



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: 0025 Lot: 0808

Property Address: 2400 M Street NW

ORIGINAL ASSESSMENT		FINAL ASSESSMENT	
Land	32,062,200	Land	32,062,200
Building	168,209,300	Building	156,737,800
Total	\$ 200,271,500	Total	\$ 188,800,000

Rationale: The subject property is a 359-unit apartment building. Pursuant to D.C. Official Code §47-825.01 a(e)(4)(C)(ii)(2012 Supp.), “ the Office of Tax and Revenue (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 provided evidence to demonstrate that a written request to OTR was made to obtain the response and OTR failed to make the response available to the Petitioner within 7 days prior to the hearing. In addition, the Petitioner provided an affidavit from the person in its office who handled written correspondence with OTR on this particular matter. In circumstances where the response is not made available within the requisite time period, the referenced statutory provision provides that the response shall be excluded by the Commission at the hearing. 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. At the Real Property Tax Appeals Commission (RPTAC) hearing, the Petitioner gave oral testimony but OTR did not give any rebuttal oral testimony.

The basis of this appeal is equalization. The Petitioner argues that the projected income used by OTR in its valuation analysis is overstated and inconsistent with actual reported income per the income and expense documentation. Further, the Petitioner argues that the proposed assessment is out of equalization with a comparable apartment property located in close proximity to the subject. The Commission has reviewed the income and expense forms, the comparable property assessments, and the other documentation provided by the Petitioner. The Commission finds that OTR’s projected income is unsupported based on the property’s income and expense history over the last two years. The Commission has made an adjustment to the income and the proposed assessment for Tax Year 2013 is reduced, accordingly.

COMMISSIONER SIGNATURES

Gregory Syphax

Hillary Lovick, Esq.

May Chan

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 3, 2013

Legal Description of Property

Square: 0149 Lot: 0005

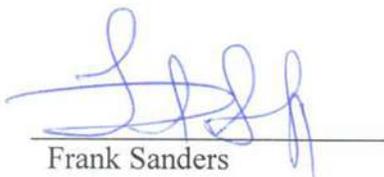
Property Address: 1706 Florida Avenue NW

ORIGINAL ASSESSMENT		FINAL ASSESSMENT	
Land	68,000	Land	68,000
Building	-0-	Building	-0-
Total	\$ 68,000	Total	\$ 68,000

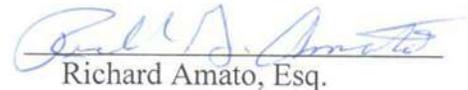
Rationale:

The Real Property Tax Appeals Commission (RPTAC) is charged with determining an estimated market value for the subject property as of January 1, 2012 (for Tax Year 2013). The bases of the appeal are disputed property record, and classification. The Petitioner presented no evidence for the claim of disputed property record, or classification. The Petitioner failed to submit sufficient information to demonstrate by a preponderance of the evidence that the assessment by the Office of Tax and Revenue (OTR) was incorrect. The Commission sustains the Tax Year 2013 assessment.

COMMISSIONER SIGNATURES


Frank Sanders


Cliftine Jones


Richard Amato, Esq.

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Date: January 22, 2013

Legal Description of Property

Square: 0182 Lot: 0084

Property Address: 1200 16th Street NW

ORIGINAL ASSESSMENT		FINAL ASSESSMENT	
Land	10,873,800	Land	10,873,800
Building	42,754,730	Building	42,754,730
Total	\$ 53,628,530	Total	\$ 53,628,530

Rationale:

The subject property is a 99-room luxury hotel that has recently renovated and reopened in the fall of 2009. The owners "have spared no cost to make it one of the most attractive hotels in the city". The Petitioner and the Office of Tax and Revenue (OTR) both presented income analyses to support their values. The net operating income (NOI) reached by each party was similar. The main issue is capitalization rate.

After reviewing the evidence, the Real Property Tax Appeals Commission (RPTAC) finds that the OTR's proposed assessment for the Tax Year 2013 has not been show by the preponderance of the evidence to be erroneous and therefore, the RPTAC sustains the proposed assessment for Tax Year 2013.

COMMISSIONER SIGNATURES

May Chan

Hillary Lovick, Esq.

