CITRUS COUNTY

VALUE ADJUSTMENT BOARD

AGENDA ● MAY 18, 2021

Regular Meeting | **Citrus County Courthouse** | **9:00 AM**

Room 100, 110 N. Apopka Avenue, Inverness, FL 34450

Holly Davis, Chair, Board of County Commission Member **Sandy Counts, Vice Chair, School Board Member** **Ruthie Schlabach, Board of County Commission Member** **Tony Wahl, Citizen Member** **Patrick Crippen, Citizen Member**	**Angela Vick, Clerk of the Circuit Court and Comptroller** **Board Legal Counsel, Attorney Richard R. Kosan**

NOTICE TO THE PUBLIC

Citrus County Government is a value-driven organization dedicated to responsive citizen service by providing quality programs, services and facilities to build a strong community and promote the best quality of life for our citizens

Any person who decides to appeal any decision of the Governing Board with respect to any matter considered at this meeting will need a record of the proceedings and for such purpose may need to provide that a verbatim record of proceeding is made, which record includes testimony and evidence upon which the appeal is to be based. (Section 286.0105, Florida Statutes)

Any person requiring reasonable accommodation at this meeting because of a disability or physical impairment should contact the County Administrator's Office, Citrus County Courthouse, 110 N. Apopka Avenue, Inverness, Florida 34450, (352) 341-6560, at least two days before the meeting.

A. CALL TO ORDER

May 18, 2021, Citrus County Courthouse

1. ***Pledge of Allegiance***
2. ***Roll Call***
3. ***Public Comment***

A.3.1. Accept comments from the public on issues not related to specific petitions which are noted below for approval by the Value Adjustment Board.

B. MINUTES

B.1. Value Adjustment Board - Organizational Meeting - Jan 6, 2021 9:00 AM

C. SPECIAL MAGISTRATE RECOMMENDED DECISIONS

C.1. VAB Recommended Decisions

Consider and adopt the recommended decisions signed by the appointed special magistrates for the following petition numbers: 1, 12, 15, 22, 23, 24, 28, 29, 30, 31, 32, 33, 34, 35, 36, 53, 84, 103, 114, 120, 121, 122, 123, 124, 125, 130, 131, 146, 192.

D. VAB FORMS

D.1. 2020 VAB Forms

Approve and authorize the Chair to sign the following forms:

- DR-488 - Certification of the Value Adjustment Board for Real Property;
- DR-488 - Certification of the Value Adjustment Board for Tangible Personal Property; and
- DR-529 - Notice of Tax Impact of the Value Adjustment Board.

E. PAYMENT OF VALUE ADJUSTMENT BOARD SERVICES

E.1. Payment of Services to Special Magistrate Golicz

Approve payment to Special Magistrate Golicz in the amount of $375.00

E.2. Payment of Services to Special Magistrate Haynes Davis

Approve payment to Special Magistrate Haynes Davis in the amount of $331.25.

E.3. Payment of Services to Special Magistrate Robinson

Approve payment to Special Magistrate Robinson in the amount of $8,656.25.

E.4. Payment of Services to Special Magistrate Robert Sutte

Approve payment to Special Magistrate Robert Sutte in the amount of $16,743.75.

E.5. Payment of Services to Value Adjustment Board Legal Counsel

Approve payment to Attorney Richard Kosan in the amount of $4,050.00.

F. REPORTS AND ANALYSIS

F.1. 2020 Petition Filing Results and Revenue and Expense Report

Review the current Petition Filing Results and Revenue and Expense Report, both of which are current through May 10, 2021.

G. VAB BUSINESS FORMALITIES

G.1. Value Adjustment Board Legal Counsel

Authorize the Board Clerk to (a) extend the contract with Attorney Richard R. Kosan (current legal counsel until terminated by either party) or (b) proceed with a request for legal services to obtain responses from qualified applicants interested in serving as the Citrus County VAB legal counsel for the 2021 Tax Year.

G.2. Special Magistrate Rates

In 2020, the rate for the primary attorney special magistrate hearing petitions related to exemption, classification, and portability matters was $125 with the scheduled hearing time at a minimum of four (4) hours. In prior years, there were no minimum hours. The special magistrate rate was $125 per hour for appraiser special magistrates hearing petitions related to real property values (the rate has been in place since 2005). The rate for the appraiser special magistrate hearing petitions related to tangible personal property (TPP) was selected by an open bid process; the selected magistrate was approved at a rate of $125 per hour to include a 4-hour minimum and mileage at the IRS approved rated for 2020.

G.3. 2021 Special Magistrate Services

Authorize the Board Clerk to seek Special Magistrate services for 2021 Tax Year.

G.4. Value Adjustment Board Resolution

Ratify resolution number 2021-001, imposing a nonrefundable $15 filing fee for petitions filed in 2021.

H. <u>UPCOMING MEETING</u>

H.1. Next Value Adjustment Board Meeting

Set the Organizational meeting of the 2021 Value Adjustment Board for Thursday, August 5, 2021 at 9:00 a.m. in the Citrus County Courthouse, Room 100, 110 North Apopka Avenue, Inverness Florida, for the purpose of setting the organizational structure, to appoint special magistrates, and for any other business deemed necessary.

I. <u>ANY OTHER BUSINESS TO COME BEFORE THE BOARD</u>

J. <u>ADJOURN</u>

CITRUS COUNTY

VALUE ADJUSTMENT BOARD

MINUTES ● JANUARY 6, 2021

Organizational Meeting **Citrus County Courthouse** **9:00 AM**

Room 100, 110 N. Apopka Avenue, Inverness, FL 34450

A. CALL TO ORDER

January 06, 2021 Citrus County Courthouse
The meeting was called to order at 9:05 AM

1. Pledge of Allegiance

2. Roll Call

Attendee Name	Title	Status	Arrived
Sandy Counts	Vice Chair, School Board Member	Present	
Holly L. Davis	Board of County Commission Member	Present	
Ruthie Davis Schlabach	Board of County Commission Member	Late	9:08 AM
Robert Bass	Citizen Member	Excused	
Tony R. Wahl	Citizen Member	Present	
Richard R Kosan	Value Adjustment Board Attorney	Present	
Georgette Tozer	Deputy Clerk	Present	

3. Public Comment

Mr. Dennis Nelski addressed the Board regarding the denials of Petitions 28 and 29. Attorney Richard Kosan provided an explanation of the Value Adjustment Board process. Following his briefing, Attorney Richard Kosan counseled the Board to readdress the issues during the Recommended Decisions agenda item.

Vice Chair Sandy Counts introduced those in the audience and welcomed the newly appointed Citizen Member, Robert Bass.

A moment of silence was offered in remembrance of Citizen Member Mark Stone.

B. VALUE ADJUSTMENT BOARD LEGAL COUNSEL

Attorney Richard Kosan provided an overview of the evolution and process of the Value Adjustment Board and responded to questions from the Board.

C. VALUE ADJUSTMENT BOARD MEMBERS AND CLERK

C.1. Informational: Value Adjustment Board Members and Clerk

Introduce the members of the board and the clerk (or designee) and provide contact information.

D. DUE TO REORGANIZATION: SELECTION OF CHAIR AND VICE-CHAIR OF THE VALUE ADJUSTMENT BOARD

D.1. 2020 Value Adjustment Board Chair

2020 Value Adjustment Board Vice Chair Sandy Counts to open nominations for Chair of the 2020 Value Adjustment Board and ask for a motion to cease nominations.

Motion to appoint Commissioner Holly Davis as Chair.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Tony R. Wahl, Citizen Member
SECONDER:	Ruthie Davis Schlabach, Board of County Commission Member
AYES:	Counts, Davis, Schlabach, Wahl

D.2. 2020 Value Adjustment Board Vice-Chair

Chair-elect of the 2020 Value Adjustment Board to open nominations for the Vice-Chair and ask for a motion to cease nominations.

Motion to appoint School Board Member Sandy Counts as Vice Chair.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Tony R. Wahl, Citizen Member
SECONDER:	Ruthie Davis Schlabach, Board of County Commission Member
AYES:	Counts, Davis, Schlabach, Wahl

E. VALUE ADJUSTMENT BOARD MEETING MINUTES

E.1. Value Adjustment Board - Organizational Meeting - Aug 5, 2020 9:00 AM

Motion to approve item E.

RESULT:	**ACCEPTED [UNANIMOUS]**
MOVER:	Sandy Counts, Vice Chair, School Board Member
SECONDER:	Tony R. Wahl, Citizen Member
AYES:	Counts, Davis, Schlabach, Wahl

F. VALUE ADJUSTMENT BOARD REFERENCE MATERIALS

F.1. Informational: Value Adjustment Board Rules and Guidelines

Review the following value adjustment board rules and guidelines and announce that this information is accessible on the Florida Department of Revenue's website, https://floridarevenue.com/property/Pages/VAB.aspx. A link to the department's website is also available on the Citrus County Clerk of Circuit Court and Comptroller's website, www.citrusclerk.org.

- Rule Chapter 12D-9, F.A.C., and associated forms;
- Rule Chapter 12D-10, F.A.C.;
- Rule Chapters 12D-51.001, 51.002, and 51.003, F.A.C.;

- Chapters 192 through 195, F.S.;
- Florida's Government in the Sunshine/Open Government Laws

Attorney Richard Kosan further commented on the Value Adjustment Board process.

G. SPECIAL MAGISTRATE RECOMMENDED DECISION

G.1. VAB Recommended Decisions

Consider and adopt the recommended decisions signed by the appointed special magistrates for the following petition numbers: 2, 3, 4, 6, 7, 8, 14, 16, 17, 18, 20, 27, 28, 29, 41, 42, 52, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 106, 107, 112, 113, 115, 118, 119, 128, 129 and 142.

Motion to pull petitions 28 and 29 and approve all remaining recommendations.

Prior the vote, Attorney Richard Kosan read the petition numbers for the remaining recommendations into the record.

After the vote, Citizen Member Tony Wahl provided clarification of his direction.

RESULT:	**ADOPTED AS AMENDED [UNANIMOUS]**
MOVER:	Tony R. Wahl, Citizen Member
SECONDER:	Holly L. Davis, Board of County Commission Member
AYES:	Counts, Davis, Schlabach, Wahl

G.2. Motion

Motion to request the Special Magistrate to review the record already created and not add any additional information for the recommendations for petitions 28 and 29.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Tony R. Wahl, Citizen Member
SECONDER:	Sandy Counts, Vice Chair, School Board Member
AYES:	Counts, Davis, Schlabach, Wahl

H. PAYMENT OF VALUE ADJUSTMENT BOARD SERVICES

Motion to approve items H1 through H4.

After the vote, Board discussion ensued.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Sandy Counts, Vice Chair, School Board Member
SECONDER:	Ruthie Davis Schlabach, Board of County Commission Member
AYES:	Counts, Davis, Schlabach, Wahl

H.1. Payment of Services to Value Adjustment Board Legal Counsel

Approve payment to Attorney Richard Kosan in the amount of $4,140.00

H.2. Payment of Services to Special Magistrate Davis

Approve payment to Special Magistrate Davis in the amount of $406.25

H.3. Payment of Services to Special Magistrate Golicz

Approve payment to Special Magistrate Golicz in the amount of $6,293.00

H.4. Payment of Services to Special Magistrate Tukdarian

Approve payment to Special Magistrate Tukdarian in the amount of $7,750.00

I. REPORTS AND ANALYSIS

. Petition Filing Results and Revenue and Expense Report

Review the current Petition Filing Results and Revenue and Expense Report, both of which are current through December 28, 2020.

J. ANY OTHER BUSINESS TO COME BEFORE THE BOARD

K. UPCOMING MEETING

K.1. Next Value Adjustment Board Meeting

Set the next meeting of the Value Adjustment Board for Wednesday, March 24, 2021 at 9:00 a.m.

Motion to approve item K1.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Ruthie Davis Schlabach, Board of County Commission Member
SECONDER:	Sandy Counts, Vice Chair, School Board Member
AYES:	Counts, Davis, Schlabach, Wahl

L. ADJOURN

The meeting was adjourned at 9:54 AM

AGENDA MEMORANDUM

FROM:	Kristi Hugar, Official Records Director
SUBJECT:	VAB Recommended Decisions
AGENDA DATE:	**May 18, 2021**

BRIEF OVERVIEW:

Reference Rule Chapter 12D-9.031(1): All recommended decisions shall comply with Sections 194.301, 194.034(2), and 194.035(1), F.S. A special magistrate shall not submit to the board, and the board shall not adopt, any recommended decision that is not in compliance with Sections 194.301, 194.034(2), and 194.035(1), F.S.

Reference Rule Chapter 12D-9.031(2): As provided in Sections 194-034(2) and 194.035(1), F.S., the board shall consider the recommended decisions of special magistrates and may act upon the recommended decisions without further hearing. The Board shall consider whether the recommended decisions meet the requirements of subsection (1), and may rely on board legal counsel for such determination. Adoption of recommended decisions need not include a review of the underlying record.

BUDGET IMPACT/FUNDING SOURCE:

RECOMMENDED ACTION:

Consider and adopt the recommended decisions signed by the appointed special magistrates for the following petition numbers: 1, 12, 15, 22, 23, 24, 28, 29, 30, 31, 32, 33, 34, 35, 36, 53, 84, 103, 114, 120, 121, 122, 123, 124, 125, 130, 131, 146, 192.

DR-485XC
R. 01/17
Rule 12D-16.002
F.A.C.
Eff. 01/17

FLORIDA DEPARTMENT OF REVENUE

DECISION OF THE VALUE ADJUSTMENT BOARD
EXEMPTION, CLASSIFICATION, ASSESSMENT DIFFERENCE TRANSFER, CHANGE OF OWNERSHIP OR CONTROL, OR QUALIFYING IMPROVEMENT PETITION

The actions below were taken on your petition in Citrus County

_X_ These actions are a recommendation only, not final. ___ These actions are a final decision of the VAB

If you are not satisfied after you are notified of the final decision of the VAB, you have the right to file a lawsuit in circuit court to further contest your assessment. (See sections 193.155(8)(l), 194.036, 194.171(2), 196.151, and 197.2425, Florida Statutes.)

Petition # 1	Parcel ID 18E17S31 12000
Petitioner Name STEVENS MARION	Property Address STEVENS MARION 5291 W DISNEY LN DUNNELLON
The Petitioner is: _X_Taxpayer of Record ___Representative ___Other ______________________	

Decision Summary ___ Denied your petition _X_ Granted your petition ___ Granted your petition in part

Value Line 1 and 4 must be completed	Value from TRIM Notice	Before Board Action Value presented by property appraiser Rule 12D-9.025(10), F.A.C.	After Board Action
1. Just value, required	575422.00	575422.00	575422.00
2. Assessed or classified use value, *if applicable	575422.00	575422.00	396562.00
3. Exempt value, *enter "0" if none	0.00	0.00	0.00
4. Taxable value, *required	575422.00	575422.00	396562.00

*All values entered should be county taxable values. School and other taxing authority values may differ. (Section 196.031(7), F.S.)

Reason for Petition

___ Homestead ___ Widower ___ Blind ___ Totally and permanently disabled veteran
___ Low Income Senior ___ Disabled ___ Disabled veteran _X_ Use classification, specify: agricultural
___ Parent/grandparent assessment reduction ___ Deployed Military ___ Use exemption, specify: ______________
___ Transfer of homestead assessment difference ___ Qualifying Improvement
___ Change of ownership or control ___ Other, specify: ______________

Reasons for Decision

Findings of Fact
See attached

Conclusions of Law
See attached

_X_ **Recommended Decision of Special Magistrate** Finding and conclusions above are recommendations.

[signature]	THOMAS TUKDARIAN	11/02/2020
Signature, special magistrate	Print name	Date
[signature]	ANGELA VICK	11/02/2020
Signature, VAB clerk or special representative	Print name	Date

If this is a recommended decision, the board will consider the recommended decision on 05/18/2021 at 9:00AM.
Address: Citrus County Courthouse, 110 North Apopka Ave, Inverness, FL 34450
If the line above is blank, the board does not yet know the date, time, and place when the recommended decision will be considered. To find the information, please call (352) 341-7095 or visit our website at www.citrusclerk.org.

___ **Final Decision of the Value Adjustment Board**

Signature, chair, value adjustment board	Print name	Date of decision
Signature, VAB clerk or representative	Print name	Date mailed to parties

Attachment: VAB_Decision-1 (12780 : VAB Recommended Decisions)

FINDINGS OF FACT
Petition 1 (2020)
Hearing on October 14, 2020
The petitioner in this matter is Marion Stevens, the owner of the property located at 5291 W. Disney Lane, Dunnellon, Florida 34433 (Parcel No.: 18E17S31 12000). At the hearing on the petition, the Petitioner was represented by Marion Stevens, and testimony and evidence were provided by Ms. Stevens and testimony was also provided by Robert Stevens and Debra Justice.
The Property Appraisers Office (hereinafter "PAO") was represented by Kim Whitton and Herb Mack and testimony and evidence were provided on behalf of the Property Appraisers Office by Ms. Whitton, and testimony was also provided by Mr. Mack.
The PAO submitted the following documents which were admitted into evidence:
Evidence List and Summary of Testimony; copy of Florida Statute section 193.461 (3)(a); Petition to the Value Adjustment Board (dated 03/31/2020, with receipt date of 04/01/2020); Letter from Petitioner (dated 03/31/2020); Consent to electronic communications (date 04/01/2020); Application and Return for Agricultural Classification of Lands, and Supplement (dated 03/31/2020); a copy of an aerial photograph of the subject property (undated); Petitioner's Mission Statement (undated); Petitioner's Explanation of Late Application (undated); Letter from Alan to Jodi (undated); receipts for various supplies and feed (dated December, 2019); receipt from Circle C Country Supply (dated 12/12/2019); document titled "Other Agricultural Property" (undated); USPS Certified Mail bar code (undated); PAO denial letter to Petitioner (dated 06/30/2020); Notice of Disapproval of Application for Property Tax Exemption or Classification (dated 06/30/2020); Florida Statute section 193.461; Property Record Card for Parcel 18E17S31 12000 (bearing print date of 09/24/2020); aerial photographs of subject property (dated 01/12/2019 and 01/18/2019 and 01/11/2019 and undated); photographs of the subject property (dated 04/23/2019); PAO letter to Petitioner (dated 01/23/2020); PAO letter to Petitioner (dated 05/19/2020); Potential witness list (dated 09/29/2020); Facebook photograph and comments (bearing date of 11/30/2019); picture of a goat (dated 12/09/2019); Facebook photograph and comments (bearing unreadable date); picture of subject property (dated 11/23/2019); Facebook photographs and comments (dated 12/01/2019 and 12/08/2019)

The testimony provided by the PAO included the following:
The subject property is comprised of approximately 40 acres which had been classified as agricultural when owned by the previous owner. The Petitioner acquired the subject property in November, 2019. The Petitioner filed an application for agricultural classification late, on April 7, 2020. The deadline for filing was March 1, 2020. Several attempts were made to access the subject property for a site inspection, but all attempts were unsuccessful. A denial letter was sent by the PAO to the Petitioner on June 30, 2020. The PAO asserts that due to the late filing there is no way to determine the condition or bona fide commercial agricultural use of the property as of January 1, 2020.
The primary reason for the denial of the agricultural classification is because the Petitioner did not timely file an application, thereby precluding the PAO from determining the condition and use of the subject property as of January 1, 2020.

The Petitioner submitted the following documents which were admitted into evidence:
All documents offered into evidence by the PAO.

The testimony provided by the Petitioner included the following:
The Petitioner stated that she took possession of the subject properties on November 13, 2019 and that the previous owners had received and maintained an agricultural classification on the property. However, the property had fallen into disrepair and was in need of serious and extensive clean-up and maintenance. The subject property was purchased with the intention of raising and breeding goats. The Petitioner explained that she and others worked hard to get the property ready for goats. As part of the readying process the Petitioner had the property evaluated by professionals who advised her that the property was well suited for the raising of goats.
The Petitioner presented evidence and testimony which clearly shows that significant efforts and expenses were undertaken in late 2019 to prepare the subject property for the raising of goats, that the Petitioner purchased goats on December 1, 2019, purchased livestock guardian dogs on December 8, 2019, had goats on the land on January 1, 2020, and that more goats have been delivered to the property since that date.

The Petitioner mistakenly thought that the deadline for the application was March 31 and not March 1. The Petitioner offers as extenuating circumstances for the delayed filing a number of events including that she wrote down the wrong date for the deadline, she was overwhelmed with other issues, the extensive remedial efforts and maintenance needed on the land which included fencing and clearing, and complications resulting from the COVID-19 virus, aging relative in need of care and assistance, among other issues set forth in a letter from the Petitioner to the PAO, a copy of which was admitted into evidence.

Conclusions of Fact:
The subject property was classified agricultural when owned by the previous owner and the uncontroverted evidence shows that the Petitioner as the current owner continues to use the land for a bona fide agricultural purpose. The Petitioner has presented adequate extenuating circumstances, including, but not limited to the impact of the effects on daily activities brought about by the COVID-19 virus to warrant review and consideration of the granting of the agricultural classification.
The record presented by the PAO at the hearing lacks competent, substantial evidence for establishing a revised classified use value and it is not possible to determine a classified use value for the subject property with the application of an agricultural classification. Therefore, this matter needs to be remanded to the PAO so that the PAO can determine the appropriate classification use value.
The Petitioner did not request a continuation hearing or waived such hearing.

CONCLUSIONS OF LAW
Conclusions of Law:
The outcome of this matter requires a close inspection of Florida Statute section 193.461 (3)(a) and involves a multi-step process. This statute requires an application for agricultural classification to be filed "on or before March 1" and generally mandates that failure to timely file "constitutes a waiver". In this matter the Petitioner failed to file her application by March 1. However, the statute also provides for an exception to this general mandate and permits a late filing of an application. The statute requires that "an applicant who is qualified to receive an agricultural classification who fails to file an application by March 1 must file an application for classification with the property appraiser on or before the 25th day after the mailing" of TRIM notices. The Petitioner testified that she filed her application on April 1 and the PAO testified that they did not receive the application until April 7. In either event the application was filed and received on or before the 25th day after the mailing of TRIM notices.
The statute then deteriorates into what has been generously described as "unartful wording" Turner vs. Lusk, 819 So.2d 258, 260 (Fla. 2nd DCA 2002) which basically requires a property owner to "file a timely petition to the value adjustment board setting forth extenuating circumstances sufficient to convince the board or the property appraiser that granting the classification is justified." Id., at 261. Both the application and the petition are required to be filed by or on behalf of the property owner and the uncontroverted evidence in this case shows that the Petitioner has filed both.
The next steps required by the statute involve determining whether the Petitioner has set forth sufficient extenuating circumstances to show that the agricultural classification requested is justified. The extenuating circumstances have been set forth by the Petitioner in the document attached to the Petition, bearing the heading "Explanation of Late Application" and in the testimony of the Petitioner. The PAO did not offer any evidence or testimony to controvert the evidence and testimony of the Petitioner in this regard.
The last aspect of the determination in this matter is to address whether the agricultural classification applied for is justified. The PAO presents four arguments supporting the denial. First, that the failure to file timely is a waiver. While this is accurate, it is not the end of inquiry and is not ultimately determinative. The statute permits the appeal process to continue. Second is that the PAO was unable to inspect the property to confirm or deny a bona fide agricultural use on January 1, 2020. This cannot be a basis for denial of classification. By statute, the new property owner has until March 1 to file an application. If the PAO basis for denial had merit, then the statute should require applications to be filed prior to January 1, so that inspections could take place on January 1. This is simply not the intent or effect of the statutory deadline. Third is that the PAO asked for additional information and has not received sufficient information to confirm or deny commercial agricultural purpose. Unfortunately, the PAO does not elaborate on what information has not been provided. In light of the extensive amount of information supporting the presence of a bona fide agricultural use of the subject property provided by the Petitioner and admitted into evidence in this matter, the PAO's argument in this regard must be discounted.

Lastly, the PAO asserts that it has never been permitted access to the subject property and therefor denial is justified.

This issue has been raised in a number of cases, but appears to be an issue of first impression with courts in Florida, and presents a problematic conundrum. On the one hand the PAO can have a need to inspect the property to confirm or deny the presence of an agricultural use of the land. On the other hand, the property owners have a right to fence and gate their property, protect their property and livestock on their property, and a duty to adequately secure the livestock on their property. Addressing this issue, the PAO and Petitioner presented very little evidence or testimony. The PAO merely testified in summary fashion that could not access the parcel and did not get a response to their requests for access. Except for the PAO letter dated January 23, 2020, no testimony or evidence was offered to show when access was requested, how it was requested, how many times it was requested, who it was requested of, the means for communicating the request or requests and the extent of such efforts. The Petitioner merely testified in similar summary fashion that while she acknowledged receipt of the January 23, 2020 letter, she was not aware that the PAO was trying to inspect the property. It is important to note that the January 23, 2020 letter merely states that access to the property is needed by the PAO. It does not schedule a time, request a date or time or otherwise put the burden on the property owner to coordinate or ensure the scheduling of such access. The issue of access must therefore go beyond the scope of the January 23, 2020 letter. Issues of credibility, obligation, procedure and responsibility among other matters must be considered when one party states that they were not permitted access and the other party states that they did not know that the other party was requesting access. The PAO's determination is cloaked with a presumption of being correct. The Petitioner overcame this presumption with the testimony that the Petitioner was not aware that access had been requested. The PAO did not offer any reply and discussion then ended.

While the need to physically and visually inspect the property to confirm or deny that a bona fide agricultural use exists cannot be discounted, it is not the only means of making such a determination and should not be used as the determining factor when presented with the uncontroverted evidence and testimony provided by the Petitioner that the subject property was being used for a bona fide agricultural purpose.

Finally, it is instructive to apply the factors set forth in Florida Statute section 193.461(3)(b), to determine whether agricultural classification is warranted. RH Resorts, Ltd. v. Donegan, 881 So.2d 1152 (Fla. 5th DCA, 2004). The admissible facts presented are to be applied to these factors to determining entitlement to agricultural classification based on "the actual physical activity being conducted on the land." Love PGI Partners, LP v. Schultz, 706 So.2d 887, 891 (Fla. 5th DCA, 1998) (citations omitted). In this case, the PAO denied Petitioner's application on a waiver for late filing and inability to gain access to confirm or deny a bona fide agricultural use of the subject property.

The Petitioner asserts that as of January 1, 2020, the subject property was being used for the bona fide agricultural purpose of raising and breeding goats.

The Petitioner acquired the subject property on November 13, 2019 and the property had been classified agricultural when owned by the previous owner. The Petitioner presented pictures, receipts and testimony to the effect that the subject property continued to be used for a bona fide agricultural purpose immediately after it was acquired. Therefore, the length of time the land had been used for any agricultural purpose is for a period of years. Florida Statute section 193.461 (3)(b)(1)(a).

The photographs of the subject property show evidence of Petitioner's activities of raising and breeding goats on the subject property, which by all accounts appears to be evidence of continuous agricultural use of the subject property, albeit a different type of livestock from the previous land owner. Florida Statute section 193.461 (3)(b)(1)(b).

Neither the PAO nor the Petitioner provided any testimony regarding the purchase price paid for the subject property. However, the Petitioner indicated in her written statement that she acquired the property for less than she thought it would sell for and the property record card introduced into evidence indicates that the market value of the property is $575,422 and that the sale price of the property was $354,200. This supports the concept that the land was sold to be used for agricultural purposes. Florida Statute section 193.461 (3)(b)(1)(c).

Neither the PAO, nor the Petitioner, addressed the adequacy or inadequacy of the size of the subject property for any specific agricultural use. Florida Statute section 193.461 (3)(b)(1)(d).

While the Petitioner testified that she cleared and fenced the property and prepared the property for the goats, she did not identify any specific data related to the fertilization, liming, tilling or mowing. Conversely, the PAO did not identify any specific data related to the need for any such efforts in order to operate a bona fide goat farm. Florida Statute section 193.462 (3)(b)(1)(e).

There is no lease for the subject property. Florida Statute section 193.461 (3)(b)(1)(f)
There was no other testimony or evidence offered pertaining to any other factors which may be applicable to the determination whether the use of the subject property was for agricultural purposes. Florida Statute section 193.461 (3)(b)(1)(g)

The testimony and evidence offered by the Petitioner was persuasive and overcome the testimony and evidence presented by the PAO. Petitioner sufficiently and adequately showed that there was a good faith commercial agricultural use of the land as of January 1, 2020. Fla. Stat. ?193.461
Petitioners application should be granted.
This recommendation is being issued in order that any right the Petitioner may have to bring an action in circuit court is not impaired.

FLORIDA DEPARTMENT OF REVENUE

DECISION OF THE VALUE ADJUSTMENT BOARD
VALUE PETITION

DR-485V
R. 01/17
Rule 12D-16.002
F.A.C.
Eff. 01/17

The actions below were taken on your petition in Citrus County

_X_ These actions are a recommendation only, not final. ___ These actions are a final decision of the VAB

If you are not satisfied after you are notified of the final decision of the VAB, you have the right to file a lawsuit in circuit court to further contest your assessment. (See sections 193.155(8)(l), 194.036, 194.171(2), 196.151, and 197.2425, Florida Statutes.)

Petition # 12	Parcel ID 18E18S250260 0170
Petitioner Name FANCY STEVEN G	Property Address FANCY STEVEN G 1401 N EAGLE RIDGE PATH HERNANDO
The Petitioner is: _X_ Taxpayer of Record ___Representative ___Other ______	

Decision Summary ___ Denied your petition _X_ Granted your petition ___ Granted your petition in part

Value Line 1 and 4 must be completed	Value from TRIM Notice	Before Board Action Value presented by property appraiser Rule 12D-9.025(10), F.A.C.	After Board Action
1. Just value, required	459470.00	459470.00	420000.00
2. Assessed or classified use value, *if applicable	459470.00	459470.00	420000.00
3. Exempt value, *enter "0" if none	50000.00	50000.00	50000.00
4. Taxable value, *required	409470.00	409470.00	370000.00

*All values entered should be county taxable values. School and other taxing authority values may differ. (Section 196.031(7), F.S.)

Reasons for Decision

Findings of Fact
See attached

Conclusions of Law
See attached

_X_ **Recommended Decision of Special Magistrate** Finding and conclusions above are recommendations.

Signature	Print name	Date
John Robinson Signature, special magistrate	JOHN ROBINSON Print name	01/30/2021 Date
Angela Vick Signature, VAB clerk or special representative	ANGELA VICK Print name	01/30/2021 Date

If this is a recommended decision, the board will consider the recommended decision on 05/18/2021 at 9:00AM.
Address: Citrus County Courthouse, 110 North Apopka Ave, Inverness, FL 34450
If the line above is blank, the board does not yet know the date, time, and place when the recommended decision will be considered. To find the information, please call (352) 341-7095 or visit our website at www.citrusclerk.org.

___ **Final Decision of the Value Adjustment Board**

Signature, chair, value adjustment board	Print name	Date of decision
Signature, VAB clerk or representative	Print name	Date mailed to parties

Attachment: VAB_Decision-12 (12780 : VAB Recommended Decisions)

FINDINGS OF FACT

Basic Underlying Facts

1. The property owner (Steven Fancy) represented himself as petitioner. Jonathan Franke and Mike Farrington represented the Property Appraiser (PA).

2. The property is a single family residence legally described as parcel ID# 18E 18S 250260 0170 and is located at 1401 N. Eagle Ridge Path in the Bellamy Ridge gated community within Terra Vista in the Citrus Hills development in Hernando. The property has 2,285 square feet (SF) of living area, 2 bedrooms and 2 baths, is one story and was constructed in 2019 and is situated on 14,844 SF/0.34 acre golf course view site (with 90 front feet) with 2 car garage (575 SF), 300 SF screen porch and open porch. The PA's market value of $459,470 reflects $201.08 per square foot. The property was acquired by the petitioner in July 2019 for $710,600. The appeal is based on the petitioner's opinion that the subject is overvalued on the basis of that he overpaid for the property and the transaction does not meet the definition of an arms-length transaction, the comparable sales reveal declining values in the subdivision, the land value is inappropriately valued too high and the subject sale included personal property.

3. Evidence was properly exchanged between the PA and the petitioner prior to the hearing in accordance with Rule Chapter 12D-9.020 and 12D-9.025 which implements section 194.011(4), F.S.

4. In accordance with Rule Chapter 12D-9.024, Fla. Adm. Code, the PA first presented evidence to establish the presumption of correctness. Jonathan Franke presented the PA's opening address (Exhibit A-PA evidence) to demonstrate proper consideration of each of the following eight factors cited in Section 193.011, F.S., in developing the just value assessment.

The PA confirmed the TRIM and Before Board Action values noted in the Decision Summary section of this recommendation.

5. The petitioner did challenge the PA's presumption and presented evidence for consideration in the evidence exchange process to challenge the value due to the reasons stated previously (in paragraph 2.) above. The petitioner did offer an alternative value opinion of $400,000 based on the sales comparison approach and presented documentary evidence in advance of the hearing to refute the PA's value.

6. The petitioner disagreed with the PA's determination of just value. The petitioner made the following argument(s): The property value is too high based on errors within the PA's database that applies a 20% market conditions adjustment to non-standard lots in the development, which is based on an inadequate (too small) sample size, no deduction for obsolescence that exists on properties in the subdivision, a flawed analysis in the adjustment process to comparable sales used by the PA and the reasons also stated in paragraph 2 above.

7. The petitioner presented the following documentary evidence to support the petitioner's arguments: summary of testimony and evidence in narrative form (Exhibits 1-3); Exhibit 4: discussion of comparable land sales; Exhibit 5: summary of comparable improved sales; Exhibit 6-MLS data on the comparable sales; Exhibit 7-property record cards of comparable sales; Exhibit 8-sales verification form; Exhibit 9-market adjustment factors from ratio study; Exhibit 10-petitioner's opinion of just value; additional documents including Exhibit 1-summary of Florida Statutes; Exhibit 2-Bellamy Ridge Subdivision details; Exhibit 3-comparison of three Dali model properties in Bellamy Ridge and 2018 and 2019 Terra Vista land sales chart with 10 deeds following and Terra Vista home pricing; Exhibit 5-summary of comparable improved sales (9) with adjustment grid pages and subject and comparable sales street photographs; Exhibit 6-MLS data for each sale; Exhibit 7-property record card for each sale; Exhibit 8-completed sales verification form and narrative discussion regarding subject purchase, comparable sales in Bellamy Ridge in last 18 months, sales validity code correspondence and real property transfer codes; Exhibit 9-market adjustment factors and results of ratio study using 2017-2019 sales with graphs and data prints; Exhibit 10-petitioner's opinion of just value with 8 factors of F.S. 193.011; and rebuttal evidence 2-land values for for Terra Vista lots with golf course views with two warranty deeds following an analysis of land sales.

The Special Magistrate (SM) reviewed all evidence presented by the petitioner. In accordance with Rule

12D-9.025(1), Fla. Adm. Code (F.A.C.), the SM determined the evidence and testimony was relevant and credible to the valuation issue at hand. Thus, the evidence as presented by the petitioner was admitted for consideration in relation to the appropriateness of the subject's valuation.

8. The PA did have specific questions/comments relating to the petitioner's evidence including why the personal property was not included on the sales verification form and total property value is what can be challenged rather than only a component of the value (land value in this case).

9. The PA presented the following documentary evidence to support its just valuation determination cited above. The evidence consisted of an opening statement discussing the justification for the PA's just/market value; a cover page identifying petition and property; index; summary of salient facts and conclusions including property details; summary page including street photograph, property details and values from each applicable approach to value; comparable improved sales grid with sale price/sale date/property details for each comparable sale (six improved sales from February to December 2019 within and the subject development of The Village of Citrus Hills-Terra Vista that sold for between $482,900 to $570,000 with from 1,852 to 2,586 SF or $189.60/SF to $260.75/SF of living area prior to adjustments and $181.51/SF to $285.05/SF after adjustments ($406,040 to $527,906), concluding at a just/market value of $459,470); Supplemental Addenda with comments regarding the data; subject street improvements and photographs including an aerial photograph; comparable sales street photographs; comparable sales and subject location map; evidence list; subject property record/information card; Florida Statutes 193.011 (factors to consider in deriving just valuation); FS 193.023 (duties of the property appraiser in making assessments); FS 194.034 (hearing procedures, rules); DOR PTO regarding Higgs v. Good case; request for petitioner evidence; TRIM notice; court cases and legal opinions related to VAB cases; and Villages of Citrus Hills marketing brochure.

The SM reviewed all evidence presented by the PA. In accordance with Rule 12D-9.025(1), Fla. Adm. Code (F.A.C.), the SM determined the evidence and testimony was relevant and credible to the valuation issue at hand. Thus, the evidence presented by the PA was admitted for consideration in relation to the appropriateness of the subject's valuation.

10. The petitioner did have questions regarding the PA's evidence on the basis of the adjustment process to the comparable sales not being consistent with Florida Statutes when valuing the property as well as other concerns as previously stated.

Ultimate Findings of Fact
Based on the evidence submitted, I find the PA's evidence to be persuasive, appropriate and generally supportive of the market value stated; however, the petitioner's evidence is also persuasive and supportive of the claim that the PA's just/market value is excessive based on specific market evidence. The PA presented comparable improved sales in support of the value in applying the sales comparison approach while the petitioner presented comparable land and improved sales and market value comparisons in support of a reduction of the PA's appraised value. The petitioned property is a newly built, custom home with numerous amenities, including a golf course. The general findings from the evidence and testimony are as follows:

The petitioner's evidence points out numerous flaws with the PA's value and analysis including the following: the subject is overvalued on the basis of that the taxpayer/petitioner overpaid for the property (as new construction dictated multiple upgrades that were considerably overpriced) and the transaction does not meet the definition of an arms-length transaction, the comparable sales reveal declining values in the subdivision, the land value is inappropriately valued too high and the subject sale included personal property, the property value is too high based on errors within the PA's database that applies a 20% market conditions adjustment to only non-standard lots in the development, which is based on an inadequate (too small) sample size, no deduction for obsolescence that exists on properties in the subdivision, and a flawed analysis in the adjustment process to comparable sales. The analysis that is provided by the petitioner that is most appropriate in determining whether the subject's value is in excess of market value is the comparable sales analysis and the petitioner presents nine comparable sales that occurred in 2019 (March through December). There are two common sales used by the petitioner and PA. The petitioner's sales are all within the subject Citrus Hills-Terra Vista development ($367,500 to $602,000, averaging $468,222 and $151.73/SF to $239.16/SF), with four sales (Comps 2, 3, 7 and 8) within Bellamy Ridge (like the subject). The petitioner stated that all of the comparable sales used in his analysis were resales and all were sold via MLS. However, only three of the nine comparables (Comps 5, 6 and 9) are golf course frontage lots like the subject as the remaining sales have inferior views. Sales 2, 3, 4, 5 and 8 are the most recent sales (sold in November and December 2019). however, four of the sales have a pool and two have a casita while the subject does not. The petitioner applies adjustments to the comparable sales for the following items: view, actual age, room count, gross living area, amenities. While I am not sure of the basis for applying these line items adjustments as the petitioner is not an appraiser to my knowledge; however, making some checks to the adjustments applied, the unit adjustments appear reasonable and consistent (with living area adjustments applied at $120/SF). The sales indicate a range in adjusted values from $362,060 to $542,760, averaging $468,796, and $398,477 including a 15% cost of sale with an average adjusted value of $174.39/SF. This analysis does support a reduction to the PA's value.

The petitioner concurs with the PA's improvement value based on the Marshall Valuation Service cost estimate but does not concur with the land value; however, the sales comparison approach is the primary approach to value in the valuation of any single-family residence and both the PA and petitioner agree. For this reason, any concerns about the land value and cost approach would not be critical to the total value and are not addressed in this recommendation.

The PA presented six 2019 sales within the subject development ($482,900 to $570,000, averaging $513,817), with two sales (Comps 2 and 5) within Bellamy Ridge (like the subject). The PA commented that all but one of the comparable sales used in their analysis (Comp 4) were resales. Comp 4 is new construction and a builder sale, as well as the oldest sale and the smallest in living area (19% smaller than the subject). For these reasons, I have placed minimal significance on Comp 4 ($482,900 or $260.75/SF unadjusted). The remaining five sales were reportedly sold via MLS. However, only Comp 6 is a golf course frontage lot like the subject as the remaining sales have inferior views. Sale 6 sold for $525,000 and sold in December 2019 (and is one of the two most recent sales) and appears to be the best comparable for the subject; however, it does have a pool while the subject does not and has the oldest construction date of 2010. The PA shows a difference/adjustment of negative $39,070 for miscellaneous improvements (including the pool) and a positive $85,961 difference/adjustment for building value, which considers the subject's newer/superior age/condition. Balancing these adjustments indicates a net adjustment of $46,891. Adding this figure to the sale price of $525,000 indicates an adjusted value of $571,891, or $486,107 after applying a 15% cost of sale adjustment, which is well supportive of the PA's value of $459,470. The remaining four sales (excluding Comp 4), indicate a range in sale prices from $485,000 to $570,000, averaging $518,750 ($189.60/SF to $239.16/SF, averaging $190.71/SF). The PA's adjusted values indicate a range in sale prices from $406,040 to $508,960, averaging $457,851 ($181.51/SF to $207.20/SF, averaging $193.05/SF), which includes a 15% cost of sale. The PA's value for the subject is not supported by the average adjusted sale price or unit price. It should be noted that the petitioner took exception to the adjustments used by the PA, since they are based on the PA's CAMA system and includes market conditions adjustments.

The underlying factors that impact the market value are comparable sales and the petitioner does build a case for identifying what are possibly as good or better sales than what is being used by the PA. Both the petitioner and PA present relevant and appropriate reasoning for their stance that the value should be reduced/upheld accordingly. The claim made by the petitioner that the adjustments applied by the PA are questionable and not in compliance with typical professional appraisal practices does carry some weight. Additionally, the petitioner's adjustments could be made with some bias, particularly regarding the adjustments for view amenity, as the analysis was not performed by an independent analysis or appraiser. Therefore, the substantial weight of the evidence rests between the petitioner and PA in concluding an appropriate market value opinion. As stated in the previous paragraph, the PA's value is not supported by the comparables presented upon further breakdown and adjustments applied to these sales. The petitioner's analysis does support a reduction to the PA's value. Based on the concluded value of $400,000 by the petitioner and the PA's value of $459,470, I have correlated to a value between these two values for a recommended value of $420,000 ($183.81/SF) on the basis that the petitioner's evidence is given slightly more weight based on the thoroughness, completeness and consistency of that analysis. The recommended value is $420,000 on this basis.
I have determined that the record contains competent substantial evidence to establish a revised just value, and

that the competent substantial evidence for a revised just value cumulatively meets the criteria of FS 193.011 and that the competent substantial evidence for a revised just value meets professionally accepted appraisal practices. The petitioner presented sufficient market evidence to indicate the subject is valued in excess of just/market value. Therefore, it is recommended that the just/market value be reduced by 8.59%, or $39,470 to a value of $420,000, or $183.81/SF.

CONCLUSIONS OF LAW

Section 194.301, F.S., provides that the PA's assessment is presumed correct if the PA proves by a preponderance of the evidence that the assessment was arrived at by complying with section 193.011, F.S., any other applicable statutory requirements relating to classified use values or assessment caps, and professionally accepted appraisal practices, including mass appraisal standards, if appropriate. However, a taxpayer who challenges an assessment is entitled to a determination by the Value Adjustment Board of the appraisal methodology used in making the assessment. The value of the property must be determined by an appraisal methodology that complies with the criteria of section 193.011, F.S., and professionally accepted appraisal practices.

As SM, I considered all given evidence and testimony discussed at this hearing as noted in the findings of fact. Based on this evidence and testimony, the PA did comply with section 193.011, F.S., meeting the eight legal factors. Accordingly, pursuant to section 194.301, F.S., the PA's assessment is presumed to be correct. However, the Petitioner met the burden of proving by a preponderance of the evidence that the PA's assessed value was arbitrarily or erroneous based on appraisal practices that are different from the appraisal practices generally applied by the PA to comparable property within the same county. Thus, in accordance with section 194.301(2), F.S., the value of $420,000, as set forth by the SM is determined by the SM to be the just valuation for the subject property in this case and the petition is granted relief accordingly.

DR-485V
R. 01/17
Rule 12D-16.002
F.A.C.
Eff. 01/17

FLORIDA DEPARTMENT OF REVENUE

DECISION OF THE VALUE ADJUSTMENT BOARD
VALUE PETITION

The actions below were taken on your petition in Citrus County

_X_ These actions are a recommendation only, not final. ___ These actions are a final decision of the VAB

If you are not satisfied after you are notified of the final decision of the VAB, you have the right to file a lawsuit in circuit court to further contest your assessment. (See sections 193.155(8)(l), 194.036, 194.171(2), 196.151, and 197.2425, Florida Statutes.)

Petition # 15	Parcel ID 18E18S250260 0280
Petitioner Name SHERMAN LAURENCE	Property Address SHERMAN LAURENCE 1547 N EAGLE RIDGE PATH HERNANDO
The Petitioner is: _X_Taxpayer of Record ___Representative ___Other ______	

Decision Summary ___ Denied your petition _X_ Granted your petition ___ Granted your petition in part

Value Line 1 and 4 must be completed	Value from TRIM Notice	Before Board Action Value presented by property appraiser Rule 12D-9.025(10), F.A.C.	After Board Action
1. Just value, required	509160.00	509160.00	475000.00
2. Assessed or classified use value, *if applicable	503522.00	503522.00	475000.00
3. Exempt value, *enter "0" if none	50000.00	50000.00	50000.00
4. Taxable value, *required	453522.00	453522.00	425000.00

*All values entered should be county taxable values. School and other taxing authority values may differ. (Section 196.031(7), F.S.)

Reasons for Decision

Findings of Fact
See attached

Conclusions of Law
See attached

_X_ **Recommended Decision of Special Magistrate** Finding and conclusions above are recommendations.

Signature, special magistrate	JOHN ROBINSON Print name	01/31/2021 Date
Signature, VAB clerk or special representative	ANGELA VICK Print name	01/31/2021 Date

If this is a recommended decision, the board will consider the recommended decision on 05/18/2021 at 9:00AM.
Address: Citrus County Courthouse, 110 North Apopka Ave, Inverness, FL 34450
If the line above is blank, the board does not yet know the date, time, and place when the recommended decision will be considered. To find the information, please call (352) 341-7095 or visit our website at www.citrusclerk.org.

___ **Final Decision of the Value Adjustment Board**

Signature, chair, value adjustment board	Print name	Date of decision
Signature, VAB clerk or representative	Print name	Date mailed to parties

PETITION 2020 - 15
SHERMAN LAURENCE

FINDINGS OF FACT

Basic Underlying Facts

1. The property owner (Laurence Sherman) represented himself as petitioner. Jonathan Franke and Mike Farrington represented the Property Appraiser (PA).

2. The property is a single family residence legally described as parcel ID# 18E 18S 250260 0280 and is located at 1547 N. Eagle Ridge Path in the Bellamy Ridge gated community within Terra Vista in the Citrus Hills development in Hernando. The property has 2,445 square feet (SF) of living area, 3 bedrooms and 2 baths, is one story and was constructed in 2019 and is situated on 16,098 SF/0.37 acre water view and golf course view site (with 85 front feet) with 2 car garage (631 SF), 400 SF screen porch and open porch. The PA's market value of $509,160 reflects $208.25 per square foot. The property was acquired by the petitioner in May 2019 for $729,500. The appeal is based on the petitioner's opinion that the subject is overvalued on the basis of that he overpaid for the property and the transaction does not meet the definition of an arms-length transaction, the comparable sales reveal declining values in the subdivision, the land value is inappropriately valued too high and the subject sale included personal property.

3. Evidence was properly exchanged between the PA and the petitioner prior to the hearing in accordance with Rule Chapter 12D-9.020 and 12D-9.025 which implements section 194.011(4), F.S.

4. In accordance with Rule Chapter 12D-9.024, Fla. Adm. Code, the PA first presented evidence to establish the presumption of correctness. Jonathan Franke presented the PA's opening address (Exhibit A-PA evidence) to demonstrate proper consideration of each of the following eight factors cited in Section 193.011, F.S., in developing the just value assessment.

The PA confirmed the TRIM and Before Board Action values noted in the Decision Summary section of this recommendation.

5. The petitioner did challenge the PA's presumption and presented evidence for consideration in the evidence exchange process to challenge the value due to the reasons stated previously (in paragraph 2.) above. The petitioner did offer an alternative value opinion of $448,304 based on the sales comparison approach and presented documentary evidence in advance of the hearing to refute the PA's value.

6. The petitioner disagreed with the PA's determination of just value. The petitioner made the following argument(s): The property value is too high based on errors within the PA's database that applies a 20% market conditions adjustment to non-standard lots in the development, which is based on an inadequate (too small) sample size, no deduction for external obsolescence that exists on properties in the subdivision, a flawed analysis in the adjustment process to comparable sales used by the PA and the reasons also stated in paragraph 2 above.

7. The petitioner presented the following documentary evidence to support the petitioner's arguments: summary of testimony and evidence in narrative form: Exhibit 1: overview of Bellamy Ridge; Exhibit 2: discussion of comparable land sales; Exhibit 3: summary of comparable improved sales; Exhibit 4-MLS data on the comparable sales; Exhibit 5-property record cards of comparable sales; Exhibit 6-market adjustment factors from ratio study; Exhibit 7-petitioner's opinion of just value; additional documents including Exhibit 1-Bellamy Ridge Subdivision details; Exhibit 2-2018 and 2019 Terra Vista land sales chart with 10 deeds following and Terra Vista home pricing; Exhibit 3-summary of comparable improved sales (6) with adjustment grid pages and subject and comparable sales street photographs; Exhibit 4-MLS data for each sale; Exhibit 5-property record card for each sale; Exhibit 6-market adjustment factors and results of ratio study using 2017-2019 sales with graphs and data prints and Exhibit 7-petitioner's opinion of just value with 8 factors of F.S. 193.011.

The Special Magistrate (SM) reviewed all evidence presented by the petitioner. In accordance with Rule 12D-9.025(1), Fla. Adm. Code (F.A.C.), the SM determined the evidence and testimony was relevant and credible to the valuation issue at hand. Thus, the evidence as presented by the petitioner was admitted for consideration in relation to the appropriateness of the subject's valuation.

8. The PA did have specific questions/comments relating to the petitioner's evidence including why the personal property was not included on the sales verification form and total property value is what can be challenged rather than only a component of the value (land value in this case).

9. The PA presented the following documentary evidence to support its just valuation determination cited above. The evidence consisted of an opening statement discussing the justification for the PA's just/market value; a cover page identifying petition and property; index; summary of salient facts and conclusions including property details; summary page including street photograph, property details and values from each applicable approach to value; comparable improved sales grid with sale price/sale date/property details for each comparable sale (six improved sales from February 2019 to January 2020 within and the subject development of The Village of Citrus Hills-Terra Vista that sold for between $482,900 to $585,000 with from 1,852 to 2,996 SF or $195.26/SF to $260.75/SF of living area prior to adjustments and $195.09/SF to $311.88/SF after adjustments ($455,730 to $599,690), concluding at a just/market value of $509,160); Supplemental Addenda with comments regarding the data; subject street improvements and photographs including an aerial photograph; comparable sales street photographs; comparable sales and subject aerial location map; evidence list; subject property record/information card; Florida Statutes 193.011 (factors to consider in deriving just valuation); FS 193.023 (duties of the property appraiser in making assessments); FS 194.034 (hearing procedures, rules); DOR PTO regarding Higgs v. Good case; request for petitioner evidence; screen shot of subject sale history; TRIM notice; court cases and legal opinions related to VAB cases; and Villages of Citrus Hills marketing brochure.

The SM reviewed all evidence presented by the PA. In accordance with Rule 12D-9.025(1), Fla. Adm. Code (F.A.C.), the SM determined the evidence and testimony was relevant and credible to the valuation issue at hand. Thus, the evidence presented by the PA was admitted for consideration in relation to the appropriateness of the subject's valuation.

10. The petitioner did have questions regarding the PA's evidence on the basis of the adjustment process to the comparable sales not being consistent with Florida Statutes when valuing the property as well as other concerns as previously stated.

