Resolution No. R-019-062

Resolution Approving the Recommendations of the Abatement Hearings Referee was originally recorded as Resolution No. R-019-061 out of order, and is being re-recorded to correct order.

RESOLUTION NO. 019-062

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DOUGLAS, COLORADO

RESOLUTION APPROVING THE RECOMMENDATIONS OF THE ABATEMENT HEARINGS REFEREE.

WHEREAS, pursuant to Resolution No. R-008-083, A Resolution Appointing Independent Referees to Conduct Abatement Hearings on Behalf of the Board of County Commissioners Beginning July 1, 2008, the Board finds as follows:

- 1. Referee Karen Smith heard abatement petitions on May 14, 2019; and
- 2. After hearing all the evidence, Referee Smith makes the recommendations contained in the attached Referee Worksheets for the following Abatement Numbers:

| Abatement No. | Petitioner(s) |
|-----------------------|-----------------------|
| 201900044 & 201900045 | IMO US West LLC |
| 201900056 & 201900057 | Robert & Faye Kennish |
| 201900074 | UFC Gym |

3. Having reviewed the recommendations of Referee Smith, the Board of County Commissioners ("Board") approves her findings and recommendations.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of the County of Douglas, State of Colorado, that the Board accepts the recommendations of Referee Smith and orders that a separate resolution for each abatement petition contained in the attached worksheets be prepared and that the petitioners are notified of this decision.

PASSED AND ADOPTED this 11th day of June, 2019 in Castle Rock, Douglas County, Colorado.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DOUGLAS, COLORADO

ROGER A. PARTRIDGE, Chair

ATTEST:

EMILY WRENN, Clerk to the Board

Ref. #2019033664, Date: 6/12/2019 4:22 PM,

Pages: 1 of 15,

Douglas County, CO. Merlin Klotz, Clerk and Recorder

DOUGLAS COUNTY ABATEMENT HEARING REFEREE WORKSHEET

| Petitioner: | IMO US West LLC | Agent: Todd Stevens |
|-----------------|---|--|
| Property Addre | ess: 16937-16941 E. Lincoln Ave. | Abatement Numbers: 201900044 and 201900045 |
| Assessor's Orig | inal Value: \$1,060,785 for tax years 2017 and | 2018 |
| Hearing | g Date: May 14, 2019 Hearing Time: | : 10:00 a.m. |
| 1. The Doug | glas County Assessor was represented at the ho | earing by Rob Moffitt. |
| | a. □ present b. □ not present c. □ present/represented by d. ⊠not present/represented by Tyler Hug | |
| 3. Assesso | or's Recommended Value: \$945,452 for 2017 | and \$1,033,196 for 2018 |
| Petition | ner's Requested Value: \$860,000 for tax year | s 2017 and 2018 |

4. Petitioner presented the following testimony and documents in support of the claim: Petitioner's

2018.

representative accepted the Assessor's recommended new actual values of \$945,452 for 2017 and \$1,033,196 for

| 5. The Assessor | r presented the following testimony and documents in support of the Assessor's position: |
|------------------------|---|
| b. ⊠va c. □a v | ta from sales of comparable properties which sold during the applicable time period; and /or luation using the cost approach; and/or valuation using the income approach; and/or her Assessor recommended reductions in actual value to correct property characteristics. |
| | E FINDS AND RECOMMENDS THAT THE PROPER CLASSIFICATION AND DE OF THE PROPERTY ARE: |
| Classification: | Commercial |
| Total Actual Valu | e: \$945,452 for 2017 and \$1,033,196 for 2018 |
| | llows: Recommended new actual values reflect corrections to property characteristics. The new e calculated by the Assessor and agreed to by Petitioner's representative. |
| IT IS THEREFO | RE RECOMMENDED that for the above-stated reasons, the Petition for Abatement is: |
| a. $\square A$ | Approved and the value of the subject property is reduced as set forth in the Findings and as herein |
| b. ⊠ | Approved in part as set forth in the Findings and Recommendations herein |
| с. 🗆 | Denied after abatement hearing |
| d. 🗆 | Administrative Denial is Granted |
| REFEREE: | |
| s/ Karen Smith Name | May 14, 2019 Date |
| Abatement Log | Nos. 201900044 and 201900045 |

