

MINUTES
Board of Equalization and Review
August 9, 2012

Board Members Present:

Chair: Karen Morrissette
Barbara Levine
Reginald Morgan

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

Nisbet

PIN # 9788943041

Peter Nisbet appeared before the Board to appeal the value of his property located at 105 LAUREL HILL CIRCLE, CHAPEL HILL, NC. The current tax value assigned to the property by Orange County is \$ 688,480. The appellant is requesting that the Board adjust the valuation on this property to \$ 454,025 based on comparable sales that he obtained from the Value Appeal website that suggested a lower assessment. The appellant's main concern is the value per square foot of his property compared to other properties listed on the sales that he presented to the Board. This property was purchased in August 2009 for \$ 628,000.

Upon review, the County discovered a discrepancy in the building sketch. The records indicated that the appellant's property has three porches when in actuality it has only two. The County requests that the Board approve the correction to the property drawing and accept the value reduction to \$ 681,200.

During deliberations, the Board considered all information presented by the appellant and the County. After deliberation, Mrs. Morrissette made a motion to accept that adjustment recommended by the County to remove a non-existing level of a porch, reducing the value of this property to \$ 681,200. She also noted that the price per square foot of the comparable range from \$ 156 to \$ 274 per square foot which is consistent with the property values in the area. Mrs. Levine seconded the motion and the motion carried.

Ayes: 3
Noes: 0

Shepherd

PIN# 9875039268

Johnny and Jennifer Shepherd elected not to appear before the Board and requested to allow the appeal form and all supporting documentation to serve as their appeal. Their property is located at 403 GOVERNOR DRIVE, HILLSBOROUGH, NC. The current tax value assigned to the property by Orange County is \$ 423,600. The appellant is requesting that the Board adjust the valuation of this property to \$ 385,000 based on a recent appraisal that was conducted in August 2011 that suggested a lower value. The appraisal was submitted for review. This property was purchased in 2006 for \$ 376, 000.

During deliberations, the Board considered all information presented by the appellant and the County. The County provided sales for the Board to review. Mrs. Levine made a motion that no change be made to the current valuation citing that all evidence provided by the appellant was from 2011-2012 sales and not relevant to the value assessment date of January 1, 2009. The County's sales evidence was time relevant and indicates no reduction Mr. Morgan seconded the motion and the motion carried.

Ayes: 3
Noes: 0

Parker***PIN # 9788066395.036***

Michael Parker appeared before the Board to appeal the value of his property located at 601-311 WEST ROSEMARY STREET, CHAPEL HILL, NC. The current tax value assigned to the property by Orange County is \$ 834,200. The appellant is requesting that the Board adjust the valuation on this property to \$ 701,000 based on a recent appraisal that was conducted in June 2011 that suggested a lower value. The appraisal was submitted for review. The appellant states that there were no new sales during the time of the construction. This is a unit in the Greenbridge condominium complex. The complex was in foreclosure and the cessation of sales has rendered the original assessment of their unit incorrect. Mr. Parker purchased this property in 2008 for \$ 864,000 , and he claims that the price he paid was overvalued at that time and was an above-market sales price. He also states that he didn't get what he paid for due to the contractors and builders inability to complete the project.

During deliberations, the Board considered all information presented by the appellant and the County. After deliberation, Mrs. Morrissette made a motion that no change be made to the value citing that the only information provided by the taxpayer is an appraisal from February 2012. She stated that certain contractual matters between buyers and contractors could not be considered as an indication that the value is incorrect. This is a contractual agreement between the seller and taxpayer because the matters mentioned by the taxpayer are punch list repairs that are contractual issues and have no bearing on the County's schedule of values. These issues are all economic in nature and they all occurred after the valuation date. The physical maintenance matter stated by the taxpayer do not significantly affect the habitability or value of the condo. Mrs. Levine seconded the motion and the motion carried.

Ayes: 3

Noes: 0

Wagner-Martin

PIN # 9788066395.047

Linda Wagner- Martin elected not to appear before the Board and requested to allow the appeal form and all supporting documentation to serve as her appeal. She is appealing the value of her property located at 601-402 WEST ROSEMARY STREET, CHAPEL HILL, NC. The current tax value assigned to the property by Orange County is \$ 507,500. In her documents, the appellant states that the property was not built on January 1, 2009. She claims that she was allowed to move in July 9, 2010 and was among the first owners to do so and that the tax evaluation of \$ 507,500 is far beyond what the 1240 square feet of her property is worth. Mrs. Wagner-Martin notes that this is a Greenbridge property and as such is unique LEED construction and there were no comparable property sales in January 1, 2009. She mentions that these unique circumstances, foreclosure and cessation of sales, have rendered the original assessment invalid. The appellant provided an appraisal from February 2012 for the Board to review.

