

PERSONAL PROPERTY PETITION FOR REVIEW OF VALUATION

FOR OFFICIAL USE ONLY

013

FILED FOR TAX YEAR 2012 in Cochise COUNTY

- One copy of this petition must be mailed or hand delivered to the County Assessor. See instructions for filing requirements and appeal procedures.
- Persons receiving a Notice of Value may file this petition with the County Assessor on or before the deadline shown on the Notice of Value.
- The County Assessor may reject any petition not meeting statutory requirements. Only one appeal for each Notice of Value will be accepted.
- **NOTE: PETITIONER MUST COMPLETE SECTIONS 1 THROUGH 10 WHERE APPLICABLE.**

1. DATE FILED 11 July, 2012 ACCOUNT NO. _____

2. TYPE OF PROPERTY: COMMERCIAL / INDUSTRIAL AGRICULTURAL APARTMENT EQUIPMENT AND FURNISHINGS
 MOBILE HOME OTHER (specify) _____

3. INTEREST IN PROPERTY: OWNER OTHER (specify) _____ Agents must include an Agency Authorization form.

4. BUSINESS ADDRESS OR LEGAL DESCRIPTION: 118 N. Cherokee Trail, Benson, AZ

5A. TYPE OR PRINT OWNER'S NAME AS SHOWN ON THE NOTICE OF VALUE.
DANIEL Billy John & BARBARA G.

5B. PROVIDE CORRECT INFORMATION IF DIFFERENT FROM ITEM 5A.

6A. MAIL DECISION TO (PRINT OR TYPE)
118 N. Cherokee Trail
Benson
AZ, 85602

6B. IF PETITION IS FILED BY OTHER THAN OWNER, SPECIFY:

7. **BASIS FOR THIS PETITION:** Owner's evidence supporting this petition must be identified and attached to the petition in order to be considered by the County Assessor. **NOTE: Evidence contained in this appeal could be the basis for either increasing or decreasing the valuation or changing the legal classification of the property.**
Mobile home bought from Hughs Federal credit Union in 2011 for \$15,000.
Receipt enclosed.

8. OWNER'S OPINION OF VALUE	FULL CASH VALUE \$ <u>15,000</u>	LIMITED PROPERTY VALUE \$ <u>1500</u>	LEGAL CLASS <u>3</u>	ASMT RATIO <u>10.0</u>
9. VALUE SHOWN ON NOTICE OF VALUE	FULL CASH VALUE \$ <u>37,550</u>	LIMITED PROPERTY VALUE \$ <u>3755</u>	LEGAL CLASS <u>3</u>	ASMT RATIO <u>10.0</u>

10. I HEREBY AFFIRM THAT THE INFORMATION INCLUDED OR ATTACHED IS TRUE AND CORRECT. TO REQUEST A MEETING WITH ASSESSOR CHECK HERE

Billy J. Daniel 520-586-7050
 SIGNATURE OF OWNER OR AGENT TELEPHONE

IN MARICOPA AND PIMA COUNTIES ONLY:
 If you want this appeal to be heard "On The Record" check here
 This means that neither you nor the Assessor will appear in person before the State Board of Equalization to offer testimony. Submit any additional written or typed information with this appeal.

AGENTS ONLY: State Board of Appraisal Registration Number _____ State Board of Equalization Number _____

ASSESSOR'S DECISION	FULL CASH VALUE \$ <u>\$37,550</u>	LIMITED PROPERTY VALUE \$ <u>\$37,550</u>	LEGAL CLASS <u>03MP</u>	ASMT RATIO <u>10%</u>
BASIS FOR DECISION: <u>SEE ATTACHED</u>				
DATE RECEIVED	DATE DECISION MAILED	REVIEWED BY	ASSESSOR OR CHIEF DEPT.	
<u>7/30/12</u>	<u>7/30/12</u>	<u>TED OFFUTT</u>	<u>[Signature]</u>	
STATE BOARD OF EQUALIZATION DECISION	FULL CASH VALUE \$	LIMITED PROPERTY VALUE \$	LEGAL CLASS	ASMT RATIO
BASIS FOR DECISION:				
DATE RECEIVED	DATE DECISION MAILED	CHAIRMAN OR CLERK OF THE BOARD		

RECEIVED
 COCHISE COUNTY
 CLERK SUPERVISORS
 2012 AUG 22 P 2:08

FOR OFFICIAL USE ONLY



County of Cochise
**OFFICE OF THE COUNTY
ASSESSOR**
P.O. DRAWER 168
BISBEE, ARIZONA 85603