Gregory Syphax

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Date: January 29, 2013

Legal Description of Property

Square: 0199 Lot: 0834

Property Address: 900 15th Street NW

ORIGINAL ASSESSMENT		FINAL ASSESSMENT	
Land	5,151,300	Land	5,151,300
Building	15,403,400	Building	13,905,050
Total	\$ 20,554,700	Total	\$ 19,056,350

Rationale: The subject is a centrally located A class apartment complex comprised of 2 buildings, a high-rise apartment building and a low-rise apartment building with retail/commercial space. Pursuant to D.C. Official Code §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 provided evidence to demonstrate that a written request to OTR was made to obtain the response and OTR failed to make the response available to the Petitioner within 7 days prior to the hearing. In addition, the Petitioner provided an affidavit from the person in its office who handled written correspondence with OTR on this particular matter. In circumstances where the response is not made available within the requisite time period, the referenced statutory provision provides that the response shall be excluded by the Commission at the hearing. 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. At the Real Property Tax Appeals Commission (RPTAC) hearing, the Petitioner gave oral testimony but OTR did not give any rebuttal oral testimony.

The Petitioner argues that OTR does not properly account for the vacancy rate and capitalization rate. The Petitioner suggested a blended rate for this low- rise apartment and retail commercial lot. The Commission agrees that consideration should be given to reflect the retail use of the subject property but not at the capitalization rate sought by the Petitioner. Accordingly, the Commission made some adjustment to the capitalization rate and the proposed TY 2013 assessment is reduced.

COMMISSIONER SIGNATURES

May Chan

Hillary Lovick, Esq.

Gregory Syphax

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Date: January 29, 2013

Legal Description of Property

Square: 0199 Lot: 0835

Property Address: I Street NW

ORIGINAL ASSESSMENT		FINAL ASSESSMENT	
Land	8,879,160	Land	8,879,160
Building	18,153,240	Building	18,153,240
Total	\$ 27,032,400	Total	\$ 27,032,400

Rationale: The subject is a centrally located A class apartment complex comprised of 2 buildings, a high-rise apartment building and a low-rise apartment building with retail/commercial space. Pursuant to D.C. Official Code §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 provided evidence to demonstrate that a written request to OTR was made to obtain the response and OTR failed to make the response available to the Petitioner within 7 days prior to the hearing. In addition, the Petitioner provided an affidavit from the person in its office who handled written correspondence with OTR on this particular matter. In circumstances where the response is not made available within the requisite time period, the referenced statutory provision provides that the response shall be excluded by the Commission at the hearing. 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. At the Real Property Tax Appeals Commission (RPTAC) hearing, the Petitioner gave oral testimony but OTR did not give any rebuttal oral testimony.

The Petitioner argues that OTR does not properly account for the vacancy rate and capitalization rate. However, the Petitioner failed to provide two consecutive yearly Apartment Income and Expense Reports as required by the District of Columbia. Accordingly, the Petitioner failed to establish by a preponderance of the evidence that OTR erred in its analysis. Therefore, the proposed Tax Year 2013 assessment is sustained.

COMMISSIONER SIGNATURES

May Chan

Hillary Lovick, Esq.

Gregory Syphax

FURTHER APPEAL PROCEDURES

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Legal Description of Property

Square: 0218 Lot: 2008

Property Address: 1430 K Street NW

ORIGINAL ASSESSMENT		FINAL ASSESSMENT	
Land	1,192,740	Land	1,192,740
Building	2,122,110	Building	2,122,110
Total	\$ 3,314,850	Total	\$ 3,314,850

Rationale:

The Real Property Tax Appeals Commission (RPTAC) is charged with determining an estimated market value for the subject property as of January 1, 2012 (for Tax Year 2013). The basis of the appeal is equalization. The Commission finds that the value appealed by the Petitioner does not meet the 5% rule contained in D.C. Official Code § 47-825.01a(e)(4)(C)(ii)(2012 Supp.). This code provision only authorizes the Commission to “raise or 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. See *1776 K Street Associates v. District of Columbia*, 446 A.2d 1114, 1116 (D.C. 1982). The proposed Tax Year 2013 assessment is sustained.

COMMISSIONER SIGNATURES

Frank Sanders

Cliftine Jones

Richard Amato, Esq.