Ultimate Findings of Fact

Based on the evidence submitted, I find the PA's evidence to be persuasive, appropriate and generally supportive of the market value stated; however, the petitioner's evidence is also persuasive and supportive of the claim that the PA's just/market value is excessive based on specific market evidence. The PA presented comparable improved sales in support of the value in applying the sales comparison approach while the petitioner presented comparable land and improved sales and market value comparisons in support of a reduction of the PA's appraised value. The petitioned property is a newly built, custom home with numerous amenities, including a golf course. The general findings from the evidence and testimony are as follows:

The petitioner's evidence points out numerous flaws with the PA's value and analysis including the following: the subject is overvalued on the basis of that the taxpayer/petitioner overpaid for the property (as new construction dictated multiple upgrades that were considerably overpriced) and the transaction does not meet the definition of an arms-length transaction, the comparable sales reveal declining values in the subdivision, the land value is inappropriately valued too high and the subject sale included personal property, the property value is too high based on errors within the PA's database that applies a 20% market conditions adjustment to only non-standard lots in the development, which is based on an inadequate (too small) sample size, no deduction for obsolescence that exists on properties in the subdivision, and a flawed analysis in the adjustment process to comparable sales. The analysis that is provided by the petitioner that is most appropriate in determining whether the subject's value is in excess of market value is the comparable sales analysis and the petitioner presents six comparable sales that occurred between November 2018 and December 2019. There is one common sale used by the petitioner and PA. The petitioner's sales are all within the subject Citrus Hills-Terra Vista development ($367,500 to $602,000, averaging $480,733 and $151.73/SF to $223.79/SF), with two sales (Comps 1 and 6) within Bellamy Ridge (like the subject). The petitioner stated that all of the comparable sales used in his analysis were resales and all were sold via MLS. However, only one of the six comparables (Comp 1) is a golf course frontage with lake view lot like the subject as the remaining sales have inferior views. Sales 3 and 5 are the most recent sales (sold in November and December 2019); however, three of the sales have a pool and one has a casita while the subject does not (has a screened-in spa). The petitioner applies adjustments to the comparable sales for the following items: view, actual age, room count, gross living area, amenities. I am not sure of the basis for applying these line items adjustments as the petitioner is not an appraiser to my knowledge; however, making some checks to the adjustments applied, the unit adjustments appear reasonable and consistent (with living area adjustments applied at $120/SF). The sales indicate a range in adjusted values from $451,260 to $611,700, averaging $527,417 and $448,304 including a 15% cost of sale with an average adjusted value of $183.36/SF for the subject. This analysis does support a reduction to the PA's value.

The petitioner concurs with the PA's improvement value based on the Marshall Valuation Service cost estimate but does not concur with the land value; however, the sales comparison approach is the primary approach to value in the valuation of any single-family residence and both the PA and petitioner agree. For this reason, any concerns about the land value and cost approach would not be critical to the total value and are not addressed in this recommendation.

The PA presented six 2019 sales within the subject development ($482,900 to $585,000, averaging $539,641), with three sales (Comps 2, 4 and 6) within Bellamy Ridge (like the subject). The PA commented that all but one of the comparable sales used in their analysis (Comp 4) were resales. Comp 5 is new construction and a builder sale, as well as the oldest sale and the smallest in living area (19% smaller than the subject). For these reasons, I have placed minimal significance on Comp 4 ($482,900 or $260.75/SF unadjusted). The remaining five sales were reportedly sold via MLS. However, only Comp 1 is a golf course frontage lot like the subject but does not have a water view; therefore, all sales have inferior views. Sale 1 sold for $525,000 and sold in December 2019 (and is one of the five most recent sales) and appears to be the best comparable for the subject; however, it does have a pool while the subject does not and has one of the oldest construction dates of 2010. The PA shows a difference/adjustment of negative $36,740 for miscellaneous improvements (including the pool) and a positive $92,201 difference/adjustment for building value, which considers the subject's newer/superior age/condition. Balancing these adjustments indicates a net adjustment of $55,461. Adding this figure to the sale price of $525,000 indicates an adjusted value of $580,461, or $493,392 after applying a 15% cost of sale adjustment, which is not supportive of the PA's value of $509,160. The remaining four sales (excluding Comp 5), indicate a range in sale prices from $535,000 to $585,000, averaging $567,250 ($195.26/SF to $239.16/SF, averaging $217/SF). The PA's adjusted values for these sales indicate a range in sale prices from $455,730 to $599,690, averaging $528,028 ($195.09/SF to $203.72/SF, averaging $200.67/SF), which includes a 15% cost of sale. The PA's value for the subject is supported by the average adjusted sale price but not the unit price. It should be noted that the petitioner took exception to the adjustments used by the PA, since they are based on the PA's CAMA system and includes market conditions adjustments.

The underlying factors that impact the market value are comparable sales and the petitioner does build a case for identifying what are possibly as good or better sales than what is being used by the PA. Both the petitioner and PA present relevant and appropriate reasoning for their stance that the value should be reduced/upheld accordingly. The claim made by the petitioner that the adjustments applied by the PA are questionable and not in compliance with typical professional appraisal practices does carry some weight. Additionally, the petitioner's adjustments could be made with some bias, particularly regarding the adjustments for view amenity, as the analysis was not performed by an independent analysis or appraiser. Therefore, the substantial weight of the evidence rests between the petitioner and PA in concluding an appropriate market value opinion. As stated in the previous paragraph, the PA's value is not supported by the comparables presented upon further breakdown and adjustments applied to these sales. The petitioner's analysis does support a reduction to the PA's value. Based on the concluded value of $448,304 by the petitioner and the PA's value of $509,160, I have correlated to a value between these two values for a recommended value of $475,000 ($194.27/SF) on the basis that the petitioner's evidence is given slightly more weight based on the thoroughness, completeness and consistency of that analysis. The recommended value is $475,000 on this basis.
I have determined that the record contains competent substantial evidence to establish a revised just value, and that the competent substantial evidence for a revised just value cumulatively meets the criteria of FS 193.011 and that the competent substantial evidence for a revised just value meets professionally accepted appraisal practices. The petitioner presented sufficient market evidence to indicate the subject is valued in excess of

just/market value. Therefore, it is recommended that the just/market value be reduced by 6.71%, or $34,160 to a value of $475,000, or $194.27/SF.

CONCLUSIONS OF LAW

Section 194.301, F.S., provides that the PA's assessment is presumed correct if the PA proves by a preponderance of the evidence that the assessment was arrived at by complying with section 193.011, F.S., any other applicable statutory requirements relating to classified use values or assessment caps, and professionally accepted appraisal practices, including mass appraisal standards, if appropriate. However, a taxpayer who challenges an assessment is entitled to a determination by the Value Adjustment Board of the appraisal methodology used in making the assessment. The value of the property must be determined by an appraisal methodology that complies with the criteria of section 193.011, F.S., and professionally accepted appraisal practices.

As SM, I considered all given evidence and testimony discussed at this hearing as noted in the findings of fact. Based on this evidence and testimony, the PA did comply with section 193.011, F.S., meeting the eight legal factors. Accordingly, pursuant to section 194.301, F.S., the PA's assessment is presumed to be correct. However, the Petitioner met the burden of proving by a preponderance of the evidence that the PA's assessed value was arbitrarily or erroneous based on appraisal practices that are different from the appraisal practices generally applied by the PA to comparable property within the same county. Thus, in accordance with section 194.301(2), F.S., the value of $475,000, as set forth by the SM is determined by the SM to be the just valuation for the subject property in this case and the petition is granted relief accordingly.

DR-485V
R. 01/17
Rule 12D-16.002
F.A.C.
Eff. 01/17

FLORIDA DEPARTMENT OF REVENUE

DECISION OF THE VALUE ADJUSTMENT BOARD
VALUE PETITION

The actions below were taken on your petition in Citrus County

_X_ These actions are a recommendation only, not final. ___ These actions are a final decision of the VAB

If you are not satisfied after you are notified of the final decision of the VAB, you have the right to file a lawsuit in circuit court to further contest your assessment. (See sections 193.155(8)(l), 194.036, 194.171(2), 196.151, and 197.2425, Florida Statutes.)

Petition # 22	Parcel ID 20E19S170050 00960 0010
Petitioner Name CITRUS COUNTY HOSPITAL BOARD	Property Address CITRUS COUNTY HOSPITAL BOARD 502 W HIGHLAND BLVD INVERNESS
The Petitioner is: ___Taxpayer of Record _X_Representative ___Other ________	

Decision Summary _X_ Denied your petition ___ Granted your petition ___ Granted your petition in part

Value Line 1 and 4 must be completed	Value from TRIM Notice	Before Board Action Value presented by property appraiser Rule 12D-9.025(10), F.A.C.	After Board Action
1. Just value, required	60684420.00	60684420.00	60684420.00
2. Assessed or classified use value, *if applicable	60500000.00	60500000.00	60500000.00
3. Exempt value, *enter "0" if none	0.00	0.00	0.00
4. Taxable value, *required	60500000.00	60500000.00	60500000.00

*All values entered should be county taxable values. School and other taxing authority values may differ. (Section 196.031(7), F.S.)

Reasons for Decision

Findings of Fact
See attached

Conclusions of Law
See attached

_X_ **Recommended Decision of Special Magistrate** Finding and conclusions above are recommendations.

Signature, special magistrate	Print name	Date
John Robinson	JOHN ROBINSON	04/11/2021

Signature, VAB clerk or special representative	Print name	Date
Angela Vick	ANGELA VICK	04/11/2021

If this is a recommended decision, the board will consider the recommended decision on 05/18/2021 at 9:00AM.
Address: Citrus County Courthouse, 110 North Apopka Ave, Inverness, FL 34450
If the line above is blank, the board does not yet know the date, time, and place when the recommended decision will be considered. To find the information, please call (352) 341-7095 or visit our website at www.citrusclerk.org.

___ **Final Decision of the Value Adjustment Board**

Signature, chair, value adjustment board	Print name	Date of decision

Signature, VAB clerk or representative	Print name	Date mailed to parties

Attachment: VAB_Decision-22 (12780 : VAB Recommended Decisions)

FINDINGS OF FACT
Basic Underlying Facts

1. The property owner (Citrus County Hospital Board) was represented by Charles Young and William Beasley of Altus Group (an agent for the property owner) hereinafter referred to as petitioner. Herb Mack, Dan Robbins and Loren Levy (as counsel) represented the Property Appraiser (PA).

2. The property is the Citrus Memorial Hospital described as parcel ID# 20E 19S170050 00960 0010 and is located at 502 W. Highland Blvd. in downtown Inverness. The property has 313,589 rentable square feet (consisting of three buildings: a 282,622 SF hospital, a 21,132 SF school/community building and 9,835 square feet warehouse area that were constructed in various years (1911-2010) with a weighted average of 33 years) with 204 hospital beds (68 private and 136 semi-private rooms) situated on 552,341 square feet/12.68 acres. The PA's market value of $60,684,420 reflects $193.52 per square foot of rentable area. The appeal is based on the petitioner's comment that the methodology used in estimating depreciation is too low and inappropriate, which overstates the cost.

3. Evidence was properly exchanged between the PA and the petitioner prior to the hearing in accordance with Rule Chapter 12D-9.020 and 12D-9.025 which implements section 194.011(4), F.S.

4. In accordance with Rule Chapter 12D-9.024, Fla. Adm. Code, the PA first presented evidence to establish the presumption of correctness. Herb Mack presented the PA's opening address (Exhibit A-PA evidence) to demonstrate proper consideration of each of the following eight factors cited in Section 193.011, F.S., in developing the just value assessment.

The PA confirmed the TRIM and Before Board Action values noted in the Decision Summary section of this recommendation. The petitioner confirmed the values to be accurate.

5. The petitioner did challenge the PA's presumption with regards to how the property is valued and addressed the overstated overall value as previously stated. The petitioner did offer an alternative value opinion of $37,000,500 and presented documentary evidence in advance of the hearing to refute the PA's value.

6. The petitioner disagreed with the PA's determination of just value. The petitioner made the arguments as stated in paragraph 2 above.

7. The petitioner presented the following documentary evidence to support the petitioner's arguments: an unnamed report prepared by the Altus Group including a cover page with street photograph of subject and property identification, table of contents, property description (year built, weighted age and building areas of each building and additions, land area and square feet per licensed bed of 1,385 SF) with external photograph of the property (Chapter 1), cost approach (Chapter 2) including an estimated land value of $2,209,000 ($4/SF) based on five land sales presented from July 2017 to March 2020 in Brooksville (2), Summerfield (2) and Homosassa in Hernando, Marion and Citrus counties that range from 8 to 16.24 acres and indicate unit prices of between $87,050/acre and $337,500/acre (averaging $177,454/acre or $4.07/SF), estimated replacement cost new based on Marshall Swift cost manual (the unadjusted and adjusted unit costs are: $306 and $315 - Class A hospital, $297 and $300 - Class B hospital, $167 and $181.19 - office, and $44 and $60 - warehouse, with the hospital rounded to $310/SF adjusted), depreciation (based on 1-economic age-life method, 2-market extraction method with consideration to market obsolescence and deferred maintenance concluding at a value of $37,000,500, depreciation (Chapter 3) including definitions, a hospital closure survey (of 19 properties nationwide including 9 in Florida), estimated useful lives of depreciable hospital assets (from the American Hospital Association), graphs of age life vs. accounting straight line depreciation and age life vs. Marshall depreciation table vs. straight line depreciation, Marshall Valuation Service depreciation tables, Attachments (Chapter 5) including Marshall & Swift replacement cost new supporting pages for calculator method including current and local multipliers and building permit activity summary table from 2003 through 2019 totaling $34,428,558.

The Special Magistrate (SM) reviewed all evidence presented by the petitioner. In accordance with Rule

12D-9.025(1), Fla. Adm. Code (F.A.C.), the SM determined the evidence and testimony was relevant and credible to the valuation issue at hand. Thus, the evidence presented by the petitioner was admitted for consideration in relation to the appropriateness of the subject's valuation.

8. The PA did have questions/comments relating to the petitioner's evidence. The PA's questions/comments included: rebuttal evidence questioning the petitioner's credibility due to bias (as being an advocate for the cause of the client), stated hospitals closures were not necessarily due to depreciation but for financial reasons, overstated depreciation due to the inappropriate market extraction methodology applied, questionable economic life for the hospital (and resulting depreciation of 55%, while the PA uses 25% depreciation), the PA questions the relevance of the Altus hospital closures and cites reasons for these closures.

9. The PA presented the following documentary evidence to support its just valuation determination cited above. The evidence consisted of a cover page with some property details; narrative description of the subject property, its highest and best use and the depreciation rates (25% for the hospital, 51% for the warehouse buildings and 45% for the office/school and 35% for site improvements) and methodology (MVS depreciation tables) applied in the valuation; index; summary of salient facts and conclusions including property details and values from each applicable approach to value; street and interior photographs of the buildings and property and assessment information; aerial views of subject; site map of hospital campus; floor plans and roof plan of subject buildings; exterior photographs of each building; property record information including building sketches, permit information and exterior photographs for each improvement; subject TRIM notice; City of Inverness permitting page over past three years for subject totaling $20,452,117 for real estate only; highest and best use analysis; cost approach using Marshall Valuation Service in estimating unit replacement cost new for each building ($312.94/SF for the hospital building, $48.16/SF for the warehouse buildings and $106.51/SF for the old school/office building), with miscellaneous improvement costs ($1,549,047), and depreciation (no methodology referenced) of 25% (hospital), 51% (warehouse buildings) and 45% (old school house/office) with no functional or external obsolescence applied, concluding at a value by the cost approach of $66,333,847 (hospital building), $232,412 (warehouses) and $1,249,329 (old school/office), totaling $71,393,435 after deducting for depreciation and adding in depreciated improvements ($1,549,047) and land value of $2,028,800 ($3.67/SF), excerpts from MVS regarding replacement cost new (RCN), depreciation discussion, physical condition table (good to average for the subject hospital), life expectancy tables (good and excellent Class A and B used for subject hospital to indicate a 50 year life expectancy), and life-cycle depreciation table indicating 24% and 25% depreciation; land valuation conclusion including sales grid (three land sales from September 2012 through April 2018 that contain 3.31 to 29.55 acres that sold for between $950,000 and $3,000,000, or $2.33/SF to $11.46/SF were used) concluding at a land value of $3,189,028, or $5.77/SF, which is near the bottom of the range (no adjustments are applied to the comparable land sales other than a 15% cost of sale), land sale descriptions including all pertinent details of the property and sale and aerial maps, comparable land sales location map and distance from subject, discussion of why the sales comparison approach was not applied; discussion of why the income approach was not applied; documentary evidence and exhibits; and Florida Statutes (F.S.) 193.011; F.S. 193.023; 194.034.

The Special Magistrate (SM) reviewed all evidence presented by the PA. In accordance with Rule 12D-9.025(1), Fla. Adm. Code (F.A.C.), the SM determined the evidence and testimony was relevant and credible to the valuation issue at hand. Thus, the evidence presented by the PA was admitted for consideration in relation to the appropriateness of the subject's valuation.

10. The petitioner did have questions/comments relating to the PA's evidence including the following rebuttal evidence: the Marshall Valuation Service (MVS) depreciation tables are not one of three accepted methods of depreciation and the tables are not specific to location or property types and contain outdated data rather than market-based figures.

Ultimate Findings of Fact
Based on the evidence submitted, I find the PA's evidence, which relies exclusively on the cost approach, to be persuasive, appropriate and supportive of the market value. The PA presented the cost approach, which indicated a value of $71,393,435, with the concluded just/market value being $60,684,420 after deducting for a 15% cost of sale. An explanation for excluding the sales comparison and income approaches (which were

reportedly considered but not applied) was sufficient due to the lack of meaningful data from these approaches (a lack of similar sales or rentals within Citrus County or the regional area), the fact that hospitals are a business (and sell as a going concern) and the sale price or rental rate of a hospital may be unrelated to the value of the real estate assets and may include other non-hospital buildings or assets that make comparisons extremely difficult and subjective. The concluded just/market value reflects $193.52/SF of building area, which appears reasonable based on medical office building sales within the market area; however, no medical office building sales were presented as evidence as a check/test of reasonableness.

The PA's cost approach is compared with the petitioner's cost approach in order to determine which analysis is most appropriate and supported by market evidence. The PA's land value ($1,724,480) is actually lower than the petitioner's land value ($2,209,000), based on five comparable sales in Marion, Hernando and Citrus counties (averaging $4.07/SF) presented by the petitioner (although limited details are provided). The replacement cost new (RCN) of the hospital is estimated by the PA at $312.94/SF while the petitioner uses a RCN of $310/SF (after adjustments), with the PA's estimate being slightly higher. The replacement cost new (RCN) of the school building/office is estimated by the PA at $106.51/SF, while the petitioner uses a RCN of $180/SF. The replacement cost new (RCN) of the warehouse building is estimated by the PA at $48.16/SF, while the petitioner uses a RCN of $60/SF. Therefore, the PA has a slightly higher RCN for the hospital improvements and lower RCN's for the two other improvements (the PA's cost new is $91,201,748 compared with the petitioner's slightly higher cost new of $91,828,960). The differences between the petitioner and PA values is in the depreciation estimate.

The petitioner utilizes the age/life methodology based on several sources and estimates depreciation at 55%, or 2.5%/year, while the PA relies on MVS depreciation tables. The petitioner estimates an effective age of the subject hospital improvements of 22 years (reduced from an actual weighted average age of 33.7 years) and an economic life at 40 years, based on three sources: the MVS at 35-50 years, the American Hospital Association at 40 years and the Altus Group's study of a number of closed hospitals throughout the US (including Florida) at 34 years. Market extraction is used by the petitioner based on hospital closures, generally in the southern US, although this methodology used by the petitioner was questioned by the petitioner. The petitioner provides additional discussion why a 40-year economic life including: the building permit activity over the last 11 years indicates a cost of $0.61/SF, while typical hospital expenditures for capital improvements range from $10/SF-$15/SF; permit activity has accelerated since HCA acquired the property with $32,498,145 in permits through year-end 2019 with other projects planned; the subject hospital is dated with an emphasis on impatient care, resulting in inefficiencies to accommodate outpatient space requirements that are necessary to be competitive in the market; a table of 2019 hospital utilization statistics is presented for five hospitals in or near Citrus County and the subject's average daily census of 65.14% is slightly above the average reported of 62.27% but below the optimal ADC of 75%, which may be an indication of obsolescence (although none was applied in the petitioner's analysis). This analysis is tied into the business operation of the hospital (going concern) however, and the PA is tasked to looking to the real estate only.

The PA uses a depreciation rate of 25% for the hospital buildings (built in 1956 with an effective age of 1995), 45% for the old school house/office building (built in 1911 with an effective age of 1998) and 51% (built in 1965 and an effective age of 1981) for the warehouse, based on MVS depreciation tables, while the petitioner uses a rate of 55% for the hospital improvements (22 years effective age divided by a 40-year economic life). A 15% cost of sale is then applied to the market value of the cost approach by the petitioner as well as the PA. The petitioner also provides additional reasoning why the MVS depreciation tables do not conform with the definition of depreciation including: an article referencing the MVS tables can provide guidance for multiple properties (mass appraisal); a lack of data is the reason a new depreciation curve has not been published as the tables have been in place since 1968 with no updates; the table does not recognize differences in property types, classes of construction or location; evidence of hospital closures where the MVS tables showed depreciation of 20% to 80%; the MVS tables are contrary to generally accepted professional appraisal practice, are not consistent with "The Appraisal of Real Estate"; no professional appraisal organizations promulgate the use of MVS depreciation tables as a reliable measure of market-based depreciation; exhibits are presented for age life vs. accounting straight line depreciation, age life depreciation vs. MVS depreciation vs. straight line depreciation and age life depreciation vs. MVS depreciation table vs. straight line depreciation with change in weighted age. These arguments do have merit. The petitioner concludes at a value of $37,000,500. The underlying issues as to the relevance of the petitioner's points in my opinion are: 1) is the use of the MVS tables appropriate for mass appraisal? 2) is the petitioner's estimate of 55% depreciation appropriate based on the sources/reasoning presented?

The PA's depreciation estimate in the cost approach is based on an estimated effective age, and an estimated 50-year economic life, based on the MVS tables. The petitioner bases their estimate of effective age on several sources (including an extraction method of depreciation based on national hospital closures) while the PA uses a curvilinear method of depreciation from the MVS tables. The PA puts emphasis on the use of the MVS tables due to the specialized property that the subject is (indicative of value-in-use). The petitioner's effective age estimate of 22 years factors in the weighted average of the actual age of the building's components, the closed hospital analysis as well as capital expenditures that have been spent on the property. The underlying difference is the net impact of the depreciation for the hospital: 25% by the PA and 55% by the petitioner. This is a wide difference and the ultimate answer may lie between the two estimates; however, based on the photographs presented by both parties, the property does not look as though it is only 45% good and permit data supports this opinion as efforts have been made to keep the property maintained. The petitioner referenced low ceilings; however, no interior photographs were included in the evidence. Regarding the appropriateness of the PA using the MVS depreciation tables, while debatable it is my opinion that the tables are likely appropriate for mass appraisal and even more practical for a special purpose property like the subject. Additionally, I can only surmise the property has been inspected with the condition of the improvements taken into account by the PA (including capital expenditures/rehabilitation) and the 25% estimate for the hospital is likely reasonable. The petitioner's reliance on market extraction is based on hospital closures and would not be considered reliable as a true representation of depreciation as stated by the PA in rebuttal.

It should be noted that no entrepreneurial incentive is used by either the PA or petitioner, which is questionable and would somewhat justify the PA's higher value estimate. Finally, the petitioner does not claim to be an appraiser, limiting the credibility of the analysis as an independent appraisal was not presented as evidence.

Ultimately, the PA's analysis is thorough with market support with the only question being the use of MVS tables to accurately reflect depreciation. The petitioner's estimated depreciation may appear more market-oriented; however, there are some inherent flaws in the calculations for this estimate by use of market extraction from hospital closures and consideration of effective age for special-purpose properties. In summary, the PA's evidence and analysis is credible and the petitioner's evidence does not prove the PA's value to be in excess of market value.

CONCLUSIONS OF LAW

Section 194.301, F.S., provides that the PA's assessment is presumed correct if the PA proves by a preponderance of the evidence that the assessment was arrived at by complying with section 193.011, F.S., any other applicable statutory requirements relating to classified use values or assessment caps, and professionally accepted appraisal practices, including mass appraisal standards, if appropriate. However, a taxpayer who challenges an assessment is entitled to a determination by the Value Adjustment Board of the appraisal methodology used in making the assessment. The value of the property must be determined by an appraisal methodology that complies with the criteria of section 193.011, F.S., and professionally accepted appraisal practices.

As SM, I considered all given evidence and testimony discussed at this hearing as noted in the findings of fact. Based on this evidence and testimony, the PA did comply with section 193.011, F.S., meeting the eight legal factors. Accordingly, pursuant to section 194.301, F.S., the PA's assessment is presumed to be correct. The Petitioner did not meet the burden of proving by a preponderance of the evidence that the PA's assessed value did not represent the just value of the property after taking into account any applicable limits on annual increases in the value of the property and was not arbitrarily or erroneous based on appraisal practices that are different from the appraisal practices generally applied by the PA to comparable property within the same county. Thus, in accordance with section 194.301(2), F.S., the just value of the PA of $60,684,420 is affirmed and the petition is denied.

DR-485V
R. 01/17
Rule 12D-16.002
F.A.C.
Eff. 01/17

FLORIDA DEPARTMENT OF REVENUE

DECISION OF THE VALUE ADJUSTMENT BOARD
VALUE PETITION

The actions below were taken on your petition in Citrus County

_X_ These actions are a recommendation only, not final. ___ These actions are a final decision of the VAB

If you are not satisfied after you are notified of the final decision of the VAB, you have the right to file a lawsuit in circuit court to further contest your assessment. (See sections 193.155(8)(l), 194.036, 194.171(2), 196.151, and 197.2425, Florida Statutes.)

Petition # 23	Parcel ID 20E19S170050 00980 0040
Petitioner Name CITRUS COUNTY HOSPITAL BOARD	Property Address CITRUS COUNTY HOSPITAL BOARD 131 S CITRUS AVE INVERNESS
The Petitioner is: ___Taxpayer of Record _X_Representative ___Other ______	

Decision Summary _X_ Denied your petition ___ Granted your petition ___ Granted your petition in part

Value Line 1 and 4 must be completed	Value from TRIM Notice	Before Board Action Value presented by property appraiser Rule 12D-9.025(10), F.A.C.	After Board Action
1. Just value, required	7518271.00	7518271.00	6583729.00
2. Assessed or classified use value, *if applicable	7518271.00	7518271.00	6583729.00
3. Exempt value, *enter "0" if none	0.00	0.00	0.00
4. Taxable value, *required	7518271.00	7518271.00	6583729.00

*All values entered should be county taxable values. School and other taxing authority values may differ. (Section 196.031(7), F.S.)

Reasons for Decision

Findings of Fact
See attached

Conclusions of Law
See attached

_X_ **Recommended Decision of Special Magistrate** Finding and conclusions above are recommendations.

John Robinson	JOHN ROBINSON	04/05/2021
Signature, special magistrate	Print name	Date
Angela Vick	ANGELA VICK	04/05/2021
Signature, VAB clerk or special representative	Print name	Date

If this is a recommended decision, the board will consider the recommended decision on 05/18/2021 at 9:00AM.
Address: Citrus County Courthouse, 110 North Apopka Ave, Inverness, FL 34450
If the line above is blank, the board does not yet know the date, time, and place when the recommended decision will be considered. To find the information, please call (352) 341-7095 or visit our website at www.citrusclerk.org.

___ **Final Decision of the Value Adjustment Board**

Signature, chair, value adjustment board	Print name	Date of decision
Signature, VAB clerk or representative	Print name	Date mailed to parties

PETITION 2020 - 23

CITRUS COUNTY HOSPITAL BOARD

FINDINGS OF FACT

Basic Underlying Facts

1. The property owner (Citrus County Hospital Board) was represented by Charles Young and William Beasley of Altus Group (an agent for the property owner) hereinafter referred to as petitioner. Herb Mack, Dan Robbins and Loren Levy (as counsel) represented the Property Appraiser (PA).

2. The property is the Citrus Memorial Hospital Medical office building described as parcel ID# 20E19S170050 00980 0040 and is located 131 South Citrus Avenue in Inverness. The property has 77,059 rentable square feet (SF), consisting of five buildings: a 3-story, 55,050 SF/20-unit medical services building (built in 2001), a 2-story, 5,059 SF auxiliary office (built in 1970), a 5,739 SF auditorium/office (built in 1968), a 3,704 SF former church/warehouse (built 1970), a 7,507 SF classroom (built in 1970) situated on three sites totaling 170,077 SF/3.904 acres. The PA's market value of $7,518,271 based on the TRIM value was revised at the hearing to $6,583,729, reflecting $85.44 per square foot of rentable area. The petitioner did not accept the PA's revised value and sought a further reduction. The appeal is based on the petitioner's comment that the income approach is overstated based on recent leases at $17/SF and the PA's operating expenses are too low.

3. Evidence was properly exchanged between the PA and the petitioner prior to the hearing in accordance with Rule Chapter 12D-9.020 and 12D-9.025 which implements section 194.011(4), F.S.

4. In accordance with Rule Chapter 12D-9.024, Fla. Adm. Code, the PA first presented evidence to establish the presumption of correctness. Herb Mack presented the PA's opening address (Exhibit A-PA evidence) to demonstrate proper consideration of each of the following eight factors cited in Section 193.011, F.S., in developing the just value assessment.

The PA confirmed the TRIM and Before Board Action values noted in the Decision Summary section of this recommendation. The petitioner confirmed the values to be accurate.

5. The petitioner did challenge the PA's presumption with regards to how the property is valued and addressed the overstated overall value as previously stated. The petitioner did offer an alternative value opinion of $3,553,000 based on the income approach and presented documentary evidence in advance of or at the hearing to refute the PA's value.

6. The petitioner disagreed with the PA's determination of just value. The petitioner made the arguments as stated in paragraph 2 above.

7. The petitioner presented the following documentary evidence to support the petitioner's arguments: income approach to value for the medical services building (based on a rentable area of 52,207 SF, a market rental rate of $17/SF gross, a vacancy/collection loss rate of 10%, operating expenses of $9.50/SF or 62.1% of EGI, a 7% unloaded/9.27% loaded capitalization rate, deduction for lease-up, leasing commission and tenant improvements of $12,000, indicating a value of $3,553,000 after applying a 15% cost of sale and adding the PA's $920,000 value of the remaining improvements based on the income approach using a rentable area of 22,009 SF, a market rental rate of $8.60/SF, a vacancy/collection loss rate of 10%, operating expenses of $3.87/SF or 50% of EGI, a 7% unloaded/9.27% loaded capitalization rate), three years of operating statements (2016, 2017, 2018 and 2019), list of five recent leases within the medical office building that ranged from $15.38/SF to $17.51/SF and a weighted average of $17.04/SF, leasing brochure for 2nd floor area of 4,378 SF at $17.75/SF gross within subject medical services building, CBRE Q218 medical office survey (revealing a 20.3% vacancy for Tampa), estimated replacement cost new based on the calculator method of the Marshall Swift cost manual (for each of the five different types of improvements) including current and local multipliers, depreciation for each structure based on the age life method (with economic obsolescence of 20% applied to the medical services building), totaling $3,765,494 plus depreciated extra features of $100,000, the PA's land value of $625,400 and a 15% deduction for cost of sale indicating an adjusted value of $3,732,260 via the cost approach, CoStar comparable land sales map and list of five land sales (from 8 to 16.24 acres) that sold between July 2018 and March 2020 at $87,050 to $337,500 per acre, table of calculations for rent loss ($3,000), tenant improvements ($7,000) and leasing commissions ($2,000), 2019 income statement, 12/31/19 rent roll for subject medical services building and

witness list.
The Special Magistrate (SM) reviewed all evidence presented by the petitioner. In accordance with Rule 12D-9.025(1), Fla. Adm. Code (F.A.C.), the SM determined the evidence and testimony was relevant and credible to the valuation issue at hand. Thus, the evidence presented by the petitioner was admitted for consideration in relation to the appropriateness of the subject's valuation.

8. The PA did have questions/comments relating to the petitioner's evidence. The PA's questions/comments included: an error in millage rate used in loaded cap rate (should be 1.9% instead of 2.27%).

9. The PA presented the following documentary evidence to support its just valuation determination cited above. The evidence consisted of a cover page with some property details; index; summary of salient facts and conclusions including property details and values from each applicable approach to value; street of each building and interior photographs and property and assessment information; property record information including building sketches, permit information and exterior photographs for each improvement, subject TRIM notice, highest and best use analysis; cost approach using Marshall Valuation Service in estimating unit replacement cost new for each building ($156.10/SF for medical office building, $120.39/SF for auxiliary office buildings, $57.50/SF for service and warehouse), as well as miscellaneous improvement costs, with depreciation (no methodology referenced) of 20% (medical office), 56% (offices) and 43% (service and warehouse buildings) with no functional or external obsolescence applied, concluding at a value by the cost approach of $6,982,644 (medical office building), $566,907 (auxiliary offices & auditorium), and $364,506 (service and warehouse/church and classrooms), totaling $8,760,788 after deducting for depreciation and adding in depreciated improvements ($110,965) and land value of $735,765, land valuation conclusion including sales grid (three land sales from May through July 2019 that contain 84,243 to 120,764 SF that sold for between $450,000 and $1,254,500, or $4.87/SF to $14.89/SF were used) concluding at a land value of $625,400, or $3.68/SF, which is just below the bottom of the range (no adjustments are applied to the comparable land sales other than a 15% cost of sale), land sale descriptions including all pertinent details of the property and sale and aerial maps, comparable land sales location map, comparable improved medical sales grid with street photograph/sale price/sale date/property details for each comparable sale (three improved sales of medical offices from February 2016 to March 2019 within Oxford (Sumter County) and Inverness with from 10,080 to 49,708 SF or $99.21 to $113.48 per square foot, averaging $104.03/SF and $88.42/SF after applying a 15% cost of sale deduction); location map of the comparable medical office sales; comparable improved non-medical office sales grid with street photograph/sale price/sale date/property details for each comparable sale (three improved sales of offices from June 2018 to December 2019 within Inverness (2) and Crystal River with from 1,108 to 7,596 SF or $121.77 to $140.45 per square foot, averaging $134.04/SF and $113.93/SF after applying a 15% cost of sale deduction); location map of the comparable office sales; comparable improved warehouse/industrial sales grid with street photograph/sale price/sale date/property details for each comparable sale (three improved sales of industrial/warehouse properties from November 2018 to October 2019 within Homosassa (2) and Hernando (1) with from 5,000 to 10,000 SF or $38.50 to $57 per square foot, averaging $44.80/SF and $38.08/SF after applying a 15% cost of sale deduction); location map of the comparable industrial/warehouse sales; income approach pro forma summary based on market rents/operating expenses/capitalization rates (with market rent estimated at $18/SF for medical office, $12.42/SF for office/auditorium and $5.18/SF for the service and storage buildings (averaging $15.35/SF), 10% vacancy/collection loss, 30% operating expense ratio, 2% reserves, 7.45% unloaded/9.35% loaded capitalization rate, indicating a value of $7,745,563 (or $6,583,729 after applying a 15% cost of sale deduction); cap rate, vacancy and rental rate medical office survey from various sources including real estate brokers and University of Florida averaging: 11% (vacancy), 7.16% (overall rate), $22.19/SF (rent), and $234/SF (sale price); cap rate, vacancy and rental rate non-medical office survey from various sources including real estate brokers and University of Florida averaging: 13.2% (vacancy), 7.18% (overall rate), $24.54/SF (rent), and $152.13/SF (sale price); income/expense returns for 11 medical office/office properties within the county (averaging potential gross income of $17/SF, averaging vacancy rate of 4.5% and operating expenses of 19.6%); income/expense returns for 14 non-medical office properties within the county (averaging potential gross income of $16/SF, averaging vacancy rate of 6.5% and operating expenses of 17.2%); documentary evidence and exhibits; CCPA request for income and expenses; Florida Statutes (F.S.) 193.011; F.S. 193.023; 194.034; and FDOR PTO of Higgs v. Good case including synopsis and opinion.

The Special Magistrate (SM) reviewed all evidence presented by the PA. In accordance with Rule 12D-9.025(1), Fla. Adm. Code (F.A.C.), the SM determined the evidence and testimony was relevant and credible to the valuation issue at hand. Thus, the evidence presented by the PA was admitted for consideration in relation to the appropriateness of the subject's valuation.

10. The petitioner did not have questions/comments relating to the PA's evidence or provide any rebuttal evidence.

Ultimate Findings of Fact
Based on the evidence submitted, I find the PA's evidence (based on all three approaches to value), to be persuasive, appropriate and supportive of the market value; however, there are some questions about the PA's analysis that has been brought to light by the petitioner's analysis. The PA's concluded just/market value reflects $85.44/SF of aggregate building area, which appears to be reasonable based on the fact that the medical services building makes up 71% of the total building area. The PA presented a more thorough analysis by applying all three approaches to value as the petitioner did not apply the sales comparison approach (with no explanation for its omission).

The PA's cost approach is compared with the petitioner's cost approach in order to determine which analysis is most appropriate and supported by market evidence. The PA's land value is used by the petitioner ($625,400) so any value differences stem from the estimated replacement cost new and/or depreciation. The unit replacement cost new (RCN) of the medical office building is estimated by the PA at $156.10/SF while the petitioner uses a RCN of $140.32/SF after refinements. The unit replacement cost new (RCN) of the auxiliary office and auditorium is estimated by the PA at $120.39 while the petitioner uses a RCN of $134.42/SF after refinements for the auditorium only. The unit replacement cost new (RCN) of the office building is estimated by the petitioner at $122.85/SF after refinements. The replacement cost new (RCN) of the service and warehouse/church and classroom buildings is estimated by the PA at $57.50/SF, while the petitioner uses a RCN of $51.59/SF after refinements for the two storage buildings. Therefore, the PA has a higher RCN for each of the building improvements than the petitioner with total building values of $7,914,057. Depreciated extra features are estimated by the petitioner at $100,000, which is slightly less than the amount of depreciated site improvements of $110,965 by the PA. The differences between the petitioner and PA in the depreciation estimates will also be examined.

The petitioner utilizes the effective age/economic life methodology for calculating depreciation on a straight-line basis while it is assumed the PA relies on MVS depreciation tables, although not specified. The petitioner estimates an effective age/economic life and depreciation rate for the subject improvements as follows: medical office building: 18 years /40 year life or 45% (the PA estimates depreciation of 20%); two storage buildings: 28 years /35 year life or 80% (the PA estimates depreciation of 43% for the church and classrooms/service and warehouse); office building: 42 years/50 year life or 84%; auditorium building: 42 years /45 year life or 93% (the PA estimates depreciation of 56% for the auxiliary offices) for a summation of improvement values of $3,665,494, substantially lower than the PA's depreciated value. A 15% cost of sale is then applied to the market value of the cost approach by the petitioner (not the PA). The petitioner's depreciation estimates are substantially higher than the PA's; however, no basis is provided for the effective age/economic life estimates. While the unit RCN differences between the PA and petitioner are considerable (for all except the auxiliary offices), the petitioner's and PA's figures do not include any indirect/soft costs or entrepreneurial profit, which should be included in the PA's and petitioner's figures as an appropriate cost. Another difference in the depreciation between the PA and petitioner is for economic obsolescence, which was estimated at 20% for the medical office building by the petitioner while none is estimated by the PA. All buildings had an average condition rating by the PA; however, the quality was not stated for any of the buildings. The petitioner classified the quality of each building to be average but did not reference condition. While the PA's assumed use of the MVS depreciation tables as opposed to the straight-line depreciation estimate via the modified age/life methodology used by the petitioner is questionable as to which methodology is most appropriate, the petitioner's analysis lacks appropriate market support for the effective age/economic life estimates as well as omissions to overall cost figures for soft costs and entrepreneurial profit (an omission by the PA as well). The petitioner does present five comparable land sales in support of the land value estimate (the same $625,400 value, or $3.68/SF, used by the PA). The five land sales presented range from 8 to 16.24 acres and sold between July 2018 and March 2020 for between $870,500 and $3,725,000 ($87,050/acre to $337,500/acre or $2/SF to $7.75/SF, averaging $4.07/SF). The land value is supported by these sales. The preponderance of evidence would slightly lean to the PA for the cost approach, primarily due to the petitioner's depreciation estimates, which appear excessive and are without market support; however, given the ages of the buildings (not new), this approach to value would be given least emphasis.

The PA also applies a sales comparison approach, but the petitioner does not. The PA's analysis for the medical office building is appropriate; however, it is limited in its credibility due to mostly smaller medical office building sales (one larger sale building is 49,708 SF while the subject is 55,050 SF, although listed as 56,138 SF); however, the largest sale is in adjacent Sumter County, with the two remaining sales in Inverness/Citrus County like the subject. The unit price averages $104.03/SF (although no adjustments are applied to the sale properties for differences with the subject), which is within the range set by the three comparable sales (after adjusting for a 15% cost of sale, the adjusted average unit price is $88.42/SF or $4,963,936). The auxiliary offices and auditorium/non-medical office average $134.04/SF ($113.93/SF after a 15% cost of sale or $1,214,865) based on mostly smaller sales data (one 7,596 SF sale and two sales less than 2,000 SF, while the combined SF for these buildings is 10,663 SF). For the same reasons as stated for the medical office, the analysis has limited reliability. The PA's analysis for the church or warehouse/industrial building appears appropriate; however, the comparables are all newer than the subject but are within Citrus County. These sales indicate an average unit sale price of $44.80/SF and $38.08/SF after a 15% cost of sale adjustment, or $426,880. The addition of these three values is $6,605,681; however, there is the question about the appropriateness of adding these three values together without applying some discount. The sales comparison approach provides limited but supporting emphasis, due to the different types of buildings and limited sales available for these types of buildings. Most emphasis will be given to the income approach for this reason.
In the PA's income approach, a survey of various sources are referenced for comparison with the subject's medical office building; however, individual building sizes and ages are not presented. The PA estimates a market rental rate for this building at $18/SF (the comps range from $15.55/SF to $32.35/SF, averaging $22.19/SF), although expenses provisions are not stated and no adjustments are applied to the rental properties. The PA rep stated that no income/expense data has been provided by the petitioner. Likewise, the same survey of various sources is presented for non-medical office. The PA estimates a market rental rate for this building at $12.42/SF (the comps range from $15.72/SF to $34.38/SF, averaging $24.54/SF), although expenses provisions are not stated and no adjustments are applied to the rental properties. A problem with this survey is the non-medical office rents are higher than the medical office rents. Additional market evidence is provided via income/expense data provided by Citrus County taxpayers that reveals rental rates from $7/SF to $24/SF, averaging $17/SF for medical office (based on 11 participants) and rates from $5/SF to $37/SF, averaging $16/SF for non-medical office (based on 14 participants). The service and storage buildings (11,211 SF) are estimated to have a market rental rate of $5.18/SF; however, no specific market evidence is presented. Therefore, the PA's market rental rates of $18/SF (medical office), $12.42/SF (office/auditorium) and $5.18/SF (service and storage) are assumed to be representative of the market rent for each component building. An overall 10% vacancy/collection loss rate is applied (based on the survey from market sources and taxpayer income/expense data as stated), operating expenses are estimated at 30% of effective gross income (EGI), or $4.15/SF, plus 2% for reserves (based on the same sources as no operating history was provided for the current 2019 tax year). The estimated capitalization rate of 7.45% (9.35% loaded based on the millage rate) is adequately supported via the same referenced survey. The concluded value via the income approach is $7,7452,563, or $6,583,729 ($85.44/SF) after applying a 15% cost of sale.

In the petitioner's income approach, market rent is estimated at $17/SF for the medical office building, based on a rent roll provided as well as a listing of five recent leases (that originated between March 2018 and September 2019) that were leased at between $15.38/SF to $17.51/SF, averaging $17.04/SF (with the three 2019 leases all at $17/SF gross). A leasing brochure reveals an asking rental rate of $17.75/SF for a 4,378 SF second floor area. The non-medical office remaining areas are estimated to have market rents of $10/SF (auditorium), $5/SF (storage) and $15/SF (professional), for a composite rental rate of $8.60/SF. The 12/31/19 rent reveals a vacancy rate of 10.73% and actual occupied rental rate of $15.85/SF (contract rents range from $15.38/SF to $24.44/SF. Additionally, a 2019 operating statement reveals total revenue of $711,694.53, or $9.24/SF. However, this figure is substantially lower than the lease rates presented on the rent roll and for this reason, is not reliable. The petitioner provided a rent loss analysis, tenant improvements and leasing commissions lease-up totaling $12,000 based on a 89.27% occupancy as reported on the rent roll, a 1-year absorption period, 90% stabilized occupancy, 8% discount rate, tenant improvements of $20/SF and average monthly absorption rate of 32 SF/month (383 SF). Applying $17/SF for the medical offices building, a 10% vacancy/collection loss rate, operating expenses at $9.50/SF (62.1% of EGI), an overall capitalization rate of 7% (unloaded)/9.27% (loaded) indicates a value of $3,266,094 ($62.56/SF), prior to a rent loss deduction of $12,000, indicating $3,260,000 ($62.44/SF) for this building. This value is then added to the value of the remaining buildings. A blended market rental rate is estimated at $8.60/SF for the auditorium ($10/SF), storage ($5/SF) and professional office ($15/SF) buildings. A 10% vacancy/collection loss rate is then applied, operating expenses at $3.87/SF (50% of EGI), an overall capitalization rate of 7% (unloaded)/9.27% (loaded) indicates a value of $920,000 ($41.80/SF), rounded. Adding this value to the medical office building indicates a total value of $4,180,000 prior to a 15% cost of sale adjustment for a just/market value of $3,553,000. The petitioner does provide 2016, 2017 and 2018 operating statements of which all show a net income loss to the property. Additionally, the petitioner presents a CBRE medical office survey which reports vacancy rates for Tampa at 20.3% and an asking rental rate of $20.02/SF.

In rebuttal, the PA stated that the petitioner applied an erroneous tax rate in loading the millage to the cap rate, overstating the rate (should be 1.9% instead of 2.27%) an understating the value. Correcting this error results in an adjusted value of $3,695,189 as the petitioner's value (a 4% increase). Additionally, regarding the petitioner's evidence, no market support has been provided for the market rental rates used from rent comps, expense ratio comparables or the cap rate used. The petitioner's historical operating statements reveal a net loss each year from 2016-2019 and the expense ratio exceeds typical operating expense ratios; therefore, the operating expenses are concluded to be excessive. These shortcomings by the petitioner result in the analysis being not credible. Finally, the individual values are summed (with no discounting for the properties being valued in bulk) by the PA and petitioner. Although this methodology is questionable, neither party had any questions or issue with this methodology. Finally, the petitioner does not claim to be an appraiser, limiting the credibility of the analysis as an independent appraisal was not presented as evidence.

Ultimately, the PA's analysis is fairly thorough with market support based primarily on the income approach although from the petitioner's evidence, the market rental rate for the medical office building may be aggressive; however, since the $18/SF rate is a gross rental rate, the net rental rate of $13.85/SF does fall in line with the comparables presented. The only other question regarding the PA's analysis is in the cost approach with the assumed use of MVS tables to account for depreciation. The petitioner's estimated effective age/economic life depreciation methodology is more market-oriented; however, there is a lack of market evidence in how these effective ages are calculated. The petitioner did not apply the sales comparison approach which provided support for the PA's value. In summary, the PA's evidence and analysis is more credible.

CONCLUSIONS OF LAW

Section 194.301, F.S., provides that the PA's assessment is presumed correct if the PA proves by a preponderance of the evidence that the assessment was arrived at by complying with section 193.011, F.S., any other applicable statutory requirements relating to classified use values or assessment caps, and professionally accepted appraisal practices, including mass appraisal standards, if appropriate. However, a taxpayer who challenges an assessment is entitled to a determination by the Value Adjustment Board of the appraisal methodology used in making the assessment. The value of the property must be determined by an appraisal methodology that complies with the criteria of section 193.011, F.S., and professionally accepted appraisal practices.

As SM, I considered all given evidence and testimony discussed at this hearing as noted in the findings of fact. Based on this evidence and testimony, the PA did comply with section 193.011, F.S., meeting the eight legal factors. Accordingly, pursuant to section 194.301, F.S., the PA's assessment is presumed to be correct. The Petitioner did not meet the burden of proving by a preponderance of the evidence that the PA's assessed value did not represent the just value of the property after taking into account any applicable limits on annual increases in the value of the property and was not arbitrarily or erroneous based on appraisal practices that are different from the appraisal practices generally applied by the PA to comparable property within the same county. Thus, in accordance with section 194.301(2), F.S., the just value of the PA of $6,583,729 is affirmed and the petition is denied.

FLORIDA DEPARTMENT OF REVENUE

DR-485V
R. 01/17
Rule 12D-16.002
F.A.C.
Eff. 01/17

DECISION OF THE VALUE ADJUSTMENT BOARD
VALUE PETITION

The actions below were taken on your petition in Citrus County

_X_ These actions are a recommendation only, not final. ___ These actions are a final decision of the VAB

If you are not satisfied after you are notified of the final decision of the VAB, you have the right to file a lawsuit in circuit court to further contest your assessment. (See sections 193.155(8)(l), 194.036, 194.171(2), 196.151, and 197.2425, Florida Statutes.)

Petition # 24	Parcel ID 17E17S31 22400
Petitioner Name CITRUS HMA LLC	Property Address CITRUS HMA LLC 6201 N SUNCOAST BLVD CRYSTAL RIVER
The Petitioner is: ___Taxpayer of Record _X_Representative ___Other ____________	

Decision Summary _X_ Denied your petition ___ Granted your petition ___ Granted your petition in part

Value Line 1 and 4 must be completed	Value from TRIM Notice	Before Board Action Value presented by property appraiser Rule 12D-9.025(10), F.A.C.	After Board Action
1. Just value, required	27413211.00	27413211.00	24263590.00
2. Assessed or classified use value, *if applicable	27413211.00	27413211.00	24263590.00
3. Exempt value, *enter "0" if none	0.00	0.00	0.00
4. Taxable value, *required	27413211.00	27413211.00	24263590.00

*All values entered should be county taxable values. School and other taxing authority values may differ. (Section 196.031(7), F.S.)

Reasons for Decision

Findings of Fact
See attached

Conclusions of Law
See attached

_X_ **Recommended Decision of Special Magistrate** Finding and conclusions above are recommendations.

John Robinson	JOHN ROBINSON	04/10/2021
Signature, special magistrate	Print name	Date
Angela Vick	ANGELA VICK	04/10/2021
Signature, VAB clerk or special representative	Print name	Date

If this is a recommended decision, the board will consider the recommended decision on 05/18/2021 at 9:00AM.
Address: Citrus County Courthouse, 110 North Apopka Ave, Inverness, FL 34450
If the line above is blank, the board does not yet know the date, time, and place when the recommended decision will be considered. To find the information, please call (352) 341-7095 or visit our website at www.citrusclerk.org.

___ **Final Decision of the Value Adjustment Board**

Signature, chair, value adjustment board	Print name	Date of decision
Signature, VAB clerk or representative	Print name	Date mailed to parties

FINDINGS OF FACT
Basic Underlying Facts

1. The property owner (Citrus HMA LLC) was represented by Charles Young and William Beasley of Altus Group (an agent for the property owner) hereinafter referred to as petitioner. Herb Mack, Dan Robbins and Loren Levy (as counsel) represented the Property Appraiser (PA).

2. The property is the Bayfront Health Seven Rivers Hospital described as parcel ID# 17E17S31 22400 and is located 6201 N. Suncoast Boulevard (US Hwy. 19) in Crystal River. The property has 138,029 rentable square feet (SF), consisting of a 136,589 SF hospital and a 1,440 SF modular office that were constructed in various years (1978-2011) with a weighted average of 34 years) with 128 hospital beds (79 private and 49 semi-private rooms) situated on 595,901 SF/26.68 acres, of which 566,280 SF/13 acres is surplus land. The PA's market value of $27,413,211 based on the TRIM value was revised at the hearing to $24,263,590, reflecting $175.79 per square foot of rentable area. The petitioner did not accept the PA's revised value and sought a further reduction. The appeal is based on the petitioner's comment that the methodology used in estimating depreciation is too low and inappropriate, which overstates the cost approach.

3. Evidence was properly exchanged between the PA and the petitioner prior to the hearing in accordance with Rule Chapter 12D-9.020 and 12D-9.025 which implements section 194.011(4), F.S.

4. In accordance with Rule Chapter 12D-9.024, Fla. Adm. Code, the PA first presented evidence to establish the presumption of correctness. Herb Mack presented the PA's opening address (Exhibit A-PA evidence) to demonstrate proper consideration of each of the following eight factors cited in Section 193.011, F.S., in developing the just value assessment.

The PA confirmed the TRIM and Before Board Action values noted in the Decision Summary section of this recommendation. The petitioner confirmed the values to be accurate.

5. The petitioner did challenge the PA's presumption with regards to how the property is valued and addressed the overstated overall value as previously stated. The petitioner did offer an alternative value opinion of $11,398,500 and presented documentary evidence in advance of or at the hearing to refute the PA's value.

6. The petitioner disagreed with the PA's determination of just value. The petitioner made the arguments as stated in paragraph 2 above.

