

MINUTES
Board of Equalization and Review
August 1, 2012

Board Members Present:

Chair: Karen Morrissette
Barbara Levine
Reginald Morgan

Staff Members Present: Steve Hensley, Appraiser
Roger Gunn, Appraiser
Scherri McCray, Recording Secretary

Chang

PIN # 9890137490

Kwen Jen Chang and Peng Zi Jin appeared before the Board to appeal the value of their property located in 104 SIERRA DRIVE, CHAPEL HILL, NC. The current assessed value by Orange County is \$ 662,400. They are requesting that their value be reduced to \$ 600,000. Mr. and Mrs. Chang submitted documentation and evidence to show that the value for their house does not represent the true market value on January 1, 2009. Mr. Chang presented data that showed the national fluctuation in the housing market during 2009 and leading up to 2009. He also pointed out the fluctuation in the southern regional housing sales market during 2009 and leading up to 2009 as well. He informed the Board that the property had been on and off the market since 2008 and has recently been put back on the market. He stated that they cannot sell the property. He told the Board that he did receive an offer from the tenants, who currently reside on the property, for \$ 602,000, but he declined the offer stating that an acceptable sale price was \$ 625,000. The appellants concluded that the topography of the land is not favorable for the house to sell at the current appraised value.

The County stated that a 23% adjustment has been made to the land value to account for the topography during the informal appeal process. This adjustment resulted in a reduction in value from \$ 682,000 to the current value of \$ 662,400.

During deliberations, the Board considered all information presented by the appellant and the County. After deliberation, Mr. Morgan made a motion that no change be made to the current assessed value based on the lack of evidence provided by the appellant to prove that the County's value is incorrect. The evidence that the appellant provided did not contain time relevant information. Mrs. Morrissette seconded the motion and the motion carried.

Ayes: 3
Noes: 0

Wang***PIN # 9880304822***

Anyou Wang chose not to appear before the Board but elected to have his documents serve as his appeal. He is appealing the value of his property located at 120 DIXIE DRIVE, CHAPEL HILL, NC. The current tax value assigned to the property by Orange County is \$ 254,570. The appellant is requesting that the Board adjust the valuation of this property to \$ 181,000 which was the appellant's purchase price in February 2012.

During deliberations, the Board considered all information presented by the appellant and the County. After deliberation, Mrs. Davis motioned that no change be made to the current assessed value citing the only evidence that the taxpayer provided was the February 2012 sales price for the subject property and that evidence is not relevant to the January 1, 2009 valuation date. Mrs. Levine seconded the motion and the motion carried.

Ayes: 3
Noes: 0

Descisciolo***PIN #9864703755***

Barbara Descisciolo chose not to appear before the Board but elected to have her documents serve as her appeal. She is appealing the value of her property located at 1869 BIRMINGHAM DRIVE, HILLSBOROUGH, NC. The current tax value assigned to the property by Orange County is \$ 134,698. The appellant is requesting that the Board adjust the valuation of this property to \$110,000, which she claims is the current market value. The appellant has been in the process of trying to sell this property and is concerned that there is a marked discrepancy that exists between the current market value and the County's assessed value. The appellant submitted comparable properties that sold since 2009 for the Board to review.

During deliberations, the Board considered all information presented by the appellant and the County. After deliberation, Mrs. Davis motioned that no change be made to the current assessed value stating that the sales in the taxpayer's subdivision in the late 2008 time frame supported the valuation assigned by the County. Mr. Morgan seconded the motion and the motion carried.

Ayes: 3
Noes: 0

Outlaw***PIN # 9824354308***

Cecil and Stacy Outlaw chose not to appear before the Board but elected to have their documents serve as their appeal. They are appealing the value of their property located at 1014 COLLINGTON DRIVE, MEBANE, NC. The current tax value assigned to the property by Orange County is \$ 181,600. The appellants are requesting that the Board

adjust the valuation of this property to an unspecified amount based on a comparative market analysis prepared by their Realtor.

During deliberations, the Board considered all information presented by the appellant and the County. The County noted that the property value has already been adjusted and approved by the Board in a prior hearing concerning the Collington Farms subdivision. After deliberation, Mrs. Morrissette made a motion that no change be made to the current value stating that the information provided by the taxpayer was for values on 2011 and 2012 sales, and even this information does not support a change to the value assessed by the County. Mr. Morgan seconded the motion and the motion carried.

Ayes: 3

Noes: 0

Zinn

Pin# 9778904796

Zinn Design Build chose not to appear before the Board but elected to have their documents serve as their appeal. They are appealing the value of their property located at 304 MONTCLAIR WAY, CHAPEL HILL, NC. The current tax value assigned to the property by Orange County is \$ 1,006,900. The appellants are requesting that the Board adjust the valuation of this property stating that the assessed value was based on a 100% completion of the property when as of January 2012 the property was less than 10 % completed.

The County reviewed the property and adjusted the value to reflect the value on January 1, 2009 due to the state of completion of 10% on January 1, 2012 thus reducing the value to \$ 312,700.

During deliberations, the Board considered all information presented by the appellant and the County. After deliberation, Mr. Morgan made a motion to accept the County staff's recommendation, lowering the value to \$ 312,700. Mrs. Levine seconded the motion and the motion carried.

Ayes: 3

Noes: 0

Lozier

PIN # 9895165573

Philip and Susan Lozier are requesting the Board waive the penalties that were charged for that property located at 525 WALNUT HILL DRIVE, HILLSBOROUGH NC. The penalties associated with this property were due to a discovery made by the Tax Assessor's Office. The Loziers had improvements on their property in 2010 that were not listed on the tax roll. They were unaware that it was their responsibility to report any changes made to the property. The appellants state that they will pay all the taxes associated with this 2012 tax year discovery, but request that the Board waive the penalties.