FURTHER APPEAL PROCEDURES

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Date: January 22, 2013

Legal Description of Property

Square: 0283 Lot: 0050

Property Address: 1210 Massachusetts Avenue NW

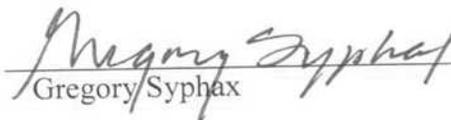
ORIGINAL ASSESSMENT		FINAL ASSESSMENT	
Land	9,697,580	Land	9,697,580
Building	51,811,860	Building	51,811,860
Total	\$ 61,509,440	Total	\$ 61,509,440

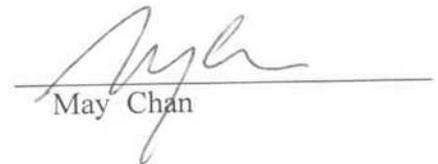
Rationale;

The subject is an eleven story, 144-unit, Class A apartment building located at 1210 Massachusetts Avenue NW. The basis of the appeal is equalization. The Petitioner contends that the subject property's proposed assessment is out of equalization with comparable apartment buildings. In support of this argument, the Petitioner provides assessment data and other documentation on other apartment building properties that the Petitioner deems to be comparable to the subject property. The Commission has reviewed the data on these properties and examined the subject's income and expense forms submitted by the Petitioner. The Commission also reviewed the Office of Tax and Revenue's income valuation analysis and considered the oral testimony of both parties. The Commission finds that the apartment building properties submitted by the Petitioner to support the equalization argument are not comparable to the subject due to considerable differences in location, size, and condition. The Commission finds OTR's income analysis of the subject to be consistent with the income and expense forms for Tax Year 2013. The Petitioner failed to demonstrate by the preponderance of the evidence that OTR's proposed assessment is erroneous. Therefore, the proposed assessment for Tax Year 2013 is sustained.

COMMISSIONER SIGNATURES


Hillary Lovick, Esq.


Gregory Syphax


May Chan

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Date: January 3, 2013

Legal Description of Property

Square: 0408 Lot: 5156

Property Address: 710 Pennsylvania Avenue NW

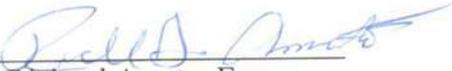
ORIGINAL ASSESSMENT		FINAL ASSESSMENT	
Land	100,300	Land	100,300
Building	234,050	Building	199,700
Total	\$ 334,350	Total	\$ 300,000

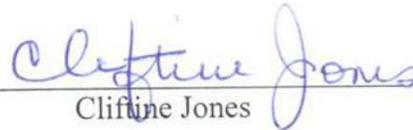
Rationale:

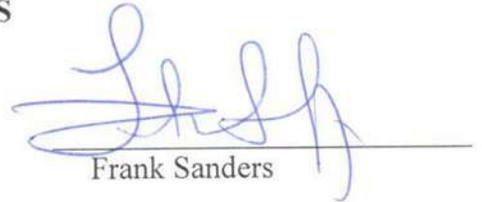
The Petitioner purchased the condominium unit containing 613 square feet in 2006, for \$369,000 but received \$100,000 in compensation from the seller because of the incessant noise from an elevator which was not disclosed before the sale. This made the purchase price effectively \$269,000 and the Petitioner seeks this valuation for Tax Year 2013, with a valuation date of January 1, 2012.

The Commission finds that the Petitioner has demonstrated that the value of the property should be reduced for Tax Year 2013, but does not believe that the Petitioner has demonstrated that the value of the property should be fixed in perpetuity at \$269,000, never increasing in value because of the elevator noise. Accordingly, the Commission determines the value of the property for Tax Year 2013 to be \$300,000.

COMMISSIONER SIGNATURES


Richard Amato, Esq.


Clifline Jones


Frank Sanders

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Date: January 22, 2013

Legal Description of Property

Square: 0486 Lot: 2001

Property Address: 770 5th Street NW

ORIGINAL ASSESSMENT		FINAL ASSESSMENT	
Land	17,967,710	Land	17,967,710
Building	53,172,890	Building	53,172,890
Total	\$ 71,140,600	Total	\$ 71,140,600

Rationale;

The subject is a Class A apartment building called the Avalon Gallery Place located at 5th and G Streets. The basis of the appeal is equalization. At the time of the first level hearing, the income and expense information for Tax Year 2013 was not provided to the Office of Tax and Revenue (OTR) Assessor; however, prior to the RPTAC hearing the 2013 documentation was provided to OTR and the Assessor updated his valuation analysis. OTR's new estimate of value, based on the 2013 income and expense data, was higher than the proposed assessment. However, the Assessor recommends that RPTAC sustains the original proposed assessment. At the RPTAC level of appeal, the Petitioner provided comparable apartment assessments to support its value estimate but neglected to provide copies of the subject property's income and expense forms for Tax Years 2012 and 2013 among the appeal documentation. The main disputed issue in this case is the capitalization rate used by OTR in its analysis. The Petitioner argues that the trophy capitalization rate applied by OTR is unwarranted based on the subject's rents, amenities, and the overall apartment finishes. The Commission has reviewed the documentation provided and considered the testimony of both parties. The Commission finds that the Petitioner failed to submit sufficient evidence to prove by a preponderance of the evidence that OTR's proposed assessment is erroneous. Therefore, the proposed assessment of Tax Year 2013 is sustained.

