

**KITTITAS COUNTY  
BOARD OF EQUALIZATION**

411 N Ruby St, Ste 2, Ellensburg, WA 98926  
(509) 962-7506

**ORDER OF THE KITTITAS COUNTY BOARD OF EQUALIZATION**

Property Owner(s): Ralph Epling & Lisa Harstedt  
Mailing Address: 50 Fortune Creek Lane  
Cle Elum, WA 98922  
Tax Parcel No(s): 950124  
Assessment Year: 2023 (Taxes Payable in 2024)  
Petition Number: BE-23-0306

Having considered the evidence presented by the parties in this appeal, the Board hereby:  
**Sustained**  
the determination of the Assessor.

Assessor's Determination

Assessor's Land: \$634,500  
Assessor's Improvement: \$1,595,620  
TOTAL: \$2,230,120

Board of Equalization (BOE) Determination

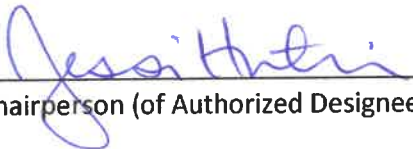
BOE Land: \$634,500  
BOE Improvement: \$1,595,620  
TOTAL: \$2,230,120

Those in attendance at the hearing and findings:

See attached Recommendation and Proposed Decision of the Hearing Examiner.

Hearing Held On : January 18, 2024  
Decision Entered On: February 6, 2024  
Hearing Examiner: Ann Shaw

Date Mailed: 2/12/24

  
Chairperson (of Authorized Designee)

  
Clerk of the Board of Equalization

**NOTICE OF APPEAL**

This order can be appealed to the State Board of Tax Appeals by filing a Notice of Appeal with them at PO Box 40915, Olympia, WA 98504-0915, within THIRTY days of the date of mailing on this Order (RCW 84.08.130). The Notice of Appeal form is available from the Washington State Board of Tax Appeals or the Kittitas County Board of Equalization Clerk.

**KITTITAS COUNTY BOARD OF EQUALIZATION- PROPOSED RECOMMENDATION**

Appellants: Ralph Epling & Lisa Harstedt  
Petition: BE-23-0306  
Parcel: 950124  
Address: 50 Fortune Creek Lane

Hearing: January 18, 2024 9:06 A.M.

Present at hearing: Ralph Epling and Lisa Harstedt, Appellants; Anthony Clayton, Appraiser; Jessica Miller, BOE Clerk; Ann Shaw, Hearing Examiner

Testimony given: Ralph Epling, Lisa Harstedt and Anthony Clayton

Assessor's determination:  
Land: \$634,500  
Improvements: \$1,595,620  
Total: \$2,230,120

Taxpayer's estimate:  
Land: \$545,000  
Improvements: \$1,461,247.56  
Total: \$2,006,247.56

**SUMMATION OF EVIDENCE PRESENTED AND FINDING OF FACT:**

This property is 1.0 acre and has a 3,279 SF home with golf frontage. The petitioner is concerned with how high the value is compared to the cost to construct and comparable sales provided.

The assessor's representative addressed the appraisal date of January 1, 2023. The petitioner provided a number of sales that are after the appraisal date allowed by law.

The sales evidence that the appraiser provided supports the value given by the assessor's office.

**CONCLUSIONS OF LAW:**

"Upon review by any court, or appellate body, of a determination of the valuation of property for purposes of taxation, it shall be presumed that the determination of the public official charged with the duty of establishing such value is correct, but this presumption shall not be a defense against any correction indicated by clear, cogent and convincing evidence." RCW 81.40.0301

In other words, the assessor's determination of property value shall be presumed correct. The petitioner can overcome this presumption that the assessor's value is correct only by presenting clear, cogent and convincing evidence otherwise.

"All real property in this state subject to taxation shall be listed and assessed every year, with reference to its value on the first day of January of the year in which it is assessed..."

RCW 84.40.020

"The true and fair value of real property for taxation purposes...must be based upon the following criteria:

- (a) Any sales of the property being appraised or similar properties with respect to sales made within the past five years...
- (b) In addition to sales as defined in subsection (3)(a) of this section, consideration may be given to cost, cost less depreciation, reconstruction cost less depreciation, or capitalization of income that would be derived from prudent use of the property, as limited by law or ordinance..."

RCW 84.40.030(3)

"(1) In making its decision with respect to the value of property, the board shall use the criteria set forth in RCW 84.40.030.

(2) Parties may submit and boards may consider any sales of the subject property or similar properties which occurred prior to the hearing date so long as the requirements of RCW 84.40.030, 84.48.150, and WAC 458-14-066 are complied with. Only sales made within five years of the date of the petition shall be considered.

(3) Any sale of property prior to or after January 1<sup>st</sup> of the year of revaluation shall be adjusted to its value as of January 1 of the year of evaluation, reflecting market activity and using generally accepted appraisal methods...

(4) More weight shall be given to similar sales occurring closest to the assessment date which require the fewest adjustments for characteristics."

WAC 458-14-087

**RECOMMENDATION:**

The Hearing Examiner has determined that the appellant has not met the burden of proof to overturn the Assessed Value of the property with clear, cogent, and convincing evidence.

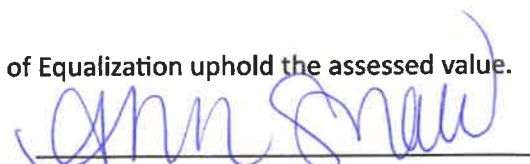
The sales provided by the petitioner were after the appraisal date of January, 1 2023 and therefore can not be used to determine value for this appraisal year. The following year those sales will be considered into the value.

Every finding of fact this is a conclusion of law shall be deemed as such. Every conclusion of law that contains a finding of fact shall be deemed as a finding of fact.

**PROPOSED DECISION:**

The Examiner proposes that the Kittitas County Board of Equalization uphold the assessed value.

DATED 1/18/24

  
Ann Shaw, Hearing Examiner