| Tax Year: | 2017 | ~ ~ | | | | | | | Assessor Findings: | | | | | | | |
|--------------|----------------|-----------------|--|----------------|--------------------|-------------------|-------------|---|--------------------|--------------|------------------|-----------------|-------------------|-----------------|-------------|--------|
| Date | 2/25/2 |)19 | agains and the state of the sta | | | | | | Deny | | | | | | | |
| Received: | | | | | | | | Recommendation: | <u> </u> | | | | | | | |
| Petitioner: | IMO U | S WEST LLC | | | | | | 37 - The Cost Approach to value was used in determining the subjects value, resulting in no change. | | | | | | | | |
| Agent: | STEVE | NS & ASSO | CIATES | | | u | | Staff Appraiser: | RRM | | | | | | | |
| Petitioner's | Value Too High | | | | | Review Appraiser: | TMT | | | | | | | | | |
| Request: | | | | | | | | | ļ | | | | | | | |
| Petitioner's | \$860,0 | 00 | | | | | | Hearing Comments: | İ | | | | | | | |
| Requested | İ | | | | | | | | ļ | | | | | | | |
| Value: | | ., | | | | | | | 64.000.70 | <u> </u> | | 1 | | | | |
| | | | | | | | | Assessor Final Review Value: | \$1,060,78 | 50 | | | | | | |
| | | | | | | | | | <u> </u> | | | | | | | |
| Origina | ıl Valu | es | | | _ | | | Abatement Final | | | | | | ** D / T | A . C . I | D-61 |
| Account # | | Tax Dist. | Actual Value | Assm't. | Assessed | Tax Rate | Tax Amt. | ' <u>Account Decision</u> | Abst. Code | Tax Dist. | Actual Value | Assm't. Rate | Assessed Value | Tax Rate | Tax Amt. | Refund |
| R0497377 | 2130 | 1005 | \$634,234 | Rate 29,00% | Value \$183,930 | 10.1391% | \$18,648.85 | | 2130 | 1005 | \$634,234 | 29.00% | \$183,930 | 10.1391% | \$18,648.85 | ••• |
| K0491311 | 2230 | 1005 | \$426,551 | 29.00% | \$123,700 | | \$12,542.07 | | 2230 | 1005 | \$426,551 | 29.00% | \$123,700 | 10.1391% | \$12,542.07 | |
| | L | Acct. Total: | \$1,060,785 | 25.5075 | \$307,630 | | \$31,190.92 | | Ac | ct. Total: | \$1,060,785 | | \$307,630 | | \$31,190.92 | |
| | | | | | | l | | Deny - 37 - The Cost A | Approach to | value was | used in determin | ing the subj | ects value, resu | lting in no cha | nge. | |
| | | | | | | | | • | | | | | | | | |
| | | | | | | | | | | | | | | | | , |
| | \ | rand Total: | \$1,060,785 | | \$307,630 | | \$31,190.92 | | Gra | and Total: | \$1,060,785 | | \$307,630 | | \$31,190.92 | |

| Tax Year: | 2018 | | | | | | | | | | Asse | ssor Findi | ngs: | | | | |
|--------------|--------------|--------------|--------------|----------------|--|----------|-------------|---|---------------|-------------|-------------------|-----------------|-------------------|------------|-------------|---------|--|
| Date | 2/25/2 | 019 | | | | | | Abatement | Deny | | | | | | | | |
| Received: | | | | | | | | Recommendation: | | | | | | | | | |
| Petitioner: | IMO U | S WEST LLC | | | | | | 37 - The Cost Approach to value was used in determining the subjects value, resulting in no change. | | | | | | | | | |
| Agent: | STEVI | NS & ASSO | CIATES | | | | | Staff Appraiser: | RRM | | | | | | | | |
| Petitioner's | Value | Too High | | | | | | Review Appraiser: | TMT | | | | | | | | |
| Request: | | - | | | | | | | <u> </u> | | | | | | | | |
| Petitioner's | \$860,0 | 100 | | | | | | Hearing Comments: | | | | | | | | | |
| Requested | | | | | | | | | | | | | | | | | |
| Value: | <u> </u> | | | | | | | | | | | | | | | | |
| | | | | | | | | Assessor Final | \$1,060,7 | 85 | | | | | | | |
| | | | ···· | | | | | Review Value: | <u> </u> | | | | | | | | |
| Origina | | | | | | | | Abatement Final | | | A street Material | 339-1 | A | Ten Data 1 | Tax Amt. | Refund | |
| Account # | | Tax Dist. | Actual Value | Assm't. | Assessed | Tax Rate | Tax Amt. | Account Decision | Abst. Code | | Actual Value | Assm't. Rate | Assessed Value | Tax Rate | Tax Ann. | Keluliu | |
| R0497377 | Code 2130 | 1005 | \$634,234 | Rate 29.00% | Value \$183,930 | 10.7621% | \$19,794.73 | | 2130 | 1005 | \$634,234 | 29.00% | \$183,930 | 10.7621% | \$19,794.73 | | |
| 10407077 | 2230 | 1005 | \$426,551 | 29.00% | \$123,700 | 10.7621% | \$13,312.72 | | 2230 | 1005 | \$426,551 | 29.00% | \$123,700 | 10.7621% | \$13,312.72 | **** | |
| | | Acct. Total: | \$1,060,785 | | \$307,630 | | \$33,107.45 | | A | cct. Total: | \$1,060,785 | | \$307,630 | | \$33,107.45 | | |
| | | J | <u></u> | | Deny - 37 - The Cost Approach to value was used in determining the subjects value, resulting in no change. | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | |
| | - | irand Total: | \$1,060,785 | | \$307,630 | | \$33,107.45 | | Gr | and Total: | \$1,060,785 | | \$307,630 | | \$33,107.45 | | |