COMMISSIONER SIGNATURES

Hillary Lovick, Esq.

Gregory Syphax

May Chan

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Date: January 22, 2013

Legal Description of Property

Square: 0486 Lot: 2002

Property Address: 770 5th Street NW

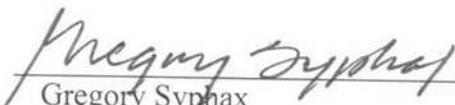
ORIGINAL ASSESSMENT		FINAL ASSESSMENT	
Land	2,245,730	Land	2,245,730
Building	6,647,070	Building	6,647,070
Total	\$ 8,892,800	Total	\$ 8,892,800

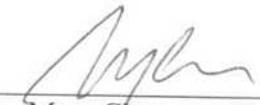
Rationale;

The subject is a Class A apartment building called the Avalon Gallery Place located at 5th and G Streets. The basis of the appeal is equalization. At the time of the first level hearing, the income and expense information for Tax Year 2013 was not provided to the Office of Tax and Revenue (OTR) Assessor; however, prior to the RPTAC hearing the 2013 documentation was provided to OTR and the Assessor updated his valuation analysis. OTR's new estimate of value, based on the 2013 income and expense data, was higher than the proposed assessment. However, the Assessor recommends that RPTAC sustains the original proposed assessment. At the RPTAC level of appeal, the Petitioner provided comparable apartment assessments to support its value estimate but neglected to provide copies of the subject property's income and expense forms for Tax Years 2012 and 2013 among the appeal documentation. The main disputed issue in this case is the capitalization rate used by OTR in its analysis. The Petitioner argues that the trophy capitalization rate applied by OTR is unwarranted based on the subject's rents, amenities, and the overall apartment finishes. The Commission has reviewed the documentation provided and considered the testimony of both parties. The Commission finds that the Petitioner failed to submit sufficient evidence to prove by a preponderance of the evidence that OTR's proposed assessment is erroneous. Therefore, the proposed assessment of Tax Year 2013 is sustained.

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Legal Description of Property

Square: 0486 Lot: 2003

Property Address: 770 5th Street NW

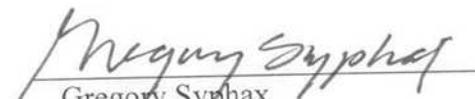
ORIGINAL ASSESSMENT		FINAL ASSESSMENT	
Land	2,245,730	Land	2,245,730
Building	6,647,070	Building	6,647,070
Total	\$ 8,892,800	Total	\$ 8,892,800

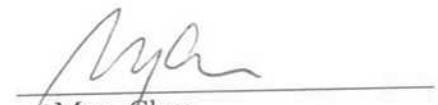
Rationale;

The subject is a Class A apartment building called the Avalon Gallery Place located at 5th and G Streets. The basis of the appeal is equalization. At the time of the first level hearing, the income and expense information for Tax Year 2013 was not provided to the Office of Tax and Revenue (OTR) Assessor; however, prior to the RPTAC hearing the 2013 documentation was provided to OTR and the Assessor updated his valuation analysis. OTR's new estimate of value, based on the 2013 income and expense data, was higher than the proposed assessment. However, the Assessor recommends that RPTAC sustains the original proposed assessment. At the RPTAC level of appeal, the Petitioner provided comparable apartment assessments to support its value estimate but neglected to provide copies of the subject property's income and expense forms for Tax Years 2012 and 2013 among the appeal documentation. The main disputed issue in this case is the capitalization rate used by OTR in its analysis. The Petitioner argues that the trophy capitalization rate applied by OTR is unwarranted based on the subject's rents, amenities, and the overall apartment finishes. The Commission has reviewed the documentation provided and considered the testimony of both parties. The Commission finds that the Petitioner failed to submit sufficient evidence to prove by a preponderance of the evidence that OTR's proposed assessment is erroneous. Therefore, the proposed assessment of Tax Year 2013 is sustained.

