

Washoe County appeals October Tax ruling to state Supreme Court

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INCLINE VILLAGE, Nev. — Washoe County is appealing a district court order demanding \$13 million be refunded to all Incline Village and Crystal Bay property owners, meaning the process could take even longer than the almost-year estimate the treasurer's office offered in October.

According to a three-page document filed Tuesday, Nov. 17, with the Nevada Supreme Court, Washoe County Treasurer Bill Berrum is appealing District Court Judge Brent Adams' Oct. 23 written decision because the county feels “the judge's decision is legally flawed,” said Washoe County Chief Deputy Attorney David Creekman, who filed the motion on Berrum's behalf.

“We're asking the Supreme Court to listen to our complaint in a hearing, then come up with a ruling based on hearing both sides,” Creekman said Friday.

Adams' ruling, handed down on Oct. 6 and later entered on Oct. 23 as a written decision, affirmed a previous ruling handed down by the Washoe County Board of Equalization that demanded Washoe County roll back taxes for 8,700 residents to the 2002-2003 tax year, based on a case involving the 2006-2007 tax year.

Adams' ruling orders Berrum to calculate “the amount of excess taxes paid by the

owners of Incline Village and Crystal Bay residential property for the tax year 2006-2007 and subsequent years, and refunding to taxpayers the amount of those excess taxes with interest calculated ... at the rate of 0.5 percent per month ... from the last day of the calendar month in which the overpayment was made to that last day of the calendar month in which the refund is made.”

Creekman also said his office expects to file a motion by the end of the day Friday in district court to “stay” Adams' Oct. 23 decision.

“We want to stop that, pending a ruling from the Supreme Court,” Creekman said.

If the stay is granted, any refunds to Incline/Crystal Bay residents would be put on hold until the high court hears the case, and subsequently issues a ruling, a process that could take several months.

Prior to this week's litigation, according to previous Bonanza articles, Berrum said it could take months — or even up to a year — for the refunds to be made.

“In compliance with the judge's decision, this office is immediately gearing up to begin processing the refunds,” Berrum said in a county statement on Oct. 6. “Due to the volume and the complexity, though, this task can possibly take months to complete.”

Supporting Document:

Following two documents supporting this article were also published on the North Lake Tahoe Bonanza Website

1. Judge Adams' Oct. 23 ruling
2. Washoe County's appeal, filed Nov. 17

Go back to the **2009 News Articles** web page to read the above two references.

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