201900044-2017

RECEIVED

FEB 2.5 2019

Dougles County
Assessor's Office

Office of the County Assessor Lisa Frizell, Assessor Phone 303-660-7450 303-479-9751 Fax 303-479-9751

301 Wilcox Street Castle Rock, CO 80104

PETITION FOR ABATEMENT OR REFUND OF TAXES

| Section I: Petitioner, please complete Section I only. Date: 02 22 2019 Month Day Year IMO US WEST LIC | nmissioners' Date Stamp |
|---|-------------------------|
| Date: 02 22 2019 E-MAIL_robynd@stevensandassoc.com | 1 |
| Month Day Year IMO US WEST LIC | 1 |
| IMO US WEST LIC | |
| | |
| Petitioner's mailing address: 6063 S Syracuse Way | |
| Centennial CO 80111 | |
| City or Town State Zip Code | |
| SCHEDULE OR PARCEL NUMBER(S) R0497377 PROPERTY ADDRESS OR LEGAL DESCRIPTION O 16937-16941 E Lincoln Ave | F PROPERTY |
| Petitioner states that the taxes assessed against the above property for property tax years 2017-2018 are incorre (Briefly describe the circumstances surrounding the incorrect value or tax. Attach additional sheets if necessary.) THE ASSESSOR DID NOT PROPERLY CONSIDER THE COST, MARKET OR INCOME APPROACHES TO ASPECTS OF THE PROPERTY IN QUESTION. | |
| Petitioner's estimate of actual value \$ 2017 (860,000) and \$ 2018 (860,000) Value Year | 1 |
| Petitioner requests an abatement or refund of the appropriate taxes. | |
| - cultoner requests an abatement of retains of the appropriate taxes. | |
| I declare, under penalty of perjury in the second degree, that this petition, together with any accompanying exhibits of | or statements, has been |
| I declare, under penalty of perjury in the second degree, that this petition, together with any accompanying exhibits of prepared or examined by me, and to the best of my knowledge, information and belief, is true, correct and complete. Daytime Phone Number Petitioner's Signature | or statements, has been |

*Letter of agency must be attached when petition is submitted.

If the board of county commissioners, pursuant to section 39-10-114(1), or the property tax administrator, pursuant to section 39-2-116, denies the petition for refund or abatement of taxes in whole or in part, the petitioner may appeal to the board of assessment appeals pursuant to the provisions of section 39-2-125 within thirty days of the entry of any such decision. §39-10-114.5(1), C.R.S.

DOUGLAS COUNTY ABATEMENT HEARING REFEREE WORKSHEET

| Petitioner: Robert W. and Faye D. Kennish | Agent: | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|--|
| Property Address: 138 North Ridge Road | Abatement Numbers: 201900056 and 201900057 | | | | | | | | | |
| Assessor's Original Value: R0418537: R0418537: \$117,878 for 2017 and 2018 with 2017 classified as contiguous residential and 2018 classified as residential; R0420497: \$438,151 for 2017 and 2018. | | | | | | | | | | |
| Hearing Date: May 14, 2019 Hearing Time | e: 9:00 a.m. | | | | | | | | | |
| 1. The Douglas County Assessor was represented at the h | earing by Virginia Wood. | | | | | | | | | |
| 2. The Petitioner was: a. ⋈ present b. □ not present c. □ present/represented by d. □ not present/represented by | | | | | | | | | | |
| 3. Assessor's Recommended Value: R0418537: \$117,8 classified as contiguous residential; R0420497: \$438,151 for | | | | | | | | | | |
| Petitioner's Requested Value: R0418537: Contiguo R0420497: not appealing this account. | ous residential classification for both 2017 and 2018. | | | | | | | | | |
| 4. Petitioner presented the following testimony and document the properties have always been owned by the Petitioner or house be kept in a revocable trust and the land be kept in an and Recorder in 2017 that was intended to be for the resident include the residential property and the deed was eventually rejected until he received the tax bill; once Petitioner learned estate planning, he decided not to proceed with the estate planning. | a trust; estate planning lawyer recommended that the intrevocable trust; a deed was submitted to the Clerk intial property; however, the legal description did not rejected; Petitioner did not learn that the deed was did not the property tax ramifications of the proposed | | | | | | | | | |

| 5. The As | sessor presented the following testimony and documents in support of the Assessor's position: |
|-----------------------------|---|
| a. b. c. d. | ☐ data from sales of comparable properties which sold during the applicable time period; and /or ☐ valuation using the cost approach; and/or ☐ a valuation using the income approach; and/or ☐ other Assessor recommends that the vacant parcel be classified as contiguous residential for 2018. |
| | EREE FINDS AND RECOMMENDS THAT THE PROPER CLASSIFICATION AND VALUE OF THE PROPERTY ARE: |
| Classificatio | n: R0418537: contiguous residential vacant land. R0420497: residential. |
| Total Actual residential; I | l Value: R0418537: \$117,878 for 2017 and 2018 with both 2017 and 2018 classified as contiguous R0420497: \$438,151 for 2017 and 2018. |
| Reasons are subject prop | as follows: Assessor recommended that R0418537 be classified as contiguous residential for 2018 as the perty meets the criteria for such classification. No valuation issue was raised for either parcel. |
| IT IS THE | REFORE RECOMMENDED that for the above-stated reasons, the Petition for Abatement is: |
| | a. □Approved and the value of the subject property is reduced as set forth in the Findings and dations herein |
| ŀ | o. 🛮 Approved in part as set forth in the Findings and Recommendations herein |
| C | e. Denied after abatement hearing |
| Ċ | d. Administrative Denial is Granted |
| REFEREE | ; |
| s/ Karen Sm. Name | ith May 14, 2019 Date |
| Abatement | t Log Nos. 201900056 and 201900057 |

