

Incline Villagers To Get Massive Tax Refunds

Almost 9,000 Taxpayers On Property List

After years of court fights, agency fights, and perseverance by the taxpayers in Incline Village, a high end community along the eastern shore of Lake Tahoe, the Nevada State Board of Equalization has ruled in favor of granting property tax rebates to about 8,700 property owners. The case stems from the tax year 2006-07, when the Washoe County assessor claimed that property owners would be taxed on such things as the view of the lake, number and quality of trees on the property, and other items not taxed in other areas of the county.

Property taxes are divvied up among various levels of government, and according to the latest figures, the rebate might be as much as \$13 million. If that is the case, Washoe County would be in it for \$5.5 million, the county school district would contribute \$4.5 million, and other agencies, such as fire protection districts, the state, and general improvement districts, about \$3 million.

The Board of Equalization ruling rolls taxes for Incline Village back to the 2002-03 levels. In a previous court case before the state's high court, the justices ruled that Washoe County did not have the right to create its own tax appraisal rules. The rules created by former assessor Bob McGowan needed approval from the State Tax Commission before being implemented, the court said.

There had been a fear that appraisals for the entire county would have to be rolled back to those 2002-03 levels, but the state board said no. That ruling could

possibly be challenged in court by other Washoe County property owners. There is a potential based on what might be perceived as inequality of taxation. County Treasurer Bill Berrum said Incline residents will be taxed at 20 percent of fair market value while the rest of the county's taxpayers will be taxed at 70 percent of fair market value.

The county District Attorney's office has been in the forefront of the court activity, and DA Dick Gammick has been an outspoken critic of the court cases and complaints by the Incline Village residents. Assistant Deputy District Attorney David Creekman said, "Obviously, we're very disappointed in the State Board's decision." The county's legal department has not ruled out more appeals in the case.

Following appeals to the state board in 2006, property values for 300 home owners in the Lake Tahoe community were lowered, and because that action was upheld in court, the board felt that the idea of tax fairness must include the rest of the 8,700 property owners. The board's action on the 2006-07 taxes could be extended into the 2007-08 tax year as well, but no decision on that has come out.

Estimates of how much money the county has spent fighting this case, even after rulings from the Nevada Supreme Court in favor of the taxpayers, have not been made public at this time. There have been numbers in the high six figures bandied about, but nothing official.