Upon review, the County stated that the appraisal was not relevant. The taxpayer's appraiser did not use any valid valuation methodology to attain the estimated value.

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 value citing that the only information provided by the taxpayer is an appraisal from February 2012. Mrs. Morrissette added that certain contractual matters between buyers and contractors could not be considered as an indication that the value is incorrect. The issues are all economic in nature and they all occurred after the valuation date. Mrs. Morrissette seconded the motion and the motion carried.

Ayes: 3

Noes: 0

Kuhn

PIN # 9799458855

Timothy Kuhn appeared before the Board to appeal the value of his property located at 37 CLOVER DRIVE, CHAPEL HILL, NC. The current tax value assigned to the property by Orange County is \$ 269,753. The appellant is requesting that the Board adjust the valuation on this property to \$ 250,000 stating that his property is significantly overvalued compared to his neighbor's property. He claims that he was not aware of an appeal process until his neighbor stated that he had appealed his property value and got the value reduced. Mr. Kuhn appealed his property value in 2009 and no change was made to his value at that time. He states that he was upset that his neighbor's value decreased from \$ 270,000 to \$ 250,000 citing that his neighbor's house had the largest floor plan in The Meadows subdivision. He went on to claim that this property was listed for \$ 249,900 and did not sell. The appellant mentioned two other properties in his subdivision that were currently on the market and gave their listing prices.

Upon review by the County, it was noted that the appellant's neighbor's property was bigger and the value was less but this was due to evidence presented regarding its inferior physical condition.

During deliberations, the Board considered all information presented by the appellant and the County. After deliberation, the Board determined that the value of the appellant's neighbor's property was due to higher depreciation. Mrs. Morrissette made a motion that no change be made to the current value in view of the fact that the evidence presented by the taxpayer was an invalid equity argument between him and his neighbor. The taxpayer only provided active listings that were currently on the market and sales that were after the relevant valuation date of January 1, 2009. Mrs. Levine seconded the motion and the motion carried.

Ayes: 3

Noes: 0

Zhao/ Xie

PIN # 9798765823

Dai Zhao and Wei Xie elected not to appear before the Board and requested to allow the appeal form and all supporting documentation to serve as their appeal. They are appealing the value of their property located at 501 MEADOWMONT LANE, CHAPEL HILL, NC. The current tax value assigned to the property by Orange County is \$ 1,245,700. They are requesting a reduction in value to \$ 1,110,000 stating that the tax value is not the true reflection of the current market value. They were not able to refinance their property due to the current market value. The appellant provided an appraisal performed for refinancing from 2012.

During deliberations, the Board considered all information presented by the appellant and the County. After deliberation, Mrs. Morrissette made a motion that no change be made to the current value stating that the taxpayers' sales comparables were from 2011 and not relevant to the January 1, 2009 valuation. Mrs. Levine seconded the motion and the motion carried.

Ayes: 3

Noes: 0

Wright

PIN # 9880659249

Richard Wright elected not to appear before the Board and requested to allow the appeal form and all supporting documentation to serve as his appeal. He is appealing the value of his property located at 104 CROSS CREEK DRIVE, CHAPEL HILL, NC. The current tax value assigned to the property by Orange County is \$ 1,047,310. The appeal request is based on sales comparables that he obtained from the Value Appeal website that suggested a lower assessment of \$ 701,437.

Upon review, the County found discrepancies in the measurements of the home. The County is requesting that the Board recommend a field review.

The Board granted the County's request to conduct a field review of the appellant's property and motioned for the staff to bring the findings back to the Board for review and deliberation.

Skeen***PIN # 804415027***

Sherbilene Skeen appeared before the Board to appeal the value of her property located at 4828 ENO WOODS TRAIL, DURHAM, NC. The current tax value assigned to the property by Orange County is \$ 917,100. The appellant is requesting a reduction in value to \$ 800,000 stating that a refinancing appraisal conducted in April 2009 had the property valued at this amount. Mrs. Skeen stated that she did not feel that the 50 x 60 garage structure that was built for \$ 150,000 added that much value to the property. This garage is an insulated, heated and cooled structure with a bathroom and loft.

