Order of the Thurston County

Board of Equalization

Property Owner: _	SETH & I	LYNN SCHADE			. <u> </u>	
Parcel Number(s):	391203	03600				
Assessment Year:	2019		Petition Number: 19-00)74		
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 BOE True and Fair Value Determination						
∠ Land	\$	275,900	∠ Land	\$	182,640	
Improvement	s \$	64,200	Improvements	\$	51,600	
Minerals	\$		☐ Minerals	\$		
Personal Prop	erty \$		Personal Property	\$		
TOTAL:	\$	340,100	TOTAL:	\$	234,240	

<u>This decision is based on our finding that</u>: The Board overruled the Assessor's determination of value based on the testimony and evidence presented.

Petitioner Seth Schade participated in the teleconference hearing. The Petitioner testified that: at the time of the Carlyon Beach landslide, the Assessor adjusted the assessed value by 50 percent, but this is currently only 25 percent; the circumstances have not changed; the home cannot be rebuilt in the event of a fire; a neighboring property owner was denied permission to rebuild after the landslide; building permits are not allowed for properties in the slide area; the land is still moving; and the pole building is located on the Petitioner's other parcel. The Petitioner provided three sales of undeveloped land parcels in the slide area in support of his requested value. On rebuttal, Mr. Schade stated that the Assessor's comparable sale 1 is the only one in the slide area and that it is questionable whether this was an arms-length transaction.

Appraisal Supervisor Teresa Hoyer provided a written Response including a market-adjusted cost approach and a sales comparison approach in support of the current assessed value. Appraiser Analyst Sam Howe participated in the teleconference hearing. Mr. Howe testified that: the subject property is already improved and is a legal non-conforming lot; the Petitioner's comparable sales are all unbuildable vacant lots in the slide area for which building permits will not be issued; the Assessor's comparable sale 1 is located four lots west of the subject property; the Petitioner has made improvements to the property; and the Assessor's staff has checked with Permitting and has no evidence of a denial for a permit to rebuild the home. Mr. Howe agreed to move the value for the pole building to the other parcel and recommended a reduction in the value of the improvements to \$51,600, at the hearing.

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The Board does not find the Petitioners' comparable sales of unbuildable lots to be persuasive in valuing the subject residence. The Board finds the Petitioners' arguments regarding the ongoing land movement and the significant restrictions to be convincing. The Board finds that additional consideration is warranted for the restrictions and overrules the Assessor's determination of value for the land.

The Board finds that the Assessor's recommended reduction is the result of a manifest error correction pursuant to Revised Code of Washington 84.48.065(1)(a), so the standard of review remains clear, cogent, and convincing evidence. The Board adopts the Assessor's recommended improvement value.

The Board concludes that the Petitioners provided clear, cogent, and convincing evidence sufficient to overcome the Assessor's presumption of correctness and to warrant a further reduction in the valuation.

Dated this 19th day of November, 2020

Robert Hastings, Chairman

Ruth J. Elder, Clerk of the Board

NOTICE

This order can be appealed to the State Board of Tax Appeals by filing a formal or informal appeal with them at PO Box 40915, Olympia, WA 98504-0915 or at their website at https://bta.wa.gov within thirty days of the date of mailing of this order. The appeal forms are available from either your county assessor or the State Board of Tax Appeals.

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