



Real Property Tax Appeals Commission

IN ACCORDANCE WITH Section 47.825.1 of the District of Columbia Statutes you
Are hereby notified of your assessment for the current year **2013** as finalized by the
Real Property Tax Appeals Commission for the property described. If YOU
WISH TO APPEAL THIS ASSESSMENT FURTHER, SEE THE INFORMATION
BELOW

Date: January 23, 2013

Legal Description of Property

Square: 0159 Lot: 0860

Property Address: 1717 Rhode Island Avenue NW

ORIGINAL ASSESSMENT		FINAL ASSESSMENT	
Land	23,441,630	Land	23,441,630
Building	56,764,520	Building	48,977,240
Total	\$ 80,206,150	Total	\$ 72,418,870

Rationale:

The subject property is a multi-tenanted office building located in the commercial business district that was developed in 2004. The Petitioner raises three main issues in this appeal: market office rent, capitalization rate, and lease up costs. After his review of the income and expense forms for tax year 2013, the OTR assessor made the following adjustments before the RPTAC hearing: reduced market office rent, increased the vacancy rate, increased the vacate probability, increased the expense allowance, and included a capital expenditures deduction. These changes resulted in a new OTR recommended value of \$72,418,870. During the hearing, the Petitioner indicated that the storage income figure used by OTR in its analysis was incorrect, and that the rent overage/shortfall figure used in OTR's analysis should be adjusted. The Commission has reviewed the income and expense forms submitted by the Petitioner and the other documentation provided by the parties. The Commission finds that the storage income used by OTR in its analysis is supported based on the income and expense forms for tax year 2013. Further, the Petitioner failed to demonstrate by a preponderance of the evidence that OTR erred in its capitalization rate, lease up costs, and rent overage/shortfall analyses. The Commission also finds that the Office of Tax and Revenue's adjustments to its valuation analysis account for the vacancy issues the building is facing. Accordingly, the Commission accepts OTR's adjustments and OTR's new recommended value, and the proposed assessment for tax year 2013 is reduced.

COMMISSIONER SIGNATURES

Hillary Lovick, Esq.

May Chan

Trent Williams

FURTHER APPEAL PROCEDURES

Petitioners have the right to appeal from an adverse decision of the Commission to the Superior Court of the District of Columbia under the applicable provisions of the D.C. Code. Appeals to Superior Court must be filed no later than September 30th of the same year. In order to file an appeal with the D.C. Superior Court, petitioners must pay full year taxes to the Office of Tax and Revenue.



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Date: January 31, 2013

Legal Description of Property

Square: 0162 Lot: 0099

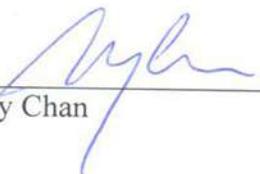
Property Address: 1127 Connecticut Avenue NW

ORIGINAL ASSESSMENT		FINAL ASSESSMENT	
Land	67,068,920	Land	67,068,920
Building	34,921,160	Building	34,921,160
Total	\$ 101,990,080	Total	\$ 101,990,080

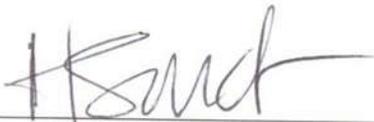
Rationale:

The Real Property Tax Appeals Commission (RPTAC) reviewed the submissions by the Office of Tax and Revenue (OTR) and the Petitioner and listened to arguments from both parties at a hearing on December 14, 2012. The subject is a centrally located 657-room historic hotel that underwent several renovations and has been restored to its original splendor. The Petitioner argues for a higher capitalization rate and an increase for the allocation of capital expenditures. OTR argues that the capitalization rate is in line with cap rates used with comparable hotels. The assessor points out that there are inconsistencies in itemization of capital expenditures and that the Petitioner has erred in "double counting" expenditures itemized as related works of deferred maintenance and renovation works; accordingly, the assessor made adjustments based on capital expenses that were acceptable in his judgment. However, after the assessor completed the calculation, he arrived at a new recommended value which is less than 5% below the TY 2013 assessed value. Pursuant to DC Official Code §47-825.01a(e)(4)(C)(ii)(2012 Supp.) the commission is only authorize to "lower the estimated value of any real property which it finds to be more than five per centum above or below the estimated market value" of the property. OTR's new value does not meet this threshold. Therefore, the proposed Tax Year 2013 assessment is sustained.