<u>Transmittal Sheet for Abatement #: 201900056</u>

| Tax Year: | 2017 | | | | | | | | | | Asses | sor Findi | ngs: | | | | |
|---------------------------|-----------------------|--------------|------------------------|--|--|----------|-------------|---|----------------------------------|---------------------------------------|---------------|-----------------|-------------------|-------------|----------------|----------|--|
| Date Received: | 2/26/201 | 9 | | | The second secon | | | Abatement Recommendation: | Deny | | | | | | | | |
| Petitioner: | ROBERT | W KENNISH | & FAYE D KENNI | SH | | | | 43 - Appraiser's custor | 3 - Appraiser's custom response: | | | | | | | | |
| Agent: | | | | | | | | Staff Appraiser: | VKW | | | | | | | | |
| Petitioner's Request: | Property | Condition | VA ALUMANIA MARKATANIA | | .,, | | | Review Appraiser: | SWC | | | | | | | | |
| Petitioner's Requested | - | | | | | | | Hearing Comments: | | Marie Company | | | | | | | |
| Value: | 1_, | | <u> </u> | egoria general de la constanta de la constanta de la constanta de la constanta de la constanta de la constanta | | | - | Assessor Final Review Value: | \$556,029 | · · · · · · · · · · · · · · · · · · · | | | | | | | |
| Origina | Values | S | | | | | | Abatement Final | Results | | | | | | | | |
| Account # | | Tax Dist. | Actual Value | Assm't. Rate | Assessed Value | Tax Rate | Tax Amt. | Account Decision | Abst. Code | Tax Dist. | Actual Value | Assm't. Rate | Assessed Value | Tax Rate | Tax Amt. | Refund | |
| R0418537 | 1112CP | 0156 | \$117,878 | 7.20% | \$8,490 | 7.9382% | \$673.95 | | 1112CP | 0156 | \$117,878 | 7.20% | \$8,490 | 7.9382% | \$673.95 | | |
| | | Acct. Total: | \$117,878 | | \$8,490 | | \$673.95 | | | ct. Total: | \$117,878 | | \$8,490 | | \$673.95 | | |
| | | | <u> </u> | | · · · · · · · · · · · · · · · · · · · | | | Deny - 43 - Appraiser's AND OWNER IS NOT | | | | _a\$sified | AS CONTIGUO | OUS RESIDE | NTIAL FOR 2017 | TAX YEAR | |
| R0420497 | 1112 | 0156 | \$176.751 | 7,20% | \$12,730 | 7,9382% | \$1,010.53 | | 1112 | 0156 | \$176,751 | 7.20% | \$12,730 | 7.9382% | \$1,010.53 | | |
| 110420437 | 1212 | 0156 | \$261,400 | 7.20% | \$18,820 | 7.9382% | \$1,493.97 | | 1212 | 0156 | \$261,400 | 7.20% | \$18,820 | 7.9382% | \$1,493.97 | | |
| | | Acct. Total: | \$438,151 | | \$31,550 | | \$2,504.50 | | | ct. Total: | \$438,151 | | \$31,550 | | \$2,504.50 | | |
| | | | | | | | | Deny - 43 - Appraiser's OF THIS ACCOUNT. | custom re | sponse: Pi | ROPERTY IS IN | IPROVED. | OWNER STAT | ED HE IS NO | T APPEALING T | HE VALUE | |
| | Less Ser Exemption | | (\$100,000) | 7.20% | (\$7,200) | 7.9382% | (\$571.55) | | | | (\$100,000) | 7.20% | (\$7,200) | 7.9382% | (\$571.55) | | |
| - | | Grand Total: | \$556,029 | | \$32,840 | | \$2,606.90 | | Gra | nd Total: | \$556,029 | | \$32,840 | | \$2,606.90 | | |

