



STATE OF NEVADA
STATE BOARD OF EQUALIZATION

JOE LOMBARDO
Governor

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SHELLIE HUGHES
Secretary

In the Matter of:

BENTLY NEVADA, LLC,

Petitioner

vs.

DOUGLAS COUNTY ASSESSOR,

Respondent

Case No. 23-183

NOTICE OF DECISION

Appearances

Charlie Young appeared on behalf of Bently Nevada, LLC Taxpayer).

Michael Troutner and Trent Tholen appeared on behalf of the Douglas County Assessor's Office (Assessor).

Summary

The matter of Taxpayer's petition for review of the valuation of real property on the 2023-2024 secured tax roll within Douglas County, Nevada, came before the State Board of Equalization (Board) for hearing in Carson City, Nevada and via zoom on September 28, 2023; Las Vegas, Nevada, Carson City, Nevada and via zoom on October 6, 2023, and Carson City, Nevada and via zoom on October 23, 2023, after due notice to Taxpayer and Assessor.

Initially, the matter had been scheduled for dismissal for failing to file on time. Upon further examination, it was discovered that the appeal was filed in a timely manner.

The Board, having considered all evidence, documents and testimony pertaining to the jurisdiction of the Board, hereby makes the following Findings of Fact, Conclusions of Law and Decision.

FINDINGS OF FACT

1. The Board is an administrative body created pursuant to NRS 361.375.
2. Taxpayer and Assessor were given adequate, proper and legal notice of the time and place of the hearing before the Board, and the matter was properly noticed pursuant to the Open Meeting Law at NRS 241.020.
3. The Taxpayer has the burden of proof pursuant to NAC 361.741.
4. Taxpayer argued that the comparable sales in their Appraisal Report indicated a need to reduce the taxable value.
5. Assessor noted that the property was being valued at \$111.00 per square foot and the comparable sales provided by the Taxpayer were inferior and actually indicated a need to adjust the taxable value upwards and not down as the Taxpayer suggested.
6. The Board also noted for the record that the Taxpayer's appraiser did not have a license to perform appraisals in the State of Nevada as required by NRS 645C.260. The appraiser did not have the requisite experience to perform such a complex appraisal, there were numerous errors in the appraisal report and there was an expectation of compensation.
7. The Board found the comparable sales submitted by the Assessor to be competent.
8. Any finding of fact above construed to constitute a conclusion of law is adopted as such to the same extent as if originally so designated.

CONCLUSIONS OF LAW

9. Taxpayer and the Assessor are subject to the jurisdiction of the Board.
10. The Board has the authority to determine the taxable value of personal property in the State of Nevada.
11. The Board determined that the Assessor's comparable sales were appropriate while the Taxpayer failed to provide adequate comparables.
12. The Board found that the Taxable value of \$ \$29,864,662.00 for the Property that was proposed by the Assessor was fair and reasonable given the evidence submitted to the Board.
13. Any conclusion of law above construed to constitute a finding of fact is adopted as such to the same extent as if originally so designated.

DECISION

Based on the above Findings of Fact and Conclusions of Law and a preponderance of the evidence, the Board decided to uphold the County Board's decision. Taxpayer's petition is denied.

BY THE STATE BOARD OF EQUALIZATION THIS 15 DAY OF December, 2023.

A handwritten signature in blue ink, appearing to read "Shellie Hughes", is written over a solid black horizontal line.

Shellie Hughes, Secretary