7. The petitioner presented the following documentary evidence to support the petitioner's arguments: an unnamed report prepared by the Altus Group including a cover page with street photograph of subject and property identification, table of contents, property description (year built, weighted age and building areas of each building and additions, land area and square feet per licensed bed of 1,064 SF) with external photograph of the property (Chapter 1), cost approach (Chapter 2) including an estimated land value of $535,000 ($0.46/SF) based on seven land sales presented from May 2017 to October 2020 in Crystal River (2), Hernando (2), Lecanto, Inglis and Homosassa in Citrus County that range from 8.05 to 29.41 acres and indicate unit prices of between $12,314/acre and $64,243/acre (averaging $29,628/acre or $0.68/SF), estimated replacement cost new based on Marshall & Swift cost manual (the unadjusted and adjusted unit costs are: $306 and $315 - Class A hospital), depreciation (based on 1-economic age-life method, 2-market extraction method with consideration to market obsolescence and deferred maintenance concluding at a value of $11,398,500, depreciation (Chapter 3) including definitions, a hospital closure survey (of 19 properties nationwide including 9 in Florida), estimated useful lives of depreciable hospital assets (from the American Hospital Association), graphs of age life vs. accounting straight line depreciation and age life vs. Marshall depreciation table vs. straight line depreciation, and Marshall Valuation Service depreciation tables, Attachments (Chapter 5) including Marshall & Swift replacement cost new supporting pages and building permit activity.

The Special Magistrate (SM) reviewed all evidence presented by the petitioner. In accordance with Rule 12D-9.025(1), Fla. Adm. Code (F.A.C.), the SM determined the evidence and testimony was relevant and credible to the valuation issue at hand. Thus, the evidence presented by the petitioner was admitted for consideration in relation to the appropriateness of the subject's valuation.

8. The PA did have questions/comments relating to the petitioner's evidence. The PA's questions/comments included: rebuttal evidence questioning the petitioner's credibility due to bias (as being an advocate for the cause of the client), stated hospitals closures were not necessarily due to depreciation but for financial reasons, overstated depreciation due to the inappropriate market extraction methodology applied, questionable economic life (and resulting depreciation of 70%, while the PA uses 36% depreciation), the PA questions the relevance of the Altus hospital closures and cites reasons for these closures.

9. The PA presented the following documentary evidence to support its just valuation determination cited above. The evidence consisted of a cover page with some property details; narrative description of the subject property, its highest and best use and the depreciation rate (28%) and methodology (MVS depreciation tables) applied in the valuation; index; summary of salient facts and conclusions including property details and values from each applicable approach to value; street and interior photographs of the building and property and assessment information; property record information including building sketches, permit information and exterior photographs for each improvement, subject TRIM notice, highest and best use analysis; cost approach using Marshall Valuation Service in estimating unit replacement cost new for each building ($300.84/SF for the hospital building, although not labeled as such, and $88.88/SF for the modular office building), with miscellaneous improvement costs ($149,705), and depreciation (no methodology referenced) of 32% (hospital) and 32% (modular office) with no functional or external obsolescence applied, concluding at a value by the cost approach of $27,848,270 (hospital building) and $81,917 (modular office), totaling $28,545,400 after deducting for depreciation and adding in depreciated improvements ($149,705) and land value of $465,505 ($0.40/SF), excerpts from MVS regarding replacement cost new (RCN), depreciation discussion, physical condition table (good to average for the subject), life expectancy tables (low cost and average Class B used for subject to indicate a 45 year life expectancy), and life-cycle depreciation table indicating 31% depreciation based on an effective age of 24 years and 45 year life expectancy); land valuation conclusion including sales grid (three land sales from December 2017 through February 2019 that contain 7.19 to 29.55 acres that sold for between $205,000 and $3,000,000, or $0.65/SF to $2.33/SF were used) concluding at a land value of $1,468,468, or $1.26/SF, which is just below the bottom of the range (no adjustments are applied to the comparable land sales other than a 15% cost of sale), land sale descriptions including all pertinent details of the property and sale and aerial maps, comparable land sales location map, discussion of why the sales comparison approach was not applied; discussion of why the income approach was not applied; documentary evidence and exhibits; and Florida Statutes (F.S.) 193.011; F.S. 193.023; 194.034.

The Special Magistrate (SM) reviewed all evidence presented by the PA. In accordance with Rule 12D-9.025(1), Fla. Adm. Code (F.A.C.), the SM determined the evidence and testimony was relevant and credible to the valuation issue at hand. Thus, the evidence presented by the PA was admitted for consideration in relation to the appropriateness of the subject's valuation.

10. The petitioner did have questions/comments relating to the PA's evidence including the following rebuttal evidence: the Marshall Valuation Service (MVS) depreciation tables are not one of three accepted methods of depreciation and the tables are not specific to location or property types and contain outdated data rather than market-based figures. Petitioner stated the permit amount of $2.51/SF is lower than typical properties that range from $10-$15/SF.

Ultimate Findings of Fact
Based on the evidence submitted, I find the PA's evidence, which relies exclusively on the cost approach, to be persuasive, appropriate and supportive of the market value. The PA presented the cost approach, which indicated a value of $28,545,400, with the concluded just/market value being $24,263,590 after deducting for a 15% cost of sale. An explanation for excluding the sales comparison and income approaches (which were reportedly considered but not applied) was sufficient due to the lack of meaningful data from these approaches (a lack of similar sales or rentals within Citrus County or the regional area), the fact that hospitals are a business (and sell as a going concern) and the sale price or rental rate of a hospital may be unrelated to the value of the

real estate assets and may include other non-hospital buildings or assets that make comparisons extremely difficult and subjective. The concluded just/market value reflects $175.79/SF of building area, which appears reasonable based on medical office building sales within the market area; however, no medical office building sales were presented as evidence as a check/test of reasonableness.

The PA's cost approach is compared with the petitioner's cost approach in order to determine which analysis is most appropriate and supported by market evidence. The PA's land value ($395,680) is actually lower than the petitioner's land value ($535,000), based on seven comparable sales in Citrus County (averaging $0.68/SF with a median of $0.43/SF) presented by the petitioner (although limited details are provided). The replacement cost new (RCN) of the hospital is estimated by the PA at $300.84/SF while the petitioner uses a RCN of $315/SF (after adjustments), with the petitioner's estimate being higher. The replacement cost new (RCN) of the modular office is estimated by the PA at $88.88/SF (indicating a cost new of $127,991), while the petitioner did not include the modular office (likely due to mold issues, which the PA did not reference). Therefore, the PA has a lower RCN for the hospital improvements and the modular office cost is relatively low and makes a minimal impact on the overall cost (the PA's cost new is $41,219,689 compared with the petitioner's higher cost new of $42,918,435). The differences between the petitioner and PA values is in the depreciation estimate.

The petitioner utilizes the age/life methodology based on several sources and estimates depreciation at 70%, or 2.5%/year, while the PA relies on MVS depreciation tables. The petitioner estimates an effective age of the subject hospital improvements of 28 years (reduced from an actual weighted average age of 34.5 years) and an economic life at 40 years, based on three sources: the MVS at 35-50 years, the American Hospital Association at 40 years and the Altus Group's study of a number of closed hospitals throughout the US (including Florida) at 34 years. Market extraction is used by the petitioner based on hospital closures, generally in the southern US, although this methodology used by the petitioner was questioned by the petitioner. The petitioner provides additional discussion why a 40-year economic life including: the building permit activity over the last 20 years indicates a cost of $2.51/SF, while typical hospital expenditures for capital improvements range from $10/SF-$15/SF; the roof was replaced, along with chillers and various air handler units in recent years; the subject hospital is dated with an emphasis on impatient care, resulting in inefficiencies to accommodate outpatient space requirements that are necessary to be competitive in the market; a table of 2019 hospital utilization statistics is presented for five hospitals in or near Citrus County and the subject's average daily census of 54.61% is below the average reported of 62.27% and optimal ADC of 75%, which may be an indication of obsolescence (although none was applied in the petitioner's analysis). This analysis is tied into the business operation of the hospital (going concern) however, and the PA is tasked to looking to the real estate only.

The PA uses a depreciation rate of 32% for the hospital buildings (built in 1978 and an effective age of 1996) and 36% (built in 2000 and an effective age of 2002) for the modular office, based on MVS depreciation tables, while the petitioner uses a rate of 70% for the hospital improvements (28 years effective age divided by a 40-year economic life). A 15% cost of sale is then applied to the market value of the cost approach by the petitioner as well as the PA. The petitioner also provides additional reasoning why the MVS depreciation tables do not conform with the definition of depreciation including: an article referencing the MVS tables can provide guidance for multiple properties (mass appraisal); a lack of data is the reason a new depreciation curve has not been published as the tables have been in place since 1968 with no updates; the table does not recognize differences in property types, classes of construction or location; evidence of hospital closures where the MVS tables showed depreciation of 20% to 80%; the MVS tables are contrary to generally accepted professional appraisal practice, are not consistent with "The Appraisal of Real Estate"; no professional appraisal organizations promulgate the use of MVS depreciation tables as a reliable measure of market-based depreciation; exhibits are presented for age life vs. accounting straight line depreciation, age life depreciation vs. MVS depreciation vs. straight line depreciation and age life depreciation vs. MVS depreciation table vs. straight line depreciation with change in weighted age. These arguments do have merit. The petitioner concludes at a value of $11,398,500. The underlying issues as to the relevance of the petitioner's points in my opinion are: 1) is the use of the MVS tables appropriate for mass appraisal? 2) is the petitioner's estimate of 70% depreciation appropriate based on the sources/reasoning presented?

The PA's depreciation estimate in the cost approach is based on an estimated effective age, and an estimated

45-year economic life, based on the MVS tables. The petitioner bases their estimate of effective age on several sources (including an extraction method of depreciation based on national hospital closures) while the PA uses a curvilinear method of depreciation from the MVS tables. The PA puts emphasis on the use of the MVS tables due to the specialized property that the subject is (indicative of value-in-use). The petitioner's effective age estimate of 28 years factors in the weighted average of the actual age of the building's components, the closed hospital analysis as well as capital expenditures that have been spent on the property. The underlying difference is the net impact of the depreciation: 32% by the PA and 70% by the petitioner. This is a wide difference and the ultimate answer may lie between the two estimates; however, based on the photographs presented by both parties, the property does not look as though it is only 30% good and permit data supports this opinion as efforts have been made to keep the property maintained. The petitioner referenced low ceilings; however, no interior photographs were included in the evidence. Regarding the appropriateness of the PA using the MVS depreciation tables, while debatable it is my opinion that the tables are likely appropriate for mass appraisal and even more practical for a special purpose property like the subject. Additionally, I can only surmise the property has been inspected with the condition of the improvements taken into account by the PA (including capital expenditures/rehabilitation) and the 32% estimate is likely reasonable. The petitioner's reliance on market extraction is based on hospital closures and would not be considered reliable as a true representation of depreciation as stated by the PA in rebuttal.

The petitioner's replacement cost new estimate does not include the modular building that the PA is estimating at only $81,917 (depreciated). However, the value difference is somewhat negligible and more than offset by the petitioner's higher unit cost estimate for the hospital, as previously stated. It should be noted that no entrepreneurial incentive is used by either the PA or petitioner, which is questionable and would somewhat justify the PA's higher value estimate. Finally, the petitioner does not claim to be an appraiser, limiting the credibility of the analysis as an independent appraisal was not presented as evidence.

Ultimately, the PA's analysis is thorough with market support with the only question being the use of MVS tables to accurately reflect depreciation. The petitioner's estimated depreciation may appear more market-oriented; however, there are some inherent flaws in the calculations for this estimate by use of market extraction from hospital closures and consideration of effective age for special-purpose properties. The PA's post-TRIM value reduction is an appropriate action for the valuation concerns brought to the VAB by the petitioner. In summary, the PA's evidence and analysis is credible and the petitioner's evidence does not prove the PA's value to be in excess of market value.

CONCLUSIONS OF LAW

Section 194.301, F.S., provides that the PA's assessment is presumed correct if the PA proves by a preponderance of the evidence that the assessment was arrived at by complying with section 193.011, F.S., any other applicable statutory requirements relating to classified use values or assessment caps, and professionally accepted appraisal practices, including mass appraisal standards, if appropriate. However, a taxpayer who challenges an assessment is entitled to a determination by the Value Adjustment Board of the appraisal methodology used in making the assessment. The value of the property must be determined by an appraisal methodology that complies with the criteria of section 193.011, F.S., and professionally accepted appraisal practices.

As SM, I considered all given evidence and testimony discussed at this hearing as noted in the findings of fact. Based on this evidence and testimony, the PA did comply with section 193.011, F.S., meeting the eight legal factors. Accordingly, pursuant to section 194.301, F.S., the PA's assessment is presumed to be correct. The Petitioner did not meet the burden of proving by a preponderance of the evidence that the PA's assessed value did not represent the just value of the property after taking into account any applicable limits on annual increases in the value of the property and was not arbitrarily or erroneous based on appraisal practices that are different from the appraisal practices generally applied by the PA to comparable property within the same county. Thus, in accordance with section 194.301(2), F.S., the just value of the PA of $24,263,590 is affirmed and the petition is denied.

FLORIDA DEPARTMENT OF REVENUE

DR-485XC
R. 01/17
Rule 12D-16.002
F.A.C.
Eff. 01/17

DECISION OF THE VALUE ADJUSTMENT BOARD

EXEMPTION, CLASSIFICATION, ASSESSMENT DIFFERENCE TRANSFER, CHANGE OF OWNERSHIP OR CONTROL, OR QUALIFYING IMPROVEMENT PETITION

The actions below were taken on your petition in Citrus County

_X_ These actions are a recommendation only, not final. ___ These actions are a final decision of the VAB

If you are not satisfied after you are notified of the final decision of the VAB, you have the right to file a lawsuit in circuit court to further contest your assessment. (See sections 193.155(8)(l), 194.036, 194.171(2), 196.151, and 197.2425, Florida Statutes.)

Petition # 28	Parcel ID 19E21S11 24000
Petitioner Name NELSKI DENNIS	Property Address NELSKI DENNIS P 13275 S OLD JONES RD FLORAL CITY
The Petitioner is: _X_ Taxpayer of Record ___Representative ___Other ______	

Decision Summary _X_ Denied your petition ___ Granted your petition ___ Granted your petition in part

Value Line 1 and 4 must be completed	Value from TRIM Notice	Before Board Action Value presented by property appraiser Rule 12D-9.025(10), F.A.C.	After Board Action
1. Just value, required	154360.00	154360.00	154360.00
2. Assessed or classified use value, *if applicable	154360.00	154360.00	154360.00
3. Exempt value, *enter "0" if none	0.00	0.00	0.00
4. Taxable value, *required	154360.00	154360.00	154360.00

*All values entered should be county taxable values. School and other taxing authority values may differ. (Section 196.031(7), F.S.)

Reason for Petition

___ Homestead ___ Widower ___ Blind ___ Totally and permanently disabled veteran

___ Low Income Senior ___ Disabled ___ Disabled veteran _X_ Use classification, specify: agricultural

___ Parent/grandparent assessment reduction ___ Deployed Military ___ Use exemption, specify: ______

___ Transfer of homestead assessment difference ___ Qualifying Improvement

___ Change of ownership or control ___ Other, specify: ______

Reasons for Decision

Findings of Fact
See attached

Conclusions of Law
See attached

_X_ **Recommended Decision of Special Magistrate** Finding and conclusions above are recommendations.

[signature]	THOMAS TUKDARIAN	10/29/2020
Signature, special magistrate	Print name	Date
[signature]	ANGELA VICK	10/29/2020
Signature, VAB clerk or special representative	Print name	Date

If this is a recommended decision, the board will consider the recommended decision on 05/18/2021 at 9:00AM.
Address: Citrus County Courthouse, 110 North Apopka Ave, Inverness, FL 34450
If the line above is blank, the board does not yet know the date, time, and place when the recommended decision will be considered. To find the information, please call (352) 341-7095 or visit our website at www.citrusclerk.org.

___ **Final Decision of the Value Adjustment Board**

Signature, chair, value adjustment board	Print name	Date of decision
Signature, VAB clerk or representative	Print name	Date mailed to parties

Attachment: VAB_Decision-28 (12780 : VAB Recommended Decisions)

PETITION 2020 - 28

NELSKI DENNIS

FINDINGS OF FACT
Hearing on October 14, 2020

Petitions 28 and 29 were heard together. The petitioner in both of these matters is Dennis Nelski, the owner, individually and/or as Trustee of the Dennis Nelski Trust, of the property located at 13275 Old Jones Road, Floral City, Florida 34436 (Parcel No.: 19E21S11 24000), and 13263 Old Jones Road, Floral City, Florida 34436 (Parcel No.: 19E21S11 24100), which are Petitions 28 and 29, respectively. At the hearing on the petition, the Petitioner was represented by Dennis Nelski, and testimony and evidence were provided by Mr. Nelski and testimony was also provided by Joe Smith.

The Property Appraisers Office (hereinafter "PAO") was represented by Kim Whitton and testimony and evidence were provided on behalf of the Property Appraisers Office by Ms. Whitton, and testimony was also provided by Herb Mack.

The PAO submitted the following documents which were admitted into evidence:

Evidence List and Summary of Testimony; copy of Florida Statute section 193.461 (3)(b), with comments; Petition to the Value Adjustment Board (dated 09/03/2020); Application and Return for Agricultural Classification of Lands, and Supplement (dated 10/15/2019, bearing a received date of 12/09/2019); a copy of Petitioner's business card and Premises Identification card; Petitioner's IRS Form 1040, Schedule F for 2018; PAO denial letter to Petitioner (dated 06/30/2020); Notice of Disapproval of Application for Property Tax Exemption or Classification (dated 06/30/2020); Florida Statute section 193.461; Property Record Card for Parcel 19E21S11 24100, (Petition 29), (bearing print date of 09/17/2020); Property Record Card for Parcel 18E19S04 21300, apparently an unrelated property (bearing print date of 09/17/2020); aerial photographs of subject property (dated 02/02/2020 and 02/03/2020); photographs of the subject property (dated 04/25/2019 and 05/29/2020); PAO letter to Petitioner (dated 03/11/2020); Petitioner's business card and comments; receipts for cows (bearing dates of 08/07/2018 and 06/19/2018); Petitioner's credit card statements for September and October, 2019; Petitioner's letter to PAO (undated); Petitioner's IRS Form 1040, Schedule F for 2019, 2018 and 2017 with depreciation worksheets; receipts for various and sundry agriculture related items bearing dates of March and April, 2019; receipt for tractor and equipment (dated 01/15/2019); receipts for Lime bearing dates of April, 2019; receipt for picking berries (dated 04/15/2019); receipt for well (dated 11/21/2019); receipts bearing dates of May, June, July and August 2019; photographs (dated 07/16/2020); MLS listing of 13263 S. Old Jones Rd., Floral City, FL (dated 09/16/2020); real estate sale listing of 13263 S. Old Jones Rd., Floral City, FL (dated 07/20/2020); listing of subject properties; American Angus Association printout; Sumter County Tax Collector information on Petitioner from 2016; Hernando County Tax Collector information on Petitioner from 2016; photographs of 13275 Old Jones Road, Floral City, FL (dated 09/27/2020); photographs of farm equipment, hay bales and cattle (undated); Disbursement Statement from U.S. Department of Agriculture to Petitioner (dated 07/31/2017); Petitioner's IRS Form 1040, Schedule F for 2009; USDA page referencing Rotational Grazing; Florida Administrative Code Chapter 12D-5; Sumter County Tax Collector notice of taxes for Petitioner from 2016; Warranty Deed from Petitioner to David Richard Shaw for Lot 13, Reserve of Sumter County (dated 03/11/2020); Sumter County Trim Notice of David Richard Shaw for 2020; Hernando County Tax Collector information on Petitioner from 2016; Warranty Deed from Petitioner to Abel Arredondo for metes and bound vacant land (dated 12/14/2018); Hernando County Property Record card for parcel R18 423 20 0000 0090 0020; Hernando County Tax Collector information on Petitioner from 2016, and; Hernando County Property Record cards of Petitioner for 2020 tax roll.

The testimony provided by the PAO included the following:

The subject properties are comprised of approximately 32 acres (Petition 28) and 10 acres (Petition 29) which had been part of a larger tract of land which had been classified as agricultural when owned by the previous owner. The Petitioner acquired the subject properties on March 20, 2019. A site inspection of the subject properties on April 25, 2019 revealed that the land was heavily covered in trees and underbrush and that there was limited grass production with no dedicated grazing areas. Subsequent site inspections of the subject properties on May 29, 2020 and July 16, 2020 revealed that the condition of the land was substantially similar to the previous inspection, with the exception that there were eight to ten cattle on the subject property in July, 2020. The PAO determined that the subject properties comprise a wooded tract of land which has moderate canopy with no or insufficient livestock, and insufficient grazing areas for livestock.

The PAO acknowledged that the Petitioner presented numerous and various receipts to support his claim that he was engaging in an agricultural use of the subject properties. However, the PAO questioned and refuted Petitioner's assertions that the items listed in the receipts were actually used or applied to the subject properties. Rather, the PAO asserts that the items listed in the receipts were actually used or applied to other properties the Petitioner owns or has an interest in Sumter and Hernando counties. The PAO did not observe any evidence on inspection that the items listed in the receipts were used or applied to the subject properties. The PAO also questioned whether the Petitioner's receipt for two cows, which was dated 2018, was applicable as the cows were not present on the property. The PAO stated that most all of the evidence presented by the Petitioner indicates that the Petitioner operates some agricultural business at other locations but did not indicate that Petitioner uses the subject properties for bona fide agricultural purposes. The PAO also acknowledged that the Petitioner replaced fencing, installed a well and built a metal building on the subject properties.

Upon investigation, the PAO determined that the farming equipment identified by the Petitioner in various receipts were not listed as Petitioner's tangible property by the Hernando County Property Appraiser. The PAO also investigated and determined that Petitioner is not listed as being registered to sell purebred Angus cattle and that a listing for sale of the subject properties on May 12, 2020 described the subject properties as being a nicely treed parklike setting.

The primary reason for the denial of the agricultural classification is because the Petitioner did not provide sufficient evidence that the subject properties are being used for a bona fide agricultural purpose.

The Petitioner submitted the following documents which were admitted into evidence:

Greenwood v. Oates, 251 So.2d 665 (Fla. 1971); Dictionary definition of "commercial"; Florida Administrative Code section 12D-51.001; Hernando County Tax Collector information on Petitioner from 2016; Hernando County Property Appraiser information on Petitioner for 2020 tax roll; Hernando County Property Appraiser information on Petitioner for 2018 tax roll; Warranty Deed from Petitioner to Abel Arredondo for metes and bound vacant land (dated 12/14/2018); Hernando County Property Record card for 2019 tax roll; Sumter County Tax Collector notice of taxes for Petitioner from 2016; Warranty Deed from Petitioner to David Richard Shaw for Lot 13, Reserve of Sumter County (dated 03/11/2020); Warranty Deed from Clark and Sandra Wilson to Petitioner for undescribed property (dated 03/20/2019); Tilton v. Gardner, No. 5D09-1097; Florida Statute section 193.461; Property Record Card for Parcel 19E21S11 24100, (Petition 29), (bearing print date of 09/17/2020); handwritten note (undated); receipts for various and sundry agriculture related items bearing dates of March and April, 2019; receipt for tractor and equipment (dated 01/15/2019); receipts for Lime bearing dates of April, 2019; receipt for picking berries (dated 04/15/2019); receipt for well (dated 11/21/2019); receipts bearing dates of May, June, July and August 2019; copy of Pesticide/Herbicide Agricultural License for Petitioner (bearing issue date of 09/22/2020); Letter from Petitioner to PAO (undated); photograph with note (bearing date of 04/25/2019); photograph identified as "picture when purchased" (undated); photographs with notes; photograph of bales of hay (dated 09/23/2019); photograph of farm equipment (dated 09/12/2019); photograph of bales of hay (dated 10/02/2019); photograph with note of view up and down drive entrance (undated); photograph of gate (dated 07/13/2020); photographs of brush and trees (undated) and of fire (dated 10/14/2019); photographs with notes; photograph of cattle (dated 09/06/2020); photograph of field and trees (dated 10/10/2020); photographs of water trough (dated 07/16/2020 and 10/10/2020); photograph of shed and generator (dated 01/01/2014); photographs of field and trees (dated 07/22/2020); photographs of fence (dated 10/10/2020); aerial photograph of subject property with notes (dated 02/03/2020).

The Petitioner left other documents on the podium in the hearing room but did not offer them into evidence those documents were not considered in rendering this recommendation.

The testimony provided by the Petitioner included the following:

The Petitioner stated that the subject properties have been bushhogged and fenced and that he has worked hard on the subject properties. The Petitioner asserted that the subject properties are being used for the bona fide agricultural purpose of raising cattle. The Petitioner explained that he does not have to be registered to breed Angus cattle and that he has qualifications and licenses for the use and application of herbicides and pesticides.

The Petitioner asserted that he could have placed cattle on the land and that leaving the land fallow is a necessary farming operation and qualifies as a bona fide agricultural purpose. The Petitioner identified the improvements to the subject property as being the eradication of Blackberries and getting the subject property ready for cattle. The Petitioner explained that in July 2020, cattle were present on the property.

While the Petitioner presented photographs of bales of hay, he did not assert that the hay was farmed from or used on the subject properties. Likewise, the Petitioner did not show that the tractor and equipment evidenced by the receipts was used on the subject properties. The herbicides and pesticides as well as the well, trough, and building may have actually prepared all or some portion of the subject properties for cattle, the Petitioner did not establish that all such efforts were completed prior to January 1, 2020. Petitioner introduced pictures and asserted that the subject properties are being used currently for agricultural purposes, but did not adequately address the condition and status of the subject properties as of January 1, 2020.

Conclusions of Fact:

The subject properties are primarily treed land with limited space for cattle grazing. While the subject property was formerly a part of a larger tract of land which had been classified agricultural, the subject properties now need to be assessed independent of the adjoining lands in determining whether such classification is warranted. Petitioner has improved the properties and taken action to prepare the properties for cattle grazing, it has not been clearly established that the subject properties were in any adequate condition to support cattle grazing as of January 1, 2020.

CONCLUSIONS OF LAW

Conclusions of Law:

The burden of proof is on the party challenging the classification or exemption status, Florida Statute section 194.301. In this case the burden is on the Petitioner to show that the status assigned to the property is incorrect. The Petitioner's burden of proof does not include proving "that the property appraiser's assessment is not supported by any reasonable hypothesis of a legal assessment" (Florida Statute section 194.3015), but rather the burden of proof is a preponderance of the evidence. See: CVS EGL Fruitville Sarasota FL, LLC vs. Todora, 124 So.3d 289 (Fla.2nd DCA, 2013) The Petitioner has failed to meet his burden of proof to show that the subject property was being used for agricultural purposes as of January 1, 2020.

It has long been recognized that "the key to determining entitlement to agricultural classification is the actual physical activity being conducted on the land." Love PGI Partners, LP v. Schultz, 706 So.2d 887, 891 (Fla. 5th DCA, 1998) (citations omitted). The expressed intention of the landowner is relevant but not determinative, rather the actual use of the land is determinative of a bona fide operation. Greenwood vs. Oates, 251 So.2d 665 (Fla. 1971). The use of the land needs to be immediate and not speculative. Straughn v. Tuck, 354 So.2d 368 (Fla. 1978). The future or anticipated use of the land is also not determinative, but rather the determination of whether agricultural classification is appropriate must be based upon "the use of the property as of January 1st of the subject year." RH Resorts, Ltd. vs. Donegan, 881 So.2d 1152 (Fla. 5th DCA 2004). Although Petitioner testified that some effort has been made to ready the land for cattle grazing, the Petitioner failed to establish that such efforts were sufficient to ready the land for cattle grazing by January 1, 2020 or otherwise show that the subject properties were in adequate condition to be used for any commercial agricultural practices on January 1, 2020.

While Petitioner introduced into evidence one picture of hay being harvested in 2019, arguably on the subject properties, Petitioner failed to introduce sufficient supporting evidence of a commercial agricultural practice. No evidence or testimony was offered to establish how large or how much of the subject property was depicted in the photograph and the photograph appeared to be distinctly different from the make-up of the subject properties as reflected in the aerial photographs introduced into evidence. In any event, evidence of some agricultural activity on the land is not sufficient. Furthermore, the Petitioner's efforts to sell the land as treed parkland and not as cattle grazing farmland support the conclusion that the subject properties are not adequately suitable for an agricultural purpose. See: Tilton v. Gardner, 52 So.3d 771 (Fla. 5th DCA, 2011). The other evidence presented by Petitioner supporting his application seemed to show that a commercial agricultural operation may have been in the process of being developed on the subject properties sometime later in 2020 but this evidence is not material to show the condition or use of the land on January 1, 2020.

A showing of a bona fide agricultural use requires the Petitioner to show that the asserted agricultural use is real, actual and genuine. Champion Realty Corporation v. Burgess, 541 So.2d 615 (Fla. 1st DCA,1989). The factors to be taken into consideration in determining whether agricultural classification is warranted are set forth in Florida Statute ?193.461(3)(b), addressing bona fide agricultural purposes. The record in this case does not support a bona fide agricultural purpose as of January 1, 2020, but rather reveals that the subject properties were not primarily used as a bona fide agricultural operation, as defined by Florida law. It has long been established that a good faith commercial agricultural use does not require that the agricultural operations on the property produce a profit. Wilkinson v. Kirby, 654 So.2d 194 (Fla. 2nd DCA, 1995) However, profitability is a factor to be considered even though by itself it is not a controlling or determinative factor. Department of Revenue v. Goembel, 382 So.2d 783 (Fla. 5th DCA, 1980). In this case, the inability to produce any evidence to show that the subject properties are or might soon be a profitable operation further supports the denial of Petitioner's application for agricultural classification.

The testimony offered by the Petitioner was not persuasive and did not overcome the testimony and evidence presented by the PAO. Petitioner did not sufficiently or adequately show that there was a good faith commercial agricultural use of the land as of January 1, 2020. Fla. Stat. ?193.461

FLORIDA DEPARTMENT OF REVENUE

DECISION OF THE VALUE ADJUSTMENT BOARD
EXEMPTION, CLASSIFICATION, ASSESSMENT DIFFERENCE TRANSFER, CHANGE OF OWNERSHIP OR CONTROL, OR QUALIFYING IMPROVEMENT PETITION

DR-485XC
R. 01/17
Rule 12D-16.002
F.A.C.
Eff. 01/17

The actions below were taken on your petition in Citrus County

_X_ These actions are a recommendation only, not final. ___ These actions are a final decision of the VAB

If you are not satisfied after you are notified of the final decision of the VAB, you have the right to file a lawsuit in circuit court to further contest your assessment. (See sections 193.155(8)(l), 194.036, 194.171(2), 196.151, and 197.2425, Florida Statutes.)

Petition # 29	Parcel ID 19E21S11 24100
Petitioner Name NELSKI DENNIS	Property Address NELSKI DENNIS P 13263 S OLD JONES RD FLORAL CITY
The Petitioner is: _X_ Taxpayer of Record ___Representative ___Other ______________	

Decision Summary _X_ Denied your petition ___ Granted your petition ___ Granted your petition in part

Value Line 1 and 4 must be completed	Value from TRIM Notice	Before Board Action Value presented by property appraiser Rule 12D-9.025(10), F.A.C.	After Board Action
1. Just value, required	62110.00	62110.00	62110.00
2. Assessed or classified use value, *if applicable	62110.00	62110.00	62110.00
3. Exempt value, *enter "0" if none	0.00	0.00	0.00
4. Taxable value, *required	62110.00	62110.00	62110.00

*All values entered should be county taxable values. School and other taxing authority values may differ. (Section 196.031(7), F.S.)

Reason for Petition

___ Homestead ___ Widower ___ Blind ___ Totally and permanently disabled veteran

___ Low Income Senior ___ Disabled ___ Disabled veteran _X_ Use classification, specify: agricultural

___ Parent/grandparent assessment reduction ___ Deployed Military ___ Use exemption, specify: ______________

___ Transfer of homestead assessment difference ___ Qualifying Improvement

___ Change of ownership or control ___ Other, specify: ______________

Reasons for Decision

Findings of Fact
See attached

Conclusions of Law
See attached

_X_ **Recommended Decision of Special Magistrate** Finding and conclusions above are recommendations.

Signature, special magistrate	THOMAS TUKDARIAN Print name	11/02/2020 Date
Signature, VAB clerk or special representative	ANGELA VICK Print name	11/02/2020 Date

If this is a recommended decision, the board will consider the recommended decision on 05/18/2021 at 9:00AM.
Address: Citrus County Courthouse, 110 North Apopka Ave, Inverness, FL 34450
If the line above is blank, the board does not yet know the date, time, and place when the recommended decision will be considered. To find the information, please call (352) 341-7095 or visit our website at www.citrusclerk.org.

___ **Final Decision of the Value Adjustment Board**

Signature, chair, value adjustment board	Print name	Date of decision
Signature, VAB clerk or representative	Print name	Date mailed to parties

PETITION 2020 - 29
NELSKI DENNIS

FINDINGS OF FACT

Hearing on October 14, 2020

Petitions 28 and 29 were heard together. The petitioner in both of these matters is Dennis Nelski, the owner, individually and/or as Trustee of the Dennis Nelski Trust, of the property located at 13275 Old Jones Road, Floral City, Florida 34436 (Parcel No.: 19E21S11 24000), and 13263 Old Jones Road, Floral City, Florida 34436 (Parcel No.: 19E21S11 24100), which are Petitions 28 and 29, respectively. At the hearing on the petition, the Petitioner was represented by Dennis Nelski, and testimony and evidence were provided by Mr. Nelski and testimony was also provided by Joe Smith.

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The testimony provided by the PAO included the following:

The subject properties are comprised of approximately 32 acres (Petition 28) and 10 acres (Petition 29) which had been part of a larger tract of land which had been classified as agricultural when owned by the previous owner. The Petitioner acquired the subject properties on March 20, 2019. A site inspection of the subject properties on April 25, 2019 revealed that the land was heavily covered in trees and underbrush and that there was limited grass production with no dedicated grazing areas. Subsequent site inspections of the subject properties on May 29, 2020 and July 16, 2020 revealed that the condition of the land was substantially similar to the previous inspection, with the exception that there were eight to ten cattle on the subject property in July, 2020. The PAO determined that the subject properties comprise a wooded tract of land which has moderate canopy with no or insufficient livestock, and insufficient grazing areas for livestock.

The PAO acknowledged that the Petitioner presented numerous and various receipts to support his claim that he was engaging in an agricultural use of the subject properties. However, the PAO questioned and refuted Petitioner's assertions that the items listed in the receipts were actually used or applied to the subject properties.

Rather, the PAO asserts that the items listed in the receipts were actually used or applied to other properties the Petitioner owns or has an interest in Sumter and Hernando counties. The PAO did not observe any evidence on inspection that the items listed in the receipts were used or applied to the subject properties. The PAO also questioned whether the Petitioner's receipt for two cows, which was dated 2018, was applicable as the cows were not present on the property. The PAO stated that most all of the evidence presented by the Petitioner indicates that the Petitioner operates some agricultural business at other locations but did not indicate that Petitioner uses the subject properties for bona fide agricultural purposes. The PAO also acknowledged that the Petitioner replaced fencing, installed a well and built a metal building on the subject properties.
Upon investigation, the PAO determined that the farming equipment identified by the Petitioner in various receipts were not listed as Petitioner's tangible property by the Hernando County Property Appraiser. The PAO also investigated and determined that Petitioner is not listed as being registered to sell purebred Angus cattle and that a listing for sale of the subject properties on May 12, 2020 described the subject properties as being a nicely treed parklike setting.

The primary reason for the denial of the agricultural classification is because the Petitioner did not provide sufficient evidence that the subject properties are being used for a bona fide agricultural purpose.

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The Petitioner left other documents on the podium in the hearing room but did not offer them into evidence those documents were not considered in rendering this recommendation.

The testimony provided by the Petitioner included the following:
The Petitioner stated that the subject properties have been bushhogged and fenced and that he has worked hard on the subject properties. The Petitioner asserted that the subject properties are being used for the bona fide agricultural purpose of raising cattle. The Petitioner explained that he does not have to be registered to breed Angus cattle and that he has qualifications and licenses for the use and application of herbicides and pesticides.
The Petitioner asserted that he could have placed cattle on the land and that leaving the land fallow is a necessary farming operation and qualifies as a bona fide agricultural purpose. The Petitioner identified the improvements to the subject property as being the eradication of Blackberries and getting the subject property ready for cattle. The Petitioner explained that in July 2020, cattle were present on the property.
While the Petitioner presented photographs of bales of hay, he did not assert that the hay was farmed from or

used on the subject properties. Likewise, the Petitioner did not show that the tractor and equipment evidenced by the receipts was used on the subject properties. The herbicides and pesticides as well as the well, trough, and building may have actually prepared all or some portion of the subject properties for cattle, the Petitioner did not establish that all such efforts were completed prior to January 1, 2020. Petitioner introduced pictures and asserted that the subject properties are being used currently for agricultural purposes, but did not adequately address the condition and status of the subject properties as of January 1, 2020.

Conclusions of Fact:
The subject properties are primarily treed land with limited space for cattle grazing. While the subject property was formerly a part of a larger tract of land which had been classified agricultural, the subject properties now need to be assessed independent of the adjoining lands in determining whether such classification is warranted. Petitioner has improved the properties and taken action to prepare the properties for cattle grazing, it has not been clearly established that the subject properties were in any adequate condition to support cattle grazing as of January 1, 2020.

CONCLUSIONS OF LAW
Conclusions of Law:

The burden of proof is on the party challenging the classification or exemption status, Florida Statute section 194.301. In this case the burden is on the Petitioner to show that the status assigned to the property is incorrect. The Petitioner's burden of proof does not include proving "that the property appraiser's assessment is not supported by any reasonable hypothesis of a legal assessment" (Florida Statute section 194.3015), but rather the burden of proof is a preponderance of the evidence. See: CVS EGL Fruitville Sarasota FL, LLC vs. Todora, 124 So.3d 289 (Fla.2nd DCA, 2013) The Petitioner has failed to meet his burden of proof to show that the subject property was being used for agricultural purposes as of January 1, 2020.
It has long been recognized that "the key to determining entitlement to agricultural classification is the actual physical activity being conducted on the land." Love PGI Partners, LP v. Schultz, 706 So.2d 887, 891 (Fla. 5th DCA, 1998) (citations omitted). The expressed intention of the landowner is relevant but not determinative, rather the actual use of the land is determinative of a bona fide operation. Greenwood vs. Oates, 251 So.2d 665 (Fla. 1971). The use of the land needs to be immediate and not speculative. Straughn v. Tuck, 354 So.2d 368 (Fla. 1978). The future or anticipated use of the land is also not determinative, but rather the determination of whether agricultural classification is appropriate must be based upon "the use of the property as of January 1st of the subject year." RH Resorts, Ltd. vs. Donegan, 881 So.2d 1152 (Fla. 5th DCA 2004). Although Petitioner testified that some effort has been made to ready the land for cattle grazing, the Petitioner failed to establish that such efforts were sufficient to ready the land for cattle grazing by January 1, 2020 or otherwise show that the subject properties were in adequate condition to be used for any commercial agricultural practices on January 1, 2020.
While Petitioner introduced into evidence one picture of hay being harvested in 2019, arguably on the subject properties, Petitioner failed to introduce sufficient supporting evidence of a commercial agricultural practice. No evidence or testimony was offered to establish how large or how much of the subject property was depicted in the photograph and the photograph appeared to be distinctly different from the make-up of the subject properties as reflected in the aerial photographs introduced into evidence. In any event, evidence of some agricultural activity on the land is not sufficient. Furthermore, the Petitioner's efforts to sell the land as treed parkland and not as cattle grazing farmland support the conclusion that the subject properties are not adequately suitable for an agricultural purpose. See: Tilton v. Gardner, 52 So.3d 771 (Fla. 5th DCA, 2011). The other evidence presented by Petitioner supporting his application seemed to show that a commercial agricultural operation may have been in the process of being developed on the subject properties sometime later in 2020 but this evidence is not material to show the condition or use of the land on January 1, 2020.
A showing of a bona fide agricultural use requires the Petitioner to show that the asserted agricultural use is real, actual and genuine. Champion Realty Corporation v. Burgess, 541 So.2d 615 (Fla. 1st DCA,1989). The factors to be taken into consideration in determining whether agricultural classification is warranted are set forth in Florida Statute ?193.461(3)(b), addressing bona fide agricultural purposes. The record in this case does not support a bona fide agricultural purpose as of January 1, 2020, but rather reveals that the subject properties were not primarily used as a bona fide agricultural operation, as defined by Florida law. It has long been established that a good faith commercial agricultural use does not require that the agricultural operations on the property produce a

profit. Wilkinson v. Kirby, 654 So.2d 194 (Fla. 2nd DCA, 1995) However, profitability is a factor to be considered even though by itself it is not a controlling or determinative factor. Department of Revenue v. Goembel, 382 So.2d 783 (Fla. 5th DCA, 1980). In this case, the inability to produce any evidence to show that the subject properties are or might soon be a profitable operation further supports the denial of Petitioner's application for agricultural classification.

The testimony offered by the Petitioner was not persuasive and did not overcome the testimony and evidence presented by the PAO. Petitioner did not sufficiently or adequately show that there was a good faith commercial agricultural use of the land as of January 1, 2020. Fla. Stat. ?193.461. The Petition should be denied.

FLORIDA DEPARTMENT OF REVENUE

DR-485V
R. 01/17
Rule 12D-16.002
F.A.C.
Eff. 01/17

DECISION OF THE VALUE ADJUSTMENT BOARD
VALUE PETITION

The actions below were taken on your petition in Citrus County

_X_ These actions are a recommendation only, not final. ___ These actions are a final decision of the VAB

If you are not satisfied after you are notified of the final decision of the VAB, you have the right to file a lawsuit in circuit court to further contest your assessment. (See sections 193.155(8)(l), 194.036, 194.171(2), 196.151, and 197.2425, Florida Statutes.)

Petition # 30	Parcel ID 18E18S250260 0270
Petitioner Name NICHOLAS DALE	Property Address NICHOLAS DALE W 1535 N EAGLE RIDGE PATH HERNANDO
The Petitioner is: ___Taxpayer of Record _X_Representative ___Other ______	

Decision Summary ___ Denied your petition _X_ Granted your petition ___ Granted your petition in part

Value Line 1 and 4 must be completed	Value from TRIM Notice	Before Board Action Value presented by property appraiser Rule 12D-9.025(10), F.A.C.	After Board Action
1. Just value, required	565756.00	565756.00	510000.00
2. Assessed or classified use value, *if applicable	460845.00	460845.00	460845.00
3. Exempt value, *enter "0" if none	50000.00	50000.00	50000.00
4. Taxable value, *required	410845.00	410845.00	410845.00

*All values entered should be county taxable values. School and other taxing authority values may differ. (Section 196.031(7), F.S.)

Reasons for Decision

Findings of Fact
See attached

Conclusions of Law
See attached

_X_ **Recommended Decision of Special Magistrate** Finding and conclusions above are recommendations.

Signature, special magistrate	Print name	Date
John Robinson	JOHN ROBINSON	02/01/2021

Signature, VAB clerk or special representative	Print name	Date
Angela Vick	ANGELA VICK	02/01/2021

If this is a recommended decision, the board will consider the recommended decision on 05/18/2021 at 9:00AM.
Address: Citrus County Courthouse, 110 North Apopka Ave, Inverness, FL 34450
If the line above is blank, the board does not yet know the date, time, and place when the recommended decision will be considered. To find the information, please call (352) 341-7095 or visit our website at www.citrusclerk.org.

___ **Final Decision of the Value Adjustment Board**

Signature, chair, value adjustment board	Print name	Date of decision

Signature, VAB clerk or representative	Print name	Date mailed to parties

Attachment: VAB_Decision-30 (12780 : VAB Recommended Decisions)

FINDINGS OF FACT

Basic Underlying Facts

1. The property owners (Dale and Beverly Nichols) was represented by Dr. Steven Fancy as petitioner. Jonathan Franke and Mike Farrington represented the Property Appraiser (PA).

2. The property is a single family residence legally described as parcel ID# 18E 18S 250260 0270 and is located at 1535 N. Eagle Ridge Path in the Bellamy Ridge gated community within Terra Vista in the Citrus Hills development in Hernando. The property has 2,450 square feet (SF) of living area, 3 bedrooms and 2 1/2 baths, is one story and was constructed in 2017 and is situated on 16,098 SF/0.36 acre water view and golf course view site (with 97 front feet) with 2 car garage (683 SF), 360 SF screen porch, screened pool and open porch. The PA's market value of $565,756 reflects $230.92 per square foot. The property was acquired by the petitioner in July 2017 for $791,300. The appeal is based on the petitioner's opinion that the subject is overvalued on the basis of that they overpaid for the property and the transaction does not meet the definition of an arms-length transaction, the comparable sales reveal declining values in the subdivision, the land value is inappropriately valued too high and the subject sale included personal property.

3. Evidence was properly exchanged between the PA and the petitioner prior to the hearing in accordance with Rule Chapter 12D-9.020 and 12D-9.025 which implements section 194.011(4), F.S.

4. In accordance with Rule Chapter 12D-9.024, Fla. Adm. Code, the PA first presented evidence to establish the presumption of correctness. Jonathan Franke presented the PA's opening address (Exhibit A-PA evidence) to demonstrate proper consideration of each of the following eight factors cited in Section 193.011, F.S., in developing the just value assessment.

The PA confirmed the TRIM and Before Board Action values noted in the Decision Summary section of this recommendation.

5. The petitioner did challenge the PA's presumption and presented evidence for consideration in the evidence exchange process to challenge the value due to the reasons stated previously (in paragraph 2.) above. The petitioner did offer an alternative value opinion of $457,739 based on the sales comparison approach and presented documentary evidence in advance of the hearing to refute the PA's value.

6. The petitioner disagreed with the PA's determination of just value. The petitioner made the following argument(s): The property value is too high based on errors within the PA's database that applies a 20% market conditions adjustment to non-standard lots in the development, which is based on an inadequate (too small) sample size, no deduction for external obsolescence that exists on properties in the subdivision, a flawed analysis in the adjustment process to comparable sales used by the PA and the reasons also stated in paragraph 2 above.

7. The petitioner presented the following documentary evidence to support the petitioner's arguments: summary of testimony and evidence in narrative form: Exhibit 1: overview of Bellamy Ridge; Exhibit 2: discussion of comparable land sales; Exhibit 3: summary of comparable improved sales; Exhibit 4-MLS data on the comparable sales; Exhibit 5-property record cards of comparable sales; Exhibit 6-market adjustment factors from ratio study; Exhibit 7-petitioner's opinion of just value; additional documents including Exhibit 1-Bellamy Ridge Subdivision details; Exhibit 2-2018 and 2019 Terra Vista land sales chart with 10 deeds following and Terra Vista home pricing; Exhibit 3-summary of comparable improved sales (6) with adjustment grid pages and subject and comparable sales street photographs; Exhibit 4-MLS data for each sale; Exhibit 5-property record card for each sale; Exhibit 6-market adjustment factors and results of ratio study using 2017-2019 sales with graphs and data prints and Exhibit 7-petitioner's opinion of just value with 8 factors of F.S. 193.011.

The Special Magistrate (SM) reviewed all evidence presented by the petitioner. In accordance with Rule 12D-9.025(1), Fla. Adm. Code (F.A.C.), the SM determined the evidence and testimony was relevant and credible to the valuation issue at hand. Thus, the evidence as presented by the petitioner was admitted for consideration in relation to the appropriateness of the subject's valuation.

8. The PA did have specific questions/comments relating to the petitioner's evidence including why the personal property was not included on the sales verification form and total property value is what can be challenged rather than only a component of the value (land value in this case).

9. The PA presented the following documentary evidence to support its just valuation determination cited above. The evidence consisted of an opening statement discussing the justification for the PA's just/market value; a cover page identifying petition and property; index; summary of salient facts and conclusions including property details; summary page including street photograph, property details and values from each applicable approach to value; comparable improved sales grid with sale price/sale date/property details for each comparable sale (six improved sales from July 2019 to January 2020 within and the subject development of The Village of Citrus Hills-Terra Vista that sold for between $485,000 to $585,000 (averaging $546,500) with from 2,237 to 2,996 SF or $189.60/SF to $239.16/SF of living area prior to adjustments and $239.28/SF to $284.81/SF after adjustments ($575,746 to $719,706), concluding at a just/market value of $565,756); Supplemental Addenda with comments regarding the data; subject street improvements and photographs including an aerial photograph; comparable sales street photographs; comparable sales and subject aerial location map; evidence list; subject property record/information card; Florida Statutes 193.011 (factors to consider in deriving just valuation); FS 193.023 (duties of the property appraiser in making assessments); FS 194.034 (hearing procedures, rules); DOR PTO regarding Higgs v. Good case; request for petitioner evidence; screen shot of subject sale history; TRIM notice; and Villages of Citrus Hills marketing brochure.

The SM reviewed all evidence presented by the PA. In accordance with Rule 12D-9.025(1), Fla. Adm. Code (F.A.C.), the SM determined the evidence and testimony was relevant and credible to the valuation issue at hand. Thus, the evidence presented by the PA was admitted for consideration in relation to the appropriateness of the subject's valuation.

10. The petitioner did have questions regarding the PA's evidence on the basis of the adjustment process to the comparable sales not being consistent with Florida Statutes when valuing the property as well as other concerns as previously stated.

Ultimate Findings of Fact
Based on the evidence submitted, I find the PA's evidence to be persuasive, appropriate and generally supportive of the market value stated; however, the petitioner's evidence is also persuasive and supportive of the claim that the PA's just/market value is excessive based on specific market evidence. The PA presented comparable improved sales in support of the value in applying the sales comparison approach while the petitioner presented comparable land and improved sales and market value comparisons in support of a reduction of the PA's appraised value. The petitioned property is a newly built, custom home with numerous amenities, including a golf course. The general findings from the evidence and testimony are as follows:

The petitioner's evidence points out numerous flaws with the PA's value and analysis including the following: the subject is overvalued on the basis of that the taxpayer/petitioner overpaid for the property (as new construction dictated multiple upgrades that were considerably overpriced) and the transaction does not meet the definition of an arms-length transaction, the comparable sales reveal declining values in the subdivision, the land value is inappropriately valued too high and the subject sale included personal property, the property value is too high based on errors within the PA's database that applies a 20% market conditions adjustment to only non-standard lots in the development, which is based on an inadequate (too small) sample size, no deduction for obsolescence that exists on properties in the subdivision, and a flawed analysis in the adjustment process to comparable sales. The analysis that is provided by the petitioner that is most appropriate in determining whether the subject's value is in excess of market value is the comparable sales analysis and the petitioner presents six comparable sales that occurred between November 2018 and December 2019. There is one common sale used by the petitioner and PA. The petitioner's sales are all within the subject Citrus Hills-Terra Vista development ($367,500 to $602,000, averaging $480,733 and $151.73/SF to $223.79/SF), with two sales (Comps 1 and 6) within Bellamy Ridge (like the subject). The petitioner stated that all of the comparable sales used in his analysis were resales and all were sold via MLS. However, only one of the six comparables (Comp 1) is a golf course frontage with lake view lot like the subject as the remaining sales have inferior views. Sales 3 and 5 are the most recent sales (sold in November and December 2019); however, three of the sales do not have a pool like the subject and one has a casita while the subject does not. The petitioner applies adjustments to the comparable sales for the following items: view, actual age, room count, gross living area, and amenities. I am not sure of the basis for applying these line items adjustments as the petitioner is not an appraiser to my knowledge; however, making some checks to the adjustments applied, the unit adjustments appear reasonable and consistent (with living area adjustments applied at $120/SF). The sales indicate a range in adjusted values from $462,360 to $622,800, averaging $538,517 and $457,739 including a 15% cost of sale with an average adjusted value of $186.83/SF for the subject. This analysis does support a reduction to the PA's value.

The petitioner concurs with the PA's improvement value based on the Marshall Valuation Service cost estimate but does not concur with the land value; however, the sales comparison approach is the primary approach to value in the valuation of any single-family residence and both the PA and petitioner agree. For this reason, any concerns about the land value and cost approach would not be critical to the total value and are not addressed in this recommendation.