| Tax Year: | 2018 Assessor Findings: Revised as per Referee's recommendation | | | | | | | | | | | | | | | | |
|-------------------------------------|---|---------------------------------------|--|-------------------------------------|----------------|----------|------------------------------|---|----------|----------|---------|-------------------|---|-------------------|-----------------|-----------------|------------|
| Date Received: | 2/26/2019 | | | | | | Abatement Recommendation: | Referee Recommendation: At the 5/14/2019 hearing - No change to Account R0420497. For Account R0418537 classification change to contiguous is granted, no change in value however with Assessment ra changing to 7.2%, warrants an adjustment to taxes. | | | | | | | | | |
| Petitioner: | ROBE | RT W KENNI | SH & FAYE D KEN | NISH | | | | | | | | | | | | | |
| Agent: | | · · · · · · · · · · · · · · · · · · · | | | | | | Staff Appraiser: | VKW | | | | | | | | |
| Petitioner's Request: | Proper | ty Condition | | | | | | Review Appraiser: | SWC | | | | | | | | |
| Petitioner's Requested Value: | - | | and an analysis of the state of | e, gradena arbana reprinse Aprillia | | | | Hearing Comments: | | | | | | _ | | | |
| Value. | L | Marry and he party was now as | | | | | | Assessor Final Review Value: | \$556,0 | 029 | | | *************************************** | | | | |
| Original | Valu | | | | | | | Abatement Final | Resul | ts | | | | | | | |
| | | Tax Dist. | Actual Value | Assm't. Rate | Assessed Value | Tax Rate | Tax Amt. | Account Decision | Ab: | st. T | ax ist. | Actual Value | Assm't. Rate | Assessed Value | Tax Rate | Tax Amt. | Refund |
| R0418537 | 0100 | 0156 | \$117,878 | 29.00% | \$34,180 | 8.5559% | \$2,924.41 | | 11120 | P 01: | 56 | \$117,878 | 7.20% | \$8,490 | 8.5559% | \$726.40 | \$2,198.01 |
| | | Acct. Total: | \$117,878 | | \$34,180 | | \$2,924.41 | | 1 | Acct. T | | \$117,878 | | \$8,490 | | \$726.40 | \$2,198.01 |
| | | | | | | | | Adjust - 44 - Appraiser | 's custo | om respo | nse: Ad | justed at the 5/1 | 4/2019 hear | ing to contiguou | s classificatio | n. No Change to | R0420497. |
| R0420497 | 1112 | 0156 | \$176,751 | 7.20% | \$12,730 | 8.5559% | \$1,089.17 | | 1112 | 01 | 56 | \$176,751 | 7.20% | \$12,730 | 8.5559% | \$1,089.17 | - |
| | 1212 | 0156 | \$261,400 | 7.20% | \$18,820 | 8.5559% | \$1,610.22 | | 1212 | 01 | 56 | \$261,400 | 7.20% | \$18,820 | 8.5559% | \$1,610.22 | |
| | | Acct. Total: | \$438,151 | | \$31,550 | | \$2,699.39 | | | Acct. T | | \$438,151 | | \$31,550 | | \$2,699.39 | |
| | | | | | | | | Deny - 43 - Appraiser's | s custor | n respon | se: Owr | | | | | | |
| | | Less Senior | (\$100,000) | 7.20% | (\$7,200) | 8.5559% | (\$616.02) | | | | | (\$100,000) | 7.20% | (\$7,200) | 8.5559% | (\$616.02) | |
| | - | rand Total: | \$556,029 | | \$65,730 | | \$5,623.80 | | T | Grand T | otal: | \$556,029 | | \$40,040 | | \$3,425.79 | \$2,198.01 |



Lisa Frizell, Douglas County Assessor 301 Wilcox St. | Castle Rock, CO 80104 Office: 303.660.7450 Fax: 303.479.9751

PETITION FOR ABATEMENT OR REFUND OF TAXES

| Section I: Petitioner, please complete | Section I only. | 2019000 | 157-20 | 18 |
|---|--|---|--|--------------------------------|
| Date: F46 26 2017 | | Date Re | | |
| Month Day Year | | | • | |
| DL LID | + FAYE D. | Varie | / - Hor | restead 1071 TV |
| Petitioner's Name: Koburt W. | V DAYE D. | PMN(3) | <u>رم</u> | 19/11/11 |
| Petitioner's Mailing Address: 13 8 | N. Ridge | KOAO | <u> </u> | |
| Cofte Rock | | | 30104 | |
| City or Town | State | | Zip Code | |
| SCHEDULE OR PARCEL NUMBER(S) | PROPERTY ADDRESS O | | | PERTY |
| 10 420497 | 139 No. K | dge KD | P | |
| RO 418 537 | VACANT | | | |
| | | | | |
| Petitioner requests an abatement or refund of the a property tax year are incorrect for the whether due to erroneous valuation, irregularity in | ne following reasons: (Briefly de levying, clerical error, or overval | scribe why the taxes huation. Attach addition | ave been levied err nal sheets if necess | oneously or illegally, |
| Petitioner's estimate of value: \$ | <i>P</i> (20/7) a | nd \$Value | 2018 | |
| | Value Year | Value | Year | |
| Petitioner's Signature? | | one Number (|) | |
| Agent's Signature* LETTER OF AGENO | Y REQUIRED | | | |
| Printed Name: | Email | | | |
| If the Board of County Commissioners, pursuant to denies the petition for refund or abatement of taxe to the provisions of § 39-2-125, C.R.S., within thirt | s in whole or in part, the Petition | er may appeal to the | Board of Assessme | nt Appeals pursuant |
| Section II: Ass | essor's Recomment (For Assessor's Use Only) | | | |
| Tax Year | , | Tax | Year | _ |
| <u>Actual</u> <u>Assesse</u> | <u>ed</u> <u>Tax</u> | <u>Actual</u> | <u>Assessed</u> | <u>Tax</u> |
| Original | | | | |
| Corrected | | | | |
| Abate/Refund | | | | |
| | | | | |
| Assessor recommends approval as ou | itlined above. | | | |
| If the request for abatement is based upon the gro to such valuation has been filed and a Notice of D | unds of overvaluation, no abate etermination has been mailed to | ment or refund of taxe the taxpayer, § 39-10 | es shall be made if a 0-114(1)(a)(I)(D), C. | n objection or protest R.S. |
| Tax year: Protest? No Y Y No Y Y Assessor recommends denial for the f | es (If a protest was filed, pl es (If a protest was filed, pl following reason(s): | ease attach a copy o ease attach a copy o | f the NOD.) If the NOD.) | |
| _ | - ,, | Assessor's o | or Deputy Assesso | r's Signature |