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Date: January 14, 2013

Legal Description of Property

Square: 0653 Lot: 0111

Property Address: 1345 South Capitol Street SW

ORIGINAL ASSESSMENT		FINAL ASSESSMENT	
Land	21,658,030	Land	17,597,151
Building	-0-	Building	-0-
Total	\$ 21,658,030	Total	\$ 17,597,151

Rationale:

Pursuant to DC Code § 47-825.01a(c)(1)(B), the Stipulation Agreement entered into by the Office of Tax and Revenue and the Petitioner is accepted. The Stipulation Agreement resolves the matter of the Tax Year 2013 appeal.

COMMISSIONER SIGNATURE

Richard Amato, Esq.

FURTHER APPEAL PROCEDURES

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GOVERNMENT OF THE DISTRICT OF COLUMBIA
 OFFICE OF THE CHIEF FINANCIAL OFFICER
 OFFICE OF TAX AND REVENUE
 REAL PROPERTY TAX ADMINISTRATION



RPTAC ASSESSMENT STIPULATION FORM

Square	0653	Suffix		Lot (s)	0111
Property Address	1345 South Capitol Street SW				
Petitioner	Fund South Capitol LLC				

STIPULATION AGREEMENT

IT IS HEREBY AGREED BY AND BETWEEN THE PETITIONER AND THE DISTRICT OF COLUMBIA THAT IN ORDER TO EXPEDITIOUSLY SETTLE THIS MATTER, EACH PARTY AGREES TO STIPULATE TO THE ESTIMATED MARKET VALUE FOR THE SUBJECT PROPERTY FOR TAX YEAR 2013 AS FOLLOWS:

	PROPOSED ASSESSED VALUE (Assessed value after First Level)	STIPULATED ASSESSED VALUE
LAND	\$21,658,030	\$17,597,151
IMPROVEMENTS	\$0	\$0
TOTAL	\$21,658,030	\$17,597,151

STIPULATED PERCENTAGE CHANGE: -18.7 % STIPULATED VALUE CHANGE \$4,060,879

JUSTIFICATION: The subject site is being developed for residential use. Based upon market evidence, OTR has adjusted the assessed FAR from \$80/FAR to \$65/FAR.

BY ENTERING INTO THIS STIPULATION AGREEMENT, THE PARTIES AGREE THAT UPON ACCEPTANCE BY THE PARTIES AND THE REAL PROPERTY TAX APPEALS COMMISSION'S ADOPTION OF THE PARTIES' STIPULATED ASSESSMENT, THAT VALUE SHALL BECOME THE ASSESSED VALUE AND NEITHER PARTY, ITS HEIRS, ASSIGNS OR SUCCESSORS SHALL CONTEST THIS VALUE IN FURTHER HEARINGS BEFORE THE REAL PROPERTY TAX APPEALS COMMISSION OR APPEAL SUCH VALUE TO ANY COURT.

FOR THE DISTRICT OF COLUMBIA:

APPRaiser: [Signature]

Date: Dec 17, 12

SUPERVISORY APPRAISER: [Signature]

Date: 1/08/13

APPEALS & LITIGATION MANAGER/
 RESIDENTIAL MANAGER: [Signature]

Date: 9 Jan 2013

CHIEF APPRAISER: _____

Date: _____

DIRECTOR: _____

Date: _____

FOR THE PETITIONER:

OWNER/AGENT: [Signature]

Date: 12/17/12

AGENT'S COMPANY NAME: SLH



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 28, 2013

Legal Description of Property

Square: 0673 Lot: 0841

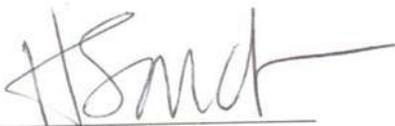
Property Address: 1050 1st Street NE

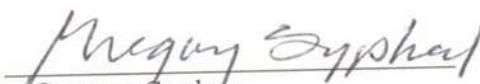
ORIGINAL ASSESSMENT		FINAL ASSESSMENT	
Land	45,291,650	Land	45,291,650
Building	-0-	Building	-0-
Total	\$ 45,291,650	Total	\$ 45,291,650

Rationale:

The subject property is a development site and though it is currently a single lot, the process has been initiated to divide the property into two separate lots. One portion of the property is currently under construction and the other portion of the property was offered for sale to the highest bidder by the owner. The winning bidder proposed two purchase options. One of the options proposed a purchase price of \$23,200,000. The second option proposed a purchase price of \$24,800,000 and a closing in 15 months. The parties agreed on the latter option, a purchase price of \$24,800,000, and though the purchase contract was executed in early 2012, the closing will not occur until early 2014. The disputed issue in this case is how to weigh the purchase agreement price in determining an estimated value for the entire subject. The Petitioner argues that the value of the subject should be based on the buy and close price of \$23,200,000, which amounts to \$61.70/FAR, and should be applied to value the entire parcel (including the portion that is not a part of the sale). The Office of Tax and Revenue argues that the purchase price of \$23,000,000 does not represent the market value of the entire subject lot; at present the subject is a single lot and therefore a higher dollar per point FAR than proposed by the Petitioner is supported. The Commission finds this argument persuasive. OTR also provided sales comparables to support its value estimate. The Commissions finds that the Petitioner failed to establish by a preponderance of the evidence that OTR's proposed assessment is erroneous. The proposed tax year 2013 assessment is sustained.

