

Washoe County residence might see tax refunds

Board may hold hearing about rolling back property values; will decide Feb 24

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The Washoe County Board of Equalization will decide Feb. 24 whether to hold a future hearing to consider rolling back property values to 2003 for Incline Village and possibly all of Washoe County, which could result in tax refunds by local governments.

The hearing is prompted by a decision this week by Carson City District Court Judge William Maddox, ordering property tax refunds for 17 Incline Village property owners.

Because the refunds could be the catalyst for many others, the district attorney's office filed an emergency request Thursday with the Nevada Supreme Court to set aside Maddox's order.

The stay would last until the supreme court hears the county's appeal of the judge's decision to void property value increases for the 17 property owners. The judge said the county assessor's office made up its own rules to value lake views and beaches at Tahoe.

For now, the judge's decision stands.

To reflect the judge's decision, the Board of Equalization this week rolled back property values for another 33 Incline residents whose property is similar to those who won court-ordered rebates. About 300 other Incline tax appeals will be heard Feb. 16.

To ensure property values are fair to other Incline and county taxpayers, equalization board chairman Steven Sparks scheduled the hearing. Sparks said he had no other choice after reading arguments made in a legal brief by deputy district attorney Terry Shea in the Maddox case.

If Maddox's decision stands, Shea wrote it could call into question the equalization of all property values in Washoe County.

Sparks said his board "has the responsibility "to equalize the county," meaning treating property values uniformly and equally under the law.

Washoe County finance director John Sherman said it's too early to talk about the impacts of Maddox's decision to local government agencies, including the Washoe School District, given a multitude of legal issues.

"There's a lot of 'ifs' and a lot of moving parts," he said.

Les Barta, one of the 17 homeowners in the case who has been fighting the assessor's rules since 1996, said he expects a refund of about \$10,000 for three years of taxes.

"I've spent a lot more than that in attorney fees," he said. "I'm not going to Disneyland, let's put it that way. Life is so expensive these days."

He said the Village League to Save Incline Assets has heard from people who believe the reduced property values will allow them to keep their homes.

"People are excited and optimistic," Barta said. "All of the rest of Nevada was protected by the property tax cap except for us. We finally got some justice."

At the lake, some property owners pay property taxes of \$60,000 or more, Barta said. His tax bill totals more than \$10,000.

County Treasurer Bill Berrum said he will send bills to the various government entities to pay for the tax refunds once he receives property values from the assessor's office for the 17.

If large refunds are likely, school district finance chief Gary Kraemer said lawyers would be asked to research the extent of the district's burden. He said a state law guaranteeing the district \$4,459 per pupil would help offset any rebates.

Shea said the district attorney also will be researching the question of who pays.

In his ruling, Maddox invalidated McGowan's rating systems for lake views and beaches and for not valuing houses slated to be torn down and using old land sales in studies.

Maddox said the rules should have been approved by the state.

Maddox wrote the county's reappraisal of Incline Village and Crystal Bay for the 2003-04 tax year was invalid because of the assessor's rules. He ordered tax refunds for that tax year and the following one.

For the current tax year, the Incline group has filed a court action to remove McGowan from office for not following new rules set by the state for valuing Tahoe Basin properties.