable sales and noted that sales 5, 6, and 8 sold subsequent to the January 1, 2017 assessment date; none of the Assessor's comparable sales involve steep slopes and associated development restrictions; he disputes the Assessor's use of adjusted sale prices rather than the actual sales prices; and the estimated costs for the rock work is \$420,000 not including the costs for cut, fill, and compaction.

The Assessor recommended a recommended reduction in the assessed value to \$677,200. The Board finds that the recommended reduction is based on changes made to the zoning and land characteristics. The Board finds that the application of the various adjustments resulting in the recommended value involve appraisal judgement rather than manifest error corrections pursuant to RCW 84.48.065(1)(a). Therefore, the standard of review is reduced from clear, cogent, and convincing evidence to the preponderance of the evidence.

The Assessor provided a market-adjusted cost approach and a sales comparison approach in support of the recommended value. The Assessor's Representative testified that: the Assessor is only addressing the assessments as of January 1, 2017; she contends that the recommended reductions are manifest error corrections pursuant to WAC 458-14-005(14); the Assessor inspected the properties; and the Assessor reviewed the survey when the Petitioner submitted the survey to the Assessor's Office in July 2017.

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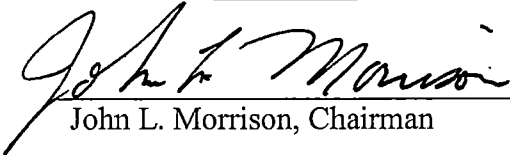
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The Board finds that additional consideration is warranted for the steep topography and the associated development restrictions affecting the subject property. The Board concludes that the Petitioner's Representative provided the preponderance of the evidence sufficient to overcome the Assessor's presumption of correctness and to warrant a reduction in the valuation.

Dated this 15th day of February, 2018


John L. Morrison, 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 MAR 16 2018

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

Property Owner: ROBERT HIGHLEY

Parcel Number(s): 55201200000

Assessment Year: 2017

Petition Number: 17-0663

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>633,700</u>
<input checked="" type="checkbox"/> Improvements	\$ <u>0</u>
<input type="checkbox"/> Minerals	\$ _____
<input type="checkbox"/> Personal Property	\$ _____
TOTAL:	\$ <u>633,700</u>

BOE True and Fair Value Determination

<input checked="" type="checkbox"/> Land	\$ <u>400,000</u>
<input checked="" type="checkbox"/> Improvements	\$ <u>0</u>
<input type="checkbox"/> Minerals	\$ _____
<input type="checkbox"/> Personal Property	\$ _____
TOTAL:	\$ <u>400,000</u>

This decision is based on our finding that: The Board overrules the Assessor's determination of value based on the testimony based on the testimony and evidence presented.

The Board heard this Petition, along with Petition Number 17-0662 for Parcel Number 55200100000. The Board relies, in a measure, on its previous reviews of these properties.

The Petitioner purchased the subject property for \$250,000 on \$275,000. The subject property was bank-owned at the time of sale and transferred via a special warranty deed.

The Petitioner's Representative testified that: the subject property is zoned medium density residential zoning; there are construction challenges related to steep slopes and development requirements including sidewalks and landscaping, which will result in increased costs to develop the subject property; he refuted the Assessor's comparable sales and noted that sales 5, 6, and 8 sold subsequent to the January 1, 2017 assessment date; none of the Assessor's comparable sales involve steep slopes and associated development restrictions; he disputes the Assessor's use of adjusted sale prices rather than the actual sales prices; and the estimated costs for the rock work is \$420,000 not including the costs for cut, fill, and compaction.

The Assessor recommended a recommended reduction in the assessed value to \$620,600. The Board finds that the recommended reduction is based on changes made to the land characteristics. The Board finds that the application of the various adjustments resulting in the recommended value involve appraisal judgement rather than manifest error corrections pursuant to RCW 84.48.065(1)(a). Therefore, the standard of review is reduced from clear, cogent, and convincing evidence to the preponderance of the evidence.

The Assessor provided a market-adjusted cost approach and a sales comparison approach in support of the recommended value. The Assessor's Representative testified that: the Assessor is only addressing the assessments as of January 1, 2017; she contends that the recommended reductions are manifest error corrections pursuant to WAC 458-14-005(14); the Assessor inspected the properties; and the Assessor reviewed the survey when the Petitioner submitted the survey to the Assessor's Office in July 2017.

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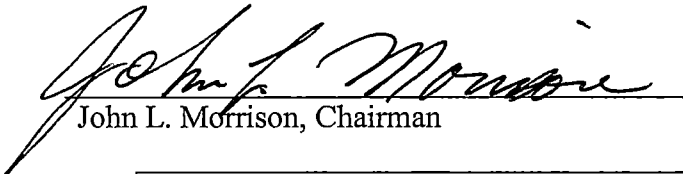
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Dated this 15th day of February, 2018


John L. Morrison, Chairman


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