

RESIDENTIAL PETITION FOR REVIEW OF VALUATION

PURSUANT TO A.R.S. TITLE 42, Ch. 15, Art. 3 and Ch. 16, Art. 1-5

FOR OFFICIAL USE ONLY

FILED FOR TAX YEAR 2018

See instructions for complete filing requirements.

5343

The County Assessor reserves the right to reject any petition not meeting statutory requirements. Only one petition for each parcel will be accepted. Any duplicate petitions will be returned.

COMPLETE SECTIONS 1 THROUGH 8 WHERE APPLICABLE. TYPE OR PRINT.

1. DATE FILED 3/6/17 COUNTY Cochise PARCEL NUMBER 208 4000 / E
 2A. IF THIS PROPERTY IS RENTED TO SOMEONE OTHER THAN A FAMILY MEMBER, CHECK HERE 2B. MULTIPLE PARCELS? YES NO

3A. OWNER'S NAME
Michael C. Compton
NAME
P.O. Box 77
ADDRESS
Pomerene, AZ 85627
CITY, STATE, ZIP CODE

3B. MAIL DECISION TO (IF DIFFERENT THAN 3A):
NAME
h/s
ADDRESS
CITY, STATE, ZIP CODE

3C. IF OWNERSHIP HAS CHANGED CHECK HERE ATTACH RECORDED DOCUMENTATION.

4. PETITION COMPLETED BY: (Specify: owner, Agent, Attorney, etc.) Owner
Michael C. Compton 520 686 3038
NAME TELEPHONE
P.O. Box 77 Pomerene AZ 85627
ADDRESS CITY, STATE, ZIP CODE

AGENT'S ONLY: STATE BOARD OF APPRAISAL NUMBER _____ SBOE NUMBER _____

5. BASIS FOR THIS PETITION: MARKET SALES APPROACH COST APPROACH OTHER (explain below)
 Additional documents submitted must contain the parcel number and be attached to the petition in order to be considered by the Assessor. Evidence contained in this appeal could be the basis for either increasing or decreasing the valuation or changing the classification.

Dispute the legality of conversion

6. VALUE SHOWN ON NOTICE OF VALUE	FULL CASH VALUE \$ <u>201,582</u>	LIMITED PROPERTY VALUE \$ <u>191,103</u>	PROPERTY CLASS <u>3</u>	ASMT RATIO <u>10</u>
7. OWNER'S OPINION OF VALUE	FULL CASH VALUE \$ <u>182,003</u>	LIMITED PROPERTY VALUE \$ <u>182,003</u>	PROPERTY CLASS <u>3</u>	ASMT RATIO <u>10</u>

8. I HEREBY AFFIRM THAT THE INFORMATION INCLUDED OR ATTACHED IS TRUE AND CORRECT. TO REQUEST A MEETING WITH THE ASSESSOR CHECK HERE:
 X Mike Compton FOR SBOE (IN MARICOPA AND PIMA COUNTIES ONLY):
SIGNATURE OF PROPERTY OWNER OR REPRESENTATIVE If you want this appeal to be heard "On The Record" check here:
520 686 3038 2/9 This means that neither you, the Assessor, your Agent, or Attorney (if applicable) will appear before the State Board of Equalization to offer testimony. Submit any additional written or typed information with this appeal to the SBOE.
TELEPHONE EMAIL ADDRESS madmike1313@hotmail.com

ASSESSOR'S DECISION	FULL CASH VALUE \$ 201,582	LIMITED PROPERTY VALUE \$ 191,103	PROPERTY CLASS 3	ASMT RATIO 10%
BASIS FOR DECISION: (SEE ATTACHED)				
<u>3/6/2017</u>	<u>8/15/2017</u>	<u>PHILIP S. LEIENDECKER, COUNTY ASSESSOR</u>		<u>[Signature]</u>
<small>DATE RECEIVED</small>	<small>DATE DECISION MAILED</small>	<small>REVIEWED BY</small>	<small>ASSESSOR OR CHIEF DEPUTY</small>	
COUNTY BOARD OF EQUALIZATION DECISION	FULL CASH VALUE \$	LIMITED PROPERTY VALUE \$	PROPERTY CLASS	ASMT RATIO
BASIS FOR DECISION:				

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2017 AUG 28 AM 10:08

RECEIVED
 BOARD OF SUPERVISORS
 COCHISE COUNTY
 3/6/17



County of Cochise
OFFICE OF THE COUNTY
ASSESSOR
P.O. DRAWER 168
BISBEE, ARIZONA 85603