COMMISSIONER SIGNATURES


Hillary Lovick, Esq.


Gregory Syphax


May Chan

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 22, 2013

Legal Description of Property

Square: 0713 Lot: 0050

Property Address: 100 K Street NE

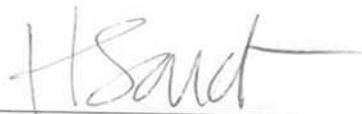
TAX YEAR 2013 CLASSIFICATION

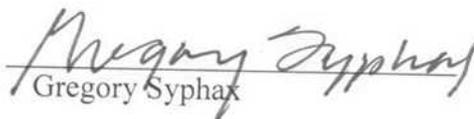
ORIGINAL ASSESSMENT		FINAL ASSESSMENT	
Land		Land	
Building		Building	
Total	\$	Total	\$

Rationale:

The subject property is raw development land zoned commercial. The basis of the appeal is classification. The Petitioner argues that the subject property should be classified as residential because the property was recently purchased by a developer that develops residential apartments exclusively, and the new owner has taken steps to evidence that the subject will be developed into residential apartments. The Petitioner has provided a copy of the construction permit application for the property; however, permits had not been issued at the time of the RPTAC hearing, December 3, 2012. It is the Office of Tax and Revenue's policy to change classification to residential on properties being developed on commercially viable land once permits are issued for the residential development. The Commission finds the commercial classification of the subject property to be consistent with OTR's policy, and therefore denies the Petitioner's request for classification as residential for Tax Year 2013.

COMMISSIONER SIGNATURES


Hillary Lovick, Esq.


Gregory Syphax


May Chan

FURTHER APPEAL PROCEDURES

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Date: January 22, 2013

Legal Description of Property

Square: 0775 Lot: 0050

Property Address: 318 I Street NE

TAX YEAR 2013 CLASSIFICATION

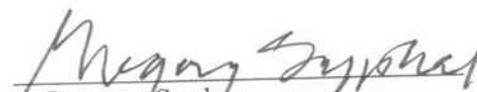
ORIGINAL ASSESSMENT		FINAL ASSESSMENT	
Land		Land	
Building		Building	
Total	\$	Total	\$

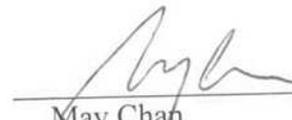
Rationale:

The subject property is in the process of being developed for residential (apartment) use. The basis of the appeal is classification. The Petitioner has submitted documentation to the Office of Tax and Revenue (OTR) management for approval of a use code change; following OTR approval, the property's use code will be changed from commercial (ground level retail) to residential (apartment with elevator). The Petitioner has been waiting on OTR approval of the use code change since June 2012 and filed the appeal with the Real Property Tax Appeals Commission (RPTAC) to ensure that the property is correctly classified as residential based on its use for Tax Year 2013. The OTR Assessor was aware of the use code application and testified that he had visited the site and confirmed that an apartment complex was being developed. The Commission has reviewed the documentation submitted by both parties and finds the Petitioner has provided sufficient evidence to support the conclusion that the subject property should be classified as residential, Class 1 for Tax Year 2013.

COMMISSIONER SIGNATURES


Hillary Lovick, Esq.


Gregory Syphax


May Chan

FURTHER APPEAL PROCEDURES

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Date: January 3, 2013

Legal Description of Property

Square: 1072S Lot: 0018

Property Address: Independence Avenue SE

ORIGINAL ASSESSMENT

FINAL ASSESSMENT

Land	29,310	Land	29,310
Building	270	Building	270
Total	\$ 29,580	Total	\$ 29,580

Rationale:

The Real Property Tax Appeals Commission (RPTAC) is charged with determining an estimated market value for the subject property as of January 1, 2012 (for Tax Year 2013). The basis of the appeal is disputed property record. The Petitioner presented no evidence for the claim of disputed property record. The Petitioner failed to submit sufficient information to demonstrate by a preponderance of the evidence that the assessment by the Office of Tax and Revenue (OTR) was incorrect. The Petitioner added an item which is not recognized by the Commission therefore the Commission has not addressed this item. The Commission sustains the Tax Year 2013 assessment.