COMMISSIONER SIGNATURES



May Chan



Hillary Lovick, Esq.



Trent Williams

FURTHER APPEAL PROCEDURES

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Date: January 29, 2013

Legal Description of Property

Square: 0162 Lot: 0102

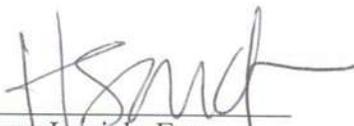
Property Address: 1147 Connecticut Avenue NW

ORIGINAL ASSESSMENT		FINAL ASSESSMENT	
Land	3,432,300	Land	3,432,300
Building	2,276,080	Building	2,276,080
Total	\$ 5,708,380	Total	\$ 5,708,380

Rationale:

The subject is a small building located on Connecticut Avenue between L and M Streets, and commonly known as the Elizabeth Arden Building. The improvements were built in 1928 and include approximately 12,500 square feet of net rentable area and approximately 13,379 of gross building area. The building was purchased by its current owner in 1996 and in 2003 the building was listed in the National Register of Historical Places; the entire building is leased by a single tenant and is encumbered by a long-term lease not to expire until 2036. The Office of Tax and Revenue presents sales to support its value estimate and the Petitioner presents both sales and income analysis to support its value estimate. The Commission has reviewed the documentation provided by both parties. The Commission finds that generally comparable properties to the subject are lined; however, the sales provided by the Office of Tax and Revenue are not comparable to the subject in size or location and many of the sales provided by the Petitioner are dated. The Commission finds that the Petitioner failed to demonstrate by a preponderance of the evidence that the proposed assessment by the OTR is erroneous. The proposed assessment for Tax Year 2013 is sustained.

COMMISSIONER SIGNATURES


Hillary Lovick, Esq.


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FURTHER APPEAL PROCEDURES

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Date: January 29, 2013

Legal Description of Property

Square: 0184 Lot: 0017

Property Address: 1020 16th Street NW

ORIGINAL ASSESSMENT		FINAL ASSESSMENT	
Land	1,830,990	Land	1,830,990
Building	4,417,370	Building	3,599,818
Total	\$ 6,248,360	Total	\$ 5,430,808

Rationale:

The subject property is a small office building. The Petitioner contends that OTR's proposed assessment is not supported based on market comparable sales or an income analysis of the subject. The Petitioner provided comparable sales, photographs of the interior and exterior of the subject, and an income analysis of the subject to support its value estimate. The Office of Tax and Revenue also provided comparable sales to support its value estimate but did not perform an income analysis of the subject. The Commission has reviewed the income and expense forms submitted by the Petitioner and the other documentation submitted by the parties. The Commission finds that an income valuation analysis is appropriate in determining the estimated value of an income producing property like the subject. The Commission also finds that the sales provided by OTR in support of its value estimate are not comparable to the subject in size or location, and that all the sales provided occurred after the relevant value date for tax year 2013, January 1, 2012. The Commission finds that a reduction of the proposed tax year 2013 assessment is warranted.