15-DPT-AR No. 920-66/17

DOUGLAS COUNTY ABATEMENT HEARING REFEREE WORKSHEET

| Property Address: 17002 E. Mainstreet #L Abatement Number: 201900074 Assessor's Original Value: \$38,084 for tax year 2018 Hearing Date: May 14, 2019 Hearing Time: 10:00 a.m. 1. The Douglas County Assessor was represented at the hearing by Christie Miller 2. The Petitioner was: a. □ present b. ☒ not present c. □ present/represented by d. □not present/represented by 3. Assessor's Recommended Value: \$38,084 for tax year 2018 Petitioner 's Requested Value: 4. Petitioner presented the following testimony and documents in support of the claim: Petitioner submitted an email stating that two locations of Freedom Fitness dba UFC GYM in Parker and Lone Tree were acquired; the Parker location was closed on January 31, 2018; on the advice of the Assessor, business personal property taxes were paid in full for both locations and an abatement petition was filed to obtain a refund for 11/12 of the amount paid for the Parker location; the request was denied because a declaration schedule had not been filed. | Petitioner: UFC Gym of Parker | Agent: Heather Corken |
|---|--|--|
| Hearing Date: May 14, 2019 Hearing Time: 10:00 a.m. 1. The Douglas County Assessor was represented at the hearing by Christie Miller 2. The Petitioner was: a. □ present b. ☒ not present c. □ present/represented by d. □ not present/represented by 3. Assessor's Recommended Value: \$38,084 for tax year 2018 Petitioner's Requested Value: 4. Petitioner presented the following testimony and documents in support of the claim: Petitioner submitted an email stating that two locations of Freedom Fitness dba UFC GYM in Parker and Lone Tree were acquired; the Parker location was closed on January 31, 2018; on the advice of the Assessor, business personal property taxes were paid in full for both locations and an abatement petition was filed to obtain a refund for 11/12 of the amount | Property Address: 17002 E. Mainstreet #L | Abatement Number: 201900074 |
| The Douglas County Assessor was represented at the hearing by Christie Miller The Petitioner was: a. □ present b. ⋈ not present c. □ present/represented by d. □ not present/represented by Assessor's Recommended Value: \$38,084 for tax year 2018 Petitioner's Requested Value: Petitioner presented the following testimony and documents in support of the claim: Petitioner submitted an email stating that two locations of Freedom Fitness dba UFC GYM in Parker and Lone Tree were acquired; the Parker location was closed on January 31, 2018; on the advice of the Assessor, business personal property taxes were paid in full for both locations and an abatement petition was filed to obtain a refund for 11/12 of the amount. | Assessor's Original Value: \$38,084 for tax year 2018 | |
| 2. The Petitioner was: a. □ present b. ⋈ not present c. □ present/represented by d. □ not present/represented by 3. Assessor's Recommended Value: \$38,084 for tax year 2018 Petitioner's Requested Value: 4. Petitioner presented the following testimony and documents in support of the claim: Petitioner submitted an email stating that two locations of Freedom Fitness dba UFC GYM in Parker and Lone Tree were acquired; the Parker location was closed on January 31, 2018; on the advice of the Assessor, business personal property taxes were paid in full for both locations and an abatement petition was filed to obtain a refund for 11/12 of the amount | Hearing Date: May 14, 2019 Hearing Times | : 10:00 a.m. |
| a. ☐ present b. ☒ not present c. ☐ present/represented by d. ☐ not present/represented by 3. Assessor's Recommended Value: \$38,084 for tax year 2018 Petitioner's Requested Value: 4. Petitioner presented the following testimony and documents in support of the claim: Petitioner submitted an email stating that two locations of Freedom Fitness dba UFC GYM in Parker and Lone Tree were acquired; the Parker location was closed on January 31, 2018; on the advice of the Assessor, business personal property taxes were paid in full for both locations and an abatement petition was filed to obtain a refund for 11/12 of the amount | 1. The Douglas County Assessor was represented at the ho | earing by Christie Miller |
| Petitioner's Requested Value: 4. Petitioner presented the following testimony and documents in support of the claim: Petitioner submitted an email stating that two locations of Freedom Fitness dba UFC GYM in Parker and Lone Tree were acquired; the Parker location was closed on January 31, 2018; on the advice of the Assessor, business personal property taxes were paid in full for both locations and an abatement petition was filed to obtain a refund for 11/12 of the amount | a. □ present b. ☒ not present c. □ present/represented by | |
| 4. Petitioner presented the following testimony and documents in support of the claim: Petitioner submitted an email stating that two locations of Freedom Fitness dba UFC GYM in Parker and Lone Tree were acquired; the Parker location was closed on January 31, 2018; on the advice of the Assessor, business personal property taxes were paid in full for both locations and an abatement petition was filed to obtain a refund for 11/12 of the amount | 3. Assessor's Recommended Value: \$38,084 for tax ye | ar 2018 |
| email stating that two locations of Freedom Fitness dba UFC GYM in Parker and Lone Tree were acquired; the Parker location was closed on January 31, 2018; on the advice of the Assessor, business personal property taxes were paid in full for both locations and an abatement petition was filed to obtain a refund for 11/12 of the amount | Petitioner's Requested Value: | |
| | email stating that two locations of Freedom Fitness dba UFC Parker location was closed on January 31, 2018; on the advice were paid in full for both locations and an abatement petition | C GYM in Parker and Lone Tree were acquired; the ce of the Assessor, business personal property taxes n was filed to obtain a refund for 11/12 of the amount |