Philip S. Leiendecker
Assessor

Felix Daugino
Chief Deputy

TAX YEAR	<u>2018</u>
APPEAL #	<u>5343</u>
PARCEL #	<u>208-40-001E</u>
ASSESSOR DECISION DATE	<u>8/10/2017</u>
PHYSICAL REVIEW (Y/N)	<u>N</u>
FCV	<u>\$201,582-noadjustment</u>
LPV	<u>\$191,103-noadjustment</u>
LEGAL CLASS	<u>3</u>
ASSESSMENT RATIO	<u>10%</u>
APPRAISER	<u>PLeiendecker</u>

BASIS FOR DECISION:

The assessment records for this parcel reflects a 2473 sq ft single family residence, Average Plus quality, masonry block stucco, 100% ceramic tile floor covering, 661 sq ft attached garage; built in 1999. The 2016 valuation was appealed and the decision at that time was to reduce the value to the prior year's level, which was the \$182,003 figure. The 2017 valuation was frozen at that level pursuant to ARS 42-16002(B). For 2018 the frozen value was lifted and the valuation was allowed to calculate using the standard mass appraisal program and did show an increase over the 2017 which had actually remained unchanged since 2014.

The 2018 valuation level is commensurate with the referenced parcels in the appeal. When adjustments are accounted for between properties, the values are extremely comparable. The other parcels referenced did not experience valuation increases for 2018 due to the fact they had not been adjusted downward and frozen at the a lower value as had this parcel. One of the comparable parcels referenced in the appeal (208-44-007C) has a 2018 full cash value of \$279,866 (\$95 per sq ft) and sold recently for \$420,000 (\$142 per sq ft).

The reference to "conversion" as a valuation methodology is not correct. The transition to a new software mass appraisal system by this office has been referred to as a "conversion of data", but that in no way effects the legal valuation process as dictated by standard mass appraisal methodology or statutory process. The 2018 value for this property has been calculated using the replacement cost new less depreciation process and has then been adjusted downward by 40% to adjust for the current market level in the greater Benson market area. This valuation process recalculates the improvement value annually based on the specific specifications of the structure using new construction cost figures. No documentation or sales data was submitted with this appeal to actually demonstrate this property is valued in excess of market value.

APPROVED

RESIDENTIAL PETITION FOR REVIEW OF VALUATION
PARCEL ID 02, BK 208, MP 40, PARCEL 001E

#5 BASIS FOR PETITION: SUMMARY VERSION, MARKET APPROACH, OTHER (CONTEST THE LEGALITY OF CONVERSION):

I respect the BOS members time and offer a summary version of the lengthy appeal offered in this document. I ask the BOS members to please take the time to read the summary.

SUMMARY:

In my 2016 Residential Notice of Valuation my full cash value was raised approximately 10%. The Assessor's Office told me the increase was due to a new computer program called "CONVERSION". Four similarly classified properties (above average) within a mile of my property full cash value was raised by approximately 10% also. All by "CONVERSION". Since my property's valuation was NOT INCREASED BY EITHER THE MARKET AND OR IMPROVEMENTS I appealed the Assessor's decision to increase my property's valuation. The owners of the 4 other properties DID NOT appeal their valuation increase. My appeal was granted. However, the other 4 property's valuations stayed the same.

In my 2017 Residential Notice of Valuation my full cash value was again raised by approximately 10%. I again appealed the valuation increase and ultimately my appeal was granted. However, by this time the other 4 properties valuations could not be appealed because "CONVERSION" had already been imposed/ forced upon them. Additionally, by this time ,to the best of my knowledge and belief, every "ABOVE AVERAGE CLASSIFIED" property in Cochise County had been subjected to "CONVERSION".

In my 2018 Residential Notice of Valuation my full cash valuation was raised by approximately 10%. I appealed and this time my appealed was denied. The Assessor's decision for the denial is attached and it appears the logic for the denial is since the other 4 properties valuations have increased; my property's valuation should follow. The Assessor's Office believes using this logic that my property's valuation increase valuation is therefore not due "CONVERSION". I say my property's valuation is due to nothing but "CONVERSION" because if the other 4 properties valuation had not been raised by "CONVERSION" in the first place their properties valuation would not be at their present valuation which would make mute all issues addressed above.

