

Order of the Grant County

Board of Equalization

Property Owner: Landmark Investment Construction LLC

Parcel Number(s): 091427326

Assessment Year: 2014

Petition Number: 2014-5

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

<input type="checkbox"/> Land	\$	<u>304,920</u>
<input type="checkbox"/> Improvements	\$	<u>836,300</u>
<input type="checkbox"/> Minerals	\$	<u> </u>
<input type="checkbox"/> Personal Property	\$	<u> </u>
Total Value	\$	<u>1,141,220</u>

BOE True and Fair Value Determination

<input type="checkbox"/> Land	\$	<u>304,920</u>
<input type="checkbox"/> Improvements	\$	<u>836,300</u>
<input type="checkbox"/> Minerals	\$	<u> </u>
<input type="checkbox"/> Personal Property	\$	<u> </u>
Total Value	\$	<u>1,141,220</u>

This decision is based on our finding from:

Washington State law which directs that the true and fair market value of property shall be based upon sales of the subject property, or sales of comparable properties, made within the past five years, cost, cost less depreciation, reconstruction cost less depreciation, or capitalization of income. "True and fair" value is market value; that is, the price to be paid by a willing buyer to a willing seller.

Washington State law further stipulates that the assessment determined by the County Assessor is presumed to be correct and can only be overcome by presentation of clear, cogent and convincing evidence that the value is incorrect.

The issue before the Board is the January 1, 2014, true and fair market value. A hearing was held on February 5, 2015 before the Board of Equalization. The appellant's representative, Harold Moberg was in attendance at the hearing and the Assessor's office was represented by Melissa Olivas, Commercial/Industrial Appraiser..

The Assessor valued the property at \$1,141,220 for the 2014 assessment year. The owners appealed, asserting a value of \$507,142.

The subject property is located at 933 N. Stratford Road in Moses Lake, Washington. Subject is a 14,795 sq. ft. neighborhood shopping center, or strip mall, built in 2004 and is of average quality construction and is in average condition. The subject property was last inspected and valued in 2008 for 2009 taxes. It is up for inspection in 2016 for 2017 taxes.

The appellant's representative, Mr. Harold Moberg submitted to the board 3 comparable properties, construction drawing of subject and neighboring supermarket dated 2003, tax information on subject property, and the three comparable properties as well as other trade – general merchandise properties in Moses Lake. Mr. Moberg stated that the subject building is 14,516 sq. ft. and assessed at \$57.61 sq. ft. while the neighboring supermarket is 48,816 sq. ft. and assessed at \$27.91 sq. ft. The super market building is now a strip mall containing 3 stores.

February 5, 2015

2014-5 and 2014-6

Appellant: Landmark Investment Construction – Harold Moberg – Representative – present

Appraiser: Melissa Olivas – present

Board: Larry, Helen, Dick, Gary and Stan

8:54:47 AM

Mr. Moberg:

The subject building is a strip mall with 5 stores.

2014-5

Building:

Subject is 14,516 = assessed at \$57 sq. ft.

Neighboring building is 43,560 sq. ft. - Petco, Famous Footwear, Ross – assessed : \$1,362,650

Income approach to value: - not in packet to the BOE, it was submitted to the Assessor's office by the owner, not Mr. Moberg. Melissa used it in her income expense calculation which is in the Assessor's Answer.

Assessment is double the per sq. ft. compared to comparable #2.
At Jan. 1. 2014, 2 storefronts were vacant.

Melissa:

She gave comparables 3,5 and 6 the most weight

Subject last valued in 2008 for 2009 taxes.

Mr. Moberg's comparable #1 was valued as a big box store because that is what it was when it was last valued. The owner paid less for it because it was one store, knowing he would put money into it to separate it into a strip mall. The value will increase at next valuation - 2016 for 2017. She did not use that sale in her comps because it was a completely different kind of sale with too many conditions.

Mr. Moberg thinks the improvement should be valued like the building next door.
The land value should be affected by the depreciation of the building.

Mr. Moberg stated that the Income approach at the time of the assessment does not take into consideration who the tenants were at that time. Block Buster was going out. They vacated in 2013 and 2014.

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Order of the Grant County

Board of Equalization

Property Owner: Landmark Investment Construction LLC

Parcel Number(s): 091427327

Assessment Year: 2014 Petition Number: 2014-6

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

BOE True and Fair Value Determination

<input type="checkbox"/> Land	\$	<u>243,935</u>
<input type="checkbox"/> Improvements	\$	<u> </u>
<input type="checkbox"/> Minerals	\$	<u> </u>
<input type="checkbox"/> Personal Property	\$	<u> </u>
Total Value	\$	<u>243,935</u>

<input type="checkbox"/> Land	\$	<u>243,935</u>
<input type="checkbox"/> Improvements	\$	<u> </u>
<input type="checkbox"/> Minerals	\$	<u> </u>
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Total Value	\$	<u>243,935</u>

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Washington State law further stipulates that the assessment determined by the County Assessor is presumed to be correct and can only be overcome by presentation of clear, cogent and convincing evidence that the value is incorrect.

The issue before the Board is the January 1, 2014, true and fair market value. A hearing was held on February 5, 2015 before the Board of Equalization. The appellants representative, Harold Moberg, was in attendance at the hearing and the Assessor's office was represented by Melissa Olivas, Commercial/Industrial Appraiser.

The Assessor valued the property at \$243,935 for the 2014 assessment year. The owners appealed, asserting a value of \$1,200.

The subject property is a .8 parcel, or 34,848 sq. ft. It is located adjacent to Parcel 091427326 that provides access and additional parking, and is an integral part of the adjacent parcel. As such it is valued as a portion of the whole with parcel 091427326 and therefore valued at the same rate. The value for the asphalt has not been applied to the subject. The property was last inspected and valued in 2008 for 2009 taxes. It is up for inspection in 2016 for 2017 taxes.

The appellant's representative, Mr. Moberg submitted 3 comparable sales, map with location of those sales, and taxifter information for each. At the hearing with permission from the board and Ms. Olivas, Mr. Moberg submitted Declaration of Covenants, Conditions and Restrictions regarding the subject property. This document states that there is a restriction on this subject that prohibits building. The comparable properties used by Mr. Moberg, were not sales, but other non-buildable lots in Moses Lake. Mr. Moberg stated that since nothing can be done with the property, it should be valued less.

The assessor representative submitted information to the board and the appellant. This information included aerial map of subject and 3 vacant land sales. Ms. Olivas stated that this property is valued as part of a whole, integral part of the property with the strip mall. It is currently valued at \$7.00 sq. ft. Vacant land sales support \$9.25 sq. ft.

Mr. Moberg's comp B is a strip of road owned by the City of Moses Lake, it is a roadway and has been given right-of-way value. This property has not been sold.

Mr. Moberg's comp C is off Broadway extended, gravel road, no water, no sewer, and sold for \$40,000 to adjacent owner.

Mr. Moberg's comp D is on Stratford Road and Hwy 17, not buildable and given minimal value.

The Board finds the arguments presented by the appellant are not substantial enough to meet the clear, cogent, and convincing standard of proof necessary to offset the presumption of correctness established under RCW 84.40.0301. The Board finds the Assessor's Response to Real Property Petition which was mailed to the appellant and submitted as evidence in this hearing adequately reflect the subject's important value-related characteristics. Therefore, the Assessor's value is sustained at \$243,935, due to no cogent or convincing evidence was presented by the appellant to warrant an adjustment in value.

Dated this 13th day of February, (year) 2015



Chairperson's Signature



Clerk's Signature

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.

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