Philip S. Leiendecker
Assessor

Felix Dagnino
Chief Deputy

TAX YEAR	<u>2012</u>
APPEAL #	<u>013</u>
PARCEL #	<u>M120000065</u>
ASSESSOR DECISION DATE	<u>7/23/12</u>
PHYSICAL REVIEW (Y/N)	<u>N</u>
FCV	<u>\$37,550</u>
LPV	<u>\$37,550</u>
LEGAL CLASS	<u>03MP</u>
ASSESSMENT RATIO	<u>10%</u>
APPRAISER	<u>T. Offutt</u>

BASIS FOR DECISION:

Sale of subject was a bank sale which is not considered an arm's length transaction and cannot be considered. Mobile homes are valued by applying the depreciation rate supplied by Arizona Department of Revenue to the manufacturer's list price.

APPROVED _____

Cochise County Board of Supervisors
Bisbee, Arizona

Subject: Property value appeal denial

To: Supervisors

A mobile home which I bought last year from Hughes Federal Credit Union was valued by the assessors office at two and one half times the purchase price. The assessors office denied the appeal on the grounds that the sale was not an arm's length transaction.

I am not and have never been a member of the Hughes Credit Union nor have I previously had transactions of any kind with the credit union.

My purchase of the mobile home was a cash sale and Hughes Credit Union was not involved in financing the purchase in any way.

The assessors wording of their denial was; "Sale of subject was a bank sale which is not considered an arm's length transaction and cannot be considered." This wording raises several questions.

Questions:

1. Are banks and credit unions identical?
2. Are banks somehow different from a normal seller?
3. How can a sale by a financial institution be exempted from an arm's length transaction?

The assessor's agent, Mr. Ted Offutt, during a telephone conversation told me that his decision was based on Dept. of Revenue guidelines. Guidelines means recommendations, not directives; thus this decision can be set aside by your office.

I am attaching a copy of the receipt from the purchase and definitions of an arm's length transaction.

I do ask that you review the denial of valuation appeal by the assessors office and change the value to the purchase price.

Sincerely,
Bill Daniel

Attachments.

Arm's Length Transaction

Tweet 3

4

Like 0

Comments 0

Feedback Print E



Definition of 'Arm's Length Transaction'

A transaction in which the buyers and sellers of a product act independently and have no relationship to each other. The concept of an arm's length transaction is to ensure that both parties in the deal are acting in their own self interest and are not subject to any pressure or duress from the other party.



Investopedia explains 'Arm's Length Transaction'

The concept of an arm's length transaction commonly comes into play in the real estate market. When determining the fair market value of a piece of property, the price for the property must be obtained through a potential buyer and seller operating through an arm's length transaction, otherwise, the agreed-upon price will likely differ from the actual fair market value of the property.

For example, if two strangers are involved in the sale and purchase of a house it is likely that the final agreed-upon price will be close to market value (assuming that both parties have equal bargaining power and equal information about the situation). This is because the seller would want a price that is as high as possible and the buyer would want a price that is as low as possible.

This contrasts with a situation in which the two parties are not strangers. For example, it is unlikely that the same transaction involving a father and his son would yield the same result, because the father may choose to give his son a discount.

Related Definitions

Seller

Sale

Trade

Buyer's Market

Purchase Price

Fair Market Value

Arm's Length Market

Subject Offer

Trade Free for 60 days + Get up to \$600 with Trade Architect from TD Ameritrade. Start Now.

Articles Of Interest

County	CLR
Montgomery	58.0
Northampton	33.6
Philadelphia	18.1

Q: How does the CLR affect my individual property taxes?

A: The CLR works in conjunction with your total taxable assessment. On your tax card, there will be listed a total taxable assessment which represents the total fair market value of your property determined by the assessor, as of the last assessment. Since the last assessment of your property may have occurred several years ago, a ratio is used in an effort to take into account appreciation and inflation, and to make sure that you are taxed at the “appropriate” level.

For example, consider a property in Montgomery County with a CLR of 56.1. The last county-wide reassessment of Montgomery County took place in 1998. The CLR of 56.1 represents a taxable assessment of 56.1% of today’s current fair market value of the property.

Equation: Assessment / CLR = Assessed Market Value (AMV)

Example: \$350,000 / .561 = \$623,886(AMV)

Q: What is Assessed Market Value (AMV)?

A: The Assessed Market Value (AMV) represents the amount the County determined to be the current Fair Market Value for the property. The AMV does not take into account factors that may affect the value of a property such as location, school district, condition, curb appeal, etc. In the example above, this Montgomery County property owner is being taxed as if their property is currently worth \$623,886.00.