COMMISSIONER SIGNATURES


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Date: January 23, 2013

Legal Description of Property

Square: 0185 Lot: 0828

Property Address: 1625 I Street NW

ORIGINAL ASSESSMENT		FINAL ASSESSMENT	
Land	63,034,650	Land	63,034,650
Building	216,542,900	Building	216,542,900
Total	\$ 279,577,550	Total	\$ 279,577,550

Rationale:

The Petitioner raises the following issues in this appeal: market rents, lease-up deductions, and rent shortfall. Prior to the Real Property Tax Appeals Commission (RPTAC) hearing, the Office of Tax and Revenue (OTR) corrected lease-up square footage to fall in line with the newly submitted rent roll. The Commission finds OTR's rents and income are supported by the income and expense (I&E) report and the market. Even more, both the Petitioner's and the OTR's net operating income (NOI) are similar. The Commission also finds OTR's lease-up deductions and rent shortfall to be reasonable and supported by the market.

The Office of Tax and Revenue's adjustments resulted in a reduction and new OTR recommended value of \$271,731,500. OTR's new recommended value does not meet the five percent rule contained in D.C. Official Code §47-825.01a(e)(4)(C)(ii)(2012 Supp.). Accordingly, the proposed Tax Year 2013 assessment is sustained

COMMISSIONER SIGNATURES

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FURTHER APPEAL PROCEDURES

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IN ACCORDANCE WITH Section 47.825.01a of the District of Columbia Statutes you
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Date: January 25, 2013

Legal Description of Property

Square: 0186 Lot: 0039

Property Address: 1600 I Street NW

ORIGINAL ASSESSMENT		FINAL ASSESSMENT	
Land	22,252,230	Land	22,252,230
Building	34,784,870	Building	30,212,648
Total	\$ 57,037,100	Total	\$ 52,464,878

Rationale:

The subject is a multi-tenanted office building built in 1968 with some upgrades completed in 1994. There was a reduction at the first level of appeal in this case. At the Real Property Tax Appeals Commission (RPTAC) level of appeal, the remaining disputed issues were office square footage, market rent, expense allowance, capitalization rate, and lease-up costs. During the hearing, the Office of Tax and Revenue (OTR) assessor admitted that there was a square footage error in his analysis and he corrected the error and offered a new OTR recommended value of \$54,430,000. The Petitioner also argues that the market rent applied in OTR's analysis is unsupported by recent leases and that the expense allowance, capitalization rate, and lease-up costs should be increased. The Commission has reviewed the income and expense forms submitted by the Petitioner and the other documentation provided by the parties. The Commission finds that the Petitioner failed to demonstrate by a preponderance of the evidence that the market rent, expense allowance, and capitalization rate used by OTR in its analysis are erroneous. The Commission does find that an adjustment to the lease-up costs is warranted because an investor purchasing the building would likely convert the movie theatre into office space. This adjustment results in a further reduction of the proposed assessment from OTR's new recommended value. Accordingly, the proposed assessment for tax year 2013 is reduced.

COMMISSIONER SIGNATURES

Hillary Lovick, Esq.

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May Chan

FURTHER APPEAL PROCEDURES

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Date: January 25, 2013

Legal Description of Property

Square: 0200 Lot: 0026

Property address: 815 16th Street NW

ORIGINAL ASSESSMENT		FINAL ASSESSMENT	
Land	35,120,010	Land	35,120,010
Building	44,536,470	Building	44,536,470
Total	\$ 79,656,480	Total	\$ 79,656,480

Rationale:

The subject is a Class A owner occupied building located on 16th Street near the White House. The issues presented by the Petitioner are capitalization rate, lease-up cost and rehab costs. The Petitioner agreed with the Office of Tax and Revenue's NOI. However, prior to the hearing OTR made an upward adjustment to the NOI after the Assessor discovered that the income reported by the Petitioner was not reflective of market and increased it to market. The Petitioner argued that OTR's capitalization rate is too low for a Class A-/B+ building. In this case, the Commission finds that OTR's capitalization rate is reasonable for this type of asset in this particular submarket. The Petitioner argues that OTR's lease-up costs are too low. The Commission agrees with the Petitioner's synopsis but not all the calculations. The Commission finds that after applying the entire lease-up cost deduction sought by the Petitioner to the new corrected NOI, the new value does not meet the five percent rule as contained in D.C. Official Code §47-825.01 a(e)(4)(C)(ii)(2012 Supp.). Accordingly, the proposed Tax Year 2013 assessment is sustained.

