

PETITION FOR ABATEMENT OR REFUND OF TAXES

County: Boulder

Date Received _____
 (Use Assessor's or Commissioners' Date Stamp)

RECEIVED
 May 4, 2022

RECEIVED
 MAY 02 2022
 BY: _____
 BOULDER COUNTY
 ASSESSOR'S OFFICE

Section I: Petitioner, please complete Section I only.

Date: 4 / 1 / 2022
 Month Day Year

Appeals Coordinator

Petitioner's Name: Noah Abrams
 Petitioner's Mailing Address: 406 S 2nd Ave
Superior CO 80077
 City or Town State Zip Code

SCHEDULE OR PARCEL NUMBER(S)	PROPERTY ADDRESS OR LEGAL DESCRIPTION OF PROPERTY
<u>R050 4771</u>	<u>905 Tempted ways Dr Longmont</u>
<u>R050 4770</u>	<u>903 Tempted ways Dr Longmont</u>
<u>R050 4769</u>	<u>901 Tempted ways Dr Longmont</u>

Petitioner requests an abatement or refund of the appropriate taxes and states that the taxes assessed against the above property for the property tax year 2021 are incorrect for the following reasons: (Briefly describe why the taxes have been levied erroneously or illegally, whether due to erroneous valuation, irregularity in levying, clerical error, or overvaluation. Attach additional sheets if necessary.)

Petitioner's estimate of value: \$125,000 each (2021) (500,000 Total)
 Value Year

I declare, under penalty of perjury in the second degree, that this petition, together with any accompanying exhibits or statements, has been prepared or examined by me, and to the best of my knowledge, information, and belief, is true, correct, and complete.

Petitioner's Signature: _____ Daytime Phone Number: (720) 436-7011
 Email: noabrams@yahoo.com

By _____ Daytime Phone Number ()
 Agent's Signature*

Printed Name: _____ Email: _____

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

If the Board of County Commissioners, pursuant to § 39-10-114(1), C.R.S., or the Property Tax Administrator, pursuant to § 39-2-116, C.R.S., 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 § 39-2-125, C.R.S., within thirty days of the entry of any such decision, § 39-10-114.5(1), C.R.S.

Section II: Assessor's Recommendation
 (For Assessor's Use Only)
 Tax Year 2021

	Actual	Assessed	Tax
Original	<u>215900</u>	<u>62611</u>	<u>6100.44</u>
Corrected	<u>162000</u>	<u>46980</u>	<u>4577.45</u>
Abate/Refund	<u>53900</u>	<u>15631</u>	<u>1,522.99</u>

Assessor recommends approval as outlined above.

If the request for abatement is based upon the grounds of overvaluation, no abatement or refund of taxes shall be made if an objection or protest to such valuation has been filed and a Notice of Determination has been mailed to the taxpayer, § 39-10-114(1)(a)(i)(D), C.R.S.

Tax year: _____ Protest? No Yes (If a protest was filed, please attach a copy of the NOD.)

Assessor recommends denial for the following reason(s): _____

Assessor's or Deputy Assessor's Signature _____

FOR ASSESSORS AND COUNTY COMMISSIONERS USE ONLY

(Section III or Section IV must be completed)

Every petition for abatement or refund filed pursuant to § 39-10-114, C.R.S. shall be acted upon pursuant to the provisions of this section by the Board of County Commissioners or the Assessor, as appropriate, within six months of the date of filing such petition, § 39-1-113(1.7), C.R.S.

Section III: Written Mutual Agreement of Assessor and Petitioner
(Only for abatements up to \$10,000)

The Commissioners of _____ County authorize the Assessor by Resolution No. _____ to review petitions for abatement or refund and to settle by written mutual agreement any such petition for abatement or refund in an amount of \$10,000 or less per tract, parcel, or lot of land or per schedule of personal property, in accordance with § 39-1-113(1.5), C.R.S.

The Assessor and Petitioner mutually agree to the values and tax abatement/refund of:

	Tax Year _____			Tax Year _____		
	<u>Actual</u>	<u>Assessed</u>	<u>Tax</u>	<u>Actual</u>	<u>Assessed</u>	<u>Tax</u>
Original	_____	_____	_____	_____	_____	_____
Corrected	_____	_____	_____	_____	_____	_____
Abate/Refund	_____	_____	_____	_____	_____	_____

Note: The total tax amount does not include accrued interest, penalties, and fees associated with late and/or delinquent tax payments, if applicable. Please contact the County Treasurer for full payment information.

Petitioner's Signature

Date

Assessor's or Deputy Assessor's Signature

Date

Section IV: Decision of the County Commissioners
(Must be completed if Section III does not apply)

WHEREAS, the County Commissioners of _____ County, State of Colorado, at a duly and lawfully called regular meeting held on ____/____/____, at which meeting there were present the following members:

Month Day Year

with notice of such meeting and an opportunity to be present having been given to the Petitioner and the Assessor of said County and Assessor _____ (~~being present~~ **not present**) and Name

Petitioner _____ (~~being present~~ **not present**), and WHEREAS, the said Name

County Commissioners have carefully considered the within petition, and are fully advised in relation thereto, NOW BE IT RESOLVED, that the Board (~~agrees~~ **does not agree**) with the recommendation of the Assessor and the petition be (~~approved~~ **approved in part** ~~denied~~) with an abatement/refund as follows:

Year	Assessed Value	Taxes Abate/Refund	Year	Assessed Value	Taxes Abate/Refund
_____	_____	_____	_____	_____	_____

Chairperson of the Board of County Commissioners' Signature

I, _____ County Clerk and Ex-officio Clerk of the Board of County Commissioners in and for the aforementioned county, do hereby certify that the above and foregoing order is truly copied from the record of the proceedings of the Board of County Commissioners.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County

this _____ day of _____, _____.

