

Judge tosses property-value suit filed by Incline-area residents

STAFF REPORT

A Washoe County District judge has thrown out a lawsuit against Nevada and Washoe County filed by a group of Incline Village and Crystal Bay residents angry over how their property was assessed for last year's property-tax bills.

Judge Peter Breen ruled that the Village League to Save Incline Assets did not have standing to file a lawsuit because it had not exhausted its administrative appeals.

"What I argued was that they can't bring this lawsuit in the first place, and that's because there's a method set out in state law that requires them" to follow certain procedures, Deputy District Attorney Greg Shannon said.

Those appeals to both the county and state equalization boards are in place because the hearings establish a set of facts that can be used in a lawsuit, Shannon said.

In his ruling, Breen said certain exceptions exist to the rule requiring people to exhaust every administrative option, but this suit did not fall into any of those exemptions.

The nonprofit group argued that the county assessor illegally raised property values by an average of 31 percent when re-

■ *'What I argued was that they can't bring this lawsuit in the first place, whether or not they have a point ...'*

Greg Shannon
Deputy district attorney

assessing about 6,700 parcels around Lake Tahoe.

The suit contended that a 13-tiered system of determining how much money certain scenic views were worth could add up to \$800,000 to a home's value. The group claimed the assessor's office kept that evaluation method a secret and sometimes lied to property owners. The office denied the allegation. Also in the lawsuit, the group claimed the Washoe County Board of Equalization violated due process protections by failing to give property owners adequate notice of when their appeals would be heard.

Breen did not comment on the veracity of any of the claims in his dismissal.

A debate over property assessments in Incline Village and Crystal Bay erupted last year when people saw how much

their property values were increasing for tax purposes. More than 1,800 property owners paid their taxes under protest, and more than 1,300 people appealed their assessment as an organized protest.

In August, the Nevada Taxation Department started a review of state regulations, and last month released some proposals that would ensure appraisers use data that is available to taxpayers. The Nevada Tax Commission is scheduled to consider those proposals June 25.

The Washoe County Board of Equalization has also scheduled a review of its procedures, including the amount of notice it gives property owners before a hearing on their tax appeals case. A workshop is scheduled for June 10.

Village League to Save Incline Assets President Maryann Ingemann said she had not heard about the ruling and could not comment until she spoke with her attorney. Also heating up the debate over property taxes is a potential ballot initiative that would cap property-tax increases at 2 percent a year and reduce property tax rates. Assemblyman Don Gustavson, R-Sun Valley, and Assemblywoman Sharron Angle, R-Reno, are spearheading that initiative, which needs 51,244 signatures by June 15 to get on the November ballot.