The PA presented six 2019 sales within the subject development ($485,000 to $585,000, averaging $546,500), with four sales (Comps 2, 3, 4 and 5) within Bellamy Ridge (like the subject). The PA commented that all of the comparable sales used in their analysis were resales. Comp 2 is the largest in living area (22.3% larger than the subject). For these reasons, I have placed minimal significance on Comp 2 ($585,000 or $195.26/SF unadjusted). All six sales were reportedly sold via MLS. However, only Comp 1 is a golf course frontage lot like the subject but does not have a water view; therefore, all sales have inferior views. Sale 1 sold for $525,000 and sold in December 2019 and appears to be the best comparable for the subject; however, it does have one of the oldest construction dates of 2010. The PA shows a difference/adjustment of negative $20,740 for miscellaneous improvements and a positive $196,217 difference/adjustment for building value, which considers the subject's newer/superior age/condition. Balancing these adjustments indicates a net adjustment of $175,477. Adding this figure to the sale price of $525,000 indicates an adjusted value of $700,477, or $595,405 after applying a 15% cost of sale adjustment, which is supportive of the PA's value of $565,756. The remaining five sales (excluding Comp 1), indicate a range in sale prices from $485,000 to $585,000, averaging $550,800 ($189.60/SF to $239.16/SF, averaging $211.52/SF). The PA's adjusted values for these sales indicate a range in sale prices from $575,746 to $719,706, averaging $654,168 ($239.28/SF to $265.31/SF, averaging $250.46/SF), which includes a 15% cost of sale. As previously stated, Comp 2 is given least emphasis due to its larger living area, and this sale indicates the highest adjusted value at $719,706 ($240.22/SF). Excluding this sale, the average adjusted value is $637,784 ($253.02/SF). The PA's value for the subject is supported by the average adjusted sale price and the unit price. It should be noted that the petitioner took exception to the adjustments used by the PA, since they are based on the PA's CAMA system and includes market conditions adjustments.

The underlying factors that impact the market value are comparable sales and the petitioner does build a case for identifying what are possibly as good or better sales than what is being used by the PA. Both the petitioner and PA present relevant and appropriate reasoning for their stance that the value should be reduced/upheld accordingly. The claim made by the petitioner that the adjustments applied by the PA are questionable and not in compliance with typical professional appraisal practices does carry some weight. Additionally, the petitioner's adjustments could be made with some bias, particularly regarding the adjustments for view amenity, as the analysis was not performed by an independent analysis or appraiser. Therefore, the substantial weight of the evidence rests between the petitioner and PA in concluding an appropriate market value opinion. As stated in the previous paragraph, the PA's value is supported by the comparables presented upon further breakdown and adjustments applied to these sales. The petitioner's analysis does support a reduction to the PA's value. Based on the concluded value of $457,739 by the petitioner and the PA's value of $565,756, I have correlated to a value between these two values for a recommended value of $510,000 ($208.16/SF) on the basis that the petitioner's evidence is given slightly more weight based on the thoroughness, completeness and consistency of that analysis as well as having four golf course frontage lots as comparables compared with the PA's comparables having only one golf course lot. The PA's analysis is given significant weight, however, based on the unadjusted sale prices and unit prices of the comparables used. The recommended value is $510,000 on this basis.

I have determined that the record contains competent substantial evidence to establish a revised just value, and that the competent substantial evidence for a revised just value cumulatively meets the criteria of FS 193.011 and that the competent substantial evidence for a revised just value meets professionally accepted appraisal practices. The petitioner presented sufficient market evidence to indicate the subject is valued in excess of just/market value. Therefore, it is recommended that the just/market value be reduced by 9.86%, or $55,756 to a value of $510,000, or $208.16/SF.

CONCLUSIONS OF LAW

Section 194.301, F.S., provides that the PA's assessment is presumed correct if the PA proves by a preponderance of the evidence that the assessment was arrived at by complying with section 193.011, F.S., any other applicable statutory requirements relating to classified use values or assessment caps, and professionally accepted appraisal practices, including mass appraisal standards, if appropriate. However, a taxpayer who challenges an assessment is entitled to a determination by the Value Adjustment Board of the appraisal methodology used in making the assessment. The value of the property must be determined by an appraisal methodology that complies with the criteria of section 193.011, F.S., and professionally accepted appraisal practices.

As SM, I considered all given evidence and testimony discussed at this hearing as noted in the findings of fact. Based on this evidence and testimony, the PA did comply with section 193.011, F.S., meeting the eight legal factors. Accordingly, pursuant to section 194.301, F.S., the PA's assessment is presumed to be correct. However, the Petitioner met the burden of proving by a preponderance of the evidence that the PA's assessed value was arbitrarily or erroneous based on appraisal practices that are different from the appraisal practices generally applied by the PA to comparable property within the same county. Thus, in accordance with section 194.301(2), F.S., the value of $510,000, as set forth by the SM is determined by the SM to be the just valuation for the subject property in this case and the petition is granted relief accordingly.

DR-485V
R. 01/17
Rule 12D-16.002
F.A.C.
Eff. 01/17

FLORIDA DEPARTMENT OF REVENUE

DECISION OF THE VALUE ADJUSTMENT BOARD
VALUE PETITION

The actions below were taken on your petition in Citrus County

_X_ These actions are a recommendation only, not final. ___ These actions are a final decision of the VAB

If you are not satisfied after you are notified of the final decision of the VAB, you have the right to file a lawsuit in circuit court to further contest your assessment. (See sections 193.155(8)(l), 194.036, 194.171(2), 196.151, and 197.2425, Florida Statutes.)

Petition # 31	Parcel ID 17E18S210140 0280
Petitioner Name WALGREEN CO	Property Address WALGREEN CO REAL ESTATE PROPERTY TAX 310 NE US HIGHWAY 19 CRYSTAL RIVER
The Petitioner is: ___Taxpayer of Record _X_Representative ___Other ______________________	

Decision Summary _X_ Denied your petition ___ Granted your petition ___ Granted your petition in part

Value Line 1 and 4 must be completed	Value from TRIM Notice	Before Board Action Value presented by property appraiser Rule 12D-9.025(10), F.A.C.	After Board Action
1. Just value, required	3129790.00	3129790.00	3129790.00
2. Assessed or classified use value, *if applicable	3129790.00	3129790.00	3129790.00
3. Exempt value, *enter "0" if none	0.00	0.00	0.00
4. Taxable value, *required	3129790.00	3129790.00	3129790.00

*All values entered should be county taxable values. School and other taxing authority values may differ. (Section 196.031(7), F.S.)

Reasons for Decision

Findings of Fact
See attached

Conclusions of Law
See attached

_X_ **Recommended Decision of Special Magistrate** Finding and conclusions above are recommendations.

Robert Sutte	ROBERT SUTTE	01/18/2021
Signature, special magistrate	Print name	Date
Angela Vick	ANGELA VICK	01/18/2021
Signature, VAB clerk or special representative	Print name	Date

If this is a recommended decision, the board will consider the recommended decision on 05/18/2021 at 9:00AM.
Address: Citrus County Courthouse, 110 North Apopka Ave, Inverness, FL 34450
If the line above is blank, the board does not yet know the date, time, and place when the recommended decision will be considered. To find the information, please call (352) 341-7095 or visit our website at www.citrusclerk.org.

___ **Final Decision of the Value Adjustment Board**

Signature, chair, value adjustment board	Print name	Date of decision
Signature, VAB clerk or representative	Print name	Date mailed to parties

PETITION 2020 - 31
WALGREEN CO

FINDINGS OF FACT
Petition 31: Findings of Fact

INTRODUCTION

The important subject of this hearing is just value. Florida law dictates that the property appraiser is responsible for presenting relevant and credible (worthy of belief) admissible evidence in support of their determination of just value. See rule 12 D-9.025 (3)(a), F.A.C. Relevant evidence, is evidence that is reasonably related, directly or indirectly, to the statutory criteria that apply to the issue under review. This description means the evidence meets or exceeds the minimum level of relevance necessary to be admitted for consideration. Also, the special magistrate must determine that the evidence presented is admissible. Admissible evidence means evidence that has been admitted into the record for consideration by the special magistrate. See rule 12 D-9.025 (2)(a) F.A.C.

If the property appraiser establishes a presumption of correctness by proving by a preponderance of the evidence that the just value assessment was arrived at by complying with section 193.011, F.S. and professionally accepted appraisal practices the petitioner must prove by a preponderance of the evidence that the property appraiser's just valuation does not represent just value or the property appraiser's just valuation is arbitrarily based on appraisal practices that are different from the appraisal practices generally applied by the property appraiser to comparable property within the same county. See subsection 194. 301 (2) (a) F.S. as amended by chapter 2009- 121, Laws of Florida (House Bill 521). Under rule 12 D - 9.025(1), F.A.C.

There are eight factors of just valuation established by Section 193. 011, Florida Statutes. This Florida law states that in arriving at just valuation as required under S. 4, Art. VII of the State Constitution, the property appraiser shall take into consideration the following factors:

1) Present cash value - willing buyer/seller. 2) Highest and best use. ?3) Location of property. ?4) Quantity or size. 5) Cost of property and present replacement cost of improvements. 6) Condition of property.7) Income of property. ?8) Net proceeds of sale.

Florida court decisions have used the terms lawfully, properly, duly, and carefully to describe the standard of care required of property appraisers in considering each of the eight factors." Just value is to be determined by giving careful consideration to each of the factors contained in Florida Statute 93. 011 and by giving such weight to a factor as a particular factual situation may justify." See Florida Attorney General's opinion AGO 77-106, September 29, 1977.

After lawfully considering the factors, the property appraiser may discard entirely any factor that is not probative (indicative) of just value under the circumstances, as long as the appraisal methodology used complies with professionally accepted appraisal practices. See Mazourek V. Wal-Mart Stores, 831 So. 2d 85 (Fla. 2002) and Section 194.301, F.S. as amended by Chapter 2009-121, Laws of Florida (House Bill 521). In administrative reviews, the property appraiser is responsible for proving by a preponderance of the evidence that he or she complied with section 193. 011 by properly considering each of the eight factors in developing original just valuations. See subsection 194.301 (1), F.S.

Findings of Fact

Citrus Petitions: 31 (32, 33, 34, 35, 36)

This December 8, 2020 hearing included consideration of the above identified five petitions. Each petition involved a free standing Walgreens pharmacy store. All six structures were build to suit. Of interest, is that the petition 36 property is investor owned and the other five petitions (31 to 35) are owned by Walgreens. The two real estate owner's representative was Ms. Sophie Rothermel, Tax Recourse LLC, Houston Texas. Via an email dated November 30, 2020 Ms. Rothermel requested that" T Findings of Fact
5his hearing be heard in our absence".

The special magistrate, Robert Sutte, acknowledged that this request for these petitions to be heard in absentia is to preserve the property owners rights to appeal the VAB decisions to the circuit court. Considering the magnitude of the values involved and the perceived importance of the Walgreen ownerships, the special magistrate instructed the property appraiser to present in detail their evidence especially identifying each subject property and the related values.

This instruction was made so that all significant property appraisers evidence was entered into the record so it could not be argued in circuit court that the petitioner was not provided this evidence in detail. This magistrate direction included knowledge of the fact that the petitioners evidence only included a very abbreviated partial valuation analysis involving estimated cost new less depreciation.

This hearing commenced at 12:04 pm. Mr. Tim Reynard MAI, CFE, with the property appraisers office was sworn to tell the truth, the whole truth and nothing but the truth so help him God. Ms. Georgette Tozer, VAB Clerk, assisted special magistrate Sutte with the administration of this hearing.

Mr. Reynard reported that these six subject properties were extremely similar regarding physical and locational characteristics and he selected petition 36 to be a good representation for all regarding his detailed testimony. He further commented that his evidence of value was the same and the narrative appraisal reporting was extremely similar for each subject property. This meant that his testimony for petition 36 was also applicable for consideration regarding the value of the other five subject properties.
Each of the other five appraisal reports and valuations were slightly different regarding comparisons for physical and locational characteristics, estimated effective building age, economic life, estimates of value and value conclusions. These differences will be carefully considered by the special magistrate and carefully noted in his written petition recommendations. Also, since the petitioner has only considered a partial cost approach for their estimate of value the magistrates reporting of the property appraisers application of the sales comparison and income approaches will be appropriately brief.

This petition 31 subject property is a Walgreens pharmacy located in Crystal River at 310 NE Suncoast Boulevard. This one story retail store was constructed in 2000 with 14,936 square feet of building area and 2.192 acres of land. Mr. Reynard legally identified the subject property and entered into the record the values. The estimated subject property value was based upon the application of all three appraisal approaches. The property appraisers three indications of value were as follows:

Cost $3,835,786 Sales $3,830,897 Income $3,584,320

After a uniform 15% deduction for costs of sale, the reconciled final estimate of value was $3,835,786 or $256.81 per square foot of building area including the value of the land. The estimated subject property just value was significantly less at $3,129,790.

The property appraiser provided a detailed description of his application of the cost approach. He relied upon the use of the Marshall Valuations Service Cost methodology. The estimated subject land value was based upon a comparison of six area comparable land sales. Detailed descriptive information, photographs and a location map were provided. These selected land sales ranged in size from 0.649 to 2.536 acres. The subject land area is 2.192 acres. The unadjusted prices paid ranged from $15.24 to $29.16 per square foot. Due to scarcity, some of these sales were older. They took place between February 2015 and October 2019. The property appraiser reconciled land value was $2,004,933 or $134.23 per square foot.

The total estimated Walgreens cost new was $3,048,467. The estimated accrued depreciation was based upon an estimated effective age of 13 years for the subject building improvements with a total estimated economic life of 40 years. The indicated total accrued depreciation was 16% and the resulting depreciated value for the subject improvements was $2,507,756. With the addition of land value, the total indicated value was $4,512,689. After a deduction of 15 % for costs of sale, the final indicated just value via the cost approach was $3,835,786 or $256.81 per square foot of building area.

Regarding the sales comparison approach, the PA provided seven sales of area improved retail properties. Detailed description information, photographs and a location map were provided. These transactions took place between July 2014 and July 2019. The buildings were constructed between 1997 and 2026 with the subject being constructed in 2000. These retail transactions involved building areas from 11,097 to 16,435 square feet compared to the subjects 14,936 square feet. The unadjusted prices paid per square foot of building area including the value of the land ranged from $302.50 to $482.19.

The estimated subject unit value was $301.75 per foot which resulted in a total indicated value of $4,506,938. When 15 % was deducted for costs of sale, the indicated just value via the sales comparison approach was $3,830,897.

For the application of the income approach, the property appraiser estimated a market rent for the subject by comparison. Detailed descriptive information, photographs and a location map were provided for seven area comparable rental properties which were also the selected comparable improved sales. Reported rental areas varied from 11,097 to 14,364 square feet. The comparable rental rates ranged from $19.79 to $28.17 per foot. The estimated subject rent was $19.55 per foot. Given 14,936 square feet, the estimated total potential gross income was $291,999. The allowance for vacancy and rent loss was 3.0 %. The effective gross income was estimated to be $283,239. The allowance for operating expenses including reserves for replacements was 5% of effective gross income. This resulted in an estimated annual net operating income of $269,077.

The property appraisers estimated capitalization rate included consideration of seven Citrus County sales and the indicated market extracted overall capitalization rates. They ranged from 5.03% to 7.22% with an average of 6.08% and a median of 6.45%. Some consideration was also given to the use of the Band of Investment Method. The selected overall capitalization rate was 6.381%. Dividing the estimated net income by this rate indicated a value for the subject property of $4,216,847. Then, 15% was deducted for costs of sale. The resulting indicated just value for this real estate via the income approach was $3,584,320.

As noted earlier, the result of the PA's reconciliation of the three indications of value after a deduction of 15% for costs of sale was a final estimate of value for the subject property of $3,835,786.

Regarding the petitioners evidence, since this hearing was heard in absentia at the petitioners request, the only evidence to be considered was a one page written tabular presentation of their application of the Marshall and Swift Calculator Method. This was an extremely abbreviated partial version of an acceptable application of the cost approach. There was no narrative explanation of this application and there was no estimate of land value.

The total estimated Walgreens cost new was $1,854,887. The estimated accrued depreciation was 30% with an estimated economic building life of 40 years. The resulting estimated depreciated value for the subject improvements was $1,298,421. The PET chose to add the property appraisers property record card land value of $1,167,110. The indicated total value was $2,465,531 or $164.28.per building square foot . This estimated cost was based upon 15,008 square feet compared to the property appraisers reported 14,936 square feet. This is a minor difference of 72 feet square feet.

The property appraiser stated in rebuttal that the petitioners estimated cost did not include other building features, building soft costs, site improvement costs or entrepreneurial incentives. Therefore, it was substantially incomplete.

Based upon consideration of the verbal and written information and evidence provided, the special magistrate also concluded the following:

The petitioner chose not to submit a sales comparison or income approach to value. The special magistrate reviewed the limited information provided by the petitioner regarding their cost analysis but gave it no value consideration as it was not conclusive and not credible.

Insufficient information was presented by the petitioner to support a reduction in the assessment. The assessment was not proven to be incorrect.

The property appraisers indications of value were developed by utilizing the three traditionally accepted appraisal methods.

The market value of the subject property is within the discretion of the property appraiser and within a reasonable range of values for the property.

The property appraiser lawfully considered the eight criteria enumerated in section 193.011, Florida Statutes.

The Special Magistrate reviewed all evidence presented. In accordance with Department of Revenue guidelines, the special magistrate determined that the evidence and testimony was relevant and credible to the valuation issue. Thus, the evidence as presented was admitted for consideration in relation to the appropriateness of the subject property assessment.

CONCLUSIONS OF LAW

Conclusions of Law

In accordance with section 194.301 F.S., it was determined that there is competent and substantial evidence of value on record in compliance with criteria of 193.011 and professionally accepted appraisal practice to establish an appropriate assessment for the subject property. In the professional opinion of the special magistrate, the property appraiser's evidence was credible, relevant, substantially sufficient and established a presumption of correctness. The petitioner's evidence was substantially insufficient, and not credible. In this case, the property appraiser proved by a preponderance of the evidence that their estimation of value does not exceed just value. Therefore, it is recommended that the property appraiser's value be upheld.

Stated another way, if the property appraiser establishes a presumption of correctness and the petitioner does not overcome the presumption of correctness the assessment stands. This decision, that relief is denied, means that any right the petitioner may have to bring action in circuit court is not impaired.

FLORIDA DEPARTMENT OF REVENUE

DECISION OF THE VALUE ADJUSTMENT BOARD
VALUE PETITION

DR-485V
R. 01/17
Rule 12D-16.002
F.A.C.
Eff. 01/17

The actions below were taken on your petition in Citrus County

_X_ These actions are a recommendation only, not final.   ___ These actions are a final decision of the VAB

If you are not satisfied after you are notified of the final decision of the VAB, you have the right to file a lawsuit in circuit court to further contest your assessment. (See sections 193.155(8)(l), 194.036, 194.171(2), 196.151, and 197.2425, Florida Statutes.)

Petition # 32	Parcel ID 18E18S11 33000
Petitioner Name WALGREEN CO	Property Address WALGREEN CO ATTN REAL ESTATE PROPERTY TAX 4020 N LECANTO HWY BEVERLY HILLS
The Petitioner is: ___Taxpayer of Record _X_Representative ___Other ______________	

Decision Summary _X_ Denied your petition ___ Granted your petition ___ Granted your petition in part

Value Line 1 and 4 must be completed	Value from TRIM Notice	Before Board Action Value presented by property appraiser Rule 12D-9.025(10), F.A.C.	After Board Action
1. Just value, required	2859010.00	2859010.00	2859010.00
2. Assessed or classified use value, *if applicable	2859010.00	2859010.00	2859010.00
3. Exempt value, *enter "0" if none	0.00	0.00	0.00
4. Taxable value, *required	2859010.00	2859010.00	2859010.00

*All values entered should be county taxable values. School and other taxing authority values may differ. (Section 196.031(7), F.S.)

Reasons for Decision

Findings of Fact
See attached

Conclusions of Law
See attached

_X_ **Recommended Decision of Special Magistrate** Finding and conclusions above are recommendations.

Robert Sutte	ROBERT SUTTE	02/02/2021
Signature, special magistrate	Print name	Date
Angela Vick	ANGELA VICK	02/02/2021
Signature, VAB clerk or special representative	Print name	Date

If this is a recommended decision, the board will consider the recommended decision on 05/18/2021 at 9:00AM.
Address: Citrus County Courthouse, 110 North Apopka Ave, Inverness, FL 34450
If the line above is blank, the board does not yet know the date, time, and place when the recommended decision will be considered. To find the information, please call (352) 341-7095 or visit our website at www.citrusclerk.org.

___ **Final Decision of the Value Adjustment Board**

Signature, chair, value adjustment board	Print name	Date of decision
Signature, VAB clerk or representative	Print name	Date mailed to parties

Attachment: VAB_Decision-32 (12780 : VAB Recommended Decisions)

FINDINGS OF FACT
INTRODUCTION

The important subject of this hearing is just value. Florida law dictates that the property appraiser is responsible for presenting relevant and credible (worthy of belief) admissible evidence in support of their determination of just value. See rule 12 D-9.025 (3)(a), F.A.C. Relevant evidence, is evidence that is reasonably related, directly or indirectly, to the statutory criteria that apply to the issue under review. This description means the evidence meets or exceeds the minimum level of relevance necessary to be admitted for consideration. Also, the special magistrate must determine that the evidence presented is admissible. Admissible evidence means evidence that has been admitted into the record for consideration by the special magistrate. See rule 12 D-9.025 (2)(a) F.A.C.

If the property appraiser establishes a presumption of correctness by proving by a preponderance of the evidence that the just value assessment was arrived at by complying with section 193.011, F.S. and professionally accepted appraisal practices the petitioner must prove by a preponderance of the evidence that the property appraiser's just valuation does not represent just value or the property appraiser's just valuation is arbitrarily based on appraisal practices that are different from the appraisal practices generally applied by the property appraiser to comparable property within the same county. See subsection 194. 301 (2) (a) F.S. as amended by chapter 2009- 121, Laws of Florida (House Bill 521). Under rule 12 D - 9.025(1), F.A.C.

There are eight factors of just valuation established by Section 193. 011, Florida Statutes. This Florida law states that in arriving at just valuation as required under S. 4, Art. VII of the State Constitution, the property appraiser shall take into consideration the following factors:
1) Present cash value - willing buyer/seller. 2) Highest and best use. ?3) Location of property. ?4) Quantity or size. 5) Cost of property and present replacement cost of improvements. 6) Condition of property.7) Income of property. ?8) Net proceeds of sale.

Florida court decisions have used the terms lawfully, properly, duly, and carefully to describe the standard of care required of property appraisers in considering each of the eight factors." Just value is to be determined by giving careful consideration to each of the factors contained in Florida Statute 93. 011 and by giving such weight to a factor as a particular factual situation may justify." See Florida Attorney General's opinion AGO 77-106, September 29, 1977.

After lawfully considering the factors, the property appraiser may discard entirely any factor that is not probative (indicative) of just value under the circumstances, as long as the appraisal methodology used complies with professionally accepted appraisal practices. See Mazourek V. Wal-Mart Stores, 831 So. 2d 85 (Fla. 2002) and Section 194.301, F.S. as amended by Chapter 2009-121, Laws of Florida (House Bill 521). In administrative reviews, the property appraiser is responsible for proving by a preponderance of the evidence that he or she complied with section 193. 011 by properly considering each of the eight factors in developing original just valuations. See subsection 194.301 (1), F.S.

Findings of Fact

Citrus Petitions: 32 (31, 33, 34, 35, 36)

This December 8, 2020 hearing included consideration of the above identified five petitions. Each petition involved a free standing Walgreens pharmacy store. All six structures were build to suit. Of interest, is that the petition 36 property is investor owned and the other five petitions (31 to 35) are owned by Walgreens. The two real estate owner's representative was Ms. Sophie Rothermel, Tax Recourse LLC, Houston Texas. Via an email dated November 30, 2020 Ms. Rothermel requested that" T Findings of Fact
5his hearing be heard in our absence".

The special magistrate, Robert Sutte, acknowledged that this request for these petitions to be heard in absentia is to preserve the property owners rights to appeal the VAB decisions to the circuit court. Considering the magnitude of the values involved and the perceived importance of the Walgreen ownerships, the special magistrate instructed the property appraiser to present in detail their evidence especially identifying each subject property and the related values.

This instruction was made so that all significant property appraisers evidence was entered into the record so it could not be argued in circuit court that the petitioner was not provided this evidence in detail. This magistrate direction included knowledge of the fact that the petitioners evidence only included a very abbreviated partial valuation analysis involving estimated cost new less depreciation.

This hearing commenced at 12:04 pm. Mr. Tim Reynard MAI, CFE, with the property appraisers office was sworn to tell the truth, the whole truth and nothing but the truth so help him God. Ms. Georgette Tozer, VAB Clerk, assisted special magistrate Sutte with the administration of this hearing.

Mr. Reynard reported that these six subject properties were extremely similar regarding physical and locational characteristics and he selected petition 36 to be a good representation for all regarding his detailed testimony. He further commented that his evidence of value was the same and the narrative appraisal reporting was extremely similar for each subject property. This meant that his testimony for petition 36 was also applicable for consideration regarding the value of the other five subject properties.
Each of the other five appraisal reports and valuations were slightly different regarding comparisons for physical and locational characteristics, estimated effective building age, economic life, estimates of value and value conclusions. These differences will be carefully considered by the special magistrate and carefully noted in his written petition recommendations. Also, since the petitioner has only considered a partial cost approach for their estimate of value the magistrates reporting of the property appraisers application of the sales comparison and income approaches will be appropriately brief.

This petition 32 subject property is a Walgreens pharmacy located in Beverly Hills at 4020 N. Lecanto Highway. This one story retail store was constructed in 2006 with 16,308 square feet of building area and 1.647 acres of land. Mr. Reynard legally identified the subject property and entered into the record the values. The estimated subject property value was based upon the application of all three appraisal approaches. The property appraisers three indications of value were as follows:

Cost $3,515,843 Sales $3,534,759 Income $3,730,562

After a uniform 15% deduction for costs of sale, the reconciled final estimate of value was $3,515,843 or $215.59 per square foot of building area including the value of the land. The estimated subject property just value was substantially less at $2,859,010.

The property appraiser provided a detailed description of his application of the cost approach. He relied upon the use of the Marshall Valuations Service Cost methodology. The estimated subject land value was based upon a comparison of six area comparable land sales. Detailed descriptive information, photographs and a location map were provided.

These selected land sales ranged in size from 0.649 to 2.536 acres. The subject land area is 1.647acres. The unadjusted prices paid ranged from $15.24 to $29.16 per square foot. Due to scarcity, some of these sales were older. They took place between February 2015 and October 2019. The property appraiser reconciled land value was $1,434,980 or $87.99 per square foot.

The total estimated Walgreens cost new was $3,014,819. The estimated accrued depreciation was based upon an estimated effective age of 14 years for the subject building improvements with a total estimated economic life of 40 years. The indicated total accrued depreciation was 18% and the resulting depreciated value for the subject improvements was $2,701,306. With the addition of land value, the total indicated value was $4,136,286. After a deduction of 15 % for costs of sale, the final indicated just value via the cost approach was $3,515,843 or $215.59 per square foot of building area.

Regarding the sales comparison approach, the PA provided seven sales of area improved retail properties.

Detailed description information, photographs and a location map were provided. These transactions took place between July 2014 and July 2019. The buildings were constructed between 1997 and 2026 with the subject being constructed in 2006. These retail transactions involved building areas from 11,097 to 16,435 square feet compared to the subjects 16,308 square feet. The unadjusted prices paid per square foot of building area including the value of the land ranged from $302.50 to $482.19.

The estimated subject unit value was $255.00 per foot which resulted in a total indicated value of $4,158,540. When 15 % was deducted for costs of sale, the indicated just value via the sales comparison approach was $3,534,759.

For the application of the income approach, the property appraiser estimated a market rent for the subject by comparison. Detailed descriptive information, photographs and a location map were provided for seven area comparable rental properties which were also the selected comparable improved sales. Reported rental areas varied from 11,097 to 14,364 square feet. The comparable rental rates ranged from $19.79 to $28.17 per foot. The estimated subject rent was $18.70per foot. Given 16,308square feet, the estimated total potential gross income was $304,960.

The allowance for vacancy and rent loss was 3.0 %. The effective gross income was estimated to be $295,811. The allowance for operating expenses including reserves for replacements was 5% of effective gross income. This resulted in an estimated annual net operating income of $281,021.

The property appraisers estimated capitalization rate included consideration of seven Citrus County sales and the indicated market extracted overall capitalization rates. They ranged from 5.03% to 7.22% with an average of 6.08% and a median of 6.45%. Some consideration was also given to the use of the Band of Investment Method.

The selected overall capitalization rate was 6.403%. Dividing the estimated net income by this rate indicated a value for the subject property of $4,388,896. Then, 15% was deducted for costs of sale. The resulting indicated just value for this real estate via the income approach was $3,730,562.

As noted earlier, the result of the PA's reconciliation of the three indications of value after a deduction of 15% for costs of sale was a final estimate of value for the subject property of $3,515,843.

Regarding the petitioners evidence, since this hearing was heard in absentia at the petitioners request, the only evidence to be considered was a one page written tabular presentation of their application of the Marshall and Swift Calculator Method. This was an extremely abbreviated partial version of an acceptable application of the cost approach. There was no narrative explanation of this application and there was no estimate of land value.

The total estimated Walgreens cost new was $1,956,975. The estimated accrued depreciation was 37% with an estimated economic building life of 40 years. The resulting estimated depreciated value for the subject improvements was $1,232,894. The PET chose to add the property appraisers property record card land value of $971,270. The indicated total value was $2,204,164 or $139.20.per building square foot . This estimated cost was based upon 15,384 square feet compared to the property appraisers reported 16,308 square feet. This is a significant difference of 474 feet square feet.

The property appraiser stated in rebuttal that the petitioners estimated cost did not include other building features, building soft costs, site improvement costs or entrepreneurial incentives. Therefore, it was substantially incomplete.

Based upon consideration of the verbal and written information and evidence provided, the special magistrate also concluded the following:

The petitioner chose not to submit a sales comparison or income approach to value. The special magistrate reviewed the limited information provided by the petitioner regarding their cost analysis but gave it no value consideration as it was not conclusive and not credible.

Insufficient information was presented by the petitioner to support a reduction in the assessment. The assessment was not proven to be incorrect.

The property appraisers indications of value were developed by utilizing the three traditionally accepted appraisal methods.

The market value of the subject property is within the discretion of the property appraiser and within a reasonable range of values for the property.

The property appraiser lawfully considered the eight criteria enumerated in section 193.011, Florida Statutes.

The Special Magistrate reviewed all evidence presented. In accordance with Department of Revenue guidelines, the special magistrate determined that the evidence and testimony was relevant and credible to the valuation issue. Thus, the evidence as presented was admitted for consideration in relation to the appropriateness of the subject property assessment.

CONCLUSIONS OF LAW
Conclusions of Law

In accordance with section 194.301 F.S., it was determined that there is competent and substantial evidence of value on record in compliance with criteria of 193.011 and professionally accepted appraisal practice to establish an appropriate assessment for the subject property. In the professional opinion of the special magistrate, the property appraiser's evidence was credible, relevant, substantially sufficient and established a presumption of correctness. The petitioner's evidence was substantially insufficient, and not credible. In this case, the property appraiser proved by a preponderance of the evidence that their estimation of value does not exceed just value. Therefore, it is recommended that the property appraiser's value be upheld.

Stated another way, if the property appraiser establishes a presumption of correctness and the petitioner does not overcome the presumption of correctness the assessment stands. This decision, that relief is denied, means that any right the petitioner may have to bring action in circuit court is not impaired.

FLORIDA DEPARTMENT OF REVENUE

DECISION OF THE VALUE ADJUSTMENT BOARD
VALUE PETITION

DR-485V
R. 01/17
Rule 12D-16.002
F.A.C.
Eff. 01/17

The actions below were taken on your petition in Citrus County

_X_ These actions are a recommendation only, not final. ___ These actions are a final decision of the VAB

If you are not satisfied after you are notified of the final decision of the VAB, you have the right to file a lawsuit in circuit court to further contest your assessment. (See sections 193.155(8)(l), 194.036, 194.171(2), 196.151, and 197.2425, Florida Statutes.)

Petition # 33	Parcel ID 17E19S220010 00240 001A
Petitioner Name WALGREEN CO	Property Address WALGREEN CO ATTN REAL ESTATE PROPERTY TAX 4029 S SUNCOAST BLVD HOMOSASSA
The Petitioner is: ___Taxpayer of Record _X_Representative ___Other __________	

Decision Summary _X_ Denied your petition ___ Granted your petition ___ Granted your petition in part

Value Line 1 and 4 must be completed	Value from TRIM Notice	Before Board Action Value presented by property appraiser Rule 12D-9.025(10), F.A.C.	After Board Action
1. Just value, required	3173480.00	3173480.00	3173480.00
2. Assessed or classified use value, *if applicable	3053776.00	3053776.00	3053776.00
3. Exempt value, *enter "0" if none	0.00	0.00	0.00
4. Taxable value, *required	3053776.00	3053776.00	3053776.00

*All values entered should be county taxable values. School and other taxing authority values may differ. (Section 196.031(7), F.S.)

Reasons for Decision

Findings of Fact
See attached

Conclusions of Law
See attached

_X_ **Recommended Decision of Special Magistrate** Finding and conclusions above are recommendations.

John Robinson	JOHN ROBINSON	04/12/2021
Signature, special magistrate	Print name	Date
Angela Vick	ANGELA VICK	04/12/2021
Signature, VAB clerk or special representative	Print name	Date

If this is a recommended decision, the board will consider the recommended decision on 05/18/2021 at 9:00AM.
Address: Citrus County Courthouse, 110 North Apopka Ave, Inverness, FL 34450
If the line above is blank, the board does not yet know the date, time, and place when the recommended decision will be considered. To find the information, please call (352) 341-7095 or visit our website at www.citrusclerk.org.

___ **Final Decision of the Value Adjustment Board**

Signature, chair, value adjustment board	Print name	Date of decision
Signature, VAB clerk or representative	Print name	Date mailed to parties

FINDINGS OF FACT
Basic Underlying Facts
1. The property owner (Walgreen Co.), hereinafter referred to as petitioner, was not present for the hearing but did request a hearing to be held in their absence on the basis of evidence previously submitted to the VAB. The hearing is a continuation based on a remand from the original special magistrate Bob Sutte. Herb Mack and Dan Robbins represented the Property Appraiser (PA).

2. The property is a freestanding Walgreens drug store legally described as parcel ID# 17E-19S-220010-00240-001A and is located at 4029 S. Suncrest Blvd. in Homosassa. The property has 15,858 SF with a drive-through and was constructed in 1997 and situated on 2.47 acres/107,410 SF. The PA's market value of $3,173,480 reflects $200.12 per square foot. The appeal is based on the petitioner's cost approach analysis using the Marshall Valuation Service that indicates a lower value.

3. Evidence was properly exchanged between the PA and the petitioner prior to the hearing in accordance with Rule Chapter 12D-9.020 and 12D-9.025 which implements section 194.011(4), F.S.

4. In accordance with Rule Chapter 12D-9.024, Fla. Adm. Code, the PA first presented evidence to establish the presumption of correctness. Herb Mack presented the PA's opening address (Exhibit A-PA evidence) to demonstrate proper consideration of each of the following eight factors cited in Section 193.011, F.S., in developing the just value assessment.

The PA confirmed the TRIM and Before Board Action values noted in the Decision Summary section of this recommendation. The petitioner confirmed the values to be accurate.

5. The petitioner did not challenge the PA's presumption with regards to how the property is valued on the basis of not being present for the hearing. The petitioner did offer an alternative value opinion of $2,204,164 to refute the PA's value.

6. The petitioner disagreed with the PA's determination of just value. The petitioner made the arguments as stated in paragraph 2 above.

7. The petitioner presented documentary evidence to support the petitioner's value: a Marshall and Swift calculator method cost value of $2,204,164 based on a base unit cost of $140/SF for the retail building before refinements/adjustments ($1,956,975 after adjustments), a depreciation estimate of 37% for a depreciated cost of $1,232,894. Adding in land value of $971,270 ($9.04/SF) indicates a total cost value of $2,204,164.

8. The PA did have questions/comments relating to the petitioner's evidence. The PA's questions/comments included: The petitioner uses a significantly higher depreciation rate with no market evidence and the land value is considerably lower than the PA's land value although no basis for the value is presented.

9. The PA presented the following documentary evidence to support its just valuation determination cited above. The evidence consisted of a cover page; index; summary of salient facts and conclusions including property details and values from each applicable approach to value; street photograph and property detailed information (indicating a value of $200.12/SF for 15,858 SF of building area); aerial photograph; subject property record card/information sheet that includes details such as construction components, land and improved values, values from prior years, permit information, building sketch and street photograph; 2020 TRIM notice; highest and best use analysis; cost approach worksheet (based on a base unit cost of $158.66/SF that includes soft and hard costs and builder incentives as well as features such as bath fixtures, sprinklers, canopies and open porch areas) for 15,858 SF ($2,515,991), depreciation at 19% (for a depreciated value of $2,040,471) with miscellaneous improvements of $59,776 and land value of $1,633,259 ($15.21/SF) for an indicated value of $3,733,505; comparable land sales grid with aerial photographs/sale price/sale date/property details for each comparable sale (three land sales from April to June 2019 within Hernando, Inverness and Homosassa ranging from 1.45 to 2.09 acres or $14.89 to $24.75 per square foot, averaging $19.79/SF and $16.82/SF after a 15% cost of sale adjustment); aerial and location maps and property details of each of the comparable land sales; comparable

improved sales grid with street and aerial photographs/sale price/sale date/property details for each comparable sale (three improved sales of current of previous drug stores from September 2018 to February 2020 within Crystal River, Spring Hill and Port Richey (the latter two within Pasco County) ranging from 11,097 to 11,340 SF of rentable area or $276.26/SF to $311.18/SF, averaging $287.95/SF and $244.75/SF after adjustments; location maps of the comparable sales; income approach pro forma summary based on market rents/operating expenses/capitalization rates (with market rent estimated at $19.55/SF, 5% vacancy/collection loss, 2% operating expense ratio, 3% reserves, 6.95% capitalization rate, indicating a value of $4,025,850, prior to a 15% cost of sale adjustment or $3,421,972; rent comparables from five properties within Citrus and Hernando counties and indicating rental rates from $19.79/SF to $28.17/SF NNN (averaging $23.89/SF); rental rate data (7) submitted by taxpayers averaging rental rates of $23/SF, vacancy rates at 2.9%, utilities at 2.9% of EGI, repairs at 0.8%, administrative expenses at 2.1%, insurance expenses at 3.1% and total expenses at 8.9%; national investor survey cap rate study for retail/freestanding buildings from various sources, ranging from 6% to 6.81%, averaging 6.29%; cap rate summary developed through market extraction from properties in the market area (ranging from 5.2% to 7.22%, averaging 6.26%); a survey of national net lease properties from various sources of drug store properties with capitalization rates ranging from 5.2% to 7.32%, averaging 5.99%; documentary evidence list; request for income and expense information to taxpayer; Florida Statutes (F.S.) 193.011; F.S. 193.023; 194.034; FDOR PTO of Higgs v. Good case including synopsis and opinion and summary report of MVS cost approach indicating a total cost of $3,743,390 or $3,181,882 after applying a 15% cost of sale adjustment.

The Special Magistrate (SM) reviewed all evidence presented by the PA. In accordance with Rule 12D-9.025(1), Fla. Adm. Code (F.A.C.), the SM determined the evidence and testimony was relevant and credible to the valuation issue at hand. Thus, the evidence presented by the PA was admitted for consideration in relation to the appropriateness of the subject's valuation.

10. The petitioner did not have questions/comments relating to the PA's evidence, as a result of not being present for the hearing.

Ultimate Findings of Fact
Based on the evidence submitted, I find the PA's evidence to be persuasive, appropriate and supportive of the market value stated. The PA presented the cost (which indicated a value of $3,173,480 after applying a 15% deduction for cost of sale), sales comparison (which indicated a value of $3,881,300 after a 15% deduction for cost of sale) and income approaches (which indicated a value of $3,421,972 after a 15% deduction for cost of sale) to value, with the PA's just/market value being the cost approach indication. The concluded market value reflects $200.12/SF, which is considerably below the lowest unit price from the comparable sales presented of $276.26/SF. All reliance is given to the cost approach; however, the other two approaches support the cost approach value. The petitioner's evidence applied only the cost approach.

The PA's income approach relies on market rents and sales, returned taxpayer income/expense statements submitted to the PA and investor survey. However, limited information is provided about these properties. The concluded value via the income approach is supported based on the PA's presented market evidence. The petitioner did not provide any income or comparable sales evidence proving the PA's value or methodology is overstated or incorrect. The PA reported that income/expense information was not provided upon request; therefore, actual income could not be compared with the estimated gross income. The reality is the petitioner does not provide any market evidence from comparable properties whereas the PA does.

The concluded income approach value by the PA is considered to be credible and reliable based on the market support for the PGI, vacancy rate, operating expenses and capitalization rate. The cost approach applied by the petitioner is compared to the PA's cost approach. The primary differences between the two analyses are: the base unit cost new (the petitioner uses $140/SF while the PA uses $158.66/SF). However, the petitioner's evidence does not state the quality and condition of the building (while the PA uses a good quality rating). The petitioner's estimated depreciation is estimated at 37%, while the PA's estimate is 19%. Neither the petitioner or PA provides market support or discussion for the depreciation estimate. The land value is also significantly different at $971,270 or $9.04/SF vs. $1,633,259 or $15.21/SF (PA). While the PA's land value is supported by three comparable land sales that average $19.79/SF ($16.82/SF after applying a 15% cost of sale adjustment), the petitioner's land value has no market support. Based on the lack of market evidence for the petitioner's land value, the PA's cost approach value is determined to be more reliable.

The greater weight of the PA's evidence, applying all three approaches to value (while the petitioner only presented one approach to value) results in the preponderance of evidence being in the favor of the PA's just/market value.

CONCLUSIONS OF LAW

Section 194.301, F.S., provides that the PA's assessment is presumed correct if the PA proves by a preponderance of the evidence that the assessment was arrived at by complying with section 193.011, F.S., any other applicable statutory requirements relating to classified use values or assessment caps, and professionally accepted appraisal practices, including mass appraisal standards, if appropriate. However, a taxpayer who challenges an assessment is entitled to a determination by the Value Adjustment Board of the appraisal methodology used in making the assessment. The value of the property must be determined by an appraisal methodology that complies with the criteria of section 193.011, F.S., and professionally accepted appraisal practices.

As SM, I considered all given evidence and testimony discussed at this hearing as noted in the findings of fact. Based on this evidence and testimony, the PA did comply with section 193.011, F.S., meeting the eight legal factors. Accordingly, pursuant to section 194.301, F.S., the PA's assessment is presumed to be correct. The Petitioner did not meet the burden of proving by a preponderance of the evidence that the PA's assessed value did not represent the just value of the property after taking into account any applicable limits on annual increases in the value of the property or was arbitrarily or erroneous based on appraisal practices that are different from the appraisal practices generally applied by the PA to comparable property within the same county. Thus, in accordance with section 194.301(2), F.S., the just value of the PA of $3,173,480 is affirmed and the petition is denied.

FLORIDA DEPARTMENT OF REVENUE

DR-485V
R. 01/17
Rule 12D-16.002
F.A.C.
Eff. 01/17

DECISION OF THE VALUE ADJUSTMENT BOARD
VALUE PETITION

The actions below were taken on your petition in Citrus County

_X_ These actions are a recommendation only, not final. ___ These actions are a final decision of the VAB

If you are not satisfied after you are notified of the final decision of the VAB, you have the right to file a lawsuit in circuit court to further contest your assessment. (See sections 193.155(8)(l), 194.036, 194.171(2), 196.151, and 197.2425, Florida Statutes.)

Petition # 34	Parcel ID 17E20S240020 0010
Petitioner Name WALGREEN CO MS 1420	Property Address WALGREEN CO ATTN REAL ESTATE PROPERTY TAX 9425 S SUNCOAST BLVD HOMOSASSA
The Petitioner is: ___Taxpayer of Record _X_Representative ___Other ______________	

Decision Summary _X_ Denied your petition ___ Granted your petition ___ Granted your petition in part

Value Line 1 and 4 must be completed	Value from TRIM Notice	Before Board Action Value presented by property appraiser Rule 12D-9.025(10), F.A.C.	After Board Action
1. Just value, required	3038930.00	3038930.00	3038930.00
2. Assessed or classified use value, *if applicable	3038930.00	3038930.00	3038930.00
3. Exempt value, *enter "0" if none	0.00	0.00	0.00
4. Taxable value, *required	3038930.00	3038930.00	3038930.00

*All values entered should be county taxable values. School and other taxing authority values may differ. (Section 196.031(7), F.S.)

Reasons for Decision

Findings of Fact
See attached

Conclusions of Law
See attached

_X_ **Recommended Decision of Special Magistrate** Finding and conclusions above are recommendations.

Robert Sutte	ROBERT SUTTE	01/18/2021
Signature, special magistrate	Print name	Date
Angela Vick	ANGELA VICK	01/18/2021
Signature, VAB clerk or special representative	Print name	Date

If this is a recommended decision, the board will consider the recommended decision on 05/18/2021 at 9:00AM.
Address: Citrus County Courthouse, 110 North Apopka Ave, Inverness, FL 34450
If the line above is blank, the board does not yet know the date, time, and place when the recommended decision will be considered. To find the information, please call (352) 341-7095 or visit our website at www.citrusclerk.org.

___ **Final Decision of the Value Adjustment Board**

Signature, chair, value adjustment board	Print name	Date of decision
Signature, VAB clerk or representative	Print name	Date mailed to parties

FINDINGS OF FACT
INTRODUCTION

The important subject of this hearing is just value. Florida law dictates that the property appraiser is responsible for presenting relevant and credible (worthy of belief) admissible evidence in support of their determination of just value. See rule 12 D-9.025 (3)(a), F.A.C. Relevant evidence, is evidence that is reasonably related, directly or indirectly, to the statutory criteria that apply to the issue under review. This description means the evidence meets or exceeds the minimum level of relevance necessary to be admitted for consideration. Also, the special magistrate must determine that the evidence presented is admissible. Admissible evidence means evidence that has been admitted into the record for consideration by the special magistrate. See rule 12 D-9.025 (2)(a) F.A.C.

If the property appraiser establishes a presumption of correctness by proving by a preponderance of the evidence that the just value assessment was arrived at by complying with section 193.011, F.S. and professionally accepted appraisal practices the petitioner must prove by a preponderance of the evidence that the property appraiser's just valuation does not represent just value or the property appraiser's just valuation is arbitrarily based on appraisal practices that are different from the appraisal practices generally applied by the property appraiser to comparable property within the same county. See subsection 194. 301 (2) (a) F.S. as amended by chapter 2009- 121, Laws of Florida (House Bill 521). Under rule 12 D - 9.025(1), F.A.C.

There are eight factors of just valuation established by Section 193. 011, Florida Statutes. This Florida law states that in arriving at just valuation as required under S. 4, Art. VII of the State Constitution, the property appraiser shall take into consideration the following factors:

1) Present cash value - willing buyer/seller. 2) Highest and best use. ?3) Location of property. ?4) Quantity or size. 5) Cost of property and present replacement cost of improvements. 6) Condition of property.7) Income of property. ?8) Net proceeds of sale.

Florida court decisions have used the terms lawfully, properly, duly, and carefully to describe the standard of care required of property appraisers in considering each of the eight factors." Just value is to be determined by giving careful consideration to each of the factors contained in Florida Statute 93. 011 and by giving such weight to a factor as a particular factual situation may justify." See Florida Attorney General's opinion AGO 77-106, September 29, 1977.

After lawfully considering the factors, the property appraiser may discard entirely any factor that is not probative (indicative) of just value under the circumstances, as long as the appraisal methodology used complies with professionally accepted appraisal practices. See Mazourek V. Wal-Mart Stores, 831 So. 2d 85 (Fla. 2002) and Section 194.301, F.S. as amended by Chapter 2009-121, Laws of Florida (House Bill 521). In administrative reviews, the property appraiser is responsible for proving by a preponderance of the evidence that he or she complied with section 193. 011 by properly considering each of the eight factors in developing original just valuations. See subsection 194.301 (1), F.S.

Findings of Fact

Citrus Petitions: 34 (31, 32, 33, 35, 36)

This December 8, 2020 hearing included consideration of the above identified five petitions. Each petition involved a free standing Walgreens pharmacy store. All six structures were build to suit. Of interest, is that the petition 36 property is investor owned and the other five petitions (31 to 35) are owned by Walgreens. The two real estate owner's representative was Ms. Sophie Rothermel, Tax Recourse LLC, Houston Texas. Via an email dated November 30, 2020 Ms. Rothermel requested that" T Findings of Fact
5his hearing be heard in our absence".

The special magistrate, Robert Sutte, acknowledged that this request for these petitions to be heard in absentia is to preserve the property owners rights to appeal the VAB decisions to the circuit court. Considering the magnitude of the values involved and the perceived importance of the Walgreen ownerships, the special magistrate instructed the property appraiser to present in detail their evidence especially identifying each subject property and the related values.

This instruction was made so that all significant property appraisers evidence was entered into the record so it could not be argued in circuit court that the petitioner was not provided this evidence in detail. This magistrate direction included knowledge of the fact that the petitioners evidence only included a very abbreviated partial valuation analysis involving estimated cost new less depreciation.

This hearing commenced at 12:04 pm. Mr. Tim Reynard MAI, CFE, with the property appraisers office was sworn to tell the truth, the whole truth and nothing but the truth so help him God. Ms. Georgette Tozer, VAB Clerk, assisted special magistrate Sutte with the administration of this hearing.

Mr. Reynard reported that these six subject properties were extremely similar regarding physical and locational characteristics and he selected petition 36 to be a good representation for all regarding his detailed testimony. He further commented that his evidence of value was the same and the narrative appraisal reporting was extremely similar for each subject property. This meant that his testimony for petition 36 was also applicable for consideration regarding the value of the other five subject properties.
Each of the other five appraisal reports and valuations were slightly different regarding comparisons for physical and locational characteristics, estimated effective building age, economic life, estimates of value and value conclusions. These differences will be carefully considered by the special magistrate and carefully noted in his written petition recommendations. Also, since the petitioner has only considered a partial cost approach for their estimate of value the magistrates reporting of the property appraisers application of the sales comparison and income approaches will be appropriately brief.

This petition 34 subject property is a Walgreens pharmacy located in Homosassa at 9425 S. Suncoast Blvd. This one story retail store was constructed in 2007 with 16,568 square feet of building area and 1.805 acres of land. Mr. Reynard legally identified the subject property and entered into the record the values. The estimated subject property value was based upon the application of all three appraisal approaches. The property appraisers three indications of value were as follows:

Cost $3,877,958 Sales $3,890,374 Income $3,791,797

After a uniform 15% deduction for costs of sale, the reconciled final estimate of value was $3,877,958 or $234.06 per square foot of building area including the value of the land. The estimated subject property just value was substantially less $3,038,930.

The property appraiser provided a detailed description of his application of the cost approach. He relied upon the use of the Marshall Valuations Service Cost methodology. The estimated subject land value was based upon a comparison of six area comparable land sales. Detailed descriptive information, photographs and a location map were provided. These selected land sales ranged in size from 0.649 to 2.536 acres. The subject land area is 1.805 acres. The unadjusted prices paid ranged from $15.24 to $29.16 per square foot. Due to scarcity, some of these sales were older. They took place between February 2015 and October 2019. The property appraiser reconciled land value was $1,494,236 or $90.19 per square foot.

The total estimated Walgreens cost new was $3,361,695. The estimated accrued depreciation was based upon an estimated effective age of 13 years for the subject building improvements with a total estimated economic life of 40 years. The indicated total accrued depreciation was 8% and the resulting depreciated value for the subject improvements was $3,068,067. With the addition of land value, the total indicated value was $4,562,303. After a deduction of 15 % for costs of sale, the final indicated just value via the cost approach was $3,877,958 or $234.06 per square foot of building area.

Regarding the sales comparison approach, the PA provided seven sales of area improved retail properties. Detailed description information, photographs and a location map were provided. These transactions took place between July 2014 and July 2019. The buildings were constructed between 1997 and 2026 with the subject being constructed in 2007. These retail transactions involved building areas from 11,097 to 16,435 square feet compared to the subjects 16,568 square feet. The unadjusted prices paid per square foot of building area including the value of the land ranged from $302.50 to $482.19.

The estimated subject unit value was $276.25 per foot which resulted in a total indicated value of $4,576,910. When 15 % was deducted for costs of sale, the indicated just value via the sales comparison approach was $3,890,374.

For the application of the income approach, the property appraiser estimated a market rent for the subject by comparison. Detailed descriptive information, photographs and a location map were provided for seven area comparable rental properties which were also the selected comparable improved sales. Reported rental areas varied from 11,097 to 14,364 square feet. The comparable rental rates ranged from $19.79 to $28.17 per foot. The estimated subject rent was $18.70 per foot. Given 16,568 square feet, the estimated total potential gross income was $309,822.

The allowance for vacancy and rent loss was 3.0 %. The effective gross income was estimated to be $300,527. The allowance for operating expenses including reserves for replacements was 5% of effective gross income. This resulted in an estimated annual net operating income of $285,500.