COMMISSIONER SIGNATURES

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Hillary Lovick, Esq.

FURTHER APPEAL PROCEDURES

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Date: January 23, 2013

Legal Description of Property

Square: 0247 Lot: 0097

Property Address: 1100 13th Street NW

ORIGINAL ASSESSMENT		FINAL ASSESSMENT	
Land	33,821,160	Land	33,821,160
Building	101,234,590	Building	101,234,590
Total	\$ 135,055,750	Total	\$ 135,055,750

Rationale:

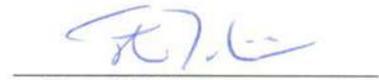
The Petitioner raises the following issues in this appeal: other income, capitalization rate, and lease-up costs. Prior to the Real Property Tax Appeals Commission (RPTAC) hearing, the Office of Tax and Revenue (OTR) adjusted lease-up costs to fall in line with new tenant improvement information. The Commission finds OTR income is supported by the income and expense (I&E) report and the market. The Commission also finds OTR's capitalization rate to be reasonable and supported by the market.

The Office of Tax and Revenue's adjustments resulted in a reduction and new OTR recommended value of \$133,066,745. OTR's new recommended value does not meet the five percent rule contained in D.C. Official Code §47-825.01a(e)(4)(C)(ii)(2012 Supp.). Accordingly, the proposed Tax Year 2013 assessment is sustained.

COMMISSIONER SIGNATURES


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FURTHER APPEAL PROCEDURES

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Date: January 28, 2013

Legal Description of Property

Square: 0248 Lot: 0075

Property Address: 1330 L Street NW

ORIGINAL ASSESSMENT		FINAL ASSESSMENT	
Land	60,416,130	Land	60,416,130
Building	133,656,320	Building	133,656,320
Total	\$ 194,072,450	Total	\$ 194,072,450

Rationale:

The Petitioner raises the following issues in this appeal: rents and capitalization rate. The Commission finds that the Office of Tax and Revenue's rents are supported by the income and expense (I&E) reports and the market. The Commission also finds OTR's capitalization rate to be reasonable and supported by the market. Based on both the hearing testimony and the evidence provided in this case, the Commission finds that the Petitioner failed to demonstrate by a preponderance of the evidence that OTR's proposed assessment is erroneous. Accordingly, the Tax Year 2013 assessment is sustained.

COMMISSIONER SIGNATURES


Hillary Lovick, Esq.


May Chan


Trent Williams

FURTHER APPEAL PROCEDURES

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Date: January 31, 2013

Legal Description of Property

Square: 0254 Lot: 0838

Property Address: 1331 Pennsylvania Avenue NW

ORIGINAL ASSESSMENT		FINAL ASSESSMENT	
Land	133,613,200	Land	133,613,200
Building	174,403,950	Building	156,325,330
Total	\$ 308,017,150	Total	\$ 289,938,530

Rationale:

Pursuant to D.C. Code section 47-825.01a(e)(2)(C)(ii)(II), “OTR shall make any response filed with the Commission available to the real property owner for inspection and copying at least 7 days before the scheduled hearing.” During the hearing, the Petitioner explained that a request to obtain OTR’s response was made and OTR failed to make the response available to the Petitioner within 7 days prior to the hearing. In circumstances where OTR’s response is not made available within the requisite time period, the referenced statutory provision provides that the response shall be excluded by the Commission. In this case, the Petitioner invoked this statutory provision and the Commission agreed to exclude the assessor’s response from the evidence to be considered in rendering a decision in this case.