Q: What is Fair Market Value (FMV)?

A: The Fair Market Value (FMV) is the price at which a willing buyer will purchase from a willing seller in an arms-length transaction. Market Value has been defined by the Pennsylvania Supreme Court as “the price in a competitive market a purchaser, willing but not obligated to buy, would pay an owner, willing but not obligated to sell, taking into consideration all the legal uses to which the property can be adapted and might reasonably be applied.”

Q: What is an Arms-Length-Transaction?

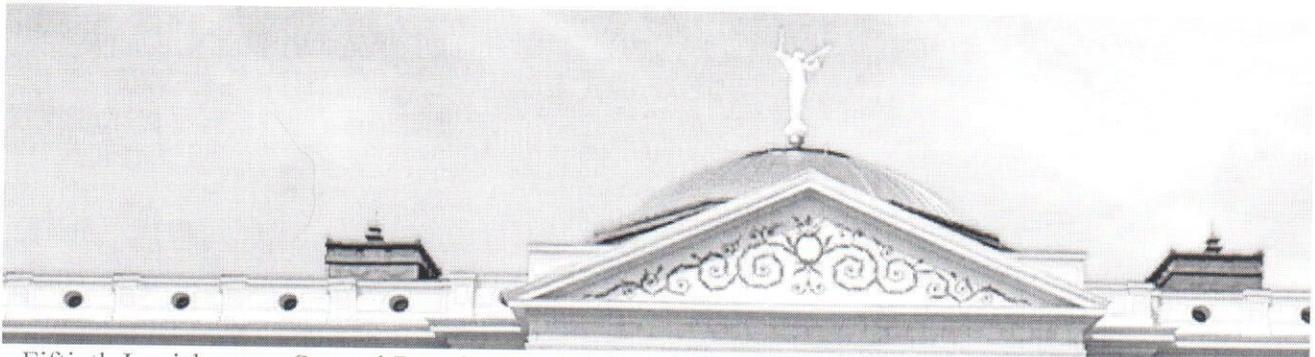
A: An arms-length-transaction is when: (1) the buyer and the seller are unrelated; (2) the buyer is aware of the relevant facts about the property; (3) neither party is forced to buy or sell; and, (4) all rights and benefit inherent in (or attributable to) the property are included in the transfer.

Q: What if the Fair Market Value (FMV) is less than the Assessed Market Value (AMV)?

A: If the FMV is less than the AMV then the assessment may be ripe for an appeal. For the appeal to be successful, the property owner must prove to the Board of Assessment that the current FMV of the

Arizona State Legislature

Bill Number Search



Fiftieth Legislature - Second Regular Session

[change session](#) | [print](#)

[Email a Member](#) | [Email Webmaster](#)

Senate	House	Legislative Council	JLBC	More Agencies	Bills	Com
------------------------	-----------------------	-------------------------------------	----------------------	-------------------------------	-----------------------	---------------------

[Calendars/News](#)

[ARS TITLE PAGE](#)
[NEXT DOCUMENT](#)
[PREVIOUS DOCUMENT](#)

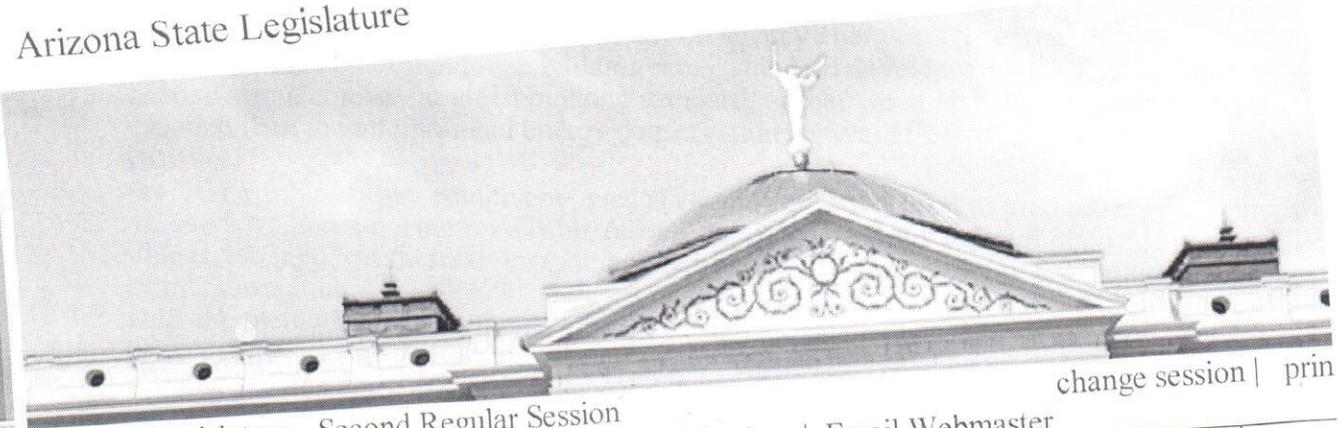
42-11051. General powers of department relating to property valuation

In performing its duties under this title the department may:

1. Study the property tax systems of other states.
2. Employ technical experts and assistants and contract for services as necessary to carry out
3. Appoint advisory committees that represent various classes of property.