The property appraisers estimated capitalization rate included consideration of seven Citrus County sales and the indicated market extracted overall capitalization rates. They ranged from 5.03% to 7.22% with an average of 6.08% and a median of 6.45%. Some consideration was also given to the use of the Band of Investment Method. The selected overall capitalization rate was 6.4%. Dividing the estimated net income by this rate indicated a value for the subject property of $4,460,938. Then, 15% was deducted for costs of sale. The resulting indicated just value for this real estate via the income approach was $3,791,797.

As noted earlier, the result of the PA's reconciliation of the three indications of value after a deduction of 15% for costs of sale was a final estimate of value for the subject property of $3,877,958 or $234.06 per square foot.

Regarding the petitioners evidence, since this hearing was heard in absentia at the petitioners request, the only evidence to be considered was a one page written tabular presentation of their application of the Marshall and Swift Calculator Method. This was an extremely abbreviated partial version of an acceptable application of the cost approach. There was no narrative explanation of this application and there was no estimate of land value.

The total estimated Walgreens cost new was $2,088,231. The estimated accrued depreciation was 16% with an estimated economic building life of 40 years. The resulting estimated depreciated value for the subject improvements was $1,754,114. The PET chose to add the property appraisers property record card land value of $943,730. The indicated total value was $2,697,844 or $159.6 .per building square foot . This estimated cost was based upon 16,896 square feet compared to the property appraisers reported 16,568 square feet. This is a significant difference of 328 square feet.

The property appraiser stated in rebuttal that the petitioners estimated cost did not include other building features, building soft costs, site improvement costs or entrepreneurial incentives. Therefore, it was substantially incomplete.

Based upon consideration of the verbal and written information and evidence provided, the special magistrate also concluded the following:

The petitioner chose not to submit a sales comparison or income approach to value. The special magistrate reviewed the limited information provided by the petitioner regarding their cost analysis but gave it no value consideration as it was not conclusive and not credible.

Insufficient information was presented by the petitioner to support a reduction in the assessment. The assessment was not proven to be incorrect.

The property appraisers indications of value were developed by utilizing the three traditionally accepted appraisal methods.

The market value of the subject property is within the discretion of the property appraiser and within a reasonable range of values for the property.

The property appraiser lawfully considered the eight criteria enumerated in section 193.011, Florida Statutes.

The Special Magistrate reviewed all evidence presented. In accordance with Department of Revenue guidelines, the special magistrate determined that the evidence and testimony was relevant and credible to the valuation issue. Thus, the evidence as presented was admitted for consideration in relation to the appropriateness of the subject property assessment.

CONCLUSIONS OF LAW
Conclusions of Law

In accordance with section 194.301 F.S., it was determined that there is competent and substantial evidence of value on record in compliance with criteria of 193.011 and professionally accepted appraisal practice to establish an appropriate assessment for the subject property. In the professional opinion of the special magistrate, the property appraiser's evidence was credible, relevant, substantially sufficient and established a presumption of correctness. The petitioner's evidence was substantially insufficient, and not credible. In this case, the property appraiser proved by a preponderance of the evidence that their estimation of value does not exceed just value. Therefore, it is recommended that the property appraiser's value be upheld.

Stated another way, if the property appraiser establishes a presumption of correctness and the petitioner does not overcome the presumption of correctness the assessment stands. This decision, that relief is denied, means that any right the petitioner may have to bring action in circuit court is not impaired.

FLORIDA Department of Revenue

DECISION OF THE VALUE ADJUSTMENT BOARD
VALUE PETITION

DR-485V
R. 01/17
Rule 12D-16.002
F.A.C.
Eff. 01/17

The actions below were taken on your petition in Citrus County

_X_ These actions are a recommendation only, not final. ___ These actions are a final decision of the VAB

If you are not satisfied after you are notified of the final decision of the VAB, you have the right to file a lawsuit in circuit court to further contest your assessment. (See sections 193.155(8)(l), 194.036, 194.171(2), 196.151, and 197.2425, Florida Statutes.)

Petition # 35	Parcel ID 18E18S24 43000
Petitioner Name WALGREEN CO	Property Address WALGREEN CO ATTN REAL ESTATE PROPERTY TAX 795 W NORVELL BRYANT HWY HERNANDO
The Petitioner is: ___Taxpayer of Record _X_Representative ___Other ______________________	

Decision Summary _X_ Denied your petition ___ Granted your petition ___ Granted your petition in part

Value Line 1 and 4 must be completed	Value from TRIM Notice	Before Board Action Value presented by property appraiser Rule 12D-9.025(10), F.A.C.	After Board Action
1. Just value, required	2739730.00	2739730.00	2739730.00
2. Assessed or classified use value, *if applicable	2739730.00	2739730.00	2739730.00
3. Exempt value, *enter "0" if none	0.00	0.00	0.00
4. Taxable value, *required	2739730.00	2739730.00	2739730.00

*All values entered should be county taxable values. School and other taxing authority values may differ. (Section 196.031(7), F.S.)

Reasons for Decision

Findings of Fact
See attached

Conclusions of Law
See attached

_X_ **Recommended Decision of Special Magistrate** Finding and conclusions above are recommendations.

Robert Sutte	ROBERT SUTTE	01/18/2021
Signature, special magistrate	Print name	Date
Angela Vick	ANGELA VICK	01/18/2021
Signature, VAB clerk or special representative	Print name	Date

If this is a recommended decision, the board will consider the recommended decision on 05/18/2021 at 9:00AM.
Address: Citrus County Courthouse, 110 North Apopka Ave, Inverness, FL 34450
If the line above is blank, the board does not yet know the date, time, and place when the recommended decision will be considered. To find the information, please call (352) 341-7095 or visit our website at www.citrusclerk.org.

___ **Final Decision of the Value Adjustment Board**

Signature, chair, value adjustment board	Print name	Date of decision
Signature, VAB clerk or representative	Print name	Date mailed to parties

Attachment: VAB_Decision-35 (12780 : VAB Recommended Decisions)

FINDINGS OF FACT
Petition 35: Findings of Fact

INTRODUCTION

The important subject of this hearing is just value. Florida law dictates that the property appraiser is responsible for presenting relevant and credible (worthy of belief) admissible evidence in support of their determination of just value. See rule 12 D-9.025 (3)(a), F.A.C. Relevant evidence, is evidence that is reasonably related, directly or indirectly, to the statutory criteria that apply to the issue under review. This description means the evidence meets or exceeds the minimum level of relevance necessary to be admitted for consideration. Also, the special magistrate must determine that the evidence presented is admissible. Admissible evidence means evidence that has been admitted into the record for consideration by the special magistrate. See rule 12 D-9.025 (2)(a) F.A.C.

If the property appraiser establishes a presumption of correctness by proving by a preponderance of the evidence that the just value assessment was arrived at by complying with section 193.011, F.S. and professionally accepted appraisal practices the petitioner must prove by a preponderance of the evidence that the property appraiser's just valuation does not represent just value or the property appraiser's just valuation is arbitrarily based on appraisal practices that are different from the appraisal practices generally applied by the property appraiser to comparable property within the same county. See subsection 194. 301 (2) (a) F.S. as amended by chapter 2009- 121, Laws of Florida (House Bill 521). Under rule 12 D - 9.025(1), F.A.C.

There are eight factors of just valuation established by Section 193. 011, Florida Statutes. This Florida law states that in arriving at just valuation as required under S. 4, Art. VII of the State Constitution, the property appraiser shall take into consideration the following factors:

1) Present cash value - willing buyer/seller. 2) Highest and best use. ?3) Location of property. ?4) Quantity or size. 5) Cost of property and present replacement cost of improvements. 6) Condition of property.7) Income of property. ?8) Net proceeds of sale.

Florida court decisions have used the terms lawfully, properly, duly, and carefully to describe the standard of care required of property appraisers in considering each of the eight factors." Just value is to be determined by giving careful consideration to each of the factors contained in Florida Statute 93. 011 and by giving such weight to a factor as a particular factual situation may justify." See Florida Attorney General's opinion AGO 77-106, September 29, 1977.

After lawfully considering the factors, the property appraiser may discard entirely any factor that is not probative (indicative) of just value under the circumstances, as long as the appraisal methodology used complies with professionally accepted appraisal practices. See Mazourek V. Wal-Mart Stores, 831 So. 2d 85 (Fla. 2002) and Section 194.301, F.S. as amended by Chapter 2009-121, Laws of Florida (House Bill 521). In administrative reviews, the property appraiser is responsible for proving by a preponderance of the evidence that he or she complied with section 193. 011 by properly considering each of the eight factors in developing original just valuations. See subsection 194.301 (1), F.S.

Findings of Fact

Citrus Petitions: 35 (31, 32, 33, 34, 36)

This December 8, 2020 hearing included consideration of the above identified five petitions. Each petition involved a free standing Walgreens pharmacy store. All six structures were build to suit. Of interest, is that the petition 36 property is investor owned and the other five petitions (31 to 35) are owned by Walgreens. The two real estate owner's representative was Ms. Sophie Rothermel, Tax Recourse LLC, Houston Texas. Via an email dated November 30, 2020 Ms. Rothermel requested that" T Findings of Fact
5his hearing be heard in our absence".

The special magistrate, Robert Sutte, acknowledged that this request for these petitions to be heard in absentia is to preserve the property owners rights to appeal the VAB decisions to the circuit court. Considering the magnitude of the values involved and the perceived importance of the Walgreen ownerships, the special magistrate instructed the property appraiser to present in detail their evidence especially identifying each subject property and the related values.

This instruction was made so that all significant property appraisers evidence was entered into the record so it could not be argued in circuit court that the petitioner was not provided this evidence in detail. This magistrate direction included knowledge of the fact that the petitioners evidence only included a very abbreviated partial valuation analysis involving estimated cost new less depreciation.

This hearing commenced at 12:04 pm. Mr. Tim Reynard MAI, CFE, with the property appraisers office was sworn to tell the truth, the whole truth and nothing but the truth so help him God. Ms. Georgette Tozer, VAB Clerk, assisted special magistrate Sutte with the administration of this hearing.

Mr. Reynard reported that these six subject properties were extremely similar regarding physical and locational characteristics and he selected petition 36 to be a good representation for all regarding his detailed testimony. He further commented that his evidence of value was the same and the narrative appraisal reporting was extremely similar for each subject property. This meant that his testimony for petition 36 was also applicable for consideration regarding the value of the other five subject properties.
Each of the other five appraisal reports and valuations were slightly different regarding comparisons for physical and locational characteristics, estimated effective building age, economic life, estimates of value and value conclusions. These differences will be carefully considered by the special magistrate and carefully noted in his written petition recommendations. Also, since the petitioner has only considered a partial cost approach for their estimate of value the magistrates reporting of the property appraisers application of the sales comparison and income approaches will be appropriately brief.

This petition 35 subject property is a Walgreens pharmacy located in Hernando at 795 W. Norvell Bryant Highway. This one story retail store was constructed in 2001 with 14,992 square feet of building area and 1.838 acres of land. Mr. Reynard legally identified the subject property and entered into the record the values. The estimated subject property value was based upon the application of all three appraisal approaches. The property appraisers three indications of value were as follows:

Cost $3,394,096 Sales $3,401,160 Income $3,367,439

After a uniform 15% deduction for costs of sale, the reconciled final estimate of value was million $3,394,096 or $226.39 per square foot of building area including the value of the land. The estimated subject property just value was substantially less at $2,739,730.

The property appraiser provided a detailed description of his application of the cost approach. He relied upon the use of the Marshall Valuations Service Cost methodology. The estimated subject land value was based upon a comparison of six area comparable land sales. Detailed descriptive information, photographs and a location map were provided.

These selected land sales ranged in size from 0.649 to 2.536 acres. The subject land area is 1.838. The unadjusted prices paid ranged from $15.24 to $29.16 per square foot. Due to scarcity, some of these sales were older. They took place between February 2015 and October 2019. The property appraiser reconciled land value was $1,521,406 or $101.48 per square foot.

The total estimated Walgreens cost new was $3,014,738. The estimated accrued depreciation was based upon an estimated effective age of 12 years for the subject building improvements with a total estimated economic life of 40 years. The indicated total accrued depreciation was 16% and the resulting depreciated value for the subject improvements was $2,471,648. With the addition of land value, the total indicated value was $3,993,054. After a deduction of 15 % for costs of sale, the final indicated just value via the cost approach was $3,394,096 or $226.39

per square foot of building area.

Regarding the sales comparison approach, the PA provided seven sales of area improved retail properties. Detailed description information, photographs and a location map were provided. These transactions took place between July 2014 and July 2019. The buildings were constructed between 1997 and 2026 with the subject being constructed in 2001. These retail transactions involved building areas from 11,097 to 16,435 square feet compared to the subjects 14,992 square feet. The unadjusted prices paid per square foot of building area including the value of the land ranged from $302.50 to $482.19.

The estimated subject unit value was $266.90per foot which resulted in a total indicated value of $4,001,365. When 15 % was deducted for costs of sale, the indicated just value via the sales comparison approach was $3,401,160.

For the application of the income approach, the property appraiser estimated a market rent for the subject by comparison. Detailed descriptive information, photographs and a location map were provided for seven area comparable rental properties which were also the selected comparable improved sales. Reported rental areas varied from 11,097 to 14,364 square feet. The comparable rental rates ranged from $19.79 to $28.17 per foot. The estimated subject rent was $18.70 per foot. Given 14,992 square feet, the estimated total potential gross income was $280,350. The allowance for vacancy and rent loss was 3.0 %. The effective gross income was estimated to be $271,939. The allowance for operating expenses including reserves for replacements was 5% of effective gross income. This resulted in an estimated annual net operating income of $258,342.

The property appraisers estimated capitalization rate included consideration of seven Citrus County sales and the indicated market extracted overall capitalization rates. They ranged from 5.03% to 7.22% with an average of 6.08% and a median of 6.45%. Some consideration was also given to the use of the Band of Investment Method. The selected overall capitalization rate was 6.521%. Dividing the estimated net income by this rate indicated a value for the subject property of $3,961,693. Then, 15% was deducted for costs of sale. The resulting indicated just value for this real estate via the income approach was $3,367,439.

As noted earlier, the result of the PA's reconciliation of the three indications of value after a deduction of 15% for costs of sale was a final estimate of value for the subject property of $3,394,096

Regarding the petitioners evidence, since this hearing was heard in absentia at the petitioners request, the only evidence to be considered was a one page written tabular presentation of their application of the Marshall and Swift Calculator Method. This was an extremely abbreviated partial version of an acceptable application of the cost approach. There was no narrative explanation of this application and there was no estimate of land value.

The total estimated Walgreens cost new was $2,202,431. The estimated accrued depreciation was 28% with an estimated economic building life of 40 years. The resulting estimated depreciated value for the subject improvements was $1,585,750. The PET chose to add the property appraisers property record card land value $936,310. The indicated total value was million $2,522,060 or $141.53 per building square foot . This estimated cost was based on 17,820 square feet compared to the property appraisers 14,992 square feet. This is a very substantial difference of 2,828. square feet. This size difference was not noted during the hearing.

The property appraiser stated in rebuttal that the petitioners estimated cost did not include other building features, building soft costs, site improvement costs or entrepreneurial incentives. Therefore, it was substantially incomplete.

Based upon consideration of the verbal and written information and evidence provided, the special magistrate also concluded the following:

The petitioner chose not to submit a sales comparison or income approach to value. The special magistrate reviewed the limited information provided by the petitioner regarding their cost analysis but gave it no value consideration as it was not conclusive and not credible.

Insufficient information was presented by the petitioner to support a reduction in the assessment. The assessment was not proven to be incorrect.

The property appraisers indications of value were developed by utilizing the three traditionally accepted appraisal methods.

The market value of the subject property is within the discretion of the property appraiser and within a reasonable range of values for the property.

The property appraiser lawfully considered the eight criteria enumerated in section 193.011, Florida Statutes.

The Special Magistrate reviewed all evidence presented. In accordance with Department of Revenue guidelines, the special magistrate determined that the evidence and testimony was relevant and credible to the valuation issue. Thus, the evidence as presented was admitted for consideration in relation to the appropriateness of the subject property assessment.

CONCLUSIONS OF LAW

Conclusions of Law

In accordance with section 194.301 F.S., it was determined that there is competent and substantial evidence of value on record in compliance with criteria of 193.011 and professionally accepted appraisal practice to establish an appropriate assessment for the subject property. In the professional opinion of the special magistrate, the property appraiser's evidence was credible, relevant, substantially sufficient and established a presumption of correctness. The petitioner's evidence was substantially insufficient, and not credible. In this case, the property appraiser proved by a preponderance of the evidence that their estimation of value does not exceed just value. Therefore, it is recommended that the property appraiser's value be upheld.

Stated another way, if the property appraiser establishes a presumption of correctness and the petitioner does not overcome the presumption of correctness the assessment stands. This decision, that relief is denied, means that any right the petitioner may have to bring action in circuit court is not impaired.

DR-485V
R. 01/17
Rule 12D-16.002
F.A.C.
Eff. 01/17

FLORIDA DEPARTMENT OF REVENUE

DECISION OF THE VALUE ADJUSTMENT BOARD
VALUE PETITION

The actions below were taken on your petition in Citrus County

_X_ These actions are a recommendation only, not final. ___ These actions are a final decision of the VAB

If you are not satisfied after you are notified of the final decision of the VAB, you have the right to file a lawsuit in circuit court to further contest your assessment. (See sections 193.155(8)(l), 194.036, 194.171(2), 196.151, and 197.2425, Florida Statutes.)

Petition # 36	Parcel ID 20E19S170050 01010 0040
Petitioner Name WHITE CAP OF FLORIDA INC	Property Address WHITE CAP OF FLORIDA INC 103 S PINE AVE INVERNESS
The Petitioner is: ___Taxpayer of Record _X_Representative ___Other ______________________	

Decision Summary _X_ Denied your petition ___ Granted your petition ___ Granted your petition in part

Value Line 1 and 4 must be completed	Value from TRIM Notice	Before Board Action Value presented by property appraiser Rule 12D-9.025(10), F.A.C.	After Board Action
1. Just value, required	3241300.00	3241300.00	3241300.00
2. Assessed or classified use value, *if applicable	2989998.00	2989998.00	2989998.00
3. Exempt value, *enter "0" if none	0.00	0.00	0.00
4. Taxable value, *required	2989998.00	2989998.00	2989998.00

*All values entered should be county taxable values. School and other taxing authority values may differ. (Section 196.031(7), F.S.)

Reasons for Decision

Findings of Fact
See attached

Conclusions of Law
See attached

_X_ **Recommended Decision of Special Magistrate** Finding and conclusions above are recommendations.

Robert Sutte	ROBERT SUTTE	01/18/2021
Signature, special magistrate	Print name	Date
Angela Vick	ANGELA VICK	01/18/2021
Signature, VAB clerk or special representative	Print name	Date

If this is a recommended decision, the board will consider the recommended decision on 05/18/2021 at 9:00AM.
Address: Citrus County Courthouse, 110 North Apopka Ave, Inverness, FL 34450
If the line above is blank, the board does not yet know the date, time, and place when the recommended decision will be considered. To find the information, please call (352) 341-7095 or visit our website at www.citrusclerk.org.

___ **Final Decision of the Value Adjustment Board**

Signature, chair, value adjustment board	Print name	Date of decision
Signature, VAB clerk or representative	Print name	Date mailed to parties

Attachment: VAB_Decision-36 (12780 : VAB Recommended Decisions)

FINDINGS OF FACT
Petition 36: Findings of Fact

INTRODUCTION

The important subject of this hearing is just value. Florida law dictates that the property appraiser is responsible for presenting relevant and credible (worthy of belief) admissible evidence in support of their determination of just value. See rule 12 D-9.025 (3)(a), F.A.C. Relevant evidence, is evidence that is reasonably related, directly or indirectly, to the statutory criteria that apply to the issue under review. This description means the evidence meets or exceeds the minimum level of relevance necessary to be admitted for consideration. Also, the special magistrate must determine that the evidence presented is admissible. Admissible evidence means evidence that has been admitted into the record for consideration by the special magistrate. See rule 12 D-9.025 (2)(a) F.A.C.

If the property appraiser establishes a presumption of correctness by proving by a preponderance of the evidence that the just value assessment was arrived at by complying with section 193.011, F.S. and professionally accepted appraisal practices the petitioner must prove by a preponderance of the evidence that the property appraiser's just valuation does not represent just value or the property appraiser's just valuation is arbitrarily based on appraisal practices that are different from the appraisal practices generally applied by the property appraiser to comparable property within the same county. See subsection 194. 301 (2) (a) F.S. as amended by chapter 2009- 121, Laws of Florida (House Bill 521). Under rule 12 D - 9.025(1), F.A.C.

There are eight factors of just valuation established by Section 193. 011, Florida Statutes. This Florida law states that in arriving at just valuation as required under S. 4, Art. VII of the State Constitution, the property appraiser shall take into consideration the following factors:

1) Present cash value - willing buyer/seller. 2) Highest and best use. ?3) Location of property. ?4) Quantity or size. 5) Cost of property and present replacement cost of improvements. 6) Condition of property.7) Income of property. ?8) Net proceeds of sale.

Florida court decisions have used the terms lawfully, properly, duly, and carefully to describe the standard of care required of property appraisers in considering each of the eight factors." Just value is to be determined by giving careful consideration to each of the factors contained in Florida Statute 93. 011 and by giving such weight to a factor as a particular factual situation may justify." See Florida Attorney General's opinion AGO 77-106, September 29, 1977.

After lawfully considering the factors, the property appraiser may discard entirely any factor that is not probative (indicative) of just value under the circumstances, as long as the appraisal methodology used complies with professionally accepted appraisal practices. See Mazourek V. Wal-Mart Stores, 831 So. 2d 85 (Fla. 2002) and Section 194.301, F.S. as amended by Chapter 2009-121, Laws of Florida (House Bill 521). In administrative reviews, the property appraiser is responsible for proving by a preponderance of the evidence that he or she complied with section 193. 011 by properly considering each of the eight factors in developing original just valuations. See subsection 194.301 (1), F.S.

Findings of Fact

Citrus Petitions: 36 (31, 32, 33, 34, 35)

This December 8, 2020 hearing included consideration of the above identified five petitions. Each petition involved a free standing Walgreens pharmacy store. All six structures were build to suit. Of interest, is that the petition 36 property is investor owned and the other five petitions (31 to 35) are owned by Walgreens. The two real estate owner's representative was Ms. Sophie Rothermel, Tax Recourse LLC, Houston Texas. Via an email dated November 30, 2020 Ms. Rothermel requested that" T Findings of Fact
5his hearing be heard in our absence".

The special magistrate, Robert Sutte, acknowledged that this request for these petitions to be heard in absentia is to preserve the property owners rights to appeal the VAB decisions to the circuit court. Considering the magnitude of the values involved and the perceived importance of the Walgreen ownerships, the special magistrate instructed the property appraiser to present in detail their evidence especially identifying each subject property and the related values.

This instruction was made so that all significant property appraisers evidence was entered into the record so it could not be argued in circuit court that the petitioner was not provided this evidence in detail. This magistrate direction included knowledge of the fact that the petitioners evidence only included an abbreviated partial valuation analysis involving estimated cost new less depreciation.

This hearing commenced at 12:04 pm. Mr. Tim Reynard MAI, CFE, with the property appraisers office was sworn to tell the truth ,the whole truth and nothing but the truth so help him God. Ms. Georgette Tozer, VAB Clerk, assisted special magistrate Sutte with the administration of this hearing.

Mr. Reynard reported that these six subject properties were extremely similar regarding physical and locational characteristics and he selected petition 36 to be a good representation for all. He further commented that his evidence of value was the same and the narrative appraisal reporting was extremely similar for each subject property. This meant that his testimony for petition 36 was also applicable for consideration regarding the value of the other five subject properties.
Each of the other five appraisal reports and valuations were slightly different regarding comparisons for physical and locational characteristics, estimated effective building age, economic life, estimates of value and value conclusions. These differences will be carefully considered by the special magistrate and carefully noted in his written petition recommendations. Also, since the petitioner has only considered a partial cost approach for their estimate of value the magistrates reporting of the property appraisers application of the sales comparison and income approaches will be appropriately brief.

This petition 36 subject property is a Walgreens pharmacy located at 103 S. Pine Ave., Inverness. This one story retail store was constructed in 2000 with 15,040 square feet of building area and 1.608 acres of land. Mr. Reynard legally identified the subject property and entered into the record the values. The estimated subject property value was based upon the application of all three appraisal approaches. The property appraisers three indications of value were as follows:

Cost $3,393,273 Sales $3,422,916 Income $3,630,533

After a uniform 15% deduction for costs of sale, the reconciled final estimate of value was $3,393,273 or $225.62 per square foot of building area including the value of the land. The estimated subject property just value was slightly less at $3,241,300.

The property appraiser provided a detailed description of his application of the cost approach. He relied upon the use of the Marshall Valuations Service Cost methodology. The estimated subject land value was based upon a comparison of six area comparable land sales. Detailed descriptive information, photographs and a location map were provided.

These selected land sales ranged in size from 0.649 to 2.536 acres. The subject land area is 1.608 acres. The unadjusted prices paid ranged from $15.24 to $29.16 per square foot. Due to scarcity, some of these sales were older. They took place between February 2015 and October 2019. The property appraiser reconciled land value was $1,540,550 or $102.43 per square foot.

The total estimated Walgreens cost new was $2,985,726. The estimated accrued depreciation was based upon an estimated effective age of 13 years for the subject building improvements with a total estimated economic life of 40 years. The indicated total accrued depreciation was 16% and the resulting depreciated value for the subject improvements was $2,451,536. With the addition of land value, the total indicated value was $3,992,086. After a deduction of 15 % for costs of sale, the final indicated just value via the cost approach was $3,393,273 or

$225.62 per square foot of building area.

Regarding the sales comparison approach, the PA provided seven sales of area improved retail properties. Detailed description information, photographs and a location map were provided. These transactions took place between July 2014 and July 2019. The buildings were constructed between 1997 and 2026 with the subject being constructed in 2000. These retail transactions involved building areas from 11,097 to 16,435 square feet compared to the subjects 15,040 square feet. The unadjusted prices paid per square foot of building area including the value of the land ranged from $302.50 to $482.19.

The estimated subject unit value was $267.75 per foot which resulted in a total indicated value of $4,026,960. When 15 % was deducted for costs of sale , the indicated just value via the sales comparison approach was $3,422,916.

For the application of the income approach, the property appraiser estimated a market rent for the subject by comparison. Detailed descriptive information, photographs and a location map were provided for seven area comparable rental properties which were also the selected comparable improved sales. Reported rental areas varied from 11,097 to 14,364 square feet. The comparable rental rates ranged from $19.79 to $28.17 per foot. The estimated subject rent was $19.55 per foot. Given 15,040 square feet, the estimated total potential gross income was $294,032.

The allowance for vacancy and rent loss was 3.0 %. The effective gross income was estimated to be $285,211. The allowance for operating expenses including reserves for replacements was 5% of effective gross income. This resulted in an estimated annual net operating income of $270,951. The property appraisers estimated capitalization rate included consideration of seven Citrus County sales and the indicated market extracted overall capitalization rates. They ranged from 5.03% to 7.22% with an average of 6.08% and a median of 6.45%. Some consideration was also given to the use of the Band of Investment Method. The selected overall capitalization rate was 6.344 %. Dividing the estimated net income by this rate indicated a value for the subject property of $4,270,980. Then, 15% was deducted for costs of sale. The resulting indicated just value for this real estate via the income approach was $3,630,333.

As noted earlier, the result of the PA's reconciliation of the three indications of value after a deduction of 15% for costs of sale was a final estimate of value for the subject property of $3,393,273.

Regarding the petitioners evidence, since this hearing was heard in absentia at the petitioners request, the only evidence to be considered was a one page written tabular presentation of their application of the Marshall and Swift Calculator Method. This was an extremely abbreviated partial version of an acceptable application of the cost approach. There was no narrative explanation of this application and there was no estimate of land value.

The total estimated Walgreens cost new was $1,858,842. The estimated accrued depreciation was 30% with an estimated economic building life of 40 years. The resulting estimated depreciated value for the subject improvements was $1,301,189. The PET chose to add the property appraisers property record card land value of $1,470,530. The indicated total value was $2,771,719 or $184.29 per building square foot .

The property appraiser stated in rebuttal that the petitioners estimated cost did not include other building features, building soft costs, site improvement costs or entrepreneurial incentives. Therefore, it was substantially incomplete.

Based upon consideration of the verbal and written information and evidence provided, the special magistrate also concluded the following:

The petitioner chose not to submit a sales comparison or income approach to value. The special magistrate reviewed the limited information provided by the petitioner regarding their cost analysis but gave it no value consideration as it was not conclusive and not credible.

Insufficient information was presented by the petitioner to support a reduction in the assessment. The assessment was not proven to be incorrect.

The property appraisers indications of value were developed by utilizing the three traditionally accepted appraisal methods.

The market value of the subject property is within the discretion of the property appraiser and within a reasonable range of values for the property.

The property appraiser lawfully considered the eight criteria enumerated in section 193.011, Florida Statutes.

The Special Magistrate reviewed all evidence presented. In accordance with Department of Revenue guidelines, the special magistrate determined that the evidence and testimony was relevant and credible to the valuation issue. Thus, the evidence as presented was admitted for consideration in relation to the appropriateness of the subject property assessment.

CONCLUSIONS OF LAW

Conclusions of Law

In accordance with section 194.301 F.S., it was determined that there is competent and substantial evidence of value on record in compliance with criteria of 193.011 and professionally accepted appraisal practice to establish an appropriate assessment for the subject property. In the professional opinion of the special magistrate, the property appraiser's evidence was credible, relevant, substantially sufficient and established a presumption of correctness. The petitioner's evidence was substantially insufficient, and not credible. In this case, the property appraiser proved by a preponderance of the evidence that their estimation of value does not exceed just value. Therefore, it is recommended that the property appraiser's value be upheld.

Stated another way, if the property appraiser establishes a presumption of correctness and the petitioner does not overcome the presumption of correctness the assessment stands. This decision, that relief is denied, means that any right the petitioner may have to bring action in circuit court is not impaired.

FLORIDA DEPARTMENT OF REVENUE

DR-485V
R. 01/17
Rule 12D-16.002
F.A.C.
Eff. 01/17

DECISION OF THE VALUE ADJUSTMENT BOARD
VALUE PETITION

The actions below were taken on your petition in Citrus County

_X_ These actions are a recommendation only, not final. ___ These actions are a final decision of the VAB

If you are not satisfied after you are notified of the final decision of the VAB, you have the right to file a lawsuit in circuit court to further contest your assessment. (See sections 193.155(8)(l), 194.036, 194.171(2), 196.151, and 197.2425, Florida Statutes.)

Petition # 53	Parcel ID 18E18S250260 0400
Petitioner Name BARR GARY P	Property Address BARR GARY P 1705 N EAGLE RIDGE PATH HERNANDO
The Petitioner is: _X_ Taxpayer of Record ___Representative ___Other ____________	

Decision Summary ___ Denied your petition _X_ Granted your petition ___ Granted your petition in part

Value Line 1 and 4 must be completed	Value from TRIM Notice	Before Board Action Value presented by property appraiser Rule 12D-9.025(10), F.A.C.	After Board Action
1. Just value, required	496080.00	496080.00	455000.00
2. Assessed or classified use value, *if applicable	496080.00	496080.00	455000.00
3. Exempt value, *enter "0" if none	50500.00	50500.00	50500.00
4. Taxable value, *required	445580.00	445580.00	404500.00

*All values entered should be county taxable values. School and other taxing authority values may differ. (Section 196.031(7), F.S.)

Reasons for Decision

Findings of Fact
See attached

Conclusions of Law
See attached

_X_ **Recommended Decision of Special Magistrate** Finding and conclusions above are recommendations.

Signature, special magistrate	JOHN ROBINSON Print name	02/03/2021 Date
Signature, VAB clerk or special representative	ANGELA VICK Print name	02/03/2021 Date

If this is a recommended decision, the board will consider the recommended decision on 05/18/2021 at 9:00AM.
Address: Citrus County Courthouse, 110 North Apopka Ave, Inverness, FL 34450
If the line above is blank, the board does not yet know the date, time, and place when the recommended decision will be considered. To find the information, please call (352) 341-7095 or visit our website at www.citrusclerk.org.

___ **Final Decision of the Value Adjustment Board**

Signature, chair, value adjustment board	Print name	Date of decision
Signature, VAB clerk or representative	Print name	Date mailed to parties

Attachment: VAB_Decision-53 (12780 : VAB Recommended Decisions)

FINDINGS OF FACT

Basic Underlying Facts

1. The property owner (Gary Barr) represented himself as petitioner. Jonathan Franke and Mike Farrington represented the Property Appraiser (PA).

2. The property is a single family residence legally described as parcel ID# 18E 18S 250260 0400 and is located at 1705 N. Eagle Ridge Path in the Bellamy Ridge gated community within Terra Vista in the Citrus Hills development in Hernando. The property has 2,569 square feet (SF) of living area, 3 bedrooms and 3 1/2 baths, is one story and was constructed in 2019 and is situated on 18,455 SF/0.42 acre golf cart path view site (with 88 effective front feet) with 2 car garage (525 SF), screened pool and 349 SF of open porch. The PA's market value of $496,080 reflects $193.10 per square foot. The property was acquired by the petitioner in November 2018 for $50,000 as a vacant lot from the builder/developer. The appeal is based on the petitioner's opinion that the subject is overvalued on the basis of that they overpaid for the property, the comparable sales reveal declining values in the subdivision, the land value is inappropriately valued too high and the subject sale included personal property.

3. Evidence was properly exchanged between the PA and the petitioner prior to the hearing in accordance with Rule Chapter 12D-9.020 and 12D-9.025 which implements section 194.011(4), F.S.

4. In accordance with Rule Chapter 12D-9.024, Fla. Adm. Code, the PA first presented evidence to establish the presumption of correctness. Jonathan Franke presented the PA's opening address (Exhibit A-PA evidence) to demonstrate proper consideration of each of the following eight factors cited in Section 193.011, F.S., in developing the just value assessment.

The PA confirmed the TRIM and Before Board Action values noted in the Decision Summary section of this recommendation.

5. The petitioner did challenge the PA's presumption and presented evidence for consideration in the evidence exchange process to challenge the value due to the reasons stated previously (in paragraph 2.) above. The petitioner did offer an alternative value opinion of $426,485 based on the sales comparison approach and presented documentary evidence in advance of the hearing to refute the PA's value.

6. The petitioner disagreed with the PA's determination of just value. The petitioner made the following argument(s): The property value is too high based on errors within the PA's database that applies a 20% market conditions adjustment to non-standard lots in the development, which is based on an inadequate (too small) sample size, no deduction for external obsolescence that exists on properties in the subdivision, a flawed analysis in the adjustment process to comparable sales used by the PA and the reasons also stated in paragraph 2 above.

7. The petitioner presented the following documentary evidence to support the petitioner's arguments: summary of testimony and evidence in narrative form: Exhibit 1: overview of Bellamy Ridge; Exhibit 2: discussion of comparable land sales; Exhibit 3: summary of comparable improved sales; Exhibit 4-MLS data on the comparable sales; Exhibit 5-property record cards of comparable sales; Exhibit 6-market adjustment factors from ratio study; Exhibit 7-petitioner's opinion of just value; additional documents including Exhibit 1-Bellamy Ridge Subdivision details; Exhibit 2-2018 and 2019 Terra Vista land sales chart with 10 deeds following and Terra Vista home pricing list; Exhibit 3-summary of comparable improved sales (9) with adjustment grid pages and subject, comparable sales street photographs and aerial location map; Exhibit 4-MLS data for each sale; Exhibit 5-property record card for each sale; Exhibit 6-market adjustment factors and results of ratio study using 2017-2019 sales with graphs and data prints and Exhibit 7-petitioner's opinion of just value with 8 factors of F.S. 193.011.

The Special Magistrate (SM) reviewed all evidence presented by the petitioner. In accordance with Rule 12D-9.025(1), Fla. Adm. Code (F.A.C.), the SM determined the evidence and testimony was relevant and credible to the valuation issue at hand. Thus, the evidence as presented by the petitioner was admitted for consideration in relation to the appropriateness of the subject's valuation.

8. The PA did have specific questions/comments relating to the petitioner's evidence including why the personal property was not included on the sales verification form and total property value is what can be challenged rather than only a component of the value (land value in this case).

9. The PA presented the following documentary evidence to support its just valuation determination cited above. The evidence consisted of an opening statement discussing the justification for the PA's just/market value; a cover page identifying petition and property; index; summary of salient facts and conclusions including property details; summary page including street photograph, property details and values from each applicable approach to value; comparable improved sales grid with sale price/sale date/property details for each comparable sale (six improved sales from July 2019 to January 2020 within and the subject development of The Village of Citrus Hills-Terra Vista that sold for between $485,000 to $585,000 (averaging $546,500) with from 2,237 to 2,996 SF or $189.60/SF to $239.16/SF of living area prior to adjustments and $190.28/SF to $228.07/SF after adjustments ($442,650 to $586,610), concluding at a just/market value of $496,080); Supplemental Addenda with comments regarding the data; subject street improvements and photographs including an aerial photograph; comparable sales street photographs; comparable sales and subject aerial location map; evidence list; subject property record/information card; Florida Statutes 193.011 (factors to consider in deriving just valuation); FS 193.023 (duties of the property appraiser in making assessments); FS 194.034 (hearing procedures, rules); DOR PTO regarding Higgs v. Good case; request for petitioner evidence; screen shot of subject permit history; TRIM notice; case law of pertinent issues; and Villages of Citrus Hills marketing brochure.

The SM reviewed all evidence presented by the PA. In accordance with Rule 12D-9.025(1), Fla. Adm. Code (F.A.C.), the SM determined the evidence and testimony was relevant and credible to the valuation issue at hand. Thus, the evidence presented by the PA was admitted for consideration in relation to the appropriateness of the subject's valuation.

10. The petitioner did have questions regarding the PA's evidence on the basis of the adjustment process to the comparable sales not being consistent with Florida Statutes when valuing the property as well as other concerns as previously stated.

Ultimate Findings of Fact
Based on the evidence submitted, I find the PA's evidence to be persuasive, appropriate and generally supportive of the market value stated; however, the petitioner's evidence is also persuasive and supportive of the claim that the PA's just/market value is excessive based on specific market evidence. The PA presented comparable improved sales in support of the value in applying the sales comparison approach while the petitioner presented comparable land and improved sales and market value comparisons in support of a reduction of the PA's appraised value. The petitioned property is a newly built, custom home with numerous amenities, including a golf course. The general findings from the evidence and testimony are as follows:

The petitioner's evidence points out numerous flaws with the PA's value and analysis including the following: the subject is overvalued on the basis of that the taxpayer/petitioner overpaid for the property (as new construction dictated multiple upgrades that were considerably overpriced) and the transaction (land acquisition and construction price) does not meet the definition of an arms-length transaction, the comparable sales reveal declining values in the subdivision, the land value is inappropriately valued too high and the subject sale included personal property, the property value is too high based on errors within the PA's database that applies a 20% market conditions adjustment to only non-standard lots in the development, which is based on an inadequate (too small) sample size, no deduction for obsolescence that exists on properties in the subdivision, and a flawed analysis in the adjustment process to comparable sales. The analysis that is provided by the petitioner that is most appropriate in determining whether the subject's value is in excess of market value is the comparable sales analysis and the petitioner presents nine comparable sales that occurred between March and December 2019. There are four common sales used by the petitioner and PA. The petitioner's sales are all within the subject Citrus Hills-Terra Vista development ($367,500 to $602,000, averaging $492,556 and $151.73/SF to $293.46/SF), with four sales (Comps 2, 3, 7 and 8) within Bellamy Ridge (like the subject). The petitioner stated that all of the comparable sales used in his analysis were resales and all were sold via MLS. However, only three of the nine comparables (Comps 5, 6 and 9) have golf course frontage like the subject as the remaining sales have inferior views. Sales 2, 3, 4, 5 and 8 are the most recent sales (sold in November and December 2019); however, four of the sales do not have a pool like the subject and three have a casita while the subject does not. The petitioner applies adjustments to the comparable sales for the following items: view, actual age, room count, gross living area, and amenities. I am not sure of the basis for applying these line items adjustments as the petitioner is not an appraiser to my knowledge; however, making some checks to the adjustments applied, the unit adjustments appear reasonable and consistent (with living area adjustments applied at $120/SF); however, a significant error is made to Sale 8 for living area which understates the indicated value. On this basis, I have excluded Sale 8 from the analysis. The sales indicate a range in adjusted values from $388,640 to $569,340, averaging $495,858 (excluding Sale 8) and $421,479 including a 15% cost of sale with an average adjusted value of $164.06/SF for the subject. This analysis does support a reduction to the PA's value.

The petitioner concurs with the PA's improvement value based on the Marshall Valuation Service cost estimate but does not concur with the land value; however, the sales comparison approach is the primary approach to value in the valuation of any single-family residence and both the PA and petitioner agree. For this reason, any concerns about the land value and cost approach would not be critical to the total value and are not addressed in this recommendation.

The PA presented six 2019 sales within the subject development ($485,000 to $585,000, averaging $546,500), with four sales (Comps 1, 2, 4 and 6) within Bellamy Ridge (like the subject). The PA commented that all of the comparable sales used in their analysis were resales. Comp 4 is the largest in living area (16.6% larger than the subject). For these reasons, I have placed minimal significance on Comp 4 ($585,000 or $195.26/SF unadjusted). All six sales were reportedly sold via MLS. However, only Comp 3 is a golf course frontage lot like the subject; therefore, all sales have inferior views. Sales 1 and 6 (that sold for $579,000 and $485,000) sold in December and July 2019 and appear to be the best comparables for the subject with the newest construction dates. The PA's adjustments for building value and miscellaneous improvements, indicates adjusted values of $516,790 and $539,444, which is supportive of the PA's value of $496,080. The remaining four sales (excluding Comps 1 and 6), indicate a range in sale prices from $525,000 to $585,000, averaging $553,750 ($195.26/SF to $239.16/SF, averaging $219.66/SF). The PA's adjusted values for these sales indicate a range in sale prices from $442,650 to $586,610, averaging $519,515 ($195.80/SF to $228.07/SF, averaging $205.10/SF), which includes a 15% cost of sale. As previously stated, Comp 4 is given least emphasis due to its larger living area, and this sale indicates the highest adjusted value at $586,610 ($195.80/SF). Excluding this sale, the average adjusted value is $497,151 ($208.20/SF). The PA's value for the subject is supported by the average adjusted sale price and the unit price. It should be noted that the petitioner took exception to the adjustments used by the PA, since they are based on the PA's CAMA system and includes market conditions adjustments.

The underlying factors that impact the market value are comparable sales and the petitioner does build a case for identifying what are possibly as good or better sales than what is being used by the PA. Both the petitioner and PA present relevant and appropriate reasoning for their stance that the value should be reduced/upheld accordingly. The claim made by the petitioner that the adjustments applied by the PA are questionable and not in compliance with typical professional appraisal practices does carry some weight. Additionally, the petitioner's adjustments could be made with some bias, particularly regarding the adjustments for view amenity, as the analysis was not performed by an independent analysis or appraiser. Therefore, the substantial weight of the evidence rests between the petitioner and PA in concluding an appropriate market value opinion. As stated in the previous paragraph, the PA's value is supported by the comparables presented upon further breakdown and adjustments applied to these sales. The petitioner's analysis does support a reduction to the PA's value. Based on the concluded value of $421,479 by the petitioner and the PA's value of $496,080, I have correlated to a value between these two values for a recommended value of $455,000 ($177.11/SF) on the basis that the petitioner's evidence is given slightly more weight based on the thoroughness, completeness and consistency of that analysis as well as having three golf course frontage lots as comparables compared with the PA's comparables having only one golf course lot. The PA's analysis is given significant weight, however, based on the unadjusted sale prices and unit prices of the comparables used. The recommended value is $455,000 on this basis.

I have determined that the record contains competent substantial evidence to establish a revised just value, and that the competent substantial evidence for a revised just value cumulatively meets the criteria of FS 193.011 and that the competent substantial evidence for a revised just value meets professionally accepted appraisal practices. The petitioner presented sufficient market evidence to indicate the subject is valued in excess of just/market value. Therefore, it is recommended that the just/market value be reduced by 8.28%, or $41,080 to a value of $455,000, or $177.11/SF.

CONCLUSIONS OF LAW

Section 194.301, F.S., provides that the PA's assessment is presumed correct if the PA proves by a preponderance of the evidence that the assessment was arrived at by complying with section 193.011, F.S., any other applicable statutory requirements relating to classified use values or assessment caps, and professionally accepted appraisal practices, including mass appraisal standards, if appropriate. However, a taxpayer who challenges an assessment is entitled to a determination by the Value Adjustment Board of the appraisal methodology used in making the assessment. The value of the property must be determined by an appraisal methodology that complies with the criteria of section 193.011, F.S., and professionally accepted appraisal practices.

As SM, I considered all given evidence and testimony discussed at this hearing as noted in the findings of fact. Based on this evidence and testimony, the PA did comply with section 193.011, F.S., meeting the eight legal factors. Accordingly, pursuant to section 194.301, F.S., the PA's assessment is presumed to be correct. However, the Petitioner met the burden of proving by a preponderance of the evidence that the PA's assessed value was arbitrarily or erroneous based on appraisal practices that are different from the appraisal practices generally applied by the PA to comparable property within the same county. Thus, in accordance with section 194.301(2), F.S., the value of $455,000, as set forth by the SM is determined by the SM to be the just valuation for the subject property in this case and the petition is granted relief accordingly.

DR-485V
R. 01/17
Rule 12D-16.002
F.A.C.
Eff. 01/17

FLORIDA DEPARTMENT OF REVENUE

DECISION OF THE VALUE ADJUSTMENT BOARD
VALUE PETITION

The actions below were taken on your petition in Citrus County

_X_ These actions are a recommendation only, not final. ___ These actions are a final decision of the VAB

If you are not satisfied after you are notified of the final decision of the VAB, you have the right to file a lawsuit in circuit court to further contest your assessment. (See sections 193.155(8)(l), 194.036, 194.171(2), 196.151, and 197.2425, Florida Statutes.)

Petition # 84	Parcel ID 16E17S11 44100
Petitioner Name GULF COAST RV RESORT LLC	Property Address GULF COAST RV RESORT LLC 10885 N SUNCOAST BLVD INGLIS
The Petitioner is: ___Taxpayer of Record ___Representative ___Other ________________	

Decision Summary _X_ Denied your petition ___ Granted your petition ___ Granted your petition in part

Value Line 1 and 4 must be completed	Value from TRIM Notice	Before Board Action Value presented by property appraiser Rule 12D-9.025(10), F.A.C.	After Board Action
1. Just value, required	2010290.00	2010290.00	2010290.00
2. Assessed or classified use value, *if applicable	2010290.00	2010290.00	2010290.00
3. Exempt value, *enter "0" if none	0.00	0.00	0.00
4. Taxable value, *required	2010290.00	2010290.00	2010290.00

*All values entered should be county taxable values. School and other taxing authority values may differ. (Section 196.031(7), F.S.)

Reasons for Decision

Findings of Fact
See attached

Conclusions of Law
See attached

_X_ **Recommended Decision of Special Magistrate** Finding and conclusions above are recommendations.

John Robinson	JOHN ROBINSON	01/20/2021
Signature, special magistrate	Print name	Date
Angela Vick	ANGELA VICK	01/20/2021
Signature, VAB clerk or special representative	Print name	Date

If this is a recommended decision, the board will consider the recommended decision on 05/18/2021 at 9:00AM.
Address: Citrus County Courthouse, 110 North Apopka Ave, Inverness, FL 34450
If the line above is blank, the board does not yet know the date, time, and place when the recommended decision will be considered. To find the information, please call (352) 341-7095 or visit our website at www.citrusclerk.org.

___ **Final Decision of the Value Adjustment Board**

Signature, chair, value adjustment board	Print name	Date of decision
Signature, VAB clerk or representative	Print name	Date mailed to parties

FINDINGS OF FACT

Basic Underlying Facts

1. The property owner (Gulf Coast RV Resort LLC) was represented by Bill Peugh with Ryan Property Tax Services (an agent of the property owner) hereinafter referred to as petitioner. Herb Mack, Dennis Bonnell and Dan Robbins represented the Property Appraiser (PA).

2. The property is known as Gulf Coast RV Resort legally described as parcel ID# 16E-17S-11-0000-44100 and is located at 10885 N. Suncoast Blvd. in the Inglis market area of Citrus County. The property has 158 RV pads and 1 mobile home/cabin and was constructed in 1985 and situated on 24.48 acres. The PA's market value of $2,010,290 reflects $12,723 per unit/space. The appeal is based on the petitioner's comment that the net income the property generated does not support the PA's value.

3. Evidence was properly exchanged between the PA and the petitioner prior to the hearing in accordance with Rule Chapter 12D-9.020 and 12D-9.025 which implements section 194.011(4), F.S. The SM received the petitioner's evidence and did consider the petitioner's evidence in my determination of the just value.

4. In accordance with Rule Chapter 12D-9.024, Fla. Adm. Code, the PA first presented evidence to establish the presumption of correctness. Herb Mack presented the PA's opening address (Exhibit A-PA evidence) to demonstrate proper consideration of each of the following eight factors cited in Section 193.011, F.S., in developing the just value assessment.

The PA confirmed the TRIM and Before Board Action values noted in the Decision Summary section of this recommendation. The petitioner confirmed the values to be accurate.

5. The petitioner did challenge the PA's presumption with regards to how the property is valued and addressed the property's value via the income approach. The petitioner did offer an alternative value opinion of $982,000 and presented documentary evidence in advance of or at the hearing to refute the PA's value.

6. The petitioner disagreed with the PA's determination of just value. The petitioner made the arguments as stated in paragraph 2 above.

7. The petitioner presented the following documentary evidence to support the petitioner's arguments: title page with current and requested values; summary of evidence page; property summary page with values for approaches to value applied; subject location map; subject aerial map; subject street photograph; website information with daily/weekly/monthly (including pull through) quoted rates; property record/information card including property details, assessment (including land and improved value) and sale history, permit information and building sketch; brief property information with current assessment and income analysis based on actual 2019 operating statement (based on 78% operating expenses ($2,176/unit), 7% unloaded/8.45% loaded overall rate and 15% cost of sale deduction indicating $982,000 value); actual 2019 operating statement; 2019 actual gross income figures with total rented nights and rates; 1st quarter 2020 Realty Rates Investor Survey for RV/Campgrounds/Mobile Home Parks/Manufactured Housing; 1st quarter 2020 RealtyRates.com Investor Survey (indicating 9.08% for MH/RV Park; DOR Bulletin PTO 11-01 regarding VAB petitions and the eighth criterion; and 2020 DR 493 regarding adjustments to recorded selling prices or fair market value in arriving at assessed value.

The Special Magistrate (SM) reviewed all evidence presented by the petitioner. In accordance with Rule 12D-9.025(1), Fla. Adm. Code (F.A.C.), the SM determined the evidence and testimony was relevant and credible to the valuation issue at hand. Thus, the evidence presented by the petitioner was admitted for consideration in relation to the appropriateness of the subject's valuation.

8. The PA did have questions/comments relating to the petitioner's evidence. The PA's questions/comments included: The petitioner's actual gross income is based on only 107 spaces for the park and no operating information was provided by the property owner prior to TRIM and the operating expenses are higher than typical for this property type.

9. The PA presented the following documentary evidence to support its just valuation determination cited above. The evidence consisted of a cover page; index; summary of salient facts and conclusions including property details and values from each applicable approach to value; aerial photographs and property and assessment information; highest and best use analysis; comparable sales grid with aerial photographs/sale price/sale date/property details for each comparable sale (three improved sales of RV parks from October 2015 to January 2019 within Crystal River and Lecanto with from 73 to 233 rentable lots/units or $13,356 to $31,760 per unit, averaging $22,251/unit and $92,190 to $493,333 per acre); aerial and location maps of the comparable sales; income approach pro forma summary based on market rents/operating expenses/capitalization rates (with market rent estimated at $525/month for RV pads and $625/month for the lone mobile home unit, 40% vacancy/collection loss, 57% operating expense ratio, 3% reserves, 9.25% unloaded/10.5% loaded capitalization rate, indicating a value of $2,380,620 (or $2,023,527 after applying a 15% cost of sale deduction); income/expense returns for four RV properties within the county (averaging potential gross income of $14,739/unit, averaging vacancy/collection loss of 43.5% and operating expenses of 62.1% for 2020 and 38.5% and 55% for 2019); Rental rate survey by telephone or mailing (averaging $33/day); cap rate study from various sources including real estate brokers and RealtyRates investor survey, averaging 9.15%; publicized rates from brochure of subject (revealing daily rates of $30/day and $35/day with pull through); documentary evidence and exhibits; CCPA request for income and expenses; Florida Statutes (F.S.) 193.011; F.S. 193.023; 194.034; and FDOR PTO of Higgs v. Good case including synopsis and opinion.