| 5. The Assessor presented the following testimony and documents in support of the Assessor's position: |
|--|
| a. \[\textsize \text{data from sales of comparable properties which sold during the applicable time period; and /or b. \[\textsize \text{valuation using the cost approach; and/or}\) c. \[\textsize \text{a valuation using the income approach; and/or}\) d. \[\text{\text{Other No personal property declaration was filed for the Parker location.}\) |
| THE REFEREE FINDS AND RECOMMENDS THAT THE PROPER CLASSIFICATION AND ACTUAL VALUE OF THE PROPERTY ARE: |
| Classification: Personal Property |
| Total Actual Value: \$38,084 for tax year 2018 |
| Reasons are as follows: Colorado Revised Statutes Section 39-5-115 requires Assessors to impose a \$50 penalty on taxpayers who fail to file personal property declarations and allows Assessors to value personal property using the best information available. Per the Colorado Supreme Court decision of Property Tax Administrator v. Production Geophysical Services, Inc., a taxpayer is barred "from seeking an abatement of taxes when the taxpayer has failed to file a personal property schedule with the county assessor as statutorily required under C.R.S. Section 39-5-108, and the county assessor makes a best information available valuation because of the taxpayer's failure to file a personal property schedule." |
| IT IS THEREFORE RECOMMENDED that for the above-stated reasons, the Petition for Abatement is: |
| a. Approved and the value of the subject property is reduced as set forth in the Findings and Recommendations herein |
| b. Approved in part as set forth in the Findings and Recommendations herein |
| c. 🛮 Denied after abatement hearing |
| d. Administrative Denial is Granted |
| REFEREE: |
| s/ Karen Smith Name May 14, 2019 Date |
| Abatement Log No. 201900074 |

| Tax Year: | 2018 | | | | | | | Assessor Findings: | | | | | | | | |
|--------------|----------------------------|--------------------|-------------------|---------|----------|------------|-----------------|---|----------|------------|----------|---------|----------|----------|------------|--------|
| Date | 4/3/201 | 9 | | Deny | | | | | | | | | | | | |
| Received: | | | | | | | | Recommendation: | | | | | | | | |
| Petitioner: | UFC GYM C/O BUSINESS OWNER | | | | | | | 62 - Your personal property has been valued in accordance with Colorado law and instructions published by the State Division of Property Taxation. | | | | | | | | State |
| Agent: | | | | | | | | Staff Appraiser: | CLM | | | | | | | |
| Petitioner's | Propert | y Condition | Review Appraiser: | kam | | | | | | | | | | | | |
| Request: | ' ' | | | | | | | | | | | | | | | ···· |
| Petitioner's | \$1,375 | | | | | | | Hearing Comments: | | | | | | | | |
| Requested | | | | | | | | | | | | | | | | |
| Value: | <u> </u> | | | | | | | Assessor Final | \$38,084 | | | | | | | |
| | | | | | | | | Review Value: | \$30,004 | | | | | | | |
| 0-1-11 | | | | | | | Abatement Final | Results | | | | | | | | |
| | | Tax Dist. | Antunt 1 | Assm't. | Assessed | Tax Rate | Tax Amt. | Account Decision | Abst. | <u>Tax</u> | Actual | Assm't. | Assessed | Tax Rate | Tax Amt. | Refund |
| Account # | Code | Tax Dist. | Actual Value | Rate | Value | TOX I (GIC | Tugrante | 1 | | Dist. | Value | Rate | Value | | | |
| P0508375 | 2410 | 3128 | \$38,084 | 29.00% | \$11,040 | 14.1390% | \$1,560.96 | | 2410 | 3128 | \$38,084 | 29.00% | \$11,040 | 14.1390% | \$1,560.96 | |
| | | eclaration Penalty | | | | | \$50.00 | | | | | | | | \$50.00 | |
| | | usiness Exemption | \$38,084 29.00% | | \$11,040 | 2.1376% | (\$235.98) | | | | \$38,084 | 29.00% | \$11,040 | 2.1376% | (\$235.98) | |
| | - | | | | | | , <u></u> | | | | | | | | | |
| | | | | | | | | Deny - 62 - Your personal property has been valued in accordance with Colorado law and instructions published by the State Division of Property Taxation. | | | | | | | | |
| | | | | | | | | | | | | | | | | |
| | | | т | | | | | | | | | | | | Refund | No |
| | | | 1 1 | | | | | | | ļ | | | | | Interest: | |
| | + | Grand Total: | | | | | \$1,374.98 | | Gran | d Total: | | | | | \$1,374.98 | |