In the denial of my appeal, the Assessor's Office referenced the sale of one of the 4 properties I used to support the justifications in my appeals. However, it is a mater of public record that the sale of this referenced property occurred on July 28, 2017 and I believe therefore is outside the time guidelines relating to this appeal. Since the Assessor's Office has brought up this information I contend their statement that the home sold for \$142 a square foot is incorrect and a comparison between my property and the referenced property is unfair. 570 East Tumbleweed Lane sold for \$420,000. I classify this as a luxury home. My property is a virtually stand alone home on 4 acres with only an appx 100 square foot chicken house. However, 570 Tumbleweed is not. When advertised on Realtor.com the home was said to have 4334 sq. ft and therefore the actual price per sq. ft is \$96.90 (not \$142), Additionally, the home is on 9 fenced acres (mine 4/partially fenced), the home has a 2000 sq. ft shop with 2 RV setups (mine does not), the home has 90% new flooring

SUMMARY (continued):

(mine does not), the home has Therador appliances (mine does not), the home has 2 theaters (mine does not), the home has a full finished basement (mine does not), the home has newer AC units (mine does not), the home has new 60 inch custom cabinets (mine does not), the home has a swimming pool (mine does not) and the home has custom counter tops (mine does not). Based on the above the properties (in my opinion) are not comparable other than both being classified as "Above Average".

Over the last three appeal time periods I have repeatedly asked the Assessor's Office what ARS supports "CONVERSION". To date I have NOT received an answer. I also contacted the Cochise County Attorney's Office and requested an opinion on the legality of "CONVERSION". My request was denied. Additionally, I have called other County Assessor's Offices within the state of Arizona and none knew anything of "CONVERSION" and told me that valuations could only be increased by the market and improvement. Based on my conversations with the other Assessor's offices I have spoken to it is my belief that Cochise County is the only county in Arizona using "CONVERSION" as a method to increase valuations and thereby property taxes. In my latest appeal I asked what legal entity Mr. Lieindecker consulted prior to "CONVERSION" being imposed. However, my question was not addressed.

It is my belief that "CONVERSION" is a ploy to arbitrarily and capriciously increase property valuations/taxes. The fact that "CONVERSION" is only being used against one class of people (above average classified properties) is disgusting and highly discrimination.

At this point I do not know if "CONVERSION" is legal or not. Although I am not a lawyer I have combed the Arizona Revised Statues and CAN NOT find anywhere anything supporting a property's valuation being raised by anything except market and or improvement. I ask if "CONVERSION" is legal why hasn't the Assessor's Office addressed the issue at some point over the last 3 appeal process cycles. I also ask the BOS members if they think it would have been prudent for Mr. Lieindecker to obtain a legal review of "CONVERSION" before implementing the same?

#5 BASIS FOR PETITION: EXPANDED VERSION: MARKET APPROACH, OTHER CONTEST THE LEGALITY OF CONVERSION;

The above referenced property's 2016 Residential Notice of Value the full cash value was raised from \$182,003 to \$201,884. Per the Tax Assessor's Office the reason for the raise in valuation was because of "CONVERSION" ; a new computer program used to determine a property's valuation. The Tax Assessor's Office told me repeatedly that the increase in valuation was not due to the market and was not due to improvements made on the property (there were none). Based on the above information I appealed the Tax Assessor's Office valuation contending a properties valuation could not be raised unless the market dictated it or improvements were made to the property. The Tax Assessor's Office granted my appeal and the valuation of 20840001E was returned to \$182,003.

In 20840001E's 2017 Residential Notice of Value the full cash value was raised from \$182,003 to \$201,884. On March 7, 2016 I called the Cochise County Tax Assessor's Office and asked why the valuation for my property was increased by \$19,881 (10.92%). I was told the increase was due to an increase in the market. I found this explanation suspect due to the fact that several other similarly

#5 BASIS FOR PETITION (CONTINUED)

classified properties in the same tax district (6470) valuation's did not increase (or slightly increased) in their 2017 Residential Notice of Valuation. In fact 3 of the 4 properties had a decrease in their valuation and the 4th had a slight increase in valuation (a little over 1%). 20846003F's 2017 valuation decreased from the 2016 valuation of \$197,633 to \$197,341. 20841004K's 2017 valuation decreased from the 2016 valuation of \$205,456 to \$205,272. 20840004E's 2017 valuation decreased from the 2016 valuation of \$156,602 to \$156,419. 20844007C's 2017 valuation increased, but only slightly from \$279,213 to \$282,242. Based on the above information the Tax Assessor's contention that 20840001E's valuation increase in 2017 was due to the market is highly unlikely. I asked why was my property being treated differently that the 4 above mentioned properties? I also stated in my appeal if the Tax Assessor's Office treated my property like the 4 like classified properties located in the same tax district (6470) my 2017 valuation would be slightly lower or slightly higher and not increased by almost \$20,000 and almost 11%? The Tax Assessor's Office granted my appeal and the valuation was returned to \$182,003.