©2007 Arizona State Legislature.

Arizona State Legislature



Fiftieth Legislature - Second Regular Session

change session | print

Email a Member | Email Webmaster

Senate	House	Legislative Council	JLBC	More Agencies	Bills	Con
Calendars/News						

ARS TITLE PAGE NEXT DOCUMENT PREVIOUS DOCUMENT

42-11054. Standard appraisal methods and techniques

A. Subject to subsection B of this section, the department shall:

1. Prescribe guidelines for applying standard appraisal methods and techniques that shall be department and county assessors in determining the valuation of property.
2. Prepare and maintain manuals and other necessary guidelines, consistent with this section the standard methods and techniques to perpetuate a current inventory of taxable property a valuation of that property.

B. Before they are adopted, the department shall submit each substantive proposed guideline manual that is developed, amended or otherwise modified from and after December 31, 2001, to a joint legislative oversight committee on property tax assessment and appeals. The department shall finally adopt, amend or otherwise modify a substantive guideline, table or manual for at least 30 days after submitting the measure to the committee. The committee may hold one or more informational hearings on the proposed measure within thirty days after submission. In adopting, amending or modifying the measure the department shall consider the committee's comment. If the committee fails to hold a hearing within thirty days after submission, the department may adopt or modify the measure without further consideration.

C. In applying prescribed standard appraisal methods and techniques:

1. Current usage shall be included in the formula for reaching a determination of full cash value.
2. Solar energy devices, as defined in section 44-1761, grid-tied photovoltaic systems and an device or system designed for the production of solar energy primarily for on-site consumption shall be considered to have no value and to add no value to the property on which such device or system is installed.
3. Energy efficient building components, renewable energy equipment and combined heat and power systems are considered to add no value to the property, if the property owner provides the county assessor with documentation of all elements that qualify pursuant to this paragraph, including documents showing actual acquisition and installation costs. The documentation must be submitted to the county assessor no later than six months before the notice of full cash value is issued for the evaluation year pursuant to section 42-15101 or, if the component is added after September 1 of the preceding year, no later than March 31 of the initial valuation year. For the purposes of this section:
 - (a) "Combined heat and power system" means a system that generates electricity or mechanical and useful thermal energy in a single, integrated system such that the useful power output of the system plus one-half the useful thermal output during any twelve-month period is no less than 42.5 percent of the total energy input of fuel to the facility.
 - (b) "Energy efficient building components" means high performance sustainable building components.

FP TRANSACTION 06-02-11 11:13:16
BECKY

1 1218

RECEIVED 15000.00 IN 1 CHECK
15000.00
PROCEEDS ██████████ 03 SCHULTZ MFG
CODE DESC: ASSETS ACQUIRED IN LIQ-OTHER LOANS
AMOUNT: 15000.00
GL: 0798-0040



Hughes
Federal Credit Union



CU SERVICE CENTERS
The Member Friendly Financial Network

Received:

Disbursed:



Hughes

Federal Credit Union

Yours for the asking™

PO Box 11900
Tucson AZ 85734-1900
520-794-8341 voice
520-806-3131 fax
www.hughesfcu.org

SALE OF REPOSSESSION PURCHASE ORDER

Purchaser: BILL DANIEL

Make: Scout Model: SVS

Year: 2003 VIN: 5B453383 H/B

PRICE OF VEHICLE: manufactured home \$ 15,500.00

LICENSE FEES: \$ 0

SUB TOTAL: \$ 15,500.00

CASH DOWN: \$ 0

TOTAL DUE: \$ 15,500.00

WARRANTY/GAP AGREEMENTS \$ 0

OTHER: _____ \$ 0

BALANCE DUE: \$ 15,500.00

BALANCE DUE SHOULD MATCH THE AMOUNT BEING FINANCED WITH HUGHES FCU.

Bill Daniel
(Purchaser Signature)

2 June, 2011
(Date)

N/A
(Co-Borrower Signature)

(Date)