Mrs. Levine made a motion to waive the penalties on this 2012 tax year discovery based on the fact that the appellant did not receive an abstract in which to notify the County that there were changes made to the property. Mrs. Morrisette seconded the motion and the motion carried.

Ayes: 3

Noes: 0

Cassity

PIN # 9890500795.030

Bingshuang Cassity is requesting that the Board waive the penalties that were changed on a garage located at 322 PRESQUE LANE, CHAPEL HILL, NC. The penalties associated with this property are due to a discovery made by the Tax Assessor's Office. The appellant stated, in a letter to the Board that she was not aware that the garage was not listed on the tax roll and was not being taxed by the County. She was under the assumption that it was included in the property tax bill when in actuality, only the land value was being taxed. This discovery is for the 2008-2010 tax years. Ms. Cassity noted that she did not receive a tax bill that indicated that the taxes only reflected the partial amount of the property value, and there were no other documents sent to her to say there was an issue with the taxes owed. The appellant states that she will pay the taxes that were assessed for the past years but respectfully requests that the Board waive the penalties.

Mrs. Morrisette made a motion to waive the penalties in the 2008 thru 2010 tax years discovery based on the fact that the appellant did have any knowledge the acreage was not fully valued. Mrs. Levine seconded the motion and the motion carried.

Ayes: 3

Noes: 0

Mayse

PIN # 9890186850

Judy M. Bagwell appeared before the Board on behalf of her mother, Ella H. Mayse, to appeal the value of her mother's property located at Lot 2 MAYSE DRIVE, CHAPEL HILL, NC. Ms. Bagwell has a Power of Attorney (POA) and is representing her mother. The current tax value assigned to the property by Orange County is \$ 88,939. The appellants are requesting that the Board adjust the valuation of this property to \$ 20,000 citing that the property is non-perking and non-buildable. She presented the Board with soil test results and an appraisal. This property is a lot with no structure on it. Ms. Bagwell claims that the value has not been correct since 1984. This property is a 1.55 acre lot with approximately one third of the lot designated for a two lane right of way.

County noted that the property's valuation was based on the assumption that the property was a buildable lot.

During deliberations, the Board considered all information presented by the appellant and the County. The appraisal of the property was considered. After deliberation, the Board determined that there needed to be corrections made to the description of the land. Mr. Morgan made a motion to adjust the land value by 75% to reflect a non-perking and unbuildable lot. This adjustment will reduce the land value to \$ 27,200. Mrs. Morrisette seconded the motion and the motion carried.

Ayes: 3
Noes: 0

Mayse

PIN # 9890187037

Judy M. Bagwell appeared before the Board on behalf of her mother, Ella H. Mayse, to appeal the value of her mother's property located at 7210 MAYSE DRIVE, CHAPEL HILL, NC. Ms. Bagwell has a Power of Attorney (POA) and is representing her mother. The current tax value assigned to the property by Orange County is \$ 386,469. The appellant is requesting a reduction in the value to \$ 214,000 citing that this is not prime real estate and that the site she wants to build upon will not perk. There is a residence on this property but there are no additional perk sites to add another house, which the appellant previously wanted to do to be closer to her mother.

The County noted that this property is buildable and that a 1200 square foot structure was already on the site. The County has a 10% adjustment to the land value for an easement.

During deliberations, the Board considered all information presented by the appellant and the County. The 2012 appraisal of the property was considered. After deliberation, the Board determined that there needed to be corrections made to the description of the land. Mr. Morgan made a motion to increase the land adjustment to -30% in recognition of the easements on the property. This will lower the assessed value to \$ 325,000. Mrs. Morrisette seconded the motion and the motion carried.

Ayes: 3
Noes: 0

Kilaru

PIN # 9851975615

Johnathan Kilaru appeared before the Board to appeal the value of his property located at 901 CRAFTSMAN STREET, HILLSBOROUGH, NC. The current tax value assigned to the property by Orange County is \$ 702,560. The appellant is requesting a reduction to the value to \$ 550,000. He states that the assessed value of the property is greatly in excess of the market value. Considering the financial crisis as of January 1, 2009 property prices should have been lowered substantially unless one argues that this crisis did not affect Orange County or this property. The appellant states that his purchase price was \$ 550,000 and that a back dated appraisal indicated the value on January 1, 2009 was \$ 630,000. He claims that the sale price is a "hard figure" while the appraisals are "softer numbers" with some relevancy. He went on to add that a number of appraisals have been

done on his property and all of them are below the County's assessment. Mr. Kilaru had appealed this property for prior years to the Property Tax Commission (PTC). That appeal was dismissed by the PTC. He doesn't feel that the house would have sold for the price in which it was assessed. The house was foreclosed upon by the bank, the bank had put it on the market, and the appellant purchased the property in 2009 for \$ 550,000. He submitted three appraisals dated January 2009, September 2009, and January 2010 to show a trend in the value of sales.

County stated that upon review of sketches, there was a discrepancy on the design. The Board requested a field review be performed and that the discrepancy be investigated.

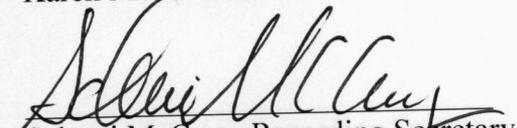
The Board instructed the Staff to conduct their field review and bring back the findings.

Ayes: 3

Noes: 0

Having heard all the appeals scheduled on this date, Mr. Morgan made a motion to adjourn this meeting. Mrs. Morrisette seconded the motion and the meeting was adjourned at 4:28 pm.


Karen Morrisette- Chair


Scherri McCray- Recording Secretary