Again in 2018 the Assessor's Office raised 20840001E's Residential Notice of Value (full cash) from \$182,003 to \$201,582. This is a \$19,579 dollar increase and a 10.75% increase. This increase can not be explained by improvements to the property. There have been none. Within a mile of 20840001E there are 4 (four) above average classified homes. 20846003F's 2017 full cash value was \$197,341 and it's 2018 full cash value is \$196,876. This a decrease in the full cash value and not an increase of over 10%. 20841004K'S 2017 full cash value was \$205,272 and it's 2018 full cash value is \$205,148. This is a decrease in the full cash value and not an increase of over 10%. 2084007C's 2017 full cash value was \$282,242 and it's 2018 full cash value is \$279,866. This is a decrease in full cash value and not an increase in full cash value of over 10%. 20840004E's 2017 full cash value was \$156,419 and it's 2018 full cash value is \$156,514. This is a less than 1% increase in the full cash value and not an increase in the full cash value of over 10%. **Based on the above 20840001E's \$19,579 (over 10%) increase in full cash value can not be explained by improvements made to the property. Additionally, 20840001E's increase in full cash value can not be explained by an increase in market. Therefore the explanation of 20840001E's increase in full cash value must lie elsewhere.**

CONVERSION BY DEFAULT:

It is my opinion that the possibility exists the Tax Assessor's Office is attempting to justify my property's 2018 valuation due to the fact that 4 other similarly classified properties were subjected to "CONVERSION" in their 2016 Residential Notice of Value & the property owners DID NOT appeal their valuation; thereby accepting the increased valuation. Specifically, 20846003F was "CONVERTED" in the 2016 Residential Notice Of Value and the property's valuation was increased by approximately \$17,200. 20841001K was "CONVERTED" in 2016 and the property's valuation was increased by almost \$20,000. 20844007C was "CONVERTED" in 2016 and the property's valuation was increased by almost \$67,000 (some of the increase was due to a pool and a garage improvement). Based on the aforementioned information it is my belief the Tax Assessor's Office is attempting to use the "converted" properties valuation's to justify an increase in my property's valuation. It is not my fault the other property owners did not appeal their 2016 valuation increase. It is not my fault the other property owners accepted the 2016 valuation that was not based on the market. It was not my fault 3 of the 4 property owners accepted the 2016 valuation when they did not make any improvements to their property. It is not my fault the other property owner accepted an almost \$67,000 increase of valuation when the improvements made to the property (pool/garage) did not come close to the amount of the valuation increase.

OTHER FACTORS UNIQUE TO 20840001E VS OTHER PROPERTIES MENTIONED

The above reference property is located in the northern most portion of the farm community of Pomerene, Arizona. We request the Cochise County Assessor's Office consider the following because 20840001E is north of the other referenced properties and is not in a residential area: Northern Pomerene is a depressed farm community that contains numerous properties that are in various states of disrepair. These properties are fire hazards. Additionally, within a mile of our resident there are seven junkyards, some of which contain used tires. The closest junkyard is located within a ¼ mile of our property (208-44-037). The aforementioned detracts from the value of our property. I have mentioned these junkyards yearly to the TAX Assessor's Office. However, no one cared until recently when one of the junkyard's owners attempted to get the property rezoned when suddenly "environmental factors" became a "concern". Cochise County's Government "concern" devalues mine/others property in the Pomerene area. Furthermore, the following properties adjacent to us are of such a nature as to detract from the value of our property: 1. Directly west, along the entire west side of our property, is an un-kept field that has weeds/trash/debris. Some of the weeds are over six feet tall. 2. South of our property is a dike area, originally for the purpose of holding floodwater. The area is grown over and un-kept. Some of the weeds are over six feet tall. The appearance of this property is hideous. Referenced properties 1 & 2 are fire hazards, as are the junkyards. 3. East of our property is a double wide manufactured home that has several other buildings on the property. The property is well kept, but the fact that the property contains a manufactured home (versus a site built home) detracts from the value of our property. 4. Directly northeast of our property (208-37-012-D) there is an abandoned house. This building is a fire hazard and detracts from the value of our property. Additionally, this property has a junkyard that contains abandoned vehicles, used tires, unusable farm equipment, and other hideous items. This junkyard also detracts from the value of our property. 5. Directly north of our property is a dairy. The dairy has several single wide mobile homes in various states of disrepair. The dairy has several abandoned buildings that are fire hazards. The dairy contains abandoned vehicles and weeds that are over six feet tall. Junk abounds at the dairy and the appearance of the property is hideous. Additionally, our property is subjected to the smells of manure and silage frequently. Furthermore, because of the dairy, our property has an abundant fly population during the spring, summer, and fall (as early as February this year). The dairy, in of itself, detracts from the valuation of our property. If our home was among like homes or was in a subdivision I would be more likely to understand this years double-digit increase in valuation, but since our home (& its supposed classification) stands alone such valuation increases are unrealistic/ridiculous.

