

IN THE MAGISTRATE DIVISION  
OF THE OREGON TAX COURT

Property Tax

JAMES HANSEN and MID VALLEY GLASS,	)	
	)	
Plaintiffs,	)	No. 000425F
	)	
v.	)	
	)	
LANE COUNTY ASSESSOR,	)	
	)	
Defendant.	)	<b>DECISION</b>

Plaintiffs appealed the real market value of their commercial property for the 1999-00 tax year. The property is listed as Account Numbers 466183 and 466084 by the Lane County Assessor. A telephone trial was held June 14, 2000. David Carmichael represented the plaintiffs. Jeff Hansen appeared as a witness for plaintiffs. Defendant waived participation in the trial.

**STATEMENT OF FACTS**

Plaintiffs made timely appeals to the Board of Property Tax Appeals (BOPTA). The findings of the Board and plaintiffs' assertion of value are as follows:

	<u>BOPTA</u>	<u>Plaintiffs</u>
Account 466183 - Land	\$219,410	\$219,410
Improvements	578,860	461,890
Account 466084 - Land	108,990	108,990
Improvements	<u>209,010</u>	<u>169,710</u>
Total for both accounts	\$1,116,270	\$960,000

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Plaintiffs' assertion of value was based on the income approach to value.

The vacancy and collection loss rate, expense ratio and the capitalization rate were based on the recommendation of plaintiffs' broker as to industry averages.

The subject property consists of two warehouses located in an industrial area in west Eugene. They were built and continue to be owned by JHL Properties, LLC (JHL). JHL is in turn owned by Jeff Hansen and his father, James Hansen. JHL also owns Mid Valley Glass (Mid Valley). Jeff Hansen is the president of Mid Valley. Mid Valley manufactures windows, doors and millwork. Mid Valley has been in business since 1973.

JHL built the warehouses for Mid Valley's use, including future expansion plans. Of the 41,440 square feet, 13,570 square feet is currently rented to unrelated third party tenants. JHL rents the balance of the space to Mid Valley. All rents, including the rent from Mid Valley, are market rents.

### **COURT'S ANALYSIS**

The sole valuation evidence was produced on plaintiffs' behalf. The competent market evidence, supported by direct testimony, is entitled to substantial weight.

As defendant declined to participate at trial, and there being no probative evidence to refute plaintiffs' assertions, the record assessment is without any real support. Plaintiffs have proven, and are entitled to, the relief requested.

The appeal is granted.

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### **CONCLUSION**

IT IS THE DECISION OF THE COURT that the real market value of Account Number 466183 shall be \$219,410 for the land and \$461,890 for the improvements.

IT IS FURTHER DECIDED that the real market value of Account Number 466084 shall be \$108,990 for the land and \$169,710 for the improvements.

Dated this \_\_\_\_\_ day of June, 2000.

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SALLY L. KIMSEY  
MAGISTRATE

**IF YOU WANT TO APPEAL THIS DECISION, FILE A COMPLAINT IN THE REGULAR DIVISION OF THE OREGON TAX COURT, FOURTH FLOOR, 1241 STATE ST., SALEM, OR 97310. YOUR COMPLAINT MUST BE SUBMITTED WITHIN 60 DAYS AFTER THE DATE OF THE DECISION OR THIS DECISION BECOMES FINAL AND CANNOT BE CHANGED.**

**THIS DOCUMENT WAS SIGNED BY MAGISTRATE SALLY L. KIMSEY ON JUNE 19, 2000. THE COURT FILED THIS DOCUMENT ON JUNE 19, 2000.**