COMMISSIONER SIGNATURES

Frank Sanders

Cliftine Jones

Richard Amato, Esq.

FURTHER APPEAL PROCEDURES

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Date: January 3, 2013

Legal Description of Property

Square: 1264E Lot: 2278

Property Address: 2500 Q Street NW

ORIGINAL ASSESSMENT

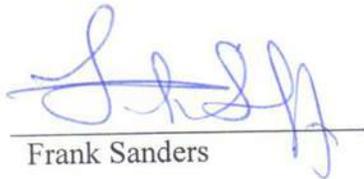
FINAL ASSESSMENT

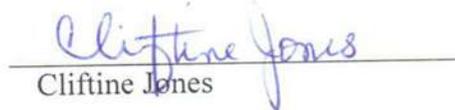
Land	135,130	Land	135,130
Building	315,310	Building	315,310
Total	\$ 450,440	Total	\$ 450,440

Rationale:

The Real Property Tax Appeals Commission (RPTAC) is charged with determining an estimated market value for the subject property as of January 1, 2012 (for Tax Year 2013). The basis of the appeal is valuation. The Petitioner failed to submit sufficient evidence to demonstrate by a preponderance of the evidence that the assessment by the Office of Tax and Revenue (OTR) was incorrect. The Commission sustains the Tax Year 2013 proposed assessment.

COMMISSIONER SIGNATURES


Frank Sanders


Cliftine Jones


Richard Amato, Esq.

FURTHER APPEAL PROCEDURES

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Date: January 3, 2013

Legal Description of Property

Square: 1601 Lot: 1019

Property Address: 4283 Embassy Park NW

ORIGINAL ASSESSMENT		FINAL ASSESSMENT	
Land	270,070	Land	270,070
Building	380,550	Building	380,550
Total	\$ 650,620	Total	\$ 650,620

Rationale:

Pursuant to the statute, the Petitioner must demonstrate, by a preponderance of the evidence, that the proposed Tax Year 2013 assessment of the real property by the Office of Tax and Revenue (OTR) does not meet the estimated value of the property as of January 1, 2012 valuation date. The Petitioner failed to provide any evidence as to the cost to remedy the damage sustained in the property by the former tenants nor did the Petitioner show by the preponderance of the evidence that OTR's proposed assessment for the Tax Year 2013 is incorrect. Therefore, the RPTAC sustains the proposed assessment for the Tax Year 2013.

COMMISSIONER SIGNATURES

Frank Sanders

Cliftone Jones

Richard Amato, Esq.

FURTHER APPEAL PROCEDURES

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Date: January 23, 2013

Legal Description of Property

Square: 1661 Lot: 0813

Property Address: 5335 Wisconsin Avenue

ORIGINAL ASSESSMENT

FINAL ASSESSMENT

ORIGINAL ASSESSMENT		FINAL ASSESSMENT	
Land	43,039,800	Land	43,039,800
Building	117,257,500	Building	117,257,500
Total	\$ 160,297,300	Total	\$ 160,297,300

Rationale:

Chevy Chase Pavillion is an office, retail and hotel complex located in the 5300 block of Wisconsin Avenue, NW. Prior to the RPTAC hearing, the OTR assessor reviewed the appeal documentation and made the following adjustments: reduced the hotel income and increased the combined management fee to arrive at a new OTR recommended value of \$157,695,000. The remaining disputed issues as to the retail space are the market rent and the leasing commissions; the remaining disputed issues as to the hotel are the franchise fee and the capitalization rate. The Commission has reviewed the documentation and considered the testimony presented by both parties.

With regard to the retail space, the Commission finds the market rent and the leasing commissions used by OTR in its analysis to be supported by the market. With regard to the hotel, the Commission finds the franchise fee used by OTR in its analysis to be supported by the market. The Petitioner provides capitalization rate surveys/studies in support of its higher capitalization rate argument. The OTR assessor contends that capitalization rate surveys/studies consider the entire going concern of the hotel and do not remove business value and personal property. According to the assessor, once business value and personal property are removed a lower capitalization rate is appropriate.