#5 BASIS FOR THIS PETITION (OTHER):

I have made no improvements on this home in over ten years and the Tax Assessor's Office is aware of any/all improvements I have ever made. I was told by the Tax Assessor's Office in 2015 that the 2016 Residential Notice of Value increase of 11.07% in the full cash value of my property was due to "CONVERSION". I have gathered from my research that this so called "CONVERSION" was an in effect a blanket increase of 10% plus on the full cash value on all above average classified

#5 BASIS FOR PETITION (cont):

homes in Cochise County. **I consider this increase in property valuation/property taxes arbitrary and capricious. I also consider the increase in valuation on my property is due to CONVERSION OR CONVERSION BY DEFAULT. I did not accept my converted valuation in the 2016 Residential Notice of Value. I did not accept the 2017 Residential Notice of Value. I do not accept the 2018 Residential Notice of Value. I do not accept the valuations today. I will not accept the valuations tomorrow, next week, next month, next year or ever!!!!!!!**

CONCLUSIONS:

It is my belief that the Tax Assessor's Office can ONLY increase a property's valuation based on the market or due to improvements and **NOT DUE TO CONVERSION!!!!!!** I have shown there is not an increase in the market and I have made absolutely no improvements on my property. Therefore, I believe an increase in my property's valuation is not called for. Regarding the value of our property, we request the Cochise County Assessors Office take into consideration the location of our property and the information provided in this appeal. Additionally, we request the information we presented on the compared properties (20844007C, 20846003F, 20841004K, 20840004E) be taken into consideration. 3 of these 4 properties valuations decreased in 2018 and the other's valuation increased by less than 1%. We are not asking for preferential treatment. All we ask is that we are treated in a fair manner.

7. Owner's Opinion of Value:

We believe the FULL CASH VALUE of our home should be **\$182,003.**

We believe the Limited Property Value of our home should be **\$182,003.**

Regarding # 8 of the Residential Petition for Review of Valuation. If this appeal is not approved I request a meeting with a member of the Assessor's Office and or Mr. Leindecker in a public forum where the legality of increasing a properties valuation due to anything other than an increase in market or improvements can be made. Additionally, I request if such a meeting is accepted that the date, time and place of the meeting be announced in the local media as to encourage public attendance.

We make the following requests of the Cochise County Assessor's Office/Cochise County Board of Equalization:

1. Someone from the County Assessor's Office (preferably Mr. Leienedecker) read the entire Residential Petition For Review of Valuation.

2. All of the information contained in this document is addressed in the Assessor's decision concerning the valuation of our property (instead of a standard denial reply saying ... recent sales of parcel....supports the established value...for the subject property...No change...or valuation of property A, B and C supports the valuation of the subject property (20840001E)...No change).

3. That I am allowed to make an oral presentation before the County Board of Equalization if I do not agree with the Assessor's decision.

Thank you for your consideration in this matter. I apologize to anyone who is offended by the information in this appeal. However, it is my belief than I am fighting to keep from being taxed off my property. I consider myself a reasonable person and can accept being treated bad (by the Assessor's Office), but **I WILL NEVER ACCEPT MY PROPERTY'S VALUATION BEING INCREASED BY ANYTHING OTHER THAN THE MARKET OR BY IMPROVEMENTS!!!!!!!!!!**

I did not accept the 2016 valuation of my property. I did not accept the 2017 valuation of my property. I DO NOT accept the 2018 valuation of my property. I will not accept the 2016, the 2017 or the 2018 valuation today, tomorrow or any time in the future.

ADDITIONAL INFORMATION/REQUESTS:

I submitted a request for an opinion to the Cochise County Attorney's Office regarding conversion. As of the date of this appeal; the Cochise County's Attorney's Office has not answered my request for an opinion. The lack of response from the Cochise County Attorney's Office does not speak positively to the validity/legality of conversion.

I have reviewed Title 42, chapters 13, 14, and 15 of the ARS. I found nothing addressing conversion. Based on my research; property valuation is affected only by market/improvements.

If this appeal is denied I request to be informed of the ARS title, chapter, page that supports conversion. I also request to be informed of the legal entity (if any) Mr. Lieindecker consulted for a legal opinion regarding "CONVERSION" prior to the implementation of the same. Thank for your consideration in this matter.

Respectfully submitted Mike Compton