Upon review, the County recommended the grade of the detached structure be reduced from C+00 to D+00. This will reduce the property value to \$ 867,200.

During deliberations, the Board considered all information presented by the appellant and the County. After deliberation, the Board noted that the sales comparables provided by the taxpayer were all located in Carrboro and Chapel Hill. The subject is located in Hillsborough. Mrs. Levine made a motion to accept the County's recommendation to adjust the detached structure grade from C+00 to D+00 decreasing its value to \$ 116,500 which in turn reduces the overall value of the property to \$ 867,200. Mr. Morgan seconded the motion and the motion carried.

Ayes: 3

Noes: 0

King***PIN # 9825538848***

Kathryn King elected not to appear before the Board and requested to allow the appeal form and all supporting documentation to serve as her appeal. She is appealing the value of her property located at 104 BOBWHITE WAY, MEBANE, NC. The current tax value assigned to the property by Orange County is \$ 192,600. The appellant did not specify a requested value and cited that the property was built in 2011. She submitted an appraisal for the Board to review.

During deliberations, the Board considered all information presented by the appellant and the County. The County provided sales for the Board to review. After deliberations, the Board determined that the County provided sales from 2008 for the relevant subject area. Mrs. Morrissette made a motion that no change be made to the value stating that the taxpayer's 2011 evidence was irrelevant to the revaluation time frame of January 1, 2009. Mr. Morgan seconded the motion and the motion carried.

Ayes: 3
Noes: 0

Smith

PIN # 9875910808

Corine Smith appeared before the Board to appeal the value of her property located at 104 WEST HATTERLEIGH AVENUE, HILLSBOROUGH, NC. She is requesting a reduction in value to \$ 315,000. The current tax value assigned to the property by Orange County is \$ 390,900. Ms. Smith states that the property was not built at the time of the revaluation period. She paid \$ 302,000 in September 2011. She received her tax bill and saw that her assessed property value increased to \$ 390,900 which is an increase of over \$ 88,000 in ten months. She is not clear as to how the value was calculated. She claimed that she was also not aware that this was going to be the tax value when she purchased the property. Ms. Smith presented the Board with sales from 2011 and 2012.

During deliberations, the Board considered all information presented by the appellant and the County. The Board enlightened Ms. Smith on the property valuation process and explained that the sales in her area were comparable to her current appraised value. After deliberation, Mrs. Morrissette made a motion that no change be made to value stating that the sales evidence provided by the County were relevant to the January 1, 2009 valuation date and that the 2011 and 2012 sales evidence provided by the taxpayer were not relevant. Mrs. Levine seconded the motion and the motion carried.

Ayes: 3
Noes: 0

East 54 Associates, LLC

PIN # 9798345972

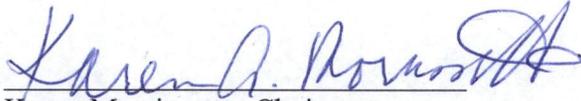
East 54 is a mixed use condominium complex located in CHAPEL HILL, NC. The appellant received a Notice of Discovery from the Orange County Assessment Office stating that Unit 4504 was omitted from the 2010 tax roll and was not assessed or billed at the time of the other units in 2010. They are requesting that the Board waive the penalty noting that they are aware of their responsibility for the taxes on this unit but since the unit was not assessed or put on the tax roll in 2010, they had no way of knowing the amount of the bill and thus could not possibly have paid it in time to avoid the penalty.

Mrs. Morrissette made a motion to waive the penalties on this 2012 tax year discovery based on the fact that the appellant did not receive adequate information from which to notify the County of the oversight of not assessing this unit. Mrs. Levine seconded the motion and the motion carried.

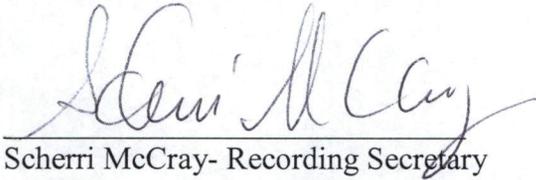
Ayes: 3

Noes: 0

Having heard all the appeals scheduled on this date, Karen Morrisette made a motion to adjourn this meeting. Barbara Levine seconded the motion and the meeting was adjourned at 4:30 pm.



Karen Morrisette- Chair



Scherri McCray- Recording Secretary