

**KITTITAS COUNTY
BOARD OF EQUALIZATION**

411 N Ruby St, Ste 2, Ellensburg, WA 98926
(509) 962-7506

ORDER OF THE KITTITAS COUNTY BOARD OF EQUALIZATION

Property Owner(s): Phillip & Rebecca Headman
Mailing Address: 1000 N Vista Rd
Ellensburg, WA 98926
Tax Parcel No(s): 639036
Assessment Year: 2023 (Taxes Payable in 2024)
Petition Number: BE-23-0151

Having considered the evidence presented by the parties in this appeal, the Board hereby:
Overruled - Reduced
the determination of the Assessor.

Assessor's Determination

Assessor's Land: \$210,550
Assessor's Improvement: \$446,740
TOTAL: \$657,290

Board of Equalization (BOE) Determination

BOE Land: \$210,550
BOE Improvement: \$389,450
TOTAL: \$600,000

Those in attendance at the hearing and findings:

See attached Recommendation and Proposed Decision of the Hearing Examiner. The Board of Equalization motioned to reduce the total value to \$600,000 and the reduction is made on the improvements, the land stays at \$210,550. Motion carried.

Hearing Held On : December 13, 2023
Decision Entered On: December 28, 2023
Hearing Examiner: Jessica Hutchinson

Date Mailed: 1/12/24



Chairperson (of Authorized Designee)



Clerk of the Board of Equalization

NOTICE OF APPEAL

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, within THIRTY days of the date of mailing on this Order (RCW 84.08.130). The Notice of Appeal form is available from the Washington State Board of Tax Appeals or the Kittitas County Board of Equalization Clerk.

KITTITAS COUNTY BOARD OF EQUALIZATION- PROPOSED RECOMMENDATION

Appellants: Phillip & Rebecca Headman
Petition: BE-23-0151
Parcel: 639036
Address: 1701 Scott Drive

Hearing: December 13, 2023 11:40 A.M.

Present at hearing: Rebecca Headman and Erin Headman, Petitioner; Mike Hougardy, Appraiser; Jessica Miller, BOE Clerk; Jessica Leavitt-Hutchinson, Hearing Examiner

Testimony given: Rebecca Headman, Mike Hougardy

Assessor's determination:
Land: \$210,550
Improvements: \$446,740
Total: \$657,290

Taxpayer's estimate:
Land: \$100,000
Improvements: \$200,000
Total: \$300,000

SUMMATION OF EVIDENCE PRESENTED AND FINDING OF FACT:

The subject property is a single family residence on 5.11 acres on Scott Drive in Cle Elum.

Ms. Headman stated that the home was purchased in 2010 and few improvements have been made, except a new roof in 2010 and again in 2021. The reason for two roof replacements is poor construction design of the roof line, which allows heavy snow to fall from a high roof line onto a lower roof line and damage the roof below. Ms. Headman had the home listed in Winter 2022 with negative viewing comments. The Comparative Market Analysis suggested a value of \$550,000-\$650,000, but after viewing the property many Realtors suggested no more than \$300,000. The home was listed for \$600,000 for about 3 months with one price reduction and no offers. She stated that other homes with more land were valued lower than their property.

Mr. Hougardy stated that comparing the subject to larger parcels of land is difficult because the price per acre lowers as the amount of land increases. The comparable land sales have an average of \$84,829 per acre while the subject is valued at \$41,204 per acre, and none of the comparable sales sold for less price per acre than the Assessed Value.

Mr. Hougardy went on to state that the improvements may be valued at a higher quality rating than it should be. The subject property is currently valued as a Quality 2, Condition 3. Of the improved sales, #7

on Upper Peoh Point Road is probably most comparable to the subject property at a Quality 2, sold for \$335 per square foot. He stated that the subject neighborhood is a very desirable neighborhood, however the subject property may be an outlier because of its condition. Mr. Hougardy suggested that if the appellant is open to it, the Assessor's Office could send out an appraiser to inspect the property to make a determination of Quality and Condition.

CONCLUSIONS OF LAW:

"Upon review by any court, or appellate body, of a determination of the valuation of property for purposes of taxation, it shall be presumed that the determination of the public official charged with the duty of establishing such value is correct, but this presumption shall not be a defense against any correction indicated by clear, cogent and convincing evidence." RCW 81.40.0301

In other words, the assessor's determination of property value shall be presumed correct. The petitioner can overcome this presumption that the assessor's value is correct only by presenting clear, cogent and convincing evidence otherwise.

"All real property in this state subject to taxation shall be listed and assessed every year, with reference to its value on the first day of January of the year in which it is assessed..."

RCW 84.40.020

"The true and fair value of real property for taxation purposes...must be based upon the following criteria:

- (a) Any sales of the property being appraised or similar properties with respect to sales made within the past five years...
- (b) In addition to sales as defined in subsection (3)(a) of this section, consideration may be given to cost, cost less depreciation, reconstruction cost less depreciation, or capitalization of income that would be derived from prudent use of the property, as limited by law or ordinance..."

RCW 84.40.030(3)

"(1) In making its decision with respect to the value of property, the board shall use the criteria set forth in RCW 84.40.030.

(2) Parties may submit and boards may consider any sales of the subject property or similar properties which occurred prior to the hearing date so long as the requirements of RCW 84.40.030, 84.48.150, and WAC 458-14-066 are complied with. Only sales made within five years of the date of the petition shall be considered.

(3) Any sale of property prior to or after January 1st of the year of revaluation shall be adjusted to its value as of January 1 of the year of evaluation, reflecting market activity and using generally accepted appraisal methods...

(4) More weight shall be given to similar sales occurring closest to the assessment date which require the fewest adjustments for characteristics."

WAC 458-14-087

RECOMMENDATION:

The Hearing Examiner has determined that the appellant has succeeded in meeting the burden of proof to overturn the Assessed Value of the property with clear, cogent and convincing evidence.

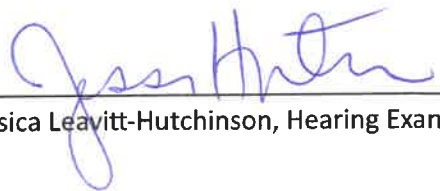
The issues with the roof and the failed listing of the home in December 2022 prove the Assessor's suggestion that the subject property appears to be an outlier in the market neighborhood. More evidence of condition and quality would be needed for a higher reduction in value.

Every finding of fact this is a conclusion of law shall be deemed as such. Every conclusion of law that contains a finding of fact shall be deemed as a finding of fact.

PROPOSED DECISION:

The Examiner proposes that the Kittitas County Board of Equalization reduce the value of the improvements to \$421,740 for a total Assessed Value of \$632,290.

DATED 12/28/23



Jessica Leavitt-Hutchinson, Hearing Examiner