County Clerk's or Deputy County Clerk's Signature

Note: Abatements greater than \$10,000 per schedule, per year, must be submitted in duplicate to the Property Tax Administrator for review.

Section V: Action of the Property Tax Administrator
(For all abatements greater than \$10,000)

The action of the Board of County Commissioners, relative to this abatement petition, is hereby

Approved Approved in part \$ _____ Denied for the following reason(s):

Secretary's Signature

Property Tax Administrator's Signature

Date

LOT OWNER'S VALUATION

TAX YEAR 2021

The following four lots on Tempted Ways Drive were incorrectly valued for tax year 2021, based upon the sale of the very same lots within the base period for comparative sales of July 1, 2018 to June 30, 2020.

• R0504772	907 Tempted Ways Drive	Sold 1/29/2020	\$125,000
• R0504771	905 Tempted Ways Drive	Sold 1/29/2020	\$125,000
• R0504770	903 Tempted Ways Drive	Sold 1/29/2020	\$125,000
• R0504769	901 Tempted Ways Drive	Sold 1/29/2020	\$125,000

BOULDER COUNTY ABATEMENT HEARING HEARING OFFICER FINDINGS AND RECOMMENDATIONS

HEARING DATE & TIME: December 13, 2022; 4pm

HEARING OFFICER: Lori Freedman

ASSESSOR REPRESENTATIVE: Brennan, Cathy

PETITIONER'S NAME: Abrams Noah

ACCOUNT NAME: ABRAMS NOAH (WU CHAO FEN)

AGENT: _____

ACCOUNT NUMBER: R0504769

YEAR: 2021

THE PETITIONER WAS (check one): Present
 Not Present
 Agent: _____

RECOMMENDATIONS:

PETITION:

Approve Petition
 Approve Petition in Part
 Deny Petition

CLASSIFICATION:

Same
 Change to: _____

Settled
(Must include settlement sheet)

Assessor recommending a lower value than current actual? 2021 162000

Tax year	Assessor Actual Value	Petitioned Value	Recommended Value
<u>2021</u>	<u>162000</u>	<u>125000</u>	<u>162000</u>
_____	_____	_____	_____

Hearing Officer Signature: Lori Freedman Date: December 13, 2022

Hearing Officer Findings and Recommendations - Abatement

- 1. The Assessor presented the following testimony and documents in support of the Assessor's position:
 - a. Data from sales of comparable properties which sold during the applicable time period.
 - b. Data establishing the replacement cost new, less depreciation of the property.
 - c. Gross rent, expenses, vacancy and collection loss data from comparable properties obtained during applicable time period.
 - d. Other _____

- 2. Petitioner presented the following testimony and documents in support of the Petitioner's position:

(Please limit comments to the lines provided.)

- 3. The Petitioner and the Assessor have **AGREED** that:

a. <input type="checkbox"/> The proper classification and actual value of the property is:	<u>Class</u>	<u>Actual Value</u>
	_____	_____
	_____	_____
	_____	_____
	Total	_____

(Attach **SETTLEMENT SHEET.**)

- 4. The Referee finds that the original value placed on the property by the Assessor:
 - a. Is correct for the year(s) _____
 - b. Is incorrect for the year(s) _____

- 5. Reason for adjustment:

COST

The land value of the property should be adjusted to take into consideration:

- a. location/access
- b. size
- c. view
- d. contamination
- e. topography
- f. feasibility for development
- g. _____

The replacement cost of the improvements to the property should be adjusted to compensate for:

- a. physical depreciation
- b. inferior quality
- c. functional obsolescence
- d. economic obsolescence
- e. _____

MARKET

- a. Market sales provided by Petitioner indicate that a different value is appropriate.
- b. owner purchase 4 lots for 500,000 1/2020 _____

INCOME

Petitioner's income evidence demonstrates that:

- a. The gross rental rate should be adjusted to \$ _____ per square foot.
- b. The vacancy rate should be adjusted to _____ %
- c. The expense rate should be adjusted to _____ %
- d. The capitalization rate should be adjusted to _____ %
- e. _____

Hearing Officer Findings and Recommendations – Abatement

6. Reason for denial or dismissal of appeal

- a. Assessor's evidence of fair market value was stronger than Petitioner's evidence of fair market value.
- b. Petitioner did not establish by a preponderance of the evidence that the Assessor misclassified the property.
- c. Assessor's market sales were more compelling than Petitioner's market sales.
- d. Petitioner presented little to no evidence to support a value other than the Assessor's determination of actual value.
- e. A reduction in actual value would be speculative, because Petitioner did not present reliable cost to cure evidence to otherwise quantify the claimed physical deterioration, deferred maintenance, or functional obsolescence.
- f. _____

7. **ADDITIONAL FINDINGS:** _____
The appraiser used 6 comparable sales in the same subdivision all very similar in size and on the same street. Per the adj sales request to reduce the value to 162,000 on all 3 abated lots R0504770, R0504771, R0504769 this adj is between the mean 163,900 and median 156,500.
Owner not present was requesting 125,000 each lot per his bulk purchase of 4 lots for 500,000