The Special Magistrate (SM) reviewed all evidence presented by the PA. In accordance with Rule 12D-9.025(1), Fla. Adm. Code (F.A.C.), the SM determined the evidence and testimony was relevant and credible to the valuation issue at hand. Thus, the evidence presented by the PA was admitted for consideration in relation to the appropriateness of the subject's valuation.

10. The petitioner did not have questions/comments relating to the PA's evidence, other than to state that the actual net income analysis does not support the PA's value.

Ultimate Findings of Fact

Based on the evidence submitted, I find the PA's evidence to be persuasive, appropriate and supportive of the market value stated. The PA presented the sales comparison (which indicated a value of $3,007,289 after a 15% deduction for cost of sale) and income approaches (which indicated a value of $2,380,620, or $2,023,527 after a 15% deduction for cost of sale) to value, with the PA's just/market value being slightly below the income approach indication. The concluded market value reflects $12,723/space, which is below the lowest unit price from the comparable sales presented of $13,356/space. Most reliance is given to the income approach, however, based on minimal similar sales within the county.

The PA's income approach relies on four comparable RV properties and the subject's reported quoted rates. However, one of the four comparable rentals is a large park (417 units). The concluded market rent of $525/month for RV's is based on the subject's daily rate (at $30/day) and pull through rate (at $35/day); however, daily rates are not factored into the PA's potential gross rent but indicate slightly over 16 days per month at an average daily rate of $32.50. The petitioner's RV lot rental estimate works out to a monthly rate of only $198 (and $233 including the cottage rental, other income and recoveries), which implies a vacancy rate at near 60% at the advertised rates. This vacancy rate is well below completing parks as shown on the PA's survey. The PA reported that income/expense information was not provided upon request at the time of TRIM; therefore, actual income could not be compared with the estimated gross income. The petitioner does not provide any market evidence from comparable properties whereas the PA does. The PA's estimated potential gross income (PGI) per unit ($6,465) for the subject is well below the average of the four RV parks that reported income/expense data ($14,739), and well below the average of the two larger RV parks that reported data (above $18,000) so is considered to be more market-oriented than the petitioner's actual figures that lacks market support. The difference in the PGI between the PA's and petitioner's estimate reflects a 63% differential, which is critical to the differences between the two parties. The PA's estimate of 40% for vacancy/collection loss bring the effective gross income for each party closer together, reducing the differences between PA and petitioner to 28%). Other income is estimated at a minimal $634 while the petitioner has a higher amount of $7,984, representing 2% of PGI. The PA's comparables (4) have an average vacancy/collection loss of between 38.5% (2019) and 43.5%

(2020) while the two most similar (in size) have an average vacancy/collection loss rate of 47.3%, which is less than the PA's estimate; operating expenses are used by the PA of 57% plus a 3% (of EGI) reserve for replacement. While the petitioner's actual 78% operating expense ratio has no market support, the PA's comparables average 62.1% (2020) and 55% (2019) of EGI in support of the same 60% operating expense ratio (and $2,310/unit) used by the PA. A 9.25% unloaded capitalization rate (10.5% loaded) used by the PA compares with a 9.15% cap rate from the PA's cap rate study and is reasonably supported. The petitioner's 7% unloaded cap rate (8.45% loaded) is lower than the PA's; therefore, there is no reason for debating the difference in the PA's estimate. The PA's net operating income (NOI) is $250,036 while the petitioner's NOI is $97,667, with the differences (61%) attributed to the PGI. After deducting a 15% cost of sale, the petitioner's value indication is $982,000 while the PA's indicated value is $2,380,620 (after applying a 15% cost of sale adjustment to this value) and $2,023,620 (after applying a 15% cost of sale).

The concluded income approach value by the PA is considered to be more credible and reliable based on the market support for the PGI and operating expense ratio. The petitioner's actual general and administrative (15% of EGI and $415/unit) and G&A payroll expense (23% of EGI and $656/unit) totaling nearly 40% of EGI and high utilities at 27% of EGI ($755/unit) result in much higher than typical expenses. The cost approach was not applied by the PA other than via the computer assisted mass appraisal (CAMA) methodology (which was not given any weighting). Additionally, the PA provides additional support for its value by applying the sales comparison approach, which the petitioner did not apply.

The greater weight of the PA's evidence results in the preponderance of evidence being in the favor of the PA's just/market value.

CONCLUSIONS OF LAW

Section 194.301, F.S., provides that the PA's assessment is presumed correct if the PA proves by a preponderance of the evidence that the assessment was arrived at by complying with section 193.011, F.S., any other applicable statutory requirements relating to classified use values or assessment caps, and professionally accepted appraisal practices, including mass appraisal standards, if appropriate. However, a taxpayer who challenges an assessment is entitled to a determination by the Value Adjustment Board of the appraisal methodology used in making the assessment. The value of the property must be determined by an appraisal methodology that complies with the criteria of section 193.011, F.S., and professionally accepted appraisal practices.

As SM, I considered all given evidence and testimony discussed at this hearing as noted in the findings of fact. Based on this evidence and testimony, the PA did comply with section 193.011, F.S., meeting the eight legal factors. Accordingly, pursuant to section 194.301, F.S., the PA's assessment is presumed to be correct. The Petitioner did not meet the burden of proving by a preponderance of the evidence that the PA's assessed value did not represent the just value of the property after taking into account any applicable limits on annual increases in the value of the property or was arbitrarily or erroneous based on appraisal practices that are different from the appraisal practices generally applied by the PA to comparable property within the same county. Thus, in accordance with section 194.301(2), F.S., the just value of the PA of $2,010,290 is affirmed and the petition is denied.

FLORIDA DEPARTMENT OF REVENUE

DR-485V
R. 01/17
Rule 12D-16.002
F.A.C.
Eff. 01/17

DECISION OF THE VALUE ADJUSTMENT BOARD
VALUE PETITION

The actions below were taken on your petition in Citrus County

_X_ These actions are a recommendation only, not final. ___ These actions are a final decision of the VAB

If you are not satisfied after you are notified of the final decision of the VAB, you have the right to file a lawsuit in circuit court to further contest your assessment. (See sections 193.155(8)(l), 194.036, 194.171(2), 196.151, and 197.2425, Florida Statutes.)

Petition # 103	Parcel ID 17E18S170020 00110 0130
Petitioner Name PETERSON JAMES L	Property Address PETERSON JAMES L 1901 NW 16TH ST CRYSTAL RIVER
The Petitioner is: _X_Taxpayer of Record ___Representative ___Other ______	

Decision Summary _X_ Denied your petition ___ Granted your petition ___ Granted your petition in part

Value Line 1 and 4 must be completed	Value from TRIM Notice	Before Board Action Value presented by property appraiser Rule 12D-9.025(10), F.A.C.	After Board Action
1. Just value, required	367280.00	367280.00	367280.00
2. Assessed or classified use value, *if applicable	255211.00	255211.00	255211.00
3. Exempt value, *enter "0" if none	0.00	0.00	0.00
4. Taxable value, *required	255211.00	255211.00	255211.00

*All values entered should be county taxable values. School and other taxing authority values may differ. (Section 196.031(7), F.S.)

Reasons for Decision

Findings of Fact

See attached

Conclusions of Law

Per the requirements of F.S. 193.011 and F.S. 194.30, Special Magistrate has found that the County Appraiser has provided sufficient, relevant, and credible evidence to reasonably support the County Appraiser's conclusion of a Just Value for the subject property, including a cost of sale adjustment provided by law in the 8th factor in F.S. 193.011. Since Petitioner otherwise failed to show by a preponderance of the evidence to overcome the property appraiser indication of Just Value per the criteria in F.S. 193.011; therefore, Special Magistrate recommends denial of the relief requested by Petitioner.

_X_ **Recommended Decision of Special Magistrate** Finding and conclusions above are recommendations.

Lawrence J. Golicz	LAWRENCE GOLICZ, PH.D., MAI, ASA	02/15/2021
Signature, special magistrate	Print name	Date
Angela Vick	ANGELA VICK	02/15/2021
Signature, VAB clerk or special representative	Print name	Date

If this is a recommended decision, the board will consider the recommended decision on 05/18/2021 at 9:00AM.
Address: Citrus County Courthouse, 110 North Apopka Ave, Inverness, FL 34450
If the line above is blank, the board does not yet know the date, time, and place when the recommended decision will be considered. To find the information, please call (352) 341-7095 or visit our website at www.citrusclerk.org.

___ **Final Decision of the Value Adjustment Board**

Signature, chair, value adjustment board	Print name	Date of decision
Signature, VAB clerk or representative	Print name	Date mailed to parties

Attachment: VAB_Decision-103 (12780 : VAB Recommended Decisions)

PETITION 2020 - 103

PETERSON JAMES L

FINDINGS OF FACT

The hearing for Petition 103 for a single family residence includes Petitioner Mr. James Peterson the owner and County Property Appraiser's office includes Mr. Mike Farrington and Mr. Jonathan Franke. All are duly sworn. The County Appraiser first provides evidence and testimony after which Petitioner provides testimony and cannot submit a package of evidence by failing to meet the deadline requirements for evidence exchange. Petitioner claims his package has a report from a geologist regarding new sink hole activity that should be considered for a reduction in his assessment. County Appraiser still refuses acceptance given short notice on a geologic soil report that requires sufficient timing to consider. As such hearing proceeds with County Appraisers' presentation with Petitioner providing oral evidence regarding the subject property, with both providing concluding comments at which time rebuttal comments with focuses on specific issues leading to concluding comments ended the hearing on the property scheduled for this hearing day.

Built in 1999, the subject property, a canal fronting two story frame and stucco home at 1901 NW 16th Street in Crystal River, has a moderate Spanish Rustic style of architecture with exterior cased windows and sills, a sheltered porch, a fully enclosed rear lanai area, and a boat dock with sea wall in place holding the land in place along the canal. The home has 2,180 square feet of enclosed living area and a two car garage. The home rests on a floating concrete slab. The house has had sink hole remediation and Petitioner claims the declining of the soils at the sea wall is proof of renewed sink hole activity and that sink hole properties suffer from stigma.
To settle the stigma issue, County Appraise provided sales of sink hole registered properties that sold for more after the sink hole correction, not less. It is noted that the subject is an artificially created canal subdivision based upon unstable sand and light gravel soils. Due to poor drainage and with heavy rains over time sea walls are often undermined.

To properly assess a Just Value for the subject property per Florida Statute 193.011, County Appraiser applied the eight factors of value.--1.) a cash value as ascertained by a detailed sale comparison meeting the highest standard for adjusting property differences for federal financing.--2.) the highest and best use as determined with a review of land sales and abutting uses.--3.) the location of the subject is located in a well occupied and stable residential area, --4.) the size of the subject parcel is considered typical for parcels along the subject water canal fronting street, with the use of the most recent sales available of similar size and use potential,--5.) as an improved parcel, replacement costs with applied depreciation for an average condition with sound construction is provided.--6.) for the subject replacement cost the County Appraiser applied a detailed approach with an average quality rating. 7.) the subject is not a typical rental property and the income approach is not used. 8.) finally all sales utilized for valuation as well as the basic inputs in the mass appraisal process include consideration of the cost of a sale and is reflected in a just value conclusion below market value.

The County Appraiser's sales comparables, all in the same area with water frontage, readily support the just market value of the subject with similar parcel size, home size, and quality of the homes. The County Appraiser has provided a Just Value of $367,280 including consideration of a reduction provided by law in the 8th factor in F.S. 193.011.
Petitioner has not provided a cost approach or market approach for the subject property. Petitioner over emphasizes the subject as a sink hole stigmatized property with ongoing sink hole activity which is not established by accepted evidence and oral evidence tends to support soil erosion at the back side of the sea wall.

With extensive discussion of sales, disagreements about the effect of sinkhole on the subject property it is noted that Petitioner did not request a re inspection of the subject property prior to the hearing. Without market sales comparables or evidence of damage to the home or photographs of sea wall back fill subsidence, Petitioner has in total failed to meet the standards of overcoming the County Appraiser's estimate of the Just Value for the subject.
At the same time the County Appraiser has provided an analysis according to the eight factors of valuation in F.S. 193.011. with sufficient, relevant, and credible evidence to reasonably support its Just Value indication.

FLORIDA DEPARTMENT OF REVENUE

DR-485V
R. 01/17
Rule 12D-16.002
F.A.C.
Eff. 01/17

DECISION OF THE VALUE ADJUSTMENT BOARD
VALUE PETITION

The actions below were taken on your petition in Citrus County

_X_ These actions are a recommendation only, not final. ___ These actions are a final decision of the VAB

If you are not satisfied after you are notified of the final decision of the VAB, you have the right to file a lawsuit in circuit court to further contest your assessment. (See sections 193.155(8)(l), 194.036, 194.171(2), 196.151, and 197.2425, Florida Statutes.)

Petition # 114	Parcel ID 18E18S250260 0150
Petitioner Name KOPKE DAVID	Property Address KOPKE DAVID WILLIAM 1375 N EAGLE RIDGE PATH HERNANDO
The Petitioner is: _X_ Taxpayer of Record ___Representative ___Other ______	

Decision Summary ___ Denied your petition _X_ Granted your petition ___ Granted your petition in part

Value Line 1 and 4 must be completed	Value from TRIM Notice	Before Board Action Value presented by property appraiser Rule 12D-9.025(10), F.A.C.	After Board Action
1. Just value, required	447308.00	447308.00	425000.00
2. Assessed or classified use value, *if applicable	447308.00	447308.00	425000.00
3. Exempt value, *enter "0" if none	50000.00	50000.00	50000.00
4. Taxable value, *required	397308.00	397308.00	375000.00

*All values entered should be county taxable values. School and other taxing authority values may differ. (Section 196.031(7), F.S.)

Reasons for Decision

Findings of Fact
See attached

Conclusions of Law
See attached

_X_ **Recommended Decision of Special Magistrate** Finding and conclusions above are recommendations.

Signature, special magistrate	Print name	Date
John Robinson	JOHN ROBINSON	02/04/2021

Signature, VAB clerk or special representative	Print name	Date
Angela Vick	ANGELA VICK	02/04/2021

If this is a recommended decision, the board will consider the recommended decision on 05/18/2021 at 9:00AM.
Address: Citrus County Courthouse, 110 North Apopka Ave, Inverness, FL 34450
If the line above is blank, the board does not yet know the date, time, and place when the recommended decision will be considered. To find the information, please call (352) 341-7095 or visit our website at www.citrusclerk.org.

___ **Final Decision of the Value Adjustment Board**

Signature, chair, value adjustment board	Print name	Date of decision

Signature, VAB clerk or representative	Print name	Date mailed to parties

Attachment: VAB_Decision-114 (12780 : VAB Recommended Decisions)

FINDINGS OF FACT

Basic Underlying Facts

1. The property owner (David Kopke) represented himself as petitioner. Jonathan Franke, Dan Robbins and Mike Farrington represented the Property Appraiser (PA).

2. The property is a single family residence legally described as parcel ID# 18E 18S 250260 0150 and is located at 1375 N. Eagle Ridge Path in the Bellamy Ridge gated community within Terra Vista in the Citrus Hills development in Hernando. The property has 2,402 square feet (SF) of living area, 3 bedrooms and 2 baths, is one story and was constructed in 2019 and is situated on 13,677 SF/0.31 acre golf course view site (with 85 front feet) with 2 car garage (576 SF) and 363 SF of open porch. The PA's market value of $447,308 reflects $186.22 per square foot. The property was acquired by the petitioner in October 2019 for $542,200 as a newly built home from the builder/developer. The appeal is based on the petitioner's opinion that the subject is overvalued on the basis of that he overpaid for the property and the transaction does not meet the definition of an arms-length transaction, the comparable sales reveal declining values in the subdivision, the land value is inappropriately valued too high and the subject sale included personal property.

3. Evidence was properly exchanged between the PA and the petitioner prior to the hearing in accordance with Rule Chapter 12D-9.020 and 12D-9.025 which implements section 194.011(4), F.S.

4. In accordance with Rule Chapter 12D-9.024, Fla. Adm. Code, the PA first presented evidence to establish the presumption of correctness. Jonathan Franke presented the PA's opening address (Exhibit A-PA evidence) to demonstrate proper consideration of each of the following eight factors cited in Section 193.011, F.S., in developing the just value assessment.

The PA confirmed the TRIM and Before Board Action values noted in the Decision Summary section of this recommendation.

5. The petitioner did challenge the PA's presumption and presented evidence for consideration in the evidence exchange process to challenge the value due to the reasons stated previously (in paragraph 2.) above. The petitioner did offer an alternative value opinion of $410,411 based on the sales comparison approach and presented documentary evidence in advance of the hearing to refute the PA's value.

6. The petitioner disagreed with the PA's determination of just value. The petitioner made the following argument(s): The property value is too high based on errors within the PA's database that applies a 20% market conditions adjustment to non-standard lots in the development, which is based on an inadequate (too small) sample size, no deduction for external obsolescence that exists on properties in the subdivision, a flawed analysis in the adjustment process to comparable sales used by the PA and the reasons also stated in paragraph 2 above.

7. The petitioner presented the following documentary evidence to support the petitioner's arguments: summary of testimony and evidence in narrative form: Exhibit 1: overview of Bellamy Ridge with relevant details; Exhibit 2: discussion of comparable 2018 and 2019 Terra Vista land sales chart with 10 deeds following and Terra Vista home pricing list; Exhibit 3: summary of comparable improved sales (9) with adjustment grid pages and subject, comparable sales street photographs and aerial location map; Exhibit 4-MLS data for each comparable sale; Exhibit 5-property record cards of comparable sales; Exhibit 6--market adjustment factors and results of ratio study using 2017-2019 sales with graphs and data prints; Exhibit 7- petitioner's opinion of just value with 8 factors of F.S. 193.011 and portion of sales agreement with builder/developer (revealing a purchase price of $505,900.

The Special Magistrate (SM) reviewed all evidence presented by the petitioner. In accordance with Rule 12D-9.025(1), Fla. Adm. Code (F.A.C.), the SM determined the evidence and testimony was relevant and credible to the valuation issue at hand. Thus, the evidence as presented by the petitioner was admitted for consideration in relation to the appropriateness of the subject's valuation.

8. The PA did have specific questions/comments relating to the petitioner's evidence including why the personal property was not included on the sales verification form and total property value is what can be challenged rather

than only a component of the value (land value in this case).

9. The PA presented the following documentary evidence to support its just valuation determination cited above. The evidence consisted of an opening statement discussing the justification for the PA's just/market value; a cover page identifying petition and property; index; summary of salient facts and conclusions including property details; summary page including street photograph, property details and values from each applicable approach to value; comparable improved sales grid with sale price/sale date/property details for each comparable sale (six improved sales from May to December 2019 within and the subject development of The Village of Citrus Hills-Terra Vista that sold for between $451,000 to $570,000 (averaging $500,167) with from 2,120 to 2,586 SF or $189.60/SF to $228.77/SF of living area prior to adjustments and $174.51/SF to $210.75/SF after adjustments ($427,111 to $496,798), concluding at a just/market value of $447,308); Supplemental Addenda with comments regarding the data; subject street improvements and photographs including an aerial photograph; comparable sales street photographs; comparable sales and subject aerial location map; evidence list; subject property record/information card; Florida Statutes 193.011 (factors to consider in deriving just valuation); FS 193.023 (duties of the property appraiser in making assessments); FS 194.034 (hearing procedures, rules); DOR PTO regarding Higgs v. Good case; request for petitioner evidence; screen shot of subject permit history; TRIM notice; case law of pertinent issues; and Villages of Citrus Hills marketing brochure.

The SM reviewed all evidence presented by the PA. In accordance with Rule 12D-9.025(1), Fla. Adm. Code (F.A.C.), the SM determined the evidence and testimony was relevant and credible to the valuation issue at hand. Thus, the evidence presented by the PA was admitted for consideration in relation to the appropriateness of the subject's valuation.

10. The petitioner did have questions regarding the PA's evidence on the basis of the adjustment process to the comparable sales not being consistent with professional appraisal practices when valuing the property as well as other concerns as previously stated.

Ultimate Findings of Fact
Based on the evidence submitted, I find the PA's evidence to be persuasive, appropriate and generally supportive of the market value stated; however, the petitioner's evidence is also persuasive and supportive of the claim that the PA's just/market value is excessive based on specific market evidence. The PA presented comparable improved sales in support of the value in applying the sales comparison approach while the petitioner presented comparable land and improved sales and market value comparisons in support of a reduction of the PA's appraised value. The petitioned property is a newly built, custom home with numerous amenities, including a golf course. The general findings from the evidence and testimony are as follows:

The petitioner's evidence points out numerous flaws with the PA's value and analysis including the following: the subject is overvalued on the basis of that the taxpayer/petitioner overpaid for the property (as new construction dictated multiple upgrades that were considerably overpriced) and the transaction (land acquisition and construction price) does not meet the definition of an arms-length transaction, the comparable sales reveal declining values in the subdivision, the land value is inappropriately valued too high and the subject sale included personal property, the property value is too high based on errors within the PA's database that applies a 20% market conditions adjustment to only non-standard lots in the development, which is based on an inadequate (too small) sample size, no deduction for obsolescence that exists on properties in the subdivision, and a flawed analysis in the adjustment process to comparable sales. The analysis that is provided by the petitioner that is most appropriate in determining whether the subject's value is in excess of market value is the comparable sales analysis and the petitioner presents nine comparable sales that occurred between March and December 2019. There are two common sales used by the petitioner and PA. The petitioner's sales are all within the subject Citrus Hills-Terra Vista development ($367,500 to $602,000, averaging $468,222 and $151.73/SF to $239.16/SF), with four sales (Comps 2, 3, 7 and 8) within Bellamy Ridge (like the subject). The petitioner stated that all of the comparable sales used in his analysis were resales and all were sold via MLS. However, only three of the nine comparables (Comps 5, 6 and 9) have golf course frontage like the subject as the remaining sales have inferior views. Sales 2, 3, 4, 5 and 8 are the most recent sales (sold in November and December 2019); however, four of the sales have a pool and two have a casita while the subject does not have either. The petitioner applies adjustments to the comparable sales for the following items: view, actual age, room count, gross living area, and amenities. I am not sure of the basis for applying these line items adjustments as the petitioner is not an appraiser to my knowledge; however, making some checks to the adjustments applied, the unit adjustments appear reasonable and consistent (with living area adjustments applied at $120/SF). The sales indicate a range in adjusted values from $376,100 to $556,800, averaging $482,836 and $410,410 including a 15% cost of sale with an average adjusted value of $170.86/SF for the subject. This analysis does support a reduction to the PA's value.

The petitioner concurs with the PA's improvement value based on the Marshall Valuation Service cost estimate but does not concur with the land value; however, the sales comparison approach is the primary approach to value in the valuation of any single-family residence and both the PA and petitioner agree. For this reason, any concerns about the land value and cost approach would not be critical to the total value and are not addressed in this recommendation.

The PA presented six 2019 sales within the subject development ($451,000 to $570,000, averaging $500,167), with one sale (Comp 2) within Bellamy Ridge (like the subject). The PA commented that all of the comparable sales used in their analysis were resales. Comp 4 is the smallest in living area (11.7% smaller than the subject). For these reasons, I have placed minimal significance on Comp 4 ($485,000 or $228.77/SF unadjusted). All six sales were reportedly sold via MLS. However, only Comp 5 is a golf course frontage lot like the subject; therefore, all sales have inferior views. Sales 3 and 6 (that sold for $485,000 and $570,000) sold in July and November 2019 and appear to be the best comparables for the subject with the newest construction dates. The PA's adjustments for building value and miscellaneous improvements, indicates adjusted values of $444,478 and $459,143 for these two sales, which is supportive of the PA's value of $447,308. The remaining four sales (excluding Comps 3 and 6), indicate a range in sale prices from $451,000 to $521,000, averaging $486,500 ($189.60/SF to $228.77/SF, averaging $208.81/SF). The PA's adjusted values for these sales indicate a range in sale prices from $427,111 to $496,798, averaging $475,630 ($194.21/SF to $210.75/SF, averaging $203.43/SF), which includes a 15% cost of sale. As previously stated, Comp 4 is given least emphasis due to its smaller living area, and this sale indicates the lowest adjusted value at $427,111 ($201.47/SF). Excluding this sale, the average adjusted value is $491,802 ($204.08/SF). The PA's value for the subject is supported by the average adjusted sale price and the unit price. It should be noted that the petitioner took exception to the adjustments used by the PA, since they are based on the PA's CAMA system and includes market conditions adjustments.

The underlying factors that impact the market value are comparable sales and the petitioner does build a case for identifying what are possibly as good or better sales than what is being used by the PA. Both the petitioner and PA present relevant and appropriate reasoning for their stance that the value should be reduced/upheld accordingly. The claim made by the petitioner that the adjustments applied by the PA are questionable and not in compliance with typical professional appraisal practices does carry some weight. Additionally, the petitioner's adjustments could be made with some bias, particularly regarding the adjustments for view amenity, as the analysis was not performed by an independent analysis or appraiser. Therefore, the substantial weight of the evidence rests between the petitioner and PA in concluding an appropriate market value opinion. As stated in the previous paragraph, the PA's value is supported by the comparables presented upon further breakdown and adjustments applied to these sales. The petitioner's analysis does support a reduction to the PA's value. Based on the concluded value of $410,411 by the petitioner and the PA's value of $447,308, I have correlated to a value between these two values for a recommended value of $425,000 ($176.94/SF) on the basis that the petitioner's evidence is given slightly more weight based on the thoroughness, completeness and consistency of that analysis as well as having three golf course frontage lots as comparables compared with the PA's comparables having only one golf course lot. The PA's analysis is given significant weight, however, based on the unadjusted sale prices and unit prices of the comparables used. The recommended value is $425,000 on this basis.

I have determined that the record contains competent substantial evidence to establish a revised just value, and that the competent substantial evidence for a revised just value cumulatively meets the criteria of FS 193.011 and that the competent substantial evidence for a revised just value meets professionally accepted appraisal practices. The petitioner presented sufficient market evidence to indicate the subject is valued in excess of just/market value. Therefore, it is recommended that the just/market value be reduced by 5%, or $22,308 to a value of $425,000, or $176.94/SF.

CONCLUSIONS OF LAW

Section 194.301, F.S., provides that the PA's assessment is presumed correct if the PA proves by a preponderance of the evidence that the assessment was arrived at by complying with section 193.011, F.S., any other applicable statutory requirements relating to classified use values or assessment caps, and professionally accepted appraisal practices, including mass appraisal standards, if appropriate. However, a taxpayer who challenges an assessment is entitled to a determination by the Value Adjustment Board of the appraisal methodology used in making the assessment. The value of the property must be determined by an appraisal methodology that complies with the criteria of section 193.011, F.S., and professionally accepted appraisal practices.

As SM, I considered all given evidence and testimony discussed at this hearing as noted in the findings of fact. Based on this evidence and testimony, the PA did comply with section 193.011, F.S., meeting the eight legal factors. Accordingly, pursuant to section 194.301, F.S., the PA's assessment is presumed to be correct. However, the Petitioner met the burden of proving by a preponderance of the evidence that the PA's assessed value was arbitrarily or erroneous based on appraisal practices that are different from the appraisal practices generally applied by the PA to comparable property within the same county. Thus, in accordance with section 194.301(2), F.S., the value of $425,000, as set forth by the SM is determined by the SM to be the just valuation for the subject property in this case and the petition is granted relief accordingly.

FLORIDA DEPARTMENT OF REVENUE

DECISION OF THE VALUE ADJUSTMENT BOARD
VALUE PETITION

DR-485V
R. 01/17
Rule 12D-16.002
F.A.C.
Eff. 01/17

The actions below were taken on your petition in Citrus County

_X_ These actions are a recommendation only, not final. ___ These actions are a final decision of the VAB

If you are not satisfied after you are notified of the final decision of the VAB, you have the right to file a lawsuit in circuit court to further contest your assessment. (See sections 193.155(8)(l), 194.036, 194.171(2), 196.151, and 197.2425, Florida Statutes.)

Petition # 120	Parcel ID 19E19S10 11000 0010
Petitioner Name WALMART INC	Property Address WAL MART STORES EAST LP 2461 E GULF TO LAKE HWY INVERNESS
The Petitioner is: _X_Taxpayer of Record ___Representative ___Other ________________	

Decision Summary _X_ Denied your petition ___ Granted your petition ___ Granted your petition in part

Value Line 1 and 4 must be completed	Value from TRIM Notice	Before Board Action Value presented by property appraiser Rule 12D-9.025(10), F.A.C.	After Board Action
1. Just value, required	14768790.00	14768790.00	14768790.00
2. Assessed or classified use value, *if applicable	14768790.00	14768790.00	14768790.00
3. Exempt value, *enter "0" if none	0.00	0.00	
4. Taxable value, *required	14768790.00	14768790.00	14768790.00

*All values entered should be county taxable values. School and other taxing authority values may differ. (Section 196.031(7), F.S.)

Reasons for Decision

Findings of Fact

This is a NO SHOW. Special Magistrate has opened the hearing for Petition 20 at 9:AM on January 13, 2021. County Appraiser, Mr. Herb Mack, regarding the subject property is present. Petitioner for this hearing is not present and has not indicated a desire to have their petition heard without its presence, nor offered a good cause request to reschedule a hearing. Petitioner has not submitted evidence for this petition. As such Special Magistrate recommends denial of this petition for failure to appear, failure to show good cause, failure to have the County Appraiser testify, and failure to provide any evidence regarding this appeal.

Conclusions of Law

Relief is denied for failure to appear without good cause with no other communication as to hearing the testimony of the County Appraiser and for failing to provide any evidence. This decision is being issued in order that any right the petitioner may have to bring an action in circuit court is not 45 impaired. See Rule 12D-9.021(8), F.A.C.
46 2018 Value Adj 2019-

_X_ **Recommended Decision of Special Magistrate** Finding and conclusions above are recommendations.

Lawrence J. Golicz	LAWRENCE GOLICZ, PH.D., MAI, ASA	01/18/2021
Signature, special magistrate	Print name	Date
Angela Vick	ANGELA VICK	01/18/2021
Signature, VAB clerk or special representative	Print name	Date

If this is a recommended decision, the board will consider the recommended decision on 05/18/2021 at 9:00AM.
Address: Citrus County Courthouse, 110 North Apopka Ave, Inverness, FL 34450
If the line above is blank, the board does not yet know the date, time, and place when the recommended decision will be considered. To find the information, please call (352) 341-7095 or visit our website at www.citrusclerk.org.

___ **Final Decision of the Value Adjustment Board**

Signature, chair, value adjustment board	Print name	Date of decision
Signature, VAB clerk or representative	Print name	Date mailed to parties

Attachment: VAB_Decision-120 (12780 : VAB Recommended Decisions)

FLORIDA Department of Revenue

DR-485V
R. 01/17
Rule 12D-16.002
F.A.C.
Eff. 01/17

DECISION OF THE VALUE ADJUSTMENT BOARD
VALUE PETITION

The actions below were taken on your petition in Citrus County

_X_ These actions are a recommendation only, not final. ___ These actions are a final decision of the VAB

If you are not satisfied after you are notified of the final decision of the VAB, you have the right to file a lawsuit in circuit court to further contest your assessment. (See sections 193.155(8)(l), 194.036, 194.171(2), 196.151, and 197.2425, Florida Statutes.)

Petition # 121	Parcel ID 17E20S12 12120 0012
Petitioner Name WALMART INC	Property Address WAL MART STORES EAST LP 7140 W CARDINAL ST HOMOSASSA
The Petitioner is: _X_ Taxpayer of Record ___Representative ___Other ______	

Decision Summary _X_ Denied your petition ___ Granted your petition ___ Granted your petition in part

Value Line 1 and 4 must be completed	Value from TRIM Notice	Before Board Action Value presented by property appraiser Rule 12D-9.025(10), F.A.C.	After Board Action
1. Just value, required	10989600.00	10989600.00	10989600.00
2. Assessed or classified use value, *if applicable	10989600.00	10989600.00	10989600.00
3. Exempt value, *enter "0" if none	0.00	0.00	0.00
4. Taxable value, *required	10989600.00	10989600.00	10989600.00

*All values entered should be county taxable values. School and other taxing authority values may differ. (Section 196.031(7), F.S.)

Reasons for Decision

Findings of Fact
See attached

Conclusions of Law
Relief is denied for failure to appear without good cause with no other communication as to hearing the testimony of the County Appraiser and for failing to provide any evidence. This decision is being issued in order that any right the petitioner may have to bring an action in circuit court is not 45 impaired. See Rule 12D-9.021(8), F.A.C.
46 2018 Value Adj 2019-

_X_ **Recommended Decision of Special Magistrate** Finding and conclusions above are recommendations.

Signature, special magistrate	Print name	Date
Lawrence J. Golicz	LAWRENCE GOLICZ, PH.D., MAI, ASA	01/18/2021

Signature, VAB clerk or special representative	Print name	Date
Angela Vick	ANGELA VICK	01/18/2021

If this is a recommended decision, the board will consider the recommended decision on 05/18/2021 at 9:00AM.
Address: Citrus County Courthouse, 110 North Apopka Ave, Inverness, FL 34450
If the line above is blank, the board does not yet know the date, time, and place when the recommended decision will be considered. To find the information, please call (352) 341-7095 or visit our website at www.citrusclerk.org.

___ **Final Decision of the Value Adjustment Board**

Signature, chair, value adjustment board ______ Print name ______ Date of decision ______

Signature, VAB clerk or representative ______ Print name ______ Date mailed to parties ______

PETITION 2020 - 121
WALMART INC

FINDINGS OF FACT

This is a NO SHOW. Special Magistrate has opened the hearing for Petition 121 after at 9:00 AM on January 13, 2021. County Appraiser regarding the subject property, Mr. Herb Mack is present. Petitioner for this hearing is not present and has not indicated a desire to have their petition heard without its presence, nor offered a good cause request to reschedule a hearing, nor has the petitioner submitted any evidence regarding this petition. As such Special Magistrate recommends denial of this petition for failure to appear, failure to show good cause, failure to have the County Appraiser testify, and failure to provide any evidence regarding this appeal.

FLORIDA Department of Revenue

DECISION OF THE VALUE ADJUSTMENT BOARD
VALUE PETITION

DR-485V
R. 01/17
Rule 12D-16.002
F.A.C.
Eff. 01/17

The actions below were taken on your petition in Citrus County

_X_ These actions are a recommendation only, not final. ___ These actions are a final decision of the VAB

If you are not satisfied after you are notified of the final decision of the VAB, you have the right to file a lawsuit in circuit court to further contest your assessment. (See sections 193.155(8)(l), 194.036, 194.171(2), 196.151, and 197.2425, Florida Statutes.)

Petition # 122	Parcel ID 18E18S28 11000 00A0
Petitioner Name WALMART INC	Property Address WAL MART STORES EAST LP ATTN PROPERTY TAX DEPT 1936 N LECANTO HWY LECANTO
The Petitioner is: _X_Taxpayer of Record ___Representative ___Other ________	

Decision Summary _X_ Denied your petition ___ Granted your petition ___ Granted your petition in part

Value Line 1 and 4 must be completed	Value from TRIM Notice	Before Board Action Value presented by property appraiser Rule 12D-9.025(10), F.A.C.	After Board Action
1. Just value, required	10692540.00	10692540.00	10692540.00
2. Assessed or classified use value, *if applicable	10692540.00	10692540.00	10692540.00
3. Exempt value, *enter "0" if none	0.00	0.00	0.00
4. Taxable value, *required	10692540.00	10692540.00	10692540.00

*All values entered should be county taxable values. School and other taxing authority values may differ. (Section 196.031(7), F.S.)

Reasons for Decision

Findings of Fact
See attached

Conclusions of Law
Relief is denied for failure to appear without good cause with no other communication as to hearing the testimony of the County Appraiser and for failing to provide any evidence. This decision is being issued in order that any right the petitioner may have to bring an action in circuit court is not 45 impaired. See Rule 12D-9.021(8), F.A.C.
46 2018 Value Adj 2019-

_X_ **Recommended Decision of Special Magistrate** Finding and conclusions above are recommendations.

Lawrence J. Golicz	LAWRENCE GOLICZ, PH.D., MAI, ASA	01/18/2021
Signature, special magistrate	Print name	Date
Angela Vick	ANGELA VICK	01/18/2021
Signature, VAB clerk or special representative	Print name	Date

If this is a recommended decision, the board will consider the recommended decision on 05/18/2021 at 9:00AM.
Address: Citrus County Courthouse, 110 North Apopka Ave, Inverness, FL 34450
If the line above is blank, the board does not yet know the date, time, and place when the recommended decision will be considered. To find the information, please call (352) 341-7095 or visit our website at www.citrusclerk.org.

___ **Final Decision of the Value Adjustment Board**

Signature, chair, value adjustment board	Print name	Date of decision
Signature, VAB clerk or representative	Print name	Date mailed to parties

Attachment: VAB_Decision-122 (12780 : VAB Recommended Decisions)

PETITION 2020 - 122
WALMART INC

FINDINGS OF FACT

This is a NO SHOW. Special Magistrate has opened the hearing for Petition 122 at 9:00 A.M on January 13, 2021. County Appraiser regarding the subject property, Mr. Herb Mack, is present. Petitioner for this hearing is not present and has not indicated a desire to have their petition heard without its presence, nor offered a good cause request to reschedule a hearing, nor has the petitioner submitted any evidence regarding this petition. As such Special Magistrate recommends denial of this petition for failure to appear, failure to show good cause, failure to have the County Appraiser testify, and failure to provide any evidence regarding this appeal.

FLORIDA DEPARTMENT OF REVENUE

DECISION OF THE VALUE ADJUSTMENT BOARD
VALUE PETITION

DR-485V
R. 01/17
Rule 12D-16.002
F.A.C.
Eff. 01/17

The actions below were taken on your petition in Citrus County

_X_ These actions are a recommendation only, not final. ___ These actions are a final decision of the VAB

If you are not satisfied after you are notified of the final decision of the VAB, you have the right to file a lawsuit in circuit court to further contest your assessment. (See sections 193.155(8)(l), 194.036, 194.171(2), 196.151, and 197.2425, Florida Statutes.)

Petition # 123	Parcel ID 17E18S34 33000 00A0
Petitioner Name ARC CAFEUSA001 LLC	Property Address ARC CAFEUSA001 LLC 200 N SUNCOAST BLVD CRYSTAL RIVER
The Petitioner is: ___Taxpayer of Record _X_Representative ___Other ______________________	

Decision Summary _X_ Denied your petition ___ Granted your petition ___ Granted your petition in part

Value Line 1 and 4 must be completed	Value from TRIM Notice	Before Board Action Value presented by property appraiser Rule 12D-9.025(10), F.A.C.	After Board Action
1. Just value, required	1346360.00	1346360.00	1346360.00
2. Assessed or classified use value, *if applicable	1311838.00	1311838.00	1311838.00
3. Exempt value, *enter "0" if none	0.00	0.00	0.00
4. Taxable value, *required	1311838.00	1311838.00	1311838.00

*All values entered should be county taxable values. School and other taxing authority values may differ. (Section 196.031(7), F.S.)

Reasons for Decision

Findings of Fact
See attached

Conclusions of Law
See attached

_X_ **Recommended Decision of Special Magistrate** Finding and conclusions above are recommendations.

Robert Sutte	ROBERT SUTTE	01/07/2021
Signature, special magistrate	Print name	Date
Angela Vick	ANGELA VICK	01/07/2021
Signature, VAB clerk or special representative	Print name	Date

If this is a recommended decision, the board will consider the recommended decision on 05/18/2021 at 9:00AM.
Address: Citrus County Courthouse, 110 North Apopka Ave, Inverness, FL 34450
If the line above is blank, the board does not yet know the date, time, and place when the recommended decision will be considered. To find the information, please call (352) 341-7095 or visit our website at www.citrusclerk.org.

___ **Final Decision of the Value Adjustment Board**

Signature, chair, value adjustment board	Print name	Date of decision
Signature, VAB clerk or representative	Print name	Date mailed to parties

Attachment: VAB_Decision-123 (12780 : VAB Recommended Decisions)

FINDINGS OF FACT
Petition 123: Findings of Fact

INTRODUCTION
The important subject of this hearing is just value. Florida law dictates that the property appraiser is responsible for presenting relevant and credible (worthy of belief) admissible evidence in support of their determination of just value. See rule 12 D-9.025 (3)(a), F.A.C. Relevant evidence, is evidence that is reasonably related, directly or indirectly, to the statutory criteria that apply to the issue under review. This description means the evidence meets or exceeds the minimum level of relevance necessary to be admitted for consideration. Also, the special magistrate must determine that the evidence presented is admissible. Admissible evidence means evidence that has been admitted into the record for consideration by the special magistrate. See rule 12 D-9.025 (2)(a) F.A.C.

If the property appraiser establishes a presumption of correctness by proving by a preponderance of the evidence that the just value assessment was arrived at by complying with section 193.011, F.S. and professionally accepted appraisal practices the petitioner must prove by a preponderance of the evidence that the property appraiser's just valuation does not represent just value or the property appraiser's just valuation is arbitrarily based on appraisal practices that are different from the appraisal practices generally applied by the property appraiser to comparable property within the same county. See subsection 194. 301 (2) (a) F.S. as amended by chapter 2009- 121, Laws of Florida (House Bill 521). Under rule 12 D - 9.025(1), F.A.C.

There are eight factors of just valuation established by Section 193. 011, Florida Statutes. This Florida law states that in arriving at just valuation as required under S. 4, Art. VII of the State Constitution, the property appraiser shall take into consideration the following factors:

1) Present cash value - willing buyer/seller. 2) Highest and best use. ?3) Location of property. ?4) Quantity or size. 5) Cost of property and present replacement cost of improvements. 6) Condition of property.7) Income of property. ?8) Net proceeds of sale.

Florida court decisions have used the terms lawfully, properly, duly, and carefully to describe the standard of care required of property appraisers in considering each of the eight factors." Just value is to be determined by giving careful consideration to each of the factors contained in Florida Statute 93. 011 and by giving such weight to a factor as a particular factual situation may justify." See Florida Attorney General's opinion AGO 77-106, September 29, 1977.

After lawfully considering the factors, the property appraiser may discard entirely any factor that is not probative (indicative) of just value under the circumstances, as long as the appraisal methodology used complies with professionally accepted appraisal practices. See Mazourek V. Wal-Mart Stores, 831 So. 2d 85 (Fla. 2002) and Section 194.301, F.S. as amended by Chapter 2009-121, Laws of Florida (House Bill 521). In administrative reviews, the property appraiser is responsible for proving by a preponderance of the evidence that he or she complied with section 193. 011 by properly considering each of the eight factors in developing original just valuations. See subsection 194.301 (1), F.S.

Findings of Fact:

This petition 123 was heard on December 8, 2020. The subject property was an Applebees quick service drive-in restaurant located at 200 N. Suncoast Blvd., Crystal River. It was constructed in 2001 with 4,976 square feet of building area on 6.74 acres.

Mr. Herb Mack was the main and lead witness for the Citrus County Property Appraiser. He was assisted by Mr. Tim Reynard. The property owners representative was Ms. Jessica Arroyos with Ryan LLC, Dallas. These witnesses were sworn to tell the truth, the whole truth and nothing but the truth, so help them God by Robert Sutte, special magistrate. This hearing was conducted with the assistance of Ms. Georgette Tozer, DC, VAB Clerk

The special magistrate (SM) called this telephonic hearing to order about 10: 30 am. Mr. Mack provided his evidence and testified first. The property appraiser (PA) legally identified the subject property and entered into the record their values. His estimated subject property value of $1,346,360 was based upon consideration of all three approaches to value. The indicated values from the three appraisal approaches were:

Cost $1,583,963 Sales $1,830,061 Income $2,064,727

Mr. Mack began his testimony with a description of his cost approach. He relied upon an application of the Calculator Section, provided by the Marshall Valuation Service. The estimated effective age of the building improvements was 14 years with an estimated economic life of 45 years. The indicated amount of accrued depreciation was 13%. The estimated land value was supported by comparison of three area comparable land sales. Based upon concrete and masonry construction, the cost new of the building was estimated to be $738,052 or $148.32 per square foot based upon 4976 feet. The total indicated value was $1,583,953.

For the application of the income approach, the property appraiser estimated a market rent of $43.25 per square foot for this retail store space (4976 S F). The estimated gross potential income was $215,212. The allowance for vacancy and rent loss was 5 %. Operating expenses including reserves for replacements was 5% of estimated effective gross income. The resulting estimated annual net operating income was $194,229. The PA's capitalization rate was 9.41 %. Dividing the estimated net income by the selected overall capitalization rate indicated a value for the subject property of $2,064,727.

For the sales comparison approach, the property appraiser provided three sales of area retail properties which took place between December 2017and January 2020. These retail transactions involved building sizes of 4959 and 5640 square feet. These buildings were constructed years 2007 and 2010. The unadjusted prices paid per square foot of building area including the value of the land were from $383.08 to $580.82 per square foot. After some comparative adjustments were made these three comparable sales indicated a value for the subject property ranging from $306.47 to $435.61 per square foot. The indicated subject value was $367.78 per foot or $1,830,061.

The PA considered all three approaches to value. As noted earlier, the three indications of subject property value were as follows:

Cost $1,583,963 Sales $1,830,061 Income $2,064,727

It was concluded that the justifiability and reliability of the subjects estimated value of $ 1,346,360 or $270.57 per foot is strongly supported by the above indicated values.

The property owners representative, Ms. Jessica Arroyos reported that her estimate of value was based upon the application of the cost only. Like the property appraiser, she also utilized the Marshall Valuation Services cost methodology. Her choice of construction class was wood or steel pre-framed exterior walls, average quality. Her estimated effective age of the building improvements was also 14 years but with an estimated total economic life of 35 years compared to the property appraisers 45 years.

Utilizing the Marshall information her estimated depreciation was 24.0%. The total depreciated estimated building cost was $501,763. Added was $35,370 for asphalt and concrete paving. The resulting total estimated cost new was $537,134. The PET accepted the property appraisers land value discounted by 15% for cost of sale of $736,720. The petitioners indicated value via the cost approach was $1,273,900 (rounded). This was an estimated unit value of $256.01 per square foot including the land value. This was the petitioners requested value which was significantly less than the property appraisers estimated assessed value of $1,346,360.

In rebuttal, Mr. Mack stated that the subject construction was concrete masonry not wood or steel frame. Based upon Marshall Valuation information his selected construction cost is about $0.40 to $0.50 more per foot. More importantly however, it has an economic life of about 10 years more than wood or steel frame. The Marshall cost service for the PAs application indicates depreciation to be 13% whereas it indicates 24% for wood steel construction.

The petitioner did not object to the property appraisers observations. Also, when asked, Ms. Arroyos stated that she had not seen or inspected the subject property and that she customarily uses this construction cost classification for buildings like Applebee's restaurants.

Based upon careful consideration of all verbal and written information and evidence provided, the special magistrate also concluded the following:

The property appraisers application of the Marshall Valuation Services methodology was more appropriate.

The property appraiser provided three indications of value for the subject property which supported the reliability of the estimated assessed value.

Insufficient information was presented by the petitioner to support a reduction in the assessment. The assessment was not proven to be incorrect.

The property appraisers assessment was developed by three generally accepted appraisal methods.

The market value of the subject property is within the discretion of the property appraiser and within a reasonable range of values for the property.

The property appraiser lawfully considered the eight criteria enumerated in section 193.011, Florida Statutes.

CONCLUSIONS OF LAW

Petition 123: Conclusions of Law

In accordance with section 194.301 F.S., it was determined that there is competent evidence of value on record in compliance with the criteria of 193.011 and professionally accepted appraisal practice to establish an appropriate assessment for the subject property. In the professional opinion of the special magistrate, the property appraiser's evidence was credible, relevant, and sufficient. In this case, the property appraiser proved by a preponderance of the evidence that their estimation of value does not exceed just value. Therefore, the special magistrate has denied the petitioners request for any reduction in value and recommends that the property appraiser's value be upheld.

Stated another way, if the property appraiser establishes a presumption of correctness and the petitioner does not overcome the presumption of correctness the assessment stands. This decision, that tax relief is denied, means that any right the petitioner may have to bring action in circuit court is not impaired.

FLORIDA DEPARTMENT OF REVENUE

DECISION OF THE VALUE ADJUSTMENT BOARD
VALUE PETITION

DR-485V
R. 01/17
Rule 12D-16.002
F.A.C.
Eff. 01/17

The actions below were taken on your petition in Citrus County

_X_ These actions are a recommendation only, not final. ___ These actions are a final decision of the VAB

If you are not satisfied after you are notified of the final decision of the VAB, you have the right to file a lawsuit in circuit court to further contest your assessment. (See sections 193.155(8)(l), 194.036, 194.171(2), 196.151, and 197.2425, Florida Statutes.)

Petition # 124	Parcel ID 19E19S130020 0654
Petitioner Name ARC CAFEUSA001 LLC	Property Address ARC CAFEUSA001 LLC 1901 W MAIN ST INVERNESS
The Petitioner is: ___Taxpayer of Record _X_Representative ___Other ______________________	

Decision Summary _X_ Denied your petition ___ Granted your petition ___ Granted your petition in part

Value Line 1 and 4 must be completed	Value from TRIM Notice	Before Board Action Value presented by property appraiser Rule 12D-9.025(10), F.A.C.	After Board Action
1. Just value, required	1349510.00	1349510.00	1349510.00
2. Assessed or classified use value, *if applicable	1308516.00	1308516.00	1308516.00
3. Exempt value, *enter "0" if none	0.00	0.00	0.00
4. Taxable value, *required	1308516.00	1308516.00	1308516.00

*All values entered should be county taxable values. School and other taxing authority values may differ. (Section 196.031(7), F.S.)

Reasons for Decision

Findings of Fact
See attached

Conclusions of Law
See attached

_X_ **Recommended Decision of Special Magistrate** Finding and conclusions above are recommendations.

Robert Sutte	ROBERT SUTTE	01/07/2021
Signature, special magistrate	Print name	Date
Angela Vick	ANGELA VICK	01/07/2021
Signature, VAB clerk or special representative	Print name	Date

If this is a recommended decision, the board will consider the recommended decision on 05/18/2021 at 9:00AM.
Address: Citrus County Courthouse, 110 North Apopka Ave, Inverness, FL 34450
If the line above is blank, the board does not yet know the date, time, and place when the recommended decision will be considered. To find the information, please call (352) 341-7095 or visit our website at www.citrusclerk.org.

___ **Final Decision of the Value Adjustment Board**

Signature, chair, value adjustment board	Print name	Date of decision
Signature, VAB clerk or representative	Print name	Date mailed to parties

Attachment: VAB_Decision-124 (12780 : VAB Recommended Decisions)

FINDINGS OF FACT
Petition 124: Findings of Fact

INTRODUCTION

The important subject of this hearing is just value. Florida law dictates that the property appraiser is responsible for presenting relevant and credible (worthy of belief) admissible evidence in support of their determination of just value. See rule 12 D-9.025 (3)(a), F.A.C. Relevant evidence, is evidence that is reasonably related, directly or indirectly, to the statutory criteria that apply to the issue under review. This description means the evidence meets or exceeds the minimum level of relevance necessary to be admitted for consideration. Also, the special magistrate must determine that the evidence presented is admissible. Admissible evidence means evidence that has been admitted into the record for consideration by the special magistrate. See rule 12 D-9.025 (2)(a) F.A.C.

If the property appraiser establishes a presumption of correctness by proving by a preponderance of the evidence that the just value assessment was arrived at by complying with section 193.011, F.S. and professionally accepted appraisal practices the petitioner must prove by a preponderance of the evidence that the property appraiser's just valuation does not represent just value or the property appraiser's just valuation is arbitrarily based on appraisal practices that are different from the appraisal practices generally applied by the property appraiser to comparable property within the same county. See subsection 194. 301 (2) (a) F.S. as amended by chapter 2009- 121, Laws of Florida (House Bill 521). Under rule 12 D - 9.025(1), F.A.C.

There are eight factors of just valuation established by Section 193. 011, Florida Statutes. This Florida law states that in arriving at just valuation as required under S. 4, Art. VII of the State Constitution, the property appraiser shall take into consideration the following factors:

1) Present cash value - willing buyer/seller. 2) Highest and best use. ?3) Location of property. ?4) Quantity or size. 5) Cost of property and present replacement cost of improvements. 6) Condition of property.7) Income of property. ?8) Net proceeds of sale.

Florida court decisions have used the terms lawfully, properly, duly, and carefully to describe the standard of care required of property appraisers in considering each of the eight factors." Just value is to be determined by giving careful consideration to each of the factors contained in Florida Statute 93. 011 and by giving such weight to a factor as a particular factual situation may justify." See Florida Attorney General's opinion AGO 77-106, September 29, 1977.