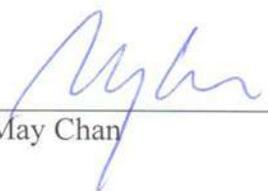
The Petitioner argued that the actual incentive management fee expense for the subject has been a stable **percentage of gross revenue** for at least the last three years. An attachment in the Income and Expense Statement for Section D 8 specifies, “Incentive management fee (when earned) is calculated to be equal to 20% of the **annual operating profit**, as defined in the management agreement”. In addition, included in the long-term management contract with Marriott International, Incorporation describes calculation of the incentive management fee as follows: “for purpose of the calculation, the operating profit shall be reduced by an amount (prorated for any partial fiscal year) equal to ten and three quarters percent (10.75%) of all ROI Capital Expenditures, etc. “ The Commission finds that the Petitioner’s incentive management fee calculation is inconsistent with what is outlined in its supporting documents and from the method (Rushmore) generally utilized by OTR.

After reviewing the evidence submitted by the Petitioner. The Commission does not find Petitioner’s argument for a higher cap rate persuasive for this luxury downtown Washington, DC hotel located on Pennsylvania Avenue near the National Mall. The Commission finds the Petitioner’s argument for capital expenditures reasonable. However, the capital expenditures documentation provided by the Petitioner seemed to be incomplete and should have been more detailed. Accordingly, the proposed 2013 tax year assessment is reduced.

Square: 0254 Lot: 0838

Property Address: 1331 Pennsylvania Avenue NW

COMMISSIONER SIGNATURES



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FURTHER APPEAL PROCEDURES

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Date: January 2, 2013

Legal Description of Property

Square: 0254 Lot: 7000

Property Address: 1331 Pennsylvania Avenue NW

ORIGINAL ASSESSMENT		FINAL ASSESSMENT	
Land	-0-	Land	-0-
Building	4,199,990	Building	4,199,990
Total	\$ 4,199,990	Total	\$ 4,199,990

Rationale:

The Petitioner did not challenge the assessment for this lot. The Tax Year 2013 assessment is sustained.

COMMISSIONER SIGNATURES



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Date: January 2, 2013

Legal Description of Property

Square: 0254 Lot: 7002

Property Address: 1331 Pennsylvania Avenue NW

ORIGINAL ASSESSMENT		FINAL ASSESSMENT	
Land	-0-	Land	-0-
Building	100	Building	100
Total	\$ 100	Total	\$ 100

Rationale:

The Petitioner did not challenge the assessment for this lot. The Tax Year 2013 assessment is sustained.

COMMISSIONER SIGNATURES



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Date: January 2, 2013

Legal Description of Property

Square: 0254 Lot: 7004

Property Address: 1331 Pennsylvania Avenue NW

ORIGINAL ASSESSMENT		FINAL ASSESSMENT	
Land	-0-	Land	-0-
Building	6,999,980	Building	6,999,980
Total	\$ 6,999,980	Total	\$ 6,999,980

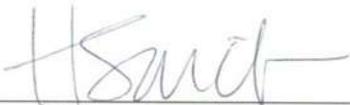
Rationale:

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Date: January 2, 2013

Legal Description of Property

Square: 0254 Lot: 7005

Property Address: 1331 Pennsylvania Avenue NW

ORIGINAL ASSESSMENT		FINAL ASSESSMENT	
Land	-0-	Land	-0-
Building	100	Building	100
Total	\$ 100	Total	\$ 100

Rationale:

The Petitioner did not challenge the assessment for this lot. The Tax Year 2013 assessment is sustained.

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Date: January 2, 2013

Legal Description of Property

Square: 0254 Lot: 7006

Property Address: 1331 Pennsylvania Avenue NW

ORIGINAL ASSESSMENT

FINAL ASSESSMENT

Land	-0-	Land	-0-
Building	100	Building	100
Total	\$ 100	Total	\$ 100

Rationale:

The Petitioner did not challenge the assessment for this lot. The Tax Year 2013 assessment is sustained.

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