Lisa Frizeli, Douglas County Assessor 301 Wilcox St. | Castle Rock, CO 80104 O: 303.660.7450 Fax: 303.479.9751

PETITION FOR ABATEMENT OR REFUND OF TAXES

| | | | 201900074-2018 | | | | | | |
|--|--|---|--|--|--|--|--|--|--|
| Section I: Petitioner, please com | plete Section I | only. | -011000 // 30 | | | | | | |
| Date: April 1 2019 Month Day Year | 7 | | Date Received | | | | | | |
| 11001000 | L Corker | • | | | | | | | |
| Petitioner's Name: Teasner | C LOKINEP | 1 + | Co Healhad Cookers | | | | | | |
| Petitioner's Mailing Address: UFC | (2) IN O+ | cone nee | 90 Heather Coeken | | | | | | |
| 7824 Pack Meadows | $De_{1} = 125$ | | one Tree 80124 | | | | | | |
| City or Town | | State | Zip Code | | | | | | |
| schedule or parcel number(s p 0 508375 | , | | LEGAL DESCRIPTION OF PROPERTY | | | | | | |
| | 170 | ο2'ε. Mai | n street # L | | | | | | |
| | | Kee, CO 8 | | | | | | | |
| property tax year 2018 are incorred | of the appropriate ta at for the following re arity in levying, cleric | xes and states that the asons: (Briefly descr al error, or overvaluat | ne taxes assessed against the above property for the libe why the taxes have been levied erroneously or illegally, tion. Attach additional sheets if necessary.) | | | | | | |
| Petitioner's estimate of value: | \$ 1,374.9 | 8 (2018) | KFUII amt Paid | | | | | | |
| | Va | alue Ye | ar | | | | | | |
| I declare, under penalty of perjury in the sec prepared or examined by me, and to the be | cond degree, that this st of my knowledge, | s petition, together wi information, and beli | th any accompanying exhibits or statements, has been ef, is true, correct, and complete. | | | | | | |
| 4 | > | Daytime Phor | ne Number | | | | | | |
| Petitioner's Signature | | Email | Fmail | | | | | | |
| | | | | | | | | | |
| Agent's Signature* LETTER OF | AGENCY REQUIRE | Daytime Phor | ne Number () | | | | | | |
| | | | | | | | | | |
| Printed Name: | | Email | | | | | | | |
| If the Board of County Commissioners, purdenies the petition for refund or abatement to the provisions of § 39-2-125, C.R.S., with | of taxes in whole or | in part, the Petitioner | operty Tax Administrator, pursuant to § 39-2-116, C.R.S., may appeal to the Board of Assessment Appeals pursuant cision, § 39-10-114.5(1), C.R.S. | | | | | | |
| Section II: | Assessor's | Recommenda | ition | | | | | | |
| | (For Asse | essor's Use Only) | | | | | | | |
| <u>Actual</u> | <u>Assessed</u> | <u>Tax</u> | Tax Year | | | | | | |
| Original | | | | | | | | | |
| Corrected | | | | | | | | | |
| Abate/Refund | | | | | | | | | |
| ☐ Assessor recommends approval | | | | | | | | | |
| If the request for abatement is based upon to such valuation has been filed and a Noti | the grounds of over- ice of Determination | valuation, no abateme has been mailed to th | ent or refund of taxes shall be made if an objection or protest le taxpayer, § 39-10-114(1)(a)(I)(D), C.R.S. | | | | | | |
| Tax year: Protest? ☐ No | ☐ Yes (If a prote | est was filed, please | attach a copy of the NOD.) | | | | | | |
| Assessor recommends denial fo | or the following re | eason(s): | | | | | | | |
| | | | Assessor's or Deputy Assessor's Signature | | | | | | |

15-DPT-AR No. 920-66/17