After lawfully considering the factors, the property appraiser may discard entirely any factor that is not probative (indicative) of just value under the circumstances, as long as the appraisal methodology used complies with professionally accepted appraisal practices. See Mazourek V. Wal-Mart Stores, 831 So. 2d 85 (Fla. 2002) and Section 194.301, F.S. as amended by Chapter 2009-121, Laws of Florida (House Bill 521). In administrative reviews, the property appraiser is responsible for proving by a preponderance of the evidence that he or she complied with section 193. 011 by properly considering each of the eight factors in developing original just valuations. See subsection 194.301 (1), F.S.

Findings of Fact:

This telephonic hearing for petition 124 took place on December 8, 2020 immediately following the hearing for petition 123. It was noted that any information/evidence presented during the prior hearing that was applicable to this hearing would be considered. This subject property was also an Applebees quick service drive-in restaurant. It is located in Inverness, at 1901 West Main St. This building was constructed in 2000 with 4,976 square feet of building area on 1.81 acres.

Mr. Herb Mack was the main and lead witness for the Citrus County Property Appraiser. He was assisted by Mr. Tim Reynard. The property owners representative was Ms. Jessica Arroyos with Ryan LLC, Dallas.These witnesses were sworn to tell the truth, the whole truth and nothing but the truth, so help them God by Robert

Sutte, special magistrate during the prior hearing. This hearing was also conducted with the assistance of Ms. Georgette Tozer, DC, VAB Clerk

Mr. Mack provided his evidence and testified first. The property appraiser (PA) legally identified the subject property and entered into the record their values. His estimated subject property value of $1,346510 was based upon consideration of all three approaches to value. The indicated values from the three appraisal approaches were:

Cost $1,587,659 Sales $1,830,061 Income $2,064,727

Mr. Mack began his testimony with a description of his cost approach. He relied upon an application of the Calculator Section, provided by the Marshall Valuation Service. The estimated effective age of the building improvements was 16 years with an estimated economic life of 45 years. The indicated amount of accrued depreciation was 16%. The estimated land value was supported with comparison of three area comparable land sales. Based upon concrete and masonry construction, the cost new of the building was estimated to be $733,099 or $147.33 per square foot based upon 4976 feet. The total indicated value was $1,587,859.

For the application of the income approach, the property appraiser estimated a market rent of $43.25 per square foot for this retail store space (4976 S F). The estimated gross potential income was $215,212. The allowance for vacancy and rent loss was 5 %. Operating expenses including reserves for replacements was 5% of estimated effective gross income. The resulting estimated annual net operating income was $194,229. The PA's capitalization rate was 9.41 %. Dividing the estimated net income by the selected overall capitalization rate indicated a value for the subject property of $2,064,727.

For the sales comparison approach, the property appraiser provided three sales of area retail properties which took place between December 2017 and January 2020. These retail transactions involved building sizes of 4959 and 5640 square feet. These buildings were constructed years 2007 and 2010. The unadjusted prices paid per square foot of building area including the value of the land were from $383.08 to $580.82 per square foot. After some comparative adjustments were made these three comparable sales indicated a value for the subject property ranging from $306.47 to $435.61 per square foot. The indicated subject value was $367.78 per foot or $1,830,061.

The PA considered all three approaches to value. As noted earlier, the three indications of subject property value were as follows:

Cost $1,587,659 Sales $1,830,061 Income $2,064,727

It was concluded that the justifiability and reliability of the subjects estimated value of $ 1,346,510 or $272.24 per square foot is strongly supported by the above indicated values.

The property owners representative, Ms. Jessica Arroyos reported that her estimate of value was based upon the application of the cost only. Like the property appraiser, she also utilized the Marshall Valuation Services cost methodology. Her choice of construction class was wood or steel pre-framed exterior walls, average quality. Her estimated effective age of the building improvements was 14 years but with an estimated total economic life of 35 years compared to the property appraisers 45 years.

Utilizing the Marshall information her estimated depreciation was 24.0%. The total depreciated estimated building cost was $501,763. Added was $31,843 for asphalt and concrete paving. The resulting total estimated cost new was $533,607. The PET accepted the property appraisers land value discounted by 15% for cost of sale of $746,360. The petitioners indicated value via the cost approach was $1,280,000 (rounded). This was an estimated unit value of $257.23 per square foot including the land value. This was the petitioners requested value which was significantly less than the property appraisers estimated assessed value of $1,349,510.

In rebuttal, Mr. Mack stated that the subject construction was concrete masonry not wood or steel frame. Based upon Marshall Valuation information his selected construction type costs about $0.40 to $0.50 more per foot. More importantly however, it has an economic life of about 10 years more than wood or steel frame. The Marshall cost service for the PAs application indicates depreciation to be 16% whereas it indicates 24% for the PETs application using wood steel construction.

The petitioner did not object to the property appraisers observations. Also, when asked, Ms. Arroyos stated that she had not seen or inspected the subject property and that she customarily uses this construction cost classification for buildings like Applebee's restaurants.

Based upon careful consideration of all verbal and written information and evidence provided, the special magistrate also concluded the following:

The property appraisers application of the Marshall Valuation Services methodology was more appropriate.

The property appraiser provided three indications of value for the subject property which supported the reliability of the estimated assessed value.

Insufficient information was presented by the petitioner to support a reduction in the assessment. The assessment was not proven to be incorrect.

The property appraisers assessment was developed by three generally accepted appraisal methods.

The market value of the subject property is within the discretion of the property appraiser and within a reasonable range of values for the property.

The property appraiser lawfully considered the eight criteria enumerated in section 193.011, Florida Statutes.

CONCLUSIONS OF LAW
Petition 124: Conclusions of Law

In accordance with section 194.301 F.S., it was determined that there is competent evidence of value on record in compliance with the criteria of 193.011 and professionally accepted appraisal practice to establish an appropriate assessment for the subject property. In the professional opinion of the special magistrate, the property appraiser's evidence was credible, relevant, and sufficient. In this case, the property appraiser proved by a preponderance of the evidence that their estimation of value does not exceed just value. Therefore, the special magistrate has denied the petitioners request for any reduction in value and recommends that the property appraiser's value be upheld.

Stated another way, if the property appraiser establishes a presumption of correctness and the petitioner does not overcome the presumption of correctness the assessment stands. This decision, that tax relief is denied, means that any right the petitioner may have to bring action in circuit court is not impaired.

DR-485V
R. 01/17
Rule 12D-16.002
F.A.C.
Eff. 01/17

FLORIDA DEPARTMENT OF REVENUE

DECISION OF THE VALUE ADJUSTMENT BOARD
VALUE PETITION

The actions below were taken on your petition in Citrus County

_X_ These actions are a recommendation only, not final. ___ These actions are a final decision of the VAB

If you are not satisfied after you are notified of the final decision of the VAB, you have the right to file a lawsuit in circuit court to further contest your assessment. (See sections 193.155(8)(l), 194.036, 194.171(2), 196.151, and 197.2425, Florida Statutes.)

Petition # 125	Parcel ID 18E18S250260 0160
Petitioner Name SHARRA ROBERT	Property Address SHARRA ROBERT G 1389 N EAGLE RIDGE PATH HERNANDO
The Petitioner is: _X_Taxpayer of Record ___Representative ___Other ______	

Decision Summary ___ Denied your petition _X_ Granted your petition ___ Granted your petition in part

Value Line 1 and 4 must be completed	Value from TRIM Notice	Before Board Action Value presented by property appraiser Rule 12D-9.025(10), F.A.C.	After Board Action
1. Just value, required	497146.00	497146.00	460000.00
2. Assessed or classified use value, *if applicable	352288.00	352288.00	352288.00
3. Exempt value, *enter "0" if none	50000.00	50000.00	50000.00
4. Taxable value, *required	302288.00	302288.00	302288.00

*All values entered should be county taxable values. School and other taxing authority values may differ. (Section 196.031(7), F.S.)

Reasons for Decision

Findings of Fact
See attached

Conclusions of Law
See attached

_X_ **Recommended Decision of Special Magistrate** Finding and conclusions above are recommendations.

Signature, special magistrate	Print name	Date
John Robinson	JOHN ROBINSON	02/04/2021

Signature, VAB clerk or special representative	Print name	Date
Angela Vick	ANGELA VICK	02/04/2021

If this is a recommended decision, the board will consider the recommended decision on 05/18/2021 at 9:00AM.
Address: Citrus County Courthouse, 110 North Apopka Ave, Inverness, FL 34450
If the line above is blank, the board does not yet know the date, time, and place when the recommended decision will be considered. To find the information, please call (352) 341-7095 or visit our website at www.citrusclerk.org.

___ **Final Decision of the Value Adjustment Board**

Signature, chair, value adjustment board | Print name | Date of decision

Signature, VAB clerk or representative | Print name | Date mailed to parties

PETITION 2020 - 125
SHARRA ROBERT

FINDINGS OF FACT
Basic Underlying Facts
1. The property owner (Robert Sharra) represented himself as petitioner. Jonathan Franke and Mike Farrington represented the Property Appraiser (PA).

2. The property is a single family residence legally described as parcel ID# 18E 18S 250260 0160 and is located at 1389 N. Eagle Ridge Path in the Bellamy Ridge gated community within Terra Vista in the Citrus Hills development in Hernando. The property has 2,648 square feet (SF) of living area, 3 bedrooms and 2 baths, is one story and was constructed in 2019 and is situated on 13,607 SF/0.31 acre golf course view site (with 85 front feet) with 2 car garage (888 SF), screen porch (465 SF) and 36 SF of open porch. The PA's market value of $497,146 reflects $187.74 per square foot. The property was acquired by the petitioner in October 2018 for $90,000 as a vacant lot from the builder/developer. The appeal is based on the petitioner's opinion that the subject is overvalued on the basis of that he overpaid for the property (lot and home package) and the transaction does not meet the definition of an arms-length transaction, the comparable sales reveal declining values in the subdivision, the land value is inappropriately valued too high and the subject sale included personal property.

3. Evidence was properly exchanged between the PA and the petitioner prior to the hearing in accordance with Rule Chapter 12D-9.020 and 12D-9.025 which implements section 194.011(4), F.S.

4. In accordance with Rule Chapter 12D-9.024, Fla. Adm. Code, the PA first presented evidence to establish the presumption of correctness. Jonathan Franke presented the PA's opening address (Exhibit A-PA evidence) to demonstrate proper consideration of each of the following eight factors cited in Section 193.011, F.S., in developing the just value assessment.

The PA confirmed the TRIM and Before Board Action values noted in the Decision Summary section of this recommendation.

5. The petitioner did challenge the PA's presumption and presented evidence for consideration in the evidence exchange process to challenge the value due to the reasons stated previously (in paragraph 2.) above. The petitioner did offer an alternative value opinion of $427,620 based on the sales comparison approach and presented documentary evidence in advance of the hearing to refute the PA's value.

6. The petitioner disagreed with the PA's determination of just value. The petitioner made the following argument(s): The property value is too high based on errors within the PA's database that applies a 20% market conditions adjustment to non-standard lots in the development, which is based on an inadequate (too small) sample size, no deduction for external obsolescence that exists on properties in the subdivision, a flawed analysis in the adjustment process to comparable sales used by the PA and the reasons also stated in paragraph 2 above.

7. The petitioner presented the following documentary evidence to support the petitioner's arguments: summary of testimony and evidence in narrative form: summary of each key information for each exhibit used as evidence; Exhibit 1: overview of Bellamy Ridge with relevant details; Exhibit 2: discussion of comparable 2018 and 2019 Terra Vista land sales chart with 10 deeds following and Terra Vista home pricing list; Exhibit 3: summary of comparable improved sales (9) with adjustment grid pages and subject, comparable sales street photographs and aerial location map; Exhibit 4-MLS data for each comparable sale; Exhibit 5-property record cards of comparable sales; Exhibit 6--market adjustment factors and results of ratio study using 2017-2019 sales with graphs and data prints; and Exhibit 7- petitioner's opinion of just value with 8 factors of F.S. 193.011.

The Special Magistrate (SM) reviewed all evidence presented by the petitioner. In accordance with Rule 12D-9.025(1), Fla. Adm. Code (F.A.C.), the SM determined the evidence and testimony was relevant and credible to the valuation issue at hand. Thus, the evidence as presented by the petitioner was admitted for consideration in relation to the appropriateness of the subject's valuation.

8. The PA did have specific questions/comments relating to the petitioner's evidence including why the personal property was not included on the sales verification form and total property value is what can be challenged rather

than only a component of the value (land value in this case).

9. The PA presented the following documentary evidence to support its just valuation determination cited above. The evidence consisted of an opening statement discussing the justification for the PA's just/market value; a cover page identifying petition and property; index; summary of salient facts and conclusions including property details; summary page including street photograph, property details and values from each applicable approach to value; comparable improved sales grid with sale price/sale date/property details for each comparable sale (six improved sales from February 2019 to January 2020 within and the subject development of The Village of Citrus Hills-Terra Vista that sold for between $482,900 to $585,000 (averaging $546,150) with from 1,852 to 2,996 SF or $195.26/SF to $260.75/SF of living area prior to adjustments and $190.67/SF to $305.39/SF after adjustments ($443,716 to $587,676), concluding at a just/market value of $497,146); Supplemental Addenda with comments regarding the data; subject street improvements and photographs including an aerial photograph; comparable sales street photographs; comparable sales and subject aerial location map; evidence list; subject property record/information card; Florida Statutes 193.011 (factors to consider in deriving just valuation); FS 193.023 (duties of the property appraiser in making assessments); FS 194.034 (hearing procedures, rules); DOR PTO regarding Higgs v. Good case; request for petitioner evidence; screen shot of subject permit history; TRIM notice; case law of pertinent issues; and Villages of Citrus Hills marketing brochure.

The SM reviewed all evidence presented by the PA. In accordance with Rule 12D-9.025(1), Fla. Adm. Code (F.A.C.), the SM determined the evidence and testimony was relevant and credible to the valuation issue at hand. Thus, the evidence presented by the PA was admitted for consideration in relation to the appropriateness of the subject's valuation.

10. The petitioner did have questions regarding the PA's evidence on the basis of the adjustment process to the comparable sales not being consistent with professional appraisal practices when valuing the property as well as other concerns as previously stated.

Ultimate Findings of Fact
Based on the evidence submitted, I find the PA's evidence to be persuasive, appropriate and generally supportive of the market value stated; however, the petitioner's evidence is also persuasive and supportive of the claim that the PA's just/market value is excessive based on specific market evidence. The PA presented comparable improved sales in support of the value in applying the sales comparison approach while the petitioner presented comparable land and improved sales and market value comparisons in support of a reduction of the PA's appraised value. The petitioned property is a newly built, custom home with numerous amenities, including a golf course. The general findings from the evidence and testimony are as follows:

The petitioner's evidence points out numerous flaws with the PA's value and analysis including the following: the subject is overvalued on the basis of that the taxpayer/petitioner overpaid for the property (as new construction dictated multiple upgrades that were considerably overpriced) and any transaction (land acquisition and/or construction price) does not meet the definition of an arms-length transaction, the comparable sales reveal declining values in the subdivision, the land value is inappropriately valued too high and the subject sale included personal property, the property value is too high based on errors within the PA's database that applies a 20% market conditions adjustment to only non-standard lots in the development, which is based on an inadequate (too small) sample size, no deduction for obsolescence that exists on properties in the subdivision, and a flawed analysis in the adjustment process to comparable sales. The analysis that is provided by the petitioner that is most appropriate in determining whether the subject's value is in excess of market value is the comparable sales analysis and the petitioner presents nine comparable sales that occurred between November 2018 and December 2019. There are two common sales used by the petitioner and PA. The petitioner's sales are all within the subject Citrus Hills-Terra Vista development ($367,500 to $602,000, averaging $483,767 and $151.73/SF to $239.16/SF), with four sales (Comps 2, 3, 7 and 8) within Bellamy Ridge (like the subject). The petitioner stated that all of the comparable sales used in his analysis were resales and all were sold via MLS. However, only four of the nine comparables (Comps 5, 6, 8 and 9) have golf course frontage like the subject as the remaining sales have inferior views. Sales 2, 3, 4 and 5 are the most recent sales (sold in November and December 2019); however, four of the sales have a pool and two have a casita while the subject does not have either. The petitioner applies adjustments to the comparable sales for the following items: view, actual age, room count, gross living area, and amenities. I am not sure of the basis for applying these line items adjustments as the petitioner is not an appraiser to my knowledge; however, making some checks to the adjustments applied, the unit adjustments appear reasonable and consistent (with living area adjustments applied at $120/SF); however, an error is made to the adjustment for Sale 1 for living area which understates the indicated value. On this basis, I have excluded Sale 1 from the analysis. The sales indicate a range in adjusted values from $405,620 to $586,320, averaging $501,827 (excluding Sale 1) and $426,553 including a 15% cost of sale with an average adjusted value of $161.09/SF for the subject. This analysis does support a reduction to the PA's value.

The petitioner concurs with the PA's improvement value based on the Marshall Valuation Service cost estimate but does not concur with the land value; however, the sales comparison approach is the primary approach to value in the valuation of any single-family residence and both the PA and petitioner agree. For this reason, any concerns about the land value and cost approach would not be critical to the total value and are not addressed in this recommendation.

The PA presented six 2019 sales within the subject development ($482,900 to $585,000, averaging $546,150), with three sales (Comps 2, 4 and 6) within Bellamy Ridge (like the subject). The PA commented that all of the comparable sales used in their analysis were resales with the exception of Comp 5. Comp 5 is also the smallest in living area (30.1% smaller than the subject). For these reasons, I have placed no weight on Comp 5 ($482,900 or $260.75/SF unadjusted). All remaining five sales were reportedly sold via MLS. However, only Comp 1 (in addition to Comp 5) is a golf course frontage lot like the subject; therefore, all other sales have inferior views. Sales 1, 3 and 6 (that sold for between $525,000 and $579,000) sold in November and December 2019 and appear to be the best comparables for the subject with the newest construction dates and/or lot amenity. The PA's adjustments for building value and miscellaneous improvements, indicates adjusted values of between $514,807 and $536,127 for these three sales, which is supportive of the PA's value of $497,146. The remaining two sales (excluding Comps 2 and 4), indicate a range in sale prices from $535,000 to $585,000, averaging $560,000 ($195.26/SF to $239.16/SF, averaging $217.21/SF). The PA's adjusted values for these sales indicate a range in sale prices from $443,716 to $587,676, averaging $515,696 ($198.35/SF to $196.15/SF, averaging $197.25/SF), which includes a 15% cost of sale. As previously stated, Comps 1, 3 and 6 are given most emphasis and the average adjusted value from these sales is $522,930 ($206.09/SF). The PA's value for the subject is supported by the average adjusted sale price and the unit price. It should be noted that the petitioner took exception to the adjustments used by the PA, since they are based on the PA's CAMA system and includes market conditions adjustments.

The underlying factors that impact the market value are comparable sales and the petitioner does build a case for identifying what are possibly as good or better sales than what is being used by the PA. Both the petitioner and PA present relevant and appropriate reasoning for their stance that the value should be reduced/upheld accordingly. The claim made by the petitioner that the adjustments applied by the PA are questionable and not in compliance with typical professional appraisal practices does carry some weight. Additionally, the petitioner's adjustments could be made with some bias, particularly regarding the adjustments for view amenity, as the analysis was not performed by an independent analysis or appraiser. Therefore, the substantial weight of the evidence rests between the petitioner and PA in concluding an appropriate market value opinion. As stated in the previous paragraph, the PA's value is supported by the comparables presented upon further breakdown and adjustments applied to these sales. The petitioner's analysis does support a reduction to the PA's value. Based on the revised value of $426,553 based on the petitioner's evidence and the PA's value of $497,146, I have correlated to a value between these two values for a recommended value of $460,000 ($173.72/SF) on the basis that the petitioner's evidence is given slightly more weight based on the thoroughness, completeness and consistency of that analysis as well as having four golf course frontage lots as comparables compared with the PA's comparables having only one golf course lot. The PA's analysis is given significant weight, however, based on the unadjusted sale prices and unit prices of the comparables used. The recommended value is $460,000 on this basis.

I have determined that the record contains competent substantial evidence to establish a revised just value, and that the competent substantial evidence for a revised just value cumulatively meets the criteria of FS 193.011 and that the competent substantial evidence for a revised just value meets professionally accepted appraisal practices. The petitioner presented sufficient market evidence to indicate the subject is valued in excess of just/market value. Therefore, it is recommended that the just/market value be reduced by 7.47%, or $37,146 to a value of $460,000, or $173.72/SF.

CONCLUSIONS OF LAW

Section 194.301, F.S., provides that the PA's assessment is presumed correct if the PA proves by a preponderance of the evidence that the assessment was arrived at by complying with section 193.011, F.S., any other applicable statutory requirements relating to classified use values or assessment caps, and professionally accepted appraisal practices, including mass appraisal standards, if appropriate. However, a taxpayer who challenges an assessment is entitled to a determination by the Value Adjustment Board of the appraisal methodology used in making the assessment. The value of the property must be determined by an appraisal methodology that complies with the criteria of section 193.011, F.S., and professionally accepted appraisal practices.

As SM, I considered all given evidence and testimony discussed at this hearing as noted in the findings of fact. Based on this evidence and testimony, the PA did comply with section 193.011, F.S., meeting the eight legal factors. Accordingly, pursuant to section 194.301, F.S., the PA's assessment is presumed to be correct. However, the Petitioner met the burden of proving by a preponderance of the evidence that the PA's assessed value was arbitrarily or erroneous based on appraisal practices that are different from the appraisal practices generally applied by the PA to comparable property within the same county. Thus, in accordance with section 194.301(2), F.S., the value of $460,000, as set forth by the SM is determined by the SM to be the just valuation for the subject property in this case and the petition is granted relief accordingly.

FLORIDA DEPARTMENT OF REVENUE

DECISION OF THE VALUE ADJUSTMENT BOARD
VALUE PETITION

DR-485V
R. 01/17
Rule 12D-16.002
F.A.C.
Eff. 01/17

The actions below were taken on your petition in Citrus County

_X_ These actions are a recommendation only, not final. ___ These actions are a final decision of the VAB

If you are not satisfied after you are notified of the final decision of the VAB, you have the right to file a lawsuit in circuit court to further contest your assessment. (See sections 193.155(8)(l), 194.036, 194.171(2), 196.151, and 197.2425, Florida Statutes.)

Petition # 130	Parcel ID 19E19S130030 00130 0130
Petitioner Name MCMM INVESTMENTS LLC	Property Address MCMM INVESTMENTS LLC 2327 W HWY 44 INVERNESS
The Petitioner is: _X_ Taxpayer of Record ___Representative ___Other ______	

Decision Summary _X_ Denied your petition ___ Granted your petition ___ Granted your petition in part

Value Line 1 and 4 must be completed	Value from TRIM Notice	Before Board Action Value presented by property appraiser Rule 12D-9.025(10), F.A.C.	After Board Action
1. Just value, required	143100.00	143100.00	143100.00
2. Assessed or classified use value, *if applicable	122441.00	122441.00	122441.00
3. Exempt value, *enter "0" if none	0.00	0.00	0.00
4. Taxable value, *required	122441.00	122441.00	122441.00

*All values entered should be county taxable values. School and other taxing authority values may differ. (Section 196.031(7), F.S.)

Reasons for Decision

Findings of Fact
See attached

Conclusions of Law
See attached

_X_ **Recommended Decision of Special Magistrate** Finding and conclusions above are recommendations.

Signature, special magistrate	JOHN ROBINSON Print name	01/07/2021 Date
Signature, VAB clerk or special representative	ANGELA VICK Print name	01/07/2021 Date

If this is a recommended decision, the board will consider the recommended decision on 05/18/2021 at 9:00AM.
Address: Citrus County Courthouse, 110 North Apopka Ave, Inverness, FL 34450
If the line above is blank, the board does not yet know the date, time, and place when the recommended decision will be considered. To find the information, please call (352) 341-7095 or visit our website at www.citrusclerk.org.

___ **Final Decision of the Value Adjustment Board**

Signature, chair, value adjustment board	Print name	Date of decision
Signature, VAB clerk or representative	Print name	Date mailed to parties

FINDINGS OF FACT

Basic Underlying Facts

1. The property owner (MCMM Investments LLC) was represented by Judy Marcus (who has an ownership interest in the property) hereinafter referred to as petitioner. Herb Mack, Dennis Bonnell and Dan Robbins represented the Property Appraiser (PA).

2. The property is vacant land legally described as parcel ID# 19E-19S-130030-00130-0130 and is located at 2327 W. Highway 44 in Inverness. The property is vacant land, with no development plans, and encompasses 52,694 square feet/1.21 acres. The front portion of the site is zoned commercial while the back half of the site is zoned residential. The PA's market value of $143,400 reflects $2.72 per square foot. The appeal is based on the petitioner's comment that the PA's value is excessive due to the characteristics of the immediate area, with dirt frontage roads on two sides, no traffic signal resulting in difficult access and mixed (commercial in front and residential in rear) zoning.

3. Evidence was not properly exchanged between the PA and the petitioner prior to the hearing in accordance with Rule Chapter 12D-9.020 and 12D-9.025 which implements section 194.011(4), F.S. However, the petitioner provided verbal testimony despite having no evidence. The PA did present their evidence to the Special Magistrate at the hearing.

4. In accordance with Rule Chapter 12D-9.024, Fla. Adm. Code, the PA first presented evidence to establish the presumption of correctness. Herb Mack presented the PA's opening address (Exhibit A-PA evidence) to demonstrate proper consideration of each of the following eight factors cited in Section 193.011, F.S., in developing the just value assessment.

The PA confirmed the TRIM and Before Board Action values noted in the Decision Summary section of this recommendation. The petitioner confirmed the values to be accurate.

5. The petitioner did challenge the PA's presumption with regards to the property's physical characteristics with limited utility that calls into question the value established by the PA based on comparable land sales. The petitioner did not offer an alternative value opinion and presented no documentary evidence in advance of or at the hearing to refute the PA's value (only verbal testimony).

6. The petitioner disagreed with the PA's determination of just value. The petitioner made the arguments as stated in paragraph 2 above.

7. The petitioner presented no documentary evidence but provided verbal testimony to support the petitioner's arguments: the property is "L"-shaped and bordered on the west by a dirt road, offering poor access to Highway 44 (particularly turning left/west onto Highway 44 from the access road); the back part of the site is residential and does not have good utility with the commercial zoning in the front; the lack of a traffic signal creates risk onto busy Highway 44; the site has limited value unless residential site is changed to commercial and the frontage streets are paved; and lots of vacancies on Highway 44; with setbacks the footprint of a future building would be limited.

The Special Magistrate (SM) did not have any evidence to review from the petitioner. Thus, no evidence was presented by the petitioner for admission and consideration in relation to the appropriateness of the subject's valuation.

8. The PA did not have questions/comments relating to the petitioner's evidence, since none was provided. The PA did state that parking could be used for the residentially-zoned, rear portion of the site to accommodate a commercial use in the front.

9. The PA presented the following documentary evidence to support its just valuation determination cited above. The evidence consisted of a cover page; index; summary of salient facts and conclusions including property details and values from each applicable approach to value; aerial photograph and property and assessment information; highest and best use analysis; comparable sales grid with aerial photographs/sale price/sale

date/property details for each comparable sale (three land sales from May 2016 to December 2018 within Inverness (2) and Crystal River with from 55,940 to 92,010 square feet or $2.11 to $5.31 per square foot and the same indication after applying adjustment no adjustments, averaging $3.43/SF and after applying a 15% cost of sale adjustment, for an indicated value of $2.92/SF or $153,812); aerial and location maps of the comparable sales with proximity to subject; documentary evidence and exhibits; Florida Statutes (F.S.) 193.011; F.S. 193.023; 194.034.

The Special Magistrate (SM) reviewed all evidence presented by the PA. In accordance with Rule 12D-9.025(1), Fla. Adm. Code (F.A.C.), the SM determined the evidence and testimony was relevant and credible to the valuation issue at hand. Thus, the evidence presented by the PA was admitted for consideration in relation to the appropriateness of the subject's valuation.

10. The petitioner did not have questions/comments relating to the PA's evidence, other than to state that the comparable land sales used by the PA are superior to the subject and result in an excessive value.

Ultimate Findings of Fact
Based on the evidence submitted, I find the PA's evidence to be persuasive, appropriate and supportive of the market value stated. The PA presented the sales comparison (which indicated a value of $153,812 after a 15% deduction for cost of sale), with the PA's just/market value being 6.96% below this indication. The concluded market value reflects $2.72/SF, which is below two of the unit prices from the comparable sales presented by the PA, and below the average unit price of 3.43/SF. The PA stated traffic counts at the subject location range from 30,000 to 50,000 SF. The PA stated that two of the three comparables sales used have residential zoning, similar to the subject. All reliance is given to the sales comparison approach, since the property is not improved. The petitioner's comments pertaining to the property have merit, particularly regarding the mixed zoning, unpaved frontage roads to the west and south, and the difficult access. However, no comparable sales or listings were presented as evidence to support the claim that the PA's value is in excess of market value.

The concluded sales comparison approach value by the PA is considered to be more credible and reliable based on the PA's sales (which all appear to be credible) and given the lack of documented evidence from the petitioner.

The greater weight of the PA's evidence results in the preponderance of evidence being in the favor of the PA's just/market value.

CONCLUSIONS OF LAW
Section 194.301, F.S., provides that the PA's assessment is presumed correct if the PA proves by a preponderance of the evidence that the assessment was arrived at by complying with section 193.011, F.S., any other applicable statutory requirements relating to classified use values or assessment caps, and professionally accepted appraisal practices, including mass appraisal standards, if appropriate. However, a taxpayer who challenges an assessment is entitled to a determination by the Value Adjustment Board of the appraisal methodology used in making the assessment. The value of the property must be determined by an appraisal methodology that complies with the criteria of section 193.011, F.S., and professionally accepted appraisal practices.

As SM, I considered all given evidence and testimony discussed at this hearing as noted in the findings of fact. Based on this evidence and testimony, the PA did comply with section 193.011, F.S., meeting the eight legal factors. Accordingly, pursuant to section 194.301, F.S., the PA's assessment is presumed to be correct. The Petitioner did not meet the burden of proving by a preponderance of the evidence that the PA's assessed value did not represent the just value of the property after taking into account any applicable limits on annual increases in the value of the property or was arbitrarily or erroneous based on appraisal practices that are different from the appraisal practices generally applied by the PA to comparable property within the same county. Thus, in accordance with section 194.301(2), F.S., the just value of the PA of $143,100 is affirmed and the petition is denied.

DR-485V
R. 01/17
Rule 12D-16.002
F.A.C.
Eff. 01/17

FLORIDA DEPARTMENT OF REVENUE

DECISION OF THE VALUE ADJUSTMENT BOARD
VALUE PETITION

The actions below were taken on your petition in Citrus County

_X_ These actions are a recommendation only, not final. ___ These actions are a final decision of the VAB

If you are not satisfied after you are notified of the final decision of the VAB, you have the right to file a lawsuit in circuit court to further contest your assessment. (See sections 193.155(8)(l), 194.036, 194.171(2), 196.151, and 197.2425, Florida Statutes.)

Petition # 131	Parcel ID 19E19S11 21240
Petitioner Name MCMM INVESTMENTS LLC	Property Address MCMM INVESTMENTS LLC 3805 E GULF TO LAKE HWY INVERNESS
The Petitioner is: _X_ Taxpayer of Record ___Representative ___Other ________________	

Decision Summary _X_ Denied your petition ___ Granted your petition ___ Granted your petition in part

Value Line 1 and 4 must be completed	Value from TRIM Notice	Before Board Action Value presented by property appraiser Rule 12D-9.025(10), F.A.C.	After Board Action
1. Just value, required	104160.00	104160.00	104160.00
2. Assessed or classified use value, *if applicable	93379.00	93379.00	93379.00
3. Exempt value, *enter "0" if none	0.00	0.00	0.00
4. Taxable value, *required	93379.00	93379.00	93379.00

*All values entered should be county taxable values. School and other taxing authority values may differ. (Section 196.031(7), F.S.)

Reasons for Decision

Findings of Fact
See attached

Conclusions of Law
See attached

_X_ **Recommended Decision of Special Magistrate** Finding and conclusions above are recommendations.

Signature, special magistrate	Print name: JOHN ROBINSON	Date: 01/15/2021
Signature, VAB clerk or special representative	Print name: ANGELA VICK	Date: 01/15/2021

If this is a recommended decision, the board will consider the recommended decision on 05/18/2021 at 9:00AM.
Address: Citrus County Courthouse, 110 North Apopka Ave, Inverness, FL 34450
If the line above is blank, the board does not yet know the date, time, and place when the recommended decision will be considered. To find the information, please call (352) 341-7095 or visit our website at www.citrusclerk.org.

___ **Final Decision of the Value Adjustment Board**

Signature, chair, value adjustment board ____ Print name ____ Date of decision ____

Signature, VAB clerk or representative ____ Print name ____ Date mailed to parties ____

Attachment: VAB_Decision-131 (12780 : VAB Recommended Decisions)

FINDINGS OF FACT

Basic Underlying Facts

1. The property owner (MCMM Investments LLC) was represented by Judy Marcus (who has an ownership interest in the property) hereinafter referred to as petitioner. Herb Mack, Dennis Bonnell and Dan Robbins represented the Property Appraiser (PA).

2. The property is vacant land legally described as parcel ID# 19E-19S-11-21240 and is located at 3805 Gulf-to-Lake Highway/44 in Inverness. The property is vacant land, with no development plans, and encompasses 25,233 square feet/0.58 acres. The site is zoned commercial and has access via a curb cut along the frontage road. The PA's market value of $104,160 reflects $4.13 per square foot. The appeal is based on the petitioner's comment that the PA's value is excessive due to the characteristics of the immediate area, with nearest side street being a dirt road, difficult access, and unappealing adjacent properties.

3. Evidence was not properly exchanged between the PA and the petitioner prior to the hearing in accordance with Rule Chapter 12D-9.020 and 12D-9.025 which implements section 194.011(4), F.S. However, the petitioner provided verbal testimony despite having no evidence. The PA did present their evidence to the Special Magistrate at the hearing.

4. In accordance with Rule Chapter 12D-9.024, Fla. Adm. Code, the PA first presented evidence to establish the presumption of correctness. Herb Mack presented the PA's opening address (Exhibit A-PA evidence) to demonstrate proper consideration of each of the following eight factors cited in Section 193.011, F.S., in developing the just value assessment.

The PA confirmed the TRIM and Before Board Action values noted in the Decision Summary section of this recommendation. The petitioner confirmed the values to be accurate.

5. The petitioner did challenge the PA's presumption with regards to the property's physical characteristics with limited utility and upside potential that calls into question the value established by the PA based on comparable land sales. The petitioner did not offer an alternative value opinion and presented no documentary evidence in advance of or at the hearing to refute the PA's value (only verbal testimony).

6. The petitioner disagreed with the PA's determination of just value. The petitioner made the arguments as stated in paragraph 2 above.

7. The petitioner presented no documentary evidence but provided verbal testimony to support the petitioner's arguments: the property is dangerous to access from the Highway and has no side street access; the nearest side street is a dirt road providing access to a mobile home park; the site has limited value with limited development in this area of Highway 44.

The Special Magistrate (SM) did not have any evidence to review from the petitioner. Thus, no evidence was presented by the petitioner for admission and consideration in relation to the appropriateness of the subject's valuation.

8. The PA did not have questions/comments relating to the petitioner's evidence, since none was provided.

9. The PA presented the following documentary evidence to support its just valuation determination cited above. The evidence consisted of a cover page; index; summary of salient facts and conclusions including property details and values from each applicable approach to value; aerial photograph and property and assessment information (traffic count reported at 30,000 to 50,000 VPD); highest and best use analysis; comparable sales grid with aerial photographs/sale price/sale date/property details for each comparable sale (three land sales from June 2017 to December 2018 all within Inverness with from 17,653 to 57,732 square feet or $4.71 to $5.66 per square foot and $4.47 (the PA erroneously did not apply the adjustment made) to $5.57 per square foot after applying adjustments, averaging $5.14/SF and after applying a 15% cost of sale adjustment, an indicated value of $4.37/SF or $110,268 is derived; aerial and location maps of the comparable sales with proximity to subject;

documentary evidence and exhibits; Florida Statutes (F.S.) 193.011; F.S. 193.023; 194.034.

The Special Magistrate (SM) reviewed all evidence presented by the PA. In accordance with Rule 12D-9.025(1), Fla. Adm. Code (F.A.C.), the SM determined the evidence and testimony was relevant and credible to the valuation issue at hand. Thus, the evidence presented by the PA was admitted for consideration in relation to the appropriateness of the subject's valuation.

10. The petitioner did have questions/comments relating to the PA's evidence, stating that the comparable land sales used by the PA are superior to the subject and result in an excessive value.

Ultimate Findings of Fact
Based on the evidence submitted, I find the PA's evidence to be persuasive, appropriate and supportive of the market value stated. The PA presented the sales comparison (which indicated a value of $111,991 after a 15% deduction for cost of sale), with the PA's just/market value being 6.99% below this indication. The concluded market value reflects $4.13/SF, which is below all of the unit prices from the comparable sales presented by the PA, and below the average unit price of $5.14/SF. The PA stated traffic counts at the subject location range from 30,000 to 50,000 SF. All reliance is given to the sales comparison approach, since the property is not improved.
The petitioner's comments pertaining to the property have merit, particularly regarding the difficult access with no side street access, the lack of development activity and an unpaved nearby side street that leads to a mobile home park that is not well maintained. However, no comparable sales or listings were presented as evidence to support the claim that the PA's value is in excess of market value. It may be appropriate to apply a condition adjustment to the property's value; however, without having a specific feature that can be measured, or having benefit of the property record card of the PA's comparable sales, any adjustment would be difficult to prove.

The concluded sales comparison approach value by the PA is considered to be more credible and reliable based on the PA's sales (which all appear to be credible, even if superior) and given the lack of documented evidence from the petitioner.

The greater weight of the PA's evidence results in the preponderance of evidence being in the favor of the PA's just/market value.

CONCLUSIONS OF LAW
Section 194.301, F.S., provides that the PA's assessment is presumed correct if the PA proves by a preponderance of the evidence that the assessment was arrived at by complying with section 193.011, F.S., any other applicable statutory requirements relating to classified use values or assessment caps, and professionally accepted appraisal practices, including mass appraisal standards, if appropriate. However, a taxpayer who challenges an assessment is entitled to a determination by the Value Adjustment Board of the appraisal methodology used in making the assessment. The value of the property must be determined by an appraisal methodology that complies with the criteria of section 193.011, F.S., and professionally accepted appraisal practices.

As SM, I considered all given evidence and testimony discussed at this hearing as noted in the findings of fact.
Based on this evidence and testimony, the PA did comply with section 193.011, F.S., meeting the eight legal factors. Accordingly, pursuant to section 194.301, F.S., the PA's assessment is presumed to be correct. The Petitioner did not meet the burden of proving by a preponderance of the evidence that the PA's assessed value did not represent the just value of the property after taking into account any applicable limits on annual increases in the value of the property or was arbitrarily or erroneous based on appraisal practices that are different from the appraisal practices generally applied by the PA to comparable property within the same county. Thus, in accordance with section 194.301(2), F.S., the just value of the PA of $104,160 is affirmed and the petition is denied.

FLORIDA DEPARTMENT OF REVENUE

DECISION OF THE VALUE ADJUSTMENT BOARD
VALUE PETITION

DR-485V
R. 01/17
Rule 12D-16.002
F.A.C.
Eff. 01/17

The actions below were taken on your petition in Citrus County

_X_ These actions are a recommendation only, not final. ___ These actions are a final decision of the VAB

If you are not satisfied after you are notified of the final decision of the VAB, you have the right to file a lawsuit in circuit court to further contest your assessment. (See sections 193.155(8)(l), 194.036, 194.171(2), 196.151, and 197.2425, Florida Statutes.)

Petition # 146	Parcel ID 17E18S240010 000B0 0290
Petitioner Name CRYSTAL ACRES MHC LLC	Property Address CRYSTAL ACRES MHC LLC 2850 N CREDE AVE CRYSTAL RIVER
The Petitioner is: _X_ Taxpayer of Record ___Representative ___Other ______	

Decision Summary _X_ Denied your petition ___ Granted your petition ___ Granted your petition in part

Value Line 1 and 4 must be completed	Value from TRIM Notice	Before Board Action Value presented by property appraiser Rule 12D-9.025(10), F.A.C.	After Board Action
1. Just value, required	663620.00	663620.00	663620.00
2. Assessed or classified use value, *if applicable	637087.00	637087.00	637087.00
3. Exempt value, *enter "0" if none	0.00	0.00	0.00
4. Taxable value, *required	637087.00	637087.00	637087.00

*All values entered should be county taxable values. School and other taxing authority values may differ. (Section 196.031(7), F.S.)

Reasons for Decision

Findings of Fact
See attached

Conclusions of Law
See attached

_X_ **Recommended Decision of Special Magistrate** Finding and conclusions above are recommendations.

John Robinson	JOHN ROBINSON	01/17/2021
Signature, special magistrate	Print name	Date
Angela Vick	ANGELA VICK	01/17/2021
Signature, VAB clerk or special representative	Print name	Date

If this is a recommended decision, the board will consider the recommended decision on 05/18/2021 at 9:00AM.
Address: Citrus County Courthouse, 110 North Apopka Ave, Inverness, FL 34450
If the line above is blank, the board does not yet know the date, time, and place when the recommended decision will be considered. To find the information, please call (352) 341-7095 or visit our website at www.citrusclerk.org.

___ **Final Decision of the Value Adjustment Board**

Signature, chair, value adjustment board	Print name	Date of decision
Signature, VAB clerk or representative	Print name	Date mailed to parties

FINDINGS OF FACT
Basic Underlying Facts
1. The property owner (Crystal Acres MHC LLC) was represented by Jim Ball (an owner representative of the property) hereinafter referred to as petitioner. Herb Mack, Dennis Bonnell and Dan Robbins represented the Property Appraiser (PA).

2. The property is known as Crystal Acres Mobile HC legally described as parcel ID# 17E-18S-240010-000B0-0290 and is located at 2850 N. Crede Avenue in Crystal River. The property has 47 mobile home lots and 19 mobile home units and was constructed in 1963-1988 and situated on 4.89 acres. The PA's market value of $663,620 (including 14,100 SF of building area) reflects $14,120 per unit/space. The appeal is based on the petitioner's comment that the income the property generated does not support the PA's value and the homes should be considered personal property instead of real property.

3. Evidence was not properly exchanged between the PA and the petitioner prior to the hearing in accordance with Rule Chapter 12D-9.020 and 12D-9.025 which implements section 194.011(4), F.S. as the petitioner did not submit any evidence.

4. In accordance with Rule Chapter 12D-9.024, Fla. Adm. Code, the PA first presented evidence to establish the presumption of correctness. Herb Mack presented the PA's opening address (Exhibit A-PA evidence) to demonstrate proper consideration of each of the following eight factors cited in Section 193.011, F.S., in developing the just value assessment.

The PA confirmed the TRIM and Before Board Action values noted in the Decision Summary section of this recommendation. The petitioner confirmed the values to be accurate.

5. The petitioner did challenge the PA's presumption with regards to how the property is valued and stated the improvements (mobile homes) should be valued as personal property. The petitioner did not offer an alternative value opinion at the hearing to refute the PA's value.

6. The petitioner disagreed with the PA's determination of just value. The petitioner made the arguments as stated in paragraph 2 above.

7. The petitioner presented no documentary evidence to support the petitioner's verbal arguments.

8. The PA did have questions/comments relating to the petitioner's evidence. The PA's questions/comments included: The petitioner has not advised how many of the mobile homes are park owned and no operating information was provided by the property owner.

9. The PA presented the following documentary evidence to support its just valuation determination cited above. The evidence consisted of a cover page; index; summary of salient facts and conclusions including property details and values from each applicable approach to value; aerial photographs and property detailed information (indicating a value of $47.07/SF for 14,100 SF of building area); highest and best use analysis; cost approach worksheet (based on a base unit cost of $53.47/SF for 14,100 total SF, miscellaneous improvements and land value) with an indicated value of $815,247; comparable improved sales grid with aerial photographs/sale price/sale date/property details for each comparable sale (three improved sales of mobile home parks from May 2017 to May 2019 within Crystal River and Brooksville ranging from 25 to 47 rentable lots/units or $17,447 to $30,600 per unit, and $17,447 to $26,010/unit after adjustments); aerial and location maps of the comparable sales; income approach pro forma summary based on market rents/operating expenses/capitalization rates (with market rent estimated at $367.50/month for a single wide unit with lot rentals (19), $577.50/month for a double wide unit with lot rentals (1), $254.10/month for a mobile home lot only and $24.50/day for RV pads, 23% vacancy/collection loss, 55% operating expense ratio, 5% reserves, 9.225% unloaded/10.478% loaded capitalization rate, indicating a value of $780,732, prior to a 15% cost of sale adjustment or $663;622; market survey from three sources indicating average rental rates ($480-$488 for Orlando and Tampa) and overall cap rates (8.6% to 9.27%); income/expense returns for seven mobile home park properties within the county (with an

average vacancy/collection loss of 21.5% and operating expenses of 43%); documentary evidence and exhibits; Florida Statutes (F.S.) 193.011; F.S. 193.023; 194.034; and FDOR PTO of Higgs v. Good case including synopsis and opinion.

The Special Magistrate (SM) reviewed all evidence presented by the PA. In accordance with Rule 12D-9.025(1), Fla. Adm. Code (F.A.C.), the SM determined the evidence and testimony was relevant and credible to the valuation issue at hand. Thus, the evidence presented by the PA was admitted for consideration in relation to the appropriateness of the subject's valuation.

10. The petitioner did not have questions/comments relating to the PA's evidence, other than to state that the income analysis does not support the PA's value and the mobile home units owned should be valued as personal property.

Ultimate Findings of Fact
Based on the evidence submitted, I find the PA's evidence to be persuasive, appropriate and supportive of the market value stated. The PA presented the cost (which indicated a value of $815,247 with no 15% deduction for cost of sale), sales comparison (which indicated a value of $958,795 with no 15% deduction for cost of sale) and income approaches (which indicated a value of $780,732, or $663,622 after a 15% deduction for cost of sale) to value, with the PA's just/market value being the income approach indication. The concluded market value reflects $14,120/space, which is below the lowest unit price from the comparable sales presented of $17,447/space. Most reliance is given to the income approach, however, based on minimal similar sales within the county.

The PA's income approach relies on market survey and reported income statements submitted to the PA. However, limited information is provided about these properties. The concluded market rents are based on the PA's market evidence. The petitioner did not provide any physical evidence but did state actual rent verbally. The PA reported that income/expense information was not provided upon request; therefore, actual income could not be compared with the estimated gross income. The reality is the petitioner does not provide any market evidence from comparable properties whereas the PA does. The petitioner stated verbally that $116,637 is the annual lot only income. As of 1/1/20, 10 units were park-owned. The subject has 12 RV lots and the lot rental is $275. The petitioner reported $51,800 is the mobile home rental income. The PA's estimated potential gross income (PGI) per unit ($5,187) for the subject is lower than the average of the seven rentals parks that reported income/expense data and is considered to be most reliable. The PA's estimate of 23% for vacancy/collection loss is consistent with the market evidence presented by the PA. The PA's operating expenses 55% plus a 5% (of EGI) reserve for replacement. A 9.225% unloaded capitalization rate (10.478% loaded) used by the PA compares with a 9.7% cap rate from the PA's cap rate study and is reasonable. The PA's indicated value is $780,732 (before applying a 15% cost of sale adjustment to this value) and $663,622 (after applying a 15% cost of sale).

The concluded income approach value by the PA is considered to be credible and reliable based on the market support for the PGI. The cost approach was briefly applied by the PA (which was not given any weighting). Additionally, the PA provides additional support for its value by applying the sales comparison approach.

The greater weight of the PA's evidence results in the preponderance of evidence being in the favor of the PA's just/market value.

CONCLUSIONS OF LAW
Section 194.301, F.S., provides that the PA's assessment is presumed correct if the PA proves by a preponderance of the evidence that the assessment was arrived at by complying with section 193.011, F.S., any other applicable statutory requirements relating to classified use values or assessment caps, and professionally accepted appraisal practices, including mass appraisal standards, if appropriate. However, a taxpayer who challenges an assessment is entitled to a determination by the Value Adjustment Board of the appraisal methodology used in making the assessment. The value of the property must be determined by an appraisal methodology that complies with the criteria of section 193.011, F.S., and professionally accepted appraisal practices.

As SM, I considered all given evidence and testimony discussed at this hearing as noted in the findings of fact. Based on this evidence and testimony, the PA did comply with section 193.011, F.S., meeting the eight legal factors. Accordingly, pursuant to section 194.301, F.S., the PA's assessment is presumed to be correct. The Petitioner did not meet the burden of proving by a preponderance of the evidence that the PA's assessed value did not represent the just value of the property after taking into account any applicable limits on annual increases in the value of the property or was arbitrarily or erroneous based on appraisal practices that are different from the the appraisal practices generally applied by the PA to comparable property within the same county. Thus, in accordance with section 194.301(2), F.S., the just value of the PA of $663,622 is affirmed and the petition is denied.

DR-485XC
R. 01/17
Rule 12D-16.002
F.A.C.
Eff. 01/17

FLORIDA DEPARTMENT OF REVENUE

DECISION OF THE VALUE ADJUSTMENT BOARD
EXEMPTION, CLASSIFICATION, ASSESSMENT DIFFERENCE TRANSFER, CHANGE OF OWNERSHIP OR CONTROL, OR QUALIFYING IMPROVEMENT PETITION

The actions below were taken on your petition in Citrus County

_X_ These actions are a recommendation only, not final. ___ These actions are a final decision of the VAB

If you are not satisfied after you are notified of the final decision of the VAB, you have the right to file a lawsuit in circuit court to further contest your assessment. (See sections 193.155(8)(l), 194.036, 194.171(2), 196.151, and 197.2425, Florida Statutes.)

Petition # 192	Parcel ID 18E20S130010 01290 0250
Petitioner Name MOLITOR JEFFREY ALLAN	Property Address MOLITOR JEFFREY A 6 SYCAMORE CIR HOMOSASSA
The Petitioner is: _X_ Taxpayer of Record ___Representative ___Other ______	

Decision Summary _X_ Denied your petition ___ Granted your petition ___ Granted your petition in part

Value Line 1 and 4 must be completed	Value from TRIM Notice	Before Board Action Value presented by property appraiser Rule 12D-9.025(10), F.A.C.	After Board Action
1. Just value, required	108212.00	108212.00	108212.00
2. Assessed or classified use value, *if applicable	108212.00	108212.00	108212.00
3. Exempt value, *enter "0" if none	0.00	0.00	0.00
4. Taxable value, *required	108212.00	108212.00	108212.00

*All values entered should be county taxable values. School and other taxing authority values may differ. (Section 196.031(7), F.S.)

Reason for Petition

_X_ Homestead ___ Widower ___ Blind ___ Totally and permanently disabled veteran
___ Low Income Senior ___ Disabled ___ Disabled veteran ___ Use classification, specify: ______
___ Parent/grandparent assessment reduction ___ Deployed Military ___ Use exemption, specify: ______
___ Transfer of homestead assessment difference ___ Qualifying Improvement
___ Change of ownership or control ___ Other, specify: ______

Reasons for Decision

Findings of Fact
See attached

Conclusions of Law
See attached

_X_ **Recommended Decision of Special Magistrate** Finding and conclusions above are recommendations.

[signature]	JOSEPH HAYNES DAVIS, ESQUIRE	02/22/2021
Signature, special magistrate	Print name	Date
[signature]	ANGELA VICK	02/22/2021
Signature, VAB clerk or special representative	Print name	Date

If this is a recommended decision, the board will consider the recommended decision on 05/18/2021 at 9:00AM.
Address: Citrus County Courthouse, 110 North Apopka Ave, Inverness, FL 34450
If the line above is blank, the board does not yet know the date, time, and place when the recommended decision will be considered. To find the information, please call (352) 341-7095 or visit our website at www.citrusclerk.org.

___ **Final Decision of the Value Adjustment Board**

Signature, chair, value adjustment board	Print name	Date of decision
Signature, VAB clerk or representative	Print name	Date mailed to parties

Attachment: VAB_Decision-192 (12780 : VAB Recommended Decisions)

FINDINGS OF FACT
1/20/2021
10:00 a.m. Petition 192 Jeffrey Allan Molitor
ISSUE: Denial of request for exemption - HOMESTEAD
STATUTE: FLORIDA STATUTE 196.031
NOTICE NAME: 6 Sycamore Circle Homosassa, Florida 34446
MAGISTRATE: Joseph Haynes Davis
PROPERTY VALUES WERE READ INTO THE RECORD BY THE PROPERTY APPRAISER
PETITIONER: Jeffrey Allan Molitor
PARCEL ID: 18 E 20 S13 00 10 01 290 0250
PROPERTY APPRAISER: Kelly Carpenter; Megan McGuire.
ALL PARTIES WERE SWORN
APPLICABLE STATUTE: 196.031
FINDINGS OF FACT:
ISSUE OF VALUES: Kelly Carpenter from the Citrus County Property Appraiser's office read into the record the values for the related parcel during the hearing.
VALUES- JUST, ASSESSSED AND TAXABLE VALUES: 108,212 WITH NO EXEMPTION.
Dr 486 received by the clerk on 11/19/2020 and the application for homestead was received by the clerk on 11/19/2020 via the CC-501 form. Good cause was found by the Citrus County VAB on 12/1/2020 via the DR 485 WCN form for the late file.
No documentary evidence was submitted by the Petitioner. Evidence was submitted by the Property Appraiser without objection.
No request for evidence exchange.
CITRUS COUNTY PROPERTY APPRAISER EVIDENCE PACKET: was addressed in open hearing while the record was open by the Special Magistrate with the Petitioner and there were no objections to the contents and substance of the evidence by the Petitioner.
PROPERTY APPRAISER PRESENTED FIRST: Kelly Carpenter testified for the Property Appraiser. Testified that Petitioner purchased the parcel at issue in 2019. Petitioner e-filed application for homestead. Found that there was a homestead in Minnesota located at 13735 Pennock Avenue, Apple Valley Minnesota, 55124 reported sold on 3/4/2020 on the Zillow website as part of the Property Appraiser's evidence packet. Contacted Dakota City Minnesota and was told that the Minnesota homestead could not be removed after 1/1/2021. Testified that the homestead in Minnesota could not remove for the 2020 tax year. Testified that the Property Appraiser contacted Petitioner and told Petitioner that somehow the homestead in Minnesota would need to be removed for Petitioner to get the homestead benefit for the 2020 ta year. Testified that the Property Appraiser's office heard nothing back. Testified that the Trim notice was sent to Petitioner notifying Petitioner that there was no exemption. Testified that on 11/19/2020 Petitioner came into the Property Appraiser's Office for the application and the exemption in Minnesota was still in place. The present application is good for 2021 but not for 2020 tax year. Article VII section 6(b) of the Florida Constitution.
Property Appraiser's evidence was relevant, admissible and credible.

PETITITONER - Jeffrey Allan Molitor presented for the Petitioner: Testified that the Minnesota homestead rule that it cannot be removed after 1/1/2021 is not fair and as a result, Petitioner testified that he is a victim of circumstance . Testified that the hose was sold on 2/28/2020 but someone else is getting the benefit of Petitioner's homestead in Minnesota despite the sale of the Minnesota home and the fact that he purchased his home in Florida in 2019.
Petitioner's evidence was relevant, admissible and credible.

CONCLUSIONS OF LAW
CONCLUSIONS OF LAW:
The undersigned Special Magistrate finds that the following below is controlling and or persuasive in the recommendation:
Article VII section 6(b) of the Florida Constitution: "Not more than one exemption shall be allowed any individual or family unit or with respect to any residential unit. No exemption shall exceed the value of the real estate assessable to the owner or, in case of ownership through stock or membership in a corporation, the value of the

proportion which the interest in the corporation bears to the assessed value of the property."
THE FOLLOWING PETITION (S) RECOMMENDED TO BE DENIED:
Petition 192 Jeffrey Allan Molitor.
ANALYSIS
A preponderance of the evidence shows that the Petitioner in the instant matter has not submitted evidence to overcome the Property Appraiser's evidence that the instant matter that the parcel at issue should be denied that exemption that the Petitioner is seeking.
The undersigned Attorney Special Magistrate finds controlling and persuasive Article VII section 6(b) of the Florida Constitution with the following language: "Not more than one exemption shall be allowed any individual or family unit or with respect to any residential unit. No exemption shall exceed the value of the real estate assessable to the owner or, in case of ownership through stock or membership in a corporation, the value of the proportion which the interest in the corporation bears to the assessed value of the property" controlling in the instant matter.
In the matter before the undersigned Special Magistrate, a preponderance of the evidence shows that Petitioner still had a homestead on property in Minnesota even though the property was sold. A preponderance of the evidence shows that the Property Appraiser contacted Dakota City Minnesota and was told that the Minnesota homestead could not be removed after 1/1/2021; That the Minnesota homestead could not be removed for the 2020 tax year by and through the sworn testimony of the Citrus County Property Appraiser.
For the aforementioned reasons the recommendation for this matter for Petition:
Petition 192 should be NOT BE GRANTED for the exemption that the Petitioner is seeking. Joseph Haynes Davis, Esq. Attorney Special Magistrate

AGENDA MEMORANDUM

FROM:	Kristi Hugar, Official Records Director
SUBJECT:	2020 VAB Forms
AGENDA DATE:	**May 18, 2021**

BRIEF OVERVIEW:
Reference F.A.C. Rule Chapter 12D-9.037

BUDGET IMPACT/FUNDING SOURCE:

Account No.	Account Title	Current Budget	YTD Expenditures	Encumbrances	Available Balance
					$0

RECOMMENDED ACTION:
Approve and authorize the Chair to sign the following forms:

- DR-488 - Certification of the Value Adjustment Board for Real Property;
- DR-488 - Certification of the Value Adjustment Board for Tangible Personal Property; and
- DR-529 - Notice of Tax Impact of the Value Adjustment Board.

FLORIDA DEPARTMENT OF REVENUE

CERTIFICATION OF THE VALUE ADJUSTMENT BOARD

Section 193.122, Florida Statutes

DR-488
R. 12/09
Page 1 of 2
Rule 12D-16.002
Florida Administrative Code

Tax Roll Year 2 0 2 0

The Value Adjustment Board of Citrus County, after approval of the assessment roll below by the Department of Revenue, certifies that all hearings required by section 194.032, F.S., have been held and the Value Adjustment Board is satisfied that the

Check one. ☑ Real Property ☐ Tangible Personal Property

assessment for our county includes all property and information required by the statutes of the State of Florida and the requirements and regulations of the Department of Revenue.

On behalf of the entire board, I certify that we have ordered this certification to be attached as part of the assessment roll. The roll will be delivered to the property appraiser of this county on the date of this certification. The property appraiser will adjust the roll accordingly and make all extensions to show the tax attributable to all taxable property under the law.

The following figures* are correct to the best of our knowledge:

1. Taxable value of ☑ real property ☐ tangible personal property assessment roll as submitted by the property appraiser to the value adjustment board	$ 8,516,227,636
2. Net change in taxable value due to actions of the Board	$ 346,842
3. Taxable value of ☑ real property ☐ tangible personal property assessment roll incorporating all changes due to action of the value adjustment board	$ 8,515,880,794

*All values entered should be county taxable values. School and other taxing authority values may differ.

Signature, Chair of the Value Adjustment Board

Date

Continued on page 2

Certification of the Value Adjustment Board

DR-488
R. 12/09
Page 2 of 2

PROCEDURES

Tax Roll Year | 2 | 0 | 2 | 0 |

The value adjustment board has met the requirements below. Check all that apply.

The board:

☐	1.	Followed the prehearing checklist in Chapter 12D-9, Florida Administrative Code. Took all actions reported by the VAB clerk or the legal counsel to comply with the checklist.
☐	2.	Verified the qualifications of special magistrates, including if special magistrates completed the Department’s training.
☐	3.	Based the selection of special magistrates solely on proper qualifications and the property appraiser did not influence the selection of special magistrates.
☐	4.	Considered only petitions filed by the deadline or found to have good cause for filing late.
☐	5.	Noticed all meetings as required by section 286.011, F.S.
☐	6.	Did not consider ex parte communications unless all parties were notified and allowed to object to or address the communication.
☐	7.	Reviewed and considered all petitions as required, unless withdrawn or settled by the petitioner.
☐	8.	Ensured that all decisions contained the required findings of fact and conclusions of law.
☐	9.	Allowed the opportunity for public comment at the meetings where the recommended decisions of special magistrates were considered or board decisions were adopted.
☐	10.	Addressed all complaints of noncompliance with the provisions of Chapter 194, Part I, Florida Statutes, and rule Chapter 12D-9, F.A.C., that were called to the board’s attention.

All board members and the board’s legal counsel have read this certification.

The board must submit this certification to the Department of Revenue before it publishes the notice of the findings and results required by section 194.037, F.S.

On behalf of the entire value adjustment board, I certify that the above statements are true and that the board has met all the requirements in Chapter 194, F.S., and Department rules.

After all hearings have been held, the board shall certify an assessment roll or part of an assessment roll that has been finally approved according to section 193.011, F.S. A sufficient number of copies of this certification shall be delivered to the property appraiser to attach to each copy of the assessment roll prepared by the property appraiser.

Signature, chair of the value adjustment board

Date

CERTIFICATION OF THE VALUE ADJUSTMENT BOARD

DR-488
R. 12/09
Page 1 of 2
Rule 12D-16.002
Florida Administrative Code

Section 193.122, Florida Statutes

FLORIDA DEPARTMENT OF REVENUE

Tax Roll Year | 2 | 0 | 2 | 0 |

The Value Adjustment Board of Citrus County, after approval of the assessment roll below by the Department of Revenue, certifies that all hearings required by section 194.032, F.S., have been held and the Value Adjustment Board is satisfied that the

Check one. ☐ Real Property ☑ Tangible Personal Property

assessment for our county includes all property and information required by the statutes of the State of Florida and the requirements and regulations of the Department of Revenue.

On behalf of the entire board, I certify that we have ordered this certification to be attached as part of the assessment roll. The roll will be delivered to the property appraiser of this county on the date of this certification. The property appraiser will adjust the roll accordingly and make all extensions to show the tax attributable to all taxable property under the law.

The following figures* are correct to the best of our knowledge:

1. Taxable value of ☐ real property ☑ tangible personal property assessment roll as submitted by the property appraiser to the value adjustment board	$ 2,151,819,444
2. Net change in taxable value due to actions of the Board	$ 0
3. Taxable value of ☐ real property ☑ tangible personal property assessment roll incorporating all changes due to action of the value adjustment board	$ 2,151,819,444

*All values entered should be county taxable values. School and other taxing authority values may differ.

Signature, Chair of the Value Adjustment Board

Date

Continued on page 2

Certification of the Value Adjustment Board

DR-488
R. 12/09
Page 2 of 2

PROCEDURES

Tax Roll Year 2 0 2 0

The value adjustment board has met the requirements below. Check all that apply.

The board:

☐	1.	Followed the prehearing checklist in Chapter 12D-9, Florida Administrative Code. Took all actions reported by the VAB clerk or the legal counsel to comply with the checklist.
☐	2.	Verified the qualifications of special magistrates, including if special magistrates completed the Department's training.
☐	3.	Based the selection of special magistrates solely on proper qualifications and the property appraiser did not influence the selection of special magistrates.
☐	4.	Considered only petitions filed by the deadline or found to have good cause for filing late.
☐	5.	Noticed all meetings as required by section 286.011, F.S.
☐	6.	Did not consider ex parte communications unless all parties were notified and allowed to object to or address the communication.
☐	7.	Reviewed and considered all petitions as required, unless withdrawn or settled by the petitioner.
☐	8.	Ensured that all decisions contained the required findings of fact and conclusions of law.
☐	9.	Allowed the opportunity for public comment at the meetings where the recommended decisions of special magistrates were considered or board decisions were adopted.
☐	10.	Addressed all complaints of noncompliance with the provisions of Chapter 194, Part I, Florida Statutes, and rule Chapter 12D-9, F.A.C., that were called to the board's attention.

All board members and the board's legal counsel have read this certification.

The board must submit this certification to the Department of Revenue before it publishes the notice of the findings and results required by section 194.037, F.S.

On behalf of the entire value adjustment board, I certify that the above statements are true and that the board has met all the requirements in Chapter 194, F.S., and Department rules.

After all hearings have been held, the board shall certify an assessment roll or part of an assessment roll that has been finally approved according to section 193.011, F.S. A sufficient number of copies of this certification shall be delivered to the property appraiser to attach to each copy of the assessment roll prepared by the property appraiser.

Signature, chair of the value adjustment board ____________________ Date ____________

DR-529
R. 12/09

Rule 12D-16.002
Florida Administrative Code

NOTICE

TAX IMPACT OF VALUE ADJUSTMENT BOARD

Citrus County Tax Year 2020

Members of the Board			
Honorable	Holly Davis	Board of County Commissioners, District No.	5
Honorable	Ruthie Schlabach	Board of County Commissioners, District No.	3
Honorable	Sandy Counts	School Board, District No.	4
Citizen Member	Tony Wahl	Business owner within the school district	
Citizen Member	Pat Crippen	Homestead property owner	

The Value Adjustment Board (VAB) meets each year to hear petitions and make decisions relating to property tax assessments, exemptions, classifications, and tax deferrals.

Summary of Year's Actions

Type of Property	Number of Parcels					Reduction in County Taxable Value Due to Board Actions	Shift in Taxes Due to Board Actions
	Exemptions		Assessments*		Both		
	Granted	Requested	Reduced	Requested	Withdrawn or settled		
Residential	0	97	6	41	81	$ 131,380	$ 1,909.00
Commercial	0	0	0	59	22	$ 0	$ 0.00
Industrial and miscellaneous	0	0	0	0	0	$ 0	$ 0.00
Agricultural or classified use	2	13	0	0	5	$ 215,462	$ 3,131.00
High-water recharge	0	0	0	0	0	$ 0	$ 0.00
Historic commercial or nonprofit	0	0	0	1	1	$ 0	$ 0.00
Business machinery and equipment	0	0	0	31	28	$ 0	$ 0.00
Vacant lots and acreage	0	0	0	0	0	$ 0	$ 0.00
TOTALS	2	110	6	132	137	$ 346,842	$ 5,040.00

All values should be county taxable values. School and other taxing authority values may differ.
*Include transfer of assessment difference (portability) requests.

If you have a question about these actions, contact the Chair or the Clerk of the Value Adjustment Board.				
Chair's name	Holly Davis	Phone	352-341-6560	ext.
Clerk's name	Angela Vick	Phone	352-341-6424	ext.

Attachment: dr529 (12781 : 2020 VAB Forms)

AGENDA MEMORANDUM

FROM:	Kristi Hugar, Official Records Director
SUBJECT:	Payment of Services to Special Magistrate Lawrence Golicz
AGENDA DATE:	**May 18, 2021**

BRIEF OVERVIEW:

BUDGET IMPACT/FUNDING SOURCE:

Account No.	Account Title	Current Budget	YTD Expenditures	Encumbrances	Available Balance
					$0

RECOMMENDED ACTION:

Approve payment to Special Magistrate Golicz in the amount of $375.00

Vista Appraisal Services, Inc

Lawrence J. Golicz, Ph.D., MAI, ASA

Experience, Integrity, Service

CONTRACTOR INVOICE

DATE: February 15, 2021

TO: Ms. Georgette Tozer, DC VAB Clerk, Citrus County

FROM: Lawrence J. Golicz, Ph.D., MAI, ASA

RE: **VAB HEARINGS January 13, & February 8, 2021**This billing is for my hearings for the VAB on 1/13/21 & 12/04/19 plus the hours for providing Findings of Fact and Conclusions of Law for 4 Petitions

Date	Petitiion	Description	Hours
1/13/21	120,121,122	Appear at 8:45 for Hearing Appearance for three Walmart Appeals at 9:00AM. Close Hearing at 9:30 as a No Show	0.75
1/18/21	120,121,122	Confirm No Show for Walmart representative. State Findings of Fact and Conclusion of Law for three Walmarts	0.75
2/8/21	103	Appear at 8:45 for 9:00 A.M. Hearing for Single Family Sink Hole Appeal	1.0
2/15/21	103	Review POA Data and Market Sales Grid Analysis, Review Oral Testimony of Petitioner per Video. State Findings of Fact and Conclusions of Law for Petition 103	1.0
TOTAL			3.5

Number of Petitions 4 -Hours Per Petition including Hearings & Findings 2.55 .

Professional Time-- 3.5 hrs @ $125.00/hr = $375.00

Respectfully submitted, Vista Appraisal Services, Inc.

Please Remit Payment in the name of Vista Appraisal Services, Inc.

ID 46-0646845

Mail to: Vista Appraisal Services, Inc.
5738 West Hunters Ridge Circle
Lecanto, Florida 34461

Thank You.

AGENDA MEMORANDUM

FROM:	Kristi Hugar, Official Records Director
SUBJECT:	Payment of Services to Special Magistrate Joseph Haynes Davis
AGENDA DATE:	**May 18, 2021**

BRIEF OVERVIEW:

BUDGET IMPACT/FUNDING SOURCE:

Account No.	Account Title	Current Budget	YTD Expenditures	Encumbrances	Available Balance
					$0

RECOMMENDED ACTION:
Approve payment to Special Magistrate Haynes Davis in the amount of $331.25.

CITRUS COUNTY VALUE ADJUSTMENT BOARD

Phone: (352) 341-70
VAB@citrusclerk.org

2020 SPECIAL MAGISTRATE INVOICE
(Name & Address exactly as provided on W-9 Form)

Name: LAW OFFICES OF JOSEPH HAYNES DAVIS, PA

Address: 2750 TAYLOR AVENUE #B207 ORLANDO, FL. 32806

Phone: 407 839 3725

Date	Petition Number	Description	Hours Worked	Dollar Amount
1/20/2021	192	10:00 a.m. Petition 192 Molitor Jeffrey Allan CONDUCT HEARING.	.6	93.75
2/8/2021	192	Listen and review audio and write recommendation and post recommendation.	1.9	237.50
			TOTAL	#331.25

Page 1 of 2

Signature

Date 3/4/2021

AGENDA MEMORANDUM

FROM:	Kristi Hugar, Official Records Director
SUBJECT:	Payment of Services to Special Magistrate Robinson
AGENDA DATE:	**May 18, 2021**

BRIEF OVERVIEW:

BUDGET IMPACT/FUNDING SOURCE:

Account No.	Account Title	Current Budget	YTD Expenditures	Encumbrances	Available Balance
					$0

RECOMMENDED ACTION:

Approve payment to Special Magistrate Robinson in the amount of $8,656.25.

Property Investment Specialists, Inc.
204 S. Dillard Street
Winter Garden, Florida 34787
(407) 877-9694

April 18, 2021

To: Ms. Georgette Tozer, Deputy Clerk
VAB Clerk
Citrus County Clerk of the Circuit Court
110 N. Apopka Avenue
Inverness, FL 34450
gtozer@clerk.citrus.fl.us

Re: For Special Magistrate services rendered in conjunction with the 2020 Citrus County Value Adjustment Board hearings
PIS File No. VAB2020bill.CitrusCounty

Consultant/John A. Robinson, MAI, AI-GRS, CCIM
Tax Identification Number: 59-3667256

Date	Start Time	End Time	County	Hours	Petition #s
12/10/2020	10:00 AM	12:00 PM	Citrus	2	Hearings
	1:00 PM	1:45 PM		0.75	Hearings
12/14/2020	9:00 AM	12:30 PM	Citrus	3.5	Hearings
	1:30 PM	2:15 PM		0.75	Hearimgs
1/6/2021	12:30 AM	12:45 AM	Citrus	0.25	130
1/7/2021	12:15 AM	1:45 AM	Citrus	1.5	130
1/15/2021	10:00 PM	1:00 AM	Citrus	3	130, 146
1/16/2021	10:45 PM	1:00 AM	Citrus	2.25	146
1/20/2021	8:30 AM	9:00 AM	Citrus	0.5	84
	12:00 PM	2:00 PM		2	84
1/29/2021	10:30 PM	12:45 AM	Citrus	2.25	12
1/30/2021	11:45 AM	2:15 PM	Citrus	2.5	12
	5:15 PM	9:15 PM		4	12
	11:15 PM	12:15 AM		1	15
1/31/2021	2:15 PM	3:30 PM	Citrus	1.25	15
	6:45 PM	7:30 PM		0.75	15
	11:45 PM	12:30 AM		0.75	30
2/1/2021	8:45 AM	10:45 AM	Citrus	2	30
	7:30 PM	1:30 AM	Citrus	6	53, 114, 125
2/4/2021	8:15 AM	10:15 AM	Citrus	2	125
2/24/2021	9:00 AM	11:30 AM	Citrus	2.5	Hearings
3/31/2021	9:00 AM	10:00 AM	Citrus	1	Hearings
4/2/2021	10:15 PM	11:30PM	Citrus	1.25	22, 23
4/3/2021	3:30 PM	7:45 PM	Citrus	4.25	23
	10:30 PM	11:45 PM		1.25	23
4/4/2021	6:00 PM	7:30 PM	Citrus	1.5	23
	9:15 PM	10:45 PM		1.5	23
4/5/2021	12:45 AM	1:00 AM	Citrus	0.25	24
	12:15 PM	12:45 PM		0.5	23
	10:30 PM	11:45 PM		1.25	24
4/7/2021	12:00 AM	1:00 AM	Citrus	1	24
	11:00 PM	12:30 AM		1.5	24
4/10/2021	11:45 AM	3:30 PM	Citrus	3.75	24
	6:30 PM	9:30 PM		3	24, 22
	10:30 PM	1:00 AM		2.5	22, 33
4/11/2021	9:30 PM	12:45 AM	Citrus	3.25	33
TOTALS				69.25	
Rate				$125.00	
Billing				$8,656.25	

Attachment: InvoiceRobinson (12847 : Payment of Services to Special Magistrate Robinson)

Please remit $8,656.25 to: **Property Investment Specialists, Inc.**
204 S. Dillard Street
Winter Garden, Florida 34787

John A. Robinson, MAI, AI-GRS, ASA, CCIM, President
Property Investment Specialists, Inc.
State-Certified General Appraiser
License No. RZ417

AGENDA MEMORANDUM

FROM:	Kristi Hugar, Official Records Director
SUBJECT:	Payment of Services to Special Magistrate Robert Sutte
AGENDA DATE:	**May 18, 2021**

BRIEF OVERVIEW:

BUDGET IMPACT/FUNDING SOURCE:

Account No.	Account Title	Current Budget	YTD Expenditures	Encumbrances	Available Balance
					$0

RECOMMENDED ACTION:

Approve payment to Special Magistrate Robert Sutte in the amount of $16,743.75.

CITRUS COUNTY VALUE ADJUSTMENT BOARD

Phone: (352) 3[illegible] 09[illegible]

Compensation amount is $125.00 per hour.
Round to the quarter hour.
No lunch or travel time is included.

VAB@citruscle[illegible]g

2020 SPECIAL MAGISTRATE INVOICE

(Name & Address exactly as provided on W-9 Form)

Name: Robert Sutte

Address: 2433 Lee Road

Winter Park, Fl. 32789

Phone: 407-3888-4616 Mobile & 407-628-0505 Direct

Date: April 19, 2021 (Page 1 of 6)

Date	Petition Number	Description	Hours Worked	Doll Amo
10-27-20	All	Organize, - plan- set up file, password, contracts etc. for first Tax Cycle 2020 hearings .	NC	
10-28-20	18, 20 ,52	Hearings Publix S. Center, adjoining strip center & Port Paradise (Elvis Presly) Hotel	5.75 Hearing A (not incl. 43 min. lunch break)	
10-28-20	18 ,20, 52	AT office: Org. hearing notes, dictate notes regarding these 3 pet. recommendations.	1.25	
11-9-20	18, 20, 52	Study dictated petition notes. Review evidence/recordings. Start appraisal analysis.	3.75	
11-10-20	115,118,119 41,42	Lowes Big Box, and four area non-contiguous CVS (Consumer Value Stores)	4.75 Hearing B (Excl. 55 min. lunch break)	
11-10-20	Hearing B Rets.	At office: Org. hearing notes, make notes regarding these 5 pet. recommendations.	1.75	
11-14 & 15--20	18, 20,52	Copy and study sig. evid. review parts of audios. appraisal – value analysis	3.5	
11-19-20	18 ,20,52	Analysis of highest and best use, valuation analysis, write recommendation .	4.25	
11-20-20	18, 20, 52	Continue and complete recommendations.	10.0	

CITRUS COUNTY VALUE ADJUSTMENT BOARD

Phone: (352) 341-

VAB@citrusclerk.c

Compensation amount is $125.00 per hour.
Round to the quarter hour.
No lunch or travel time is included.

2020 SPECIAL MAGISTRATE INVOICE
(Name & Address exactly as provided on W-9 Form)

Name: Robert Sutte

Address: 2433 Lee Road, Winter Park, Fl. 32789

Phone: 407-628-0505 (office) 407-388-4616 (mobile) Date: April 19, 2021(Page 2 of 6) Re d

Date	Petition Number	Description	Hours Worked	Dollar Amount
11-21-20	Hearing B Petitions.	Copy & study significant evidence. Organize work program. Begin valuation analyses pet.	6.5	
11-23-20	18, 20 & 52	Emails etc. with Georgette Tozer	NC	
12-4-29	Hearings C	Organize, plan for December 8, 2020 hearings.	NC	
12-7-20	Hearings C	Communications with GT regarding tomorrow's hearings.	NC	
12-8-20	123,124,31-36	Two Applebee's restaurants, Six Walgreens Stores	3.75 Hearing C (Excl. 50 min. lunch break)	
12-9-20	Hearings C	For 12-8 -20: Organize – review petition properties and assignment notes.	1.5	
12-9-20	115,41, 42, 118,119	Copy and review hearing evidence. Recording reviews. Valuations and recommendations.	6.25	
12-10-20	ALL	1:10 pm-4:40pm Fl. D of R Magistrate virtual training Tallahassee. Allocated Citrus VAB time.	NC	
12-11-20	Hearings C	Study my notes and dictate file information for 123,124,31-36.	3.25	

CITRUS COUNTY VALUE ADJUSTMENT BOARD

Phone: (352) 34 95
il:

2020 SPECIAL MAGISTRATE INVOICE

Name: Robert Sutte...... Date: April 19, 2021 (Pages 3, 4, 5, 6) Revised

SPECIAL COMMENT: Some significant, very important explanatory comments are included here and on pages id 6 pertaining to work related to Petition 33 Remand form 485 . Attorney Kosan's 4-29-21 invoice review observec t substantial time was spent by special magistrate Sutte for corrections, revisions or deficiencies which both understand is contractually non-compensable. Sutte states that NO such time was spent" as described" for the. Petition 33 Remand. He agrees with Kosan that this FDOR 485 Remand situation is not only unusual but totally unique. The major issue was requiring the Citrus Property Appraiser to provide their evidence (Continued).

Date	Petition Number	Description	Hours Worked	Dollar Amount
12-12-20	Lowes 115	Research value methodology, study evidence, review recordings.Plan and write recommendation	5.75	
12-13-20	115	Continue and complete petition recommendation.	2.75	
12-3-20	123,124, 31-36	Copy and review all evidence. Begin value analysis.starting with.Applebeses restaurants.	2.75	
12-31-20	123, 124, 31-36	Research fast food R.E methodology. Value in use equal value in exchange?.	5.0	
1-2-21	123, 124, 31-36	Continue H & Best Use and start valuation analysis..	4.0	
1-5-21 & -6-21	123, 124, 31-36	Review recordings. Continue valuations and recommendations.	4.75	
1-7-21	123, 124 , 31-36	Completed/ submitted 123 &124. Organized and planned analysis/recommendations 31-36.	4.50	
1-12-21	31-36	Studied all six petitions. Used 36 as a model for all six.Copied/reviewed Pet. 36 PA & PET evidence.	3.0	

Signature ______________________________

Date ______________________________

Attachment: InvoiceSutte (12885 : Payment of Services to Special Magistrate Robert Sutte)

CITRUS COUNTY VALUE ADJUSTMENT BOARD

Date	Petition Number	Description	Hours Worked	Dollar Amount
1-13-21	31-36	Analysis and preparation for PET 36 written recommendation.	4.5	
1-14-21	31-36	Continuation of the above.	1.0	
1-16-21	31-36	Con. of the above. Prepared final rec. for 36. Reviewed 31 evidence.Used 31 as a clone.	3.7	
1-17-21	31-35	Finalized and submitted recommendations for 31, 32.- 35 . All complete except for 32.	6.5	
1-18-21	31-33-36	Per GT. Pet. 32 PA. evidence missing problem. Counseltation with Atty. Kosan.(0.25 incl.)	2.0	
1-20-21	32	Evidence acquisition research	0.4	
1-21-21	32	Evidence acquisition research. Phones, emails.Evidence for Pet. 33 missing not 32.	0.50	
1-25-21	32	Write and finalize recommendation for Pet. 32.	1.1	
1-26-21	33	485 Complex Remand requirements.(phones, and emails.) Consult Rick Kosan (0.25 included)	1.7	
1-27-21	33	Wrote detailed rough draft for remand and submitted to RK for review	4.2	
1-28-21	33	Extensive consult RK. Remand Rec content, wording, re-write .Complete re-write.(0.75 incl.)	3.8	
2-1-21	32-33	More of above. Emails, phones, RK. Again re-write remand for RK review. (0.25 included)	1.3	
2-2-21	32-33	Continuation of 2-1-21. Finalized Pet. 33 remand narrative for Atty. Kosan's approval.& submission.	1.4	
2-3-21	33	Emailed my initial submission of DR-485R to VAB for aceptence and distribution..	0.5	
2-12-21	33	Email, phones, rewriting Instructions for Pet. 33	1.0	

Signature ______________________________

Date ______________________________

CITRUS COUNTY VALUE ADJUSTMENT BOARD

Date	Petition Number	Description	Hours Worked	Dollar Amount
2-16-21	33	Re: Rewriting instructions	0.9	
2-17-21	33	Very extensive Rewriting DR-485R and remand petition pages. Submited to GT.	5.8	
2-18 & 24 -21	33	Additional instruction for editing, rewriting remand 33. Final copy written.	3.9	
2-25-21	33	Final copy resubmitted. Petition 33 remand approved 2-25-21.	1.0	
3-1, 2, 3-21	33	DOR Final adjustments for Remand 33 for GT.	NC	
3-8 to 4-19-21	All	Assignment accounting and Invoice preparation	NC	
		TOTAL AMOUNT DUE AND REQUESTED	133.95 @ $ 125.00 =	$ 16,743.75

The following are some additional related Sutte comments from a 5-1-21 correspondence to attorney Kosan.

Re: Attorney Kosan's comments in paragraph one, first 4 lines only in the 4-29-21 11:59 am email to me, especially for my Petition 33 form 485 re... ...nd work, he has a very incorrect observation-opinion about when I stated " re-writing ". That word was my mistake. I wrote and submitted my narrative recommendation for the Petition 33 DOR 485 Remand on 2-3-21. Subsequently, all of my hours worked for Pet. 33 were per the suggestions and di... ...on of Atty. Kosan. His primary assistance emphasized many legal issues and requirements for the 485 Remand. This meant that I spent considerable ...s, on many different days, following instructions to omit, edit, and add to my original recommendation . The finalized Petition 33 Remand 485 was completed on 2-25-21 or three weeks later.

Regarding non-compensable special magistrate services, I began working as a special magistrate in Orange and Brevard Counties is 1997. Since tl... and now, I have always understood that when a petition recommendation is submitted and subsequently there are required corrections, revisions ar...

Signature ______________________________

Date ______________________________

CITRUS COUNTY VALUE ADJUSTMENT BOARD

deficiencies contractually the special magistrate is not due any compensation. Almost always, these changes pertain to compliance with Florida statute 101 and acceptable professional appraisal practice. These issues almost always except now, involve comparable market information, estimates of fair and market value and opinions of real estate highest and best use. None of this content was the subject of any changes to the subject petition 33 form 485 Reform document discussed above.

Respectfully Submitted, Robert Sutte

Robert Sutte
5/4/21

Page 4 of 4

Signature ______________________________

Date ______________________________

AGENDA MEMORANDUM

FROM:	Kristi Hugar, Official Records Director
SUBJECT:	Payment of Services to Value Adjustment Board Legal Counsel
AGENDA DATE:	**May 18, 2021**

BRIEF OVERVIEW:

BUDGET IMPACT/FUNDING SOURCE:

Account No.	Account Title	Current Budget	YTD Expenditures	Encumbrances	Available Balance
					$0

RECOMMENDED ACTION:

Approve payment to Attorney Richard Kosan in the amount of $4,050.00.

Richard R. Kosan, Attorney at Law
Richard R. Kosan, P.A.
112 West Windhorst Road
Brandon, FL 33510

Ph:(813) 689-1577 Fax:(813) 654-5262

Citrus County Value Adjustment Board May 3, 2021

Citrus County Clerk of the Circuit Court and Comptroller
110 N. Apopka Avenue
Iverness, FL
34450

File #: CitVAB-001

Attention: Inv #: 2583

RE: Special Counsel - Citrus County VAB

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Dec-28-20	Review revised invoice from Special Magistrate Robert Sutte.	0.20	45.00	RRK
Dec-29-20	Review revisions to written recommendation for Petition 142. Email to Clerk Tozer that petition is legaly sufficient. Review email from Clerk Tozer regarding issue items on agenda for 01-06-21 VAB meeting. Review late-filed petitions 205, 206 and 207 for good cause. Email to Clerk Tozer regarding late-filed petitions 205, 206 and 207.	0.80	180.00	RRK
Dec-30-20	Review late-filed petitions 208 and 209 for good cause. Email to Clerk Tozer regarding same.	0.30	67.50	RRK
Jan-06-21	VAB Meeting.	3.00	675.00	RRK
Jan-11-21	Review request to reschedule hearing on petition 103. Email to Clerk Tozer approving request to reschedule.	0.20	45.00	RRK
Jan-14-21	Review late-filed petitions 210, 211, 212, 213, 214 and 215 for good cause. Email to Clerk Tozer regarding same. Review written recommendations for petitions 28, 29, 123 and 124 for legal sufficiency. Email to Clerk Tozer regarding same.	0.70	157.50	RRK

Jan-19-21	Review request to reschedule hearing on petitions 22, 23 and 24. Email to Clerk Tozer approving request to reschedule.	0.20	45.00	RRK
Jan-26-21	Review correspondence with Special Magistrate Robert Sutte regarding PA's failure to provide evidence regarding petition 33. Telephone conference wtih Spacial Magistrate Sutte regarding same. Email to Clerk Tozer regarding failure to present evidence.	1.10	247.50	RRK
Jan-27-21	Email correspondence with Special Magistrate Robert Sutte regarding written recommendation for petition 32 due to PA's failure to present evidence regarding this petition. Review late-filed petitions 220 and 221 for good cause. Email to Clerk Tozer regarding same.	0.90	202.50	RRK
Feb-01-21	Email correspondence with Clerk Tozer regarding written recommendation for petition 33 due to PA's failure to present evidence regarding this petition.	0.50	112.50	RRK
Feb-11-21	Review late-filed petitions 22, 223, 224, 225, 226 and 227 for good cause. Email to Clerk Tozer regarding same. Review written recommendations for petition 31, 32, 12, 15, 30, 53, 114 and 125 for legal sufficiency. Email to Clerk Tozer regarding same. Review and provide suggested changes to written recommendations for petition 33. Email to Clerk Tozer regarding changes to written recommendations needed for petition 33.	2.30	517.50	RRK
Feb-12-21	Review late-filed petition 228 for good cause. Email to Clerk Tozer regarding same.	0.20	45.00	RRK
Feb-16-21	Review questions from petitions on written recommendations for petitions 125 and 30. Email correspondence with Clerk Tozer regarding same. Review late-filed petition 230 for good cause. Email to Clerk Tozer regarding same. Review correspondence regarding written recommendation for petition 33.	0.70	157.50	RRK
Feb-25-21	Review written recommendations for petitions 103 and 192 for legal sufficiency. Email to Clerk Tozer regarding same. Review invoice of Special Magistrate Golicz. Email to Clerk Tozer regarding apporval of invoice. Review	1.10	247.50	RRK

	late-filed petition 229, 231 and 232 for good cause. Email to Clerk Tozer regarding same. Email correspondence with Clerk Tozer regarding changes needed for written recommendation for petition 33.			
Mar-03-21	Review final revisions to written recommendation for petition 33. Email correspondence to Clerk Tozer regarding same and regarding requirements that petitioner may request continuation hearing.	0.40	90.00	RRK
Mar-08-21	Review email from Clerk Tozer stating that petitioner is requesting a continuation hearing on petition 33. Email to Clerk Tozer confirming that continuation hearing can be scheduled in fewer than Revision of days if agreed to by petitioner.	0.30	67.50	RRK
Mar-11-21	Review late-filed petitions 233, 234, 235, 236 and 237 for good cause. Email to Clerk Tozer regarding same.	0.40	90.00	RRK
Mar-18-21	Review late-filed petitions 238, 239 and 240 for good cause. Email to Clerk Tozer regarding same. Review invoice of Special Magistrate Davis for approval. Email corrsespondence to Clerk Tozer regarding approval.	0.50	112.50	RRK
Mar-25-21	Review late-filed petitions 241 and 242 for good cause. Email to Clerk Tozer regarding same.	0.20	45.00	RRK
Apr-01-21	Review written recommendations for petitions 216, 217, 218, 219, 130, 131, 146, 120, 121, 122, 34, 35, 36, and 84 for legal sufficiency. Email to Clerk Tozer regarding same.	1.40	315.00	RRK
Apr-05-21	Email correspondence with Clerk Tozer regarding cutoff date for approving late-filed petitions as disruptive to VAB process. Telephone conference with Special Magistrate Robinson regarding changes to assessed value provided by PA's office prior to hearing but made after petition was filed. Review correspondence between Special Magistrate Robinson and Clerk Tozer regarding same.	0.60	135.00	RRK
Apr-06-21	Review email from Clerk Tozer regarding change in Special Magistrates on petition 33. Email correspondence with Special Magistrate	0.60	135.00	RRK

	Robinson regarding changes made to assessed value by PA's office and how to reflect those changes on the written recommendation.			
Apr-14-21	Review written recommendation for petitions 22, 23, 24 and 33 for legal sufficiency. Email to Clerk Tozer regarding same.	0.60	135.00	RRK
Apr-29-21	Review invoice from Special Magistrate Robinson. Email to Clerk Tozer regarding no objection to invoice. Review invoice from Special Magistrate Sutte. Email to Clerk Tozer confirming her concerns with the invoice. Review DR-488s and related spreadsheets.	0.80	180.00	RRK
	Totals	18.00	$4,050.00	

Total Fee & Disbursements	**$4,050.00**
Previous Balance	4,140.00
Previous Payments	4,140.00
Balance Now Due	**$4,050.00**

TAX ID Number 47-3068561

PAYMENT DETAILS

Feb-01-21	Citrus VAB	4,140.00
	Total Payments	**$4,140.00**

AGENDA MEMORANDUM

FROM:	Kristi Hugar, Official Records Director
SUBJECT:	2020 Petition Filing Results and Revenue and Expense Report
AGENDA DATE:	**May 18, 2021**

BRIEF OVERVIEW:
The Value Adjustment Board clerk maintains a record of revenues, expenses, and petition filing results.

RECOMMENDED ACTION:
Review the current Petition Filing Results and Revenue and Expense Report, both of which are current through May 10, 2021.

Citrus County Petition Filing Results

	2018	2019	2020	% chan from 20
Petition Activity				
Residential (Exemptions)	47	40	97	142.5
Residential (Assessments)	93	28	41	46.4
Commercial	55	68	59	-13.2
Industrial or Miscellaneous	0	0	0	0%
Agricultural or Classified Use	44	18	13	-27.8
High-Water Recharge	0	0	0	0%
Historic Commercial or Nonprofit	4	4	1	-75%
Business Machinery and Equipment	15	19	31	63.2
Vacant Lots and Acreage	0	0	0	0%
Total Petitions	**258**	**177**	**242**	**36.7**
No Fee Petitions	0	6	5	-16.7
Petitions Filed Late - Good Cause Granted	12	17	72	323.5
Petitions Filed Late - Good Cause Denied	43	34	38	11.8
Voided Petitions (Filed in Error)	1	1	0	-100
Petitions Withdrawn by Petitioner				
Residential (Exemptions)	0	0	0	0%
Residential (Assessments)	12	11	12	9.1%
Commercial	17	40	22	-45%
Industrial or Miscellaneous	0	0	0	0%
Agricultural or Classified Use	0	1	2	100%
High-Water Recharge	0	0	0	0%
Historic Commercial or Nonprofit	0	0	0	0%
Business Machinery and Equipment	10	16	28	75%
Vacant Lots and Acreage	0	0	0	0%
Petitions Granted by PA				
Residential (Exemptions)	10	13	59	353.8
Residential (Assessments)	68	3	10	233.3
Commercial	0	0	0	0%
Industrial or Miscellaneous	0	0	0	0%
Agricultural or Classified Use	6	12	3	-75%
High-Water Recharge	0	0	0	0%
Historic Commercial or Nonprofit	3	2	1	-50%
Business Machinery and Equipment	0	0	0	0%
Vacant Lots and Acreage	0	0	0	0%
Total Petitions Withdrawn by Petitioner/Granted by PA	**126**	**98**	**137**	**39.8**
% of Petitions Withdrawn by Petitioner/Granted by PA	**48.8%**	**55.4%**	**56.6%**	**2.2%**

Citrus County Petition Filing Results

	2018	2019	2020	% chan from 20
Hearings				
Residential (Exemptions)	0	0	3	100%
Residential (Assessments)	6	7	16	128.6
Commercial	38	28	37	32.1%
Industrial or Miscellaneous	0	0	0	0%
Agricultural or Classified Use	38	4	8	100%
High-Water Recharge	0	0	0	0%
Historic Commercial or Nonprofit	1	2	0	-100%
Business Machinery and Equipment	5	3	3	0%
Vacant Lots and Acreage	0	0	0	0%
Total Hearings	**88**	**44**	**67**	**52.3%**
No Show Hearings	0	0	0	0%
% No Show Hearings	0%	0%	0%	0%
Will Not Attend Hearings	80	37	55	48.6%
% Will Not Attend Hearings	90.9%	84.1%	82.1%	-2.4%
Rescheduled Hearings	0	0	0	0%
% Rescheduled Hearings	0%	0%	0%	0%
Special Magistrate Recommendations				
Residential (Exemptions)	0	0	0	0%
Residential (Assessments)	1	1	6	500%
Commercial	2	3	0	-100%
Industrial or Miscellaneous	0	0	0	0%
Agricultural or Classified Use	33	0	2	100%
High-Water Recharge	0	0	0	0%
Historic Commercial or Nonprofit	0	1	0	-100%
Business Machinery and Equipment	0	0	0	0%
Vacant Lots and Acreage	0	0	0	0%
Total Petitions Granted/Granted in Part	**36**	**5**	**8**	**60%**
% Petitions Granted/Granted in Part	**40.9%**	**11.4%**	**11.9%**	**4.4%**
Residential (Exemptions)	0	0	3	100%
Residential (Assessments)	5	6	10	66.7%
Commercial	36	25	37	48%
Industrial or Miscellaneous	0	0	0	0%
Agricultural or Classified Use	5	4	6	50%
High-Water Recharge	0	0	0	0%
Historic Commercial or Nonprofit	1	1	0	-100%
Business Machinery and Equipment	5	3	3	0%
Vacant Lots and Acreage	0	0	0	0%
Total Petitions Denied	**52**	**39**	**59**	**51.3%**
% Petitions Denied	**59.1%**	**88.6%**	**88.1%**	**-0.6%**

05/10/2021

Citrus County

2020 Value Adjustment Board Revenue and Expense Report

Month		Emp Time	Petitions	Fee Petitions	No Fee Petitions	Revenues	Refunds	Postage	Ads	Vab Attorney	Special Magistrate	School Board	Total Expend
Jan	2020	0.00	0	0	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Feb	2020	0.00	0	0	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Mar	2020	262.57	0	0	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	262.57
Apr	2020	286.79	1	1	0	15.00	0.00	1.15	123.76	0.00	0.00	0.00	411.70
May	2020	48.80	0	0	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	48.80
Jun	2020	48.70	0	0	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	48.70
Jul	2020	161.69	4	3	1	45.00	0.00	2.00	0.00	0.00	0.00	0.00	163.69
Aug	2020	180.08	9	7	2	105.00	0.00	14.30	39.70	2,115.00	0.00	0.00	2,349.08
Sep	2020	590.39	139	137	2	2,045.00	0.00	31.95	0.00	0.00	0.00	0.00	622.34
Oct	2020	828.43	9	9	0	120.00	0.00	3.00	16.44	0.00	0.00	0.00	847.87
Nov	2020	725.76	37	37	0	450.00	0.00	15.45	0.00	0.00	7,750.00	0.00	8,491.21
Dec	2020	709.81	11	11	0	165.00	0.00	4.15	16.93	4,140.00	6,699.25	0.00	11,570.14
Jan	2021	463.15	14	14	0	165.00	0.00	9.60	0.00	0.00	0.00	0.00	472.75
Feb	2021	300.47	10	10	0	150.00	0.00	3.57	0.00	0.00	0.00	0.00	304.04
Mar	2021	163.81	8	8	0	105.00	0.00	3.06	0.00	0.00	0.00	0.00	166.87
Apr	2021	75.37	0	0	0	0.00	0.00	0.00	0.00	0.00	8,656.25	0.00	8,731.62
May	2021	0.00	0	0	0	0.00	0.00	0.00	0.00	4,050.00	0.00	0.00	4,050.00
Jun	2021	0.00	0	0	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Jul	2021	0.00	0	0	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Aug	2021	0.00	0	0	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Sep	2021	0.00	0	0	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Oct	2021	0.00	0	0	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Nov	2021	0.00	0	0	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Dec	2021	0.00	0	0	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Totals		4,845.82	242	237	5	3,365.00	0.00	88.23	196.83	10,305.00	23,105.50	0.00	38,541.38

AGENDA MEMORANDUM

FROM:	Kristi Hugar, Official Records Director
SUBJECT:	Value Adjustment Board Legal Counsel
AGENDA DATE:	**May 18, 2021**

BRIEF OVERVIEW:

Reference Chapter 12-9.008(1): Each Value Adjustment Board must appoint private legal counsel to assist the board.

Reference Chapter 12D-9.013(1)(c): Appoint or ratify the private board legal counsel. At the meeting at which board counsel is appointed, this item shall be the first order of business.

BUDGET IMPACT/FUNDING SOURCE:

Account No.	Account Title	Current Budget	YTD Expenditures	Encumbrances	Available Balance
					$0

RECOMMENDED ACTION:

Authorize the Board Clerk to (a) extend the contract with Attorney Richard R. Kosan (current legal counsel until terminated by either party) or (b) proceed with a request for legal services to obtain responses from qualified applicants interested in serving as the Citrus County VAB legal counsel for the 2021 Tax Year.

AGENDA MEMORANDUM

FROM:	Kristi Hugar, Official Records Director
SUBJECT:	Special Magistrate Rates
AGENDA DATE:	**May 18, 2021**

BRIEF OVERVIEW:

Discuss and set special magistrate rates for 2021 Tax Year.

BUDGET IMPACT/FUNDING SOURCE:

Account No.	Account Title	Current Budget	YTD Expenditures	Encumbrances	Available Balance
					$0

RECOMMENDED ACTION:

In 2020, the rate for the primary attorney special magistrate hearing petitions related to exemption, classification, and portability matters was $125 with the scheduled hearing time at a minimum of four (4) hours. In prior years, there were no minimum hours. The special magistrate rate was $125 per hour for appraiser special magistrates hearing petitions related to real property values (the rate has been in place since 2005). The rate for the appraiser special magistrate hearing petitions related to tangible personal property (TPP) was selected by an open bid process; the selected magistrate was approved at a rate of $125 per hour to include a 4-hour minimum and mileage at the IRS approved rated for 2020.

AGENDA MEMORANDUM

FROM:	Kristi Hugar, Official Records Director
SUBJECT:	2021 Special Magistrate Services
AGENDA DATE:	**May 18, 2021**

BRIEF OVERVIEW:

<< BRIEF OVERVIEW HERE >>

BUDGET IMPACT/FUNDING SOURCE:

Account No.	Account Title	Current Budget	YTD Expenditures	Encumbrances	Available Balance
					$0

RECOMMENDED ACTION:

Authorize the Board Clerk to seek Special Magistrate services for 2021 Tax Year.

AGENDA MEMORANDUM

FROM:	Kristi Hugar, Official Records Director
SUBJECT:	Value Adjustment Board Resolution
AGENDA DATE:	**May 18, 2021**

BRIEF OVERVIEW:

Reference Chapter 12D-9.013(1)(k): Adopt or ratify by resolution any filing fee for petitions for that year, a nonrefundable amount not to exceed $15.

BUDGET IMPACT/FUNDING SOURCE:

RECOMMENDED ACTION:

Ratify resolution number 2021-001, imposing a nonrefundable $15 filing fee for petitions filed in 2021.

VAB RESOLUTION NO. 2021-001

A RESOLUTION OF THE CITRUS COUNTY VALUE ADJUSTMENT BOARD IMPOSING A FILING FEE OF **$15.00** UPON CERTAIN PETITIONS

WHEREAS, Chapter 194, Florida Statutes, establishes the Citrus County Value Adjustment Board to hear petitions relating to assessments, hear complaints relating to homestead exemptions, hear appeals from exemptions denied or disputes arising from exemptions granted, and hear appeals concerning ad valorem tax deferrals and classifications, and

WHEREAS, the Citrus County Value Adjustment Board recognizes the substantial costs involved in the conduct of its affairs, pursuant to State law, and

WHEREAS, Section 194.013, Florida Statues, authorizes the Citrus County Value Adjustment Board to impose a filing fee upon certain petitions filed pursuant to Section 194.011, Florida Statutes;

NOW, THEREFORE, BE IT RESOLVED by the Citrus County Value Adjustment Board in a regular meeting held this **18th day of May, 2021**, as follows:

1. Effective upon the date of this resolution as shown above, all petitions filed pursuant to Section 194.011, Florida Statutes, except as provided herein below, shall be accompanied by a filing fee to be paid to the Clerk of the Value Adjustment Board in the sum of fifteen dollars and no/cents ($15.00). Payment can be made in the form of cash, check, or credit card (the current vendor charges a service fee per transaction of 3.5% for over the counter payments; 5% for web payments; or 7% for telephone payments).
2. No such filing fee shall be required with respect to an appeal from the disapproval of a timely filed homestead exemption, pursuant to Section 196.151, Florida Statutes, or from the denial of a tax deferral under Section 197.2425, Florida Statutes.
3. Other than fees required for late filed applications under Sections 193.155(8)(i) and 196.011(8), F.S., only a single filing fee shall be charged to any particular parcel of property, despite the existence of multiple issues or hearings pertaining to such parcels.
4. For joint petitions filed pursuant to Section 194.011(3)(e) or (f), Florida Statutes, a single filing fee shall be charged. Such fee shall be calculated as the cost of the special magistrate for the time involved in hearing the joint petition and shall not exceed $5.00 per parcel of real property. Such fee is to be proportionately paid by affected parcel owners.
5. For joint petitions filed pursuant to Section 194.011(3)(g), Florida Statutes, a single filing fee shall be charged. Such fee shall be calculated as the cost of the special magistrate for the time involved in hearing the joint petition and shall not exceed $5.00 per parcel of tangible property account. Such fee is to be proportionately paid by affected parcel owners.
6. The Citrus County Value Adjustment Board shall waive the filing fee with respect to a petition filed by a taxpayer who demonstrates at the time of filing by submitting with the petition documentation issued by the Department of Children and Family Services that the petitioner is then an eligible recipient of temporary assistance under Chapter 414, Florida Statutes.
7. All filing fees imposed under this Section shall be paid to the Clerk of the Value Adjustment Board at the time of filing. If such fees are not paid at that time, the petition shall be deemed incomplete and invalid and shall be rejected.
8. All filing fees collected by the Clerk shall be allocated and utilized to defray, to the extent possible, the costs incurred in connection with the administration and operation of the Value Adjustment Board.
9. All filing fees are nonrefundable.
10. This resolution shall become effective upon adoption.

ATTEST:

CITRUS COUNTY VALUE
ADJUSTMENT BOARD

____

ANGELA VICK, CLERK May 18th, 2021

____

CHAIR May 18th ,2021

APPROVED AS TO FORM
AND CORRECTNESS:

____

VALUE ADJUSTMENT BOARD COUNSEL
May 18th, 2021

AGENDA MEMORANDUM

FROM:	Kristi Hugar, Official Records Director
SUBJECT:	Next Value Adjustment Board Meeting
AGENDA DATE:	**May 18, 2021**

BRIEF OVERVIEW:

BUDGET IMPACT/FUNDING SOURCE:

Account No.	Account Title	Current Budget	YTD Expenditures	Encumbrances	Available Balance
					$0

RECOMMENDED ACTION:

Set the Organizational meeting of the 2021 Value Adjustment Board for Thursday, August 5, 2021 at 9:00 a.m. in the Citrus County Courthouse, Room 100, 110 North Apopka Avenue, Inverness Florida, for the purpose of setting the organizational structure, to appoint special magistrates, and for any other business deemed necessary.