Square: 1661 Lot: 0813

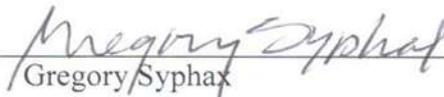
Property Address: 5335 Wisconsin Avenue

The Commission finds that the Petitioner failed to demonstrate by a preponderance of the evidence that OTR erred in its analysis of the market rent, leasing commissions, franchise fee, and capitalization rate. The Commission accepts OTR's adjustments and OTR's new recommended value however the new value is within five percent of the proposed assessment and does not meet the five percent rule contained in in D.C. Official Code §47-825.01a(e)(4)(C)(ii)(2012 Supp.). This provision only authorizes the Commission to "raise or 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. Accordingly, the proposed assessment for tax year 2013 is sustained.

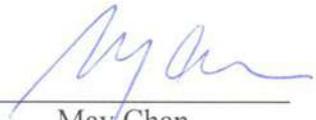
COMMISSIONER SIGNATURES



Hillary Lovick



Gregory Syphax



May Chan

FURTHER APPEAL PROCEDURES

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Date: January 3, 2013

Legal Description of Property

Square: 2659 Lot: 0848

Property Address: 4629 Blagden Terrance NW

ORIGINAL ASSESSMENT		FINAL ASSESSMENT	
Land	324,950	Land	324,950
Building	429,650	Building	429,650
Total	\$ 754,600	Total	\$ 754,600

Rationale:

Pursuant to the statute, the Petitioner must demonstrate by the preponderance of the evidence that the proposed Tax Year 2013 assessment of the real property by the Office of Tax and Revenue (OTR) does not represent the estimated value of the property as of January 1, 2012 valuation date.

The bases of the appeal are condition, equalization and valuation. The Petitioner presents no evidence for the condition issue. The valuation issue presented by the Petitioner was that the subject property sits on a lot which has a severe slope in the topography. The equalization issue was that the assessed value of the subject property's lot exceeds those of neighboring properties with larger sized lots. The Commission has reviewed the market data and sales information presented by the Petitioner and the Office of Tax and Revenue (OTR). The Commission finds the topography of the property does not have a negative effect on the value of the property. The Commission finds that the sales used by OTR support the total value of the subject property. Therefore, the proposed Tax Year 2013 assessment is sustained.

COMMISSIONER SIGNATURES

Karla Christensen

Cliftine Jones
Dissent - See Attached

Frank Sanders

FURTHER APPEAL PROCEDURES

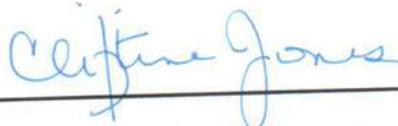
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DISSENTING OPINION OF COMMISSIONER CLIFTINE JONES

REGARDING: SQUARE: 2659 LOT: 0848

4629 BLAGDEN TERRACE N.W.

The subject property consists of approximately 9,549 square feet of land area of which a portion is sloped and unusable. Due to this unusual topography, it is my opinion that an adjustment to the land value is warranted. This is the minority opinion.



Cliftine Jones



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Date: January 3, 2013

Legal Description of Property

Square: 2800 Lot: 0006

Property Address: 5501 14th Street NW

ORIGINAL ASSESSMENT		FINAL ASSESSMENT	
Land	88,950	Land	88,950
Building	596,520	Building	411,050
Total	\$ 685,470	Total	\$ 500,000

Rationale:

The Real Property Tax Appeals Commission (RPTAC) is charged with determining an estimated market value for the subject property as of January 1, 2012 (for Tax Year 2013). The basis of the appeal is condition. The Petitioner presented sufficient evidence to demonstrate that the assessment by the Office of Tax and Revenue (OTR) was incorrect. OTR agreed upon the photos of the damaged property that an adjustment in the value was warranted. The Commission finds that a reduction in the Tax Year 2013 proposed assessment is warranted.

COMMISSIONER SIGNATURES

Frank Sanders

Cliftine Jones

Richard Amato, Esq.

FURTHER APPEAL PROCEDURES

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Date: January 3, 2013

Legal Description of Property

Square: 3117 Lot: 0031

Property Address: 73 U Street NW

ORIGINAL ASSESSMENT		FINAL ASSESSMENT	
Land	210,610	Land	210,610
Building	95,990	Building	69,390
Total	\$ 306,600	Total	\$ 280,000

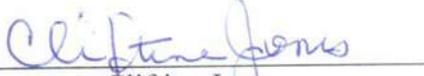
Rationale:

Pursuant to the statute, the Petitioner must demonstrate by the preponderance of the evidence that the proposed Tax Year 2013 assessment of the real property by the Office of Tax and Revenue (OTR) does not represent the estimated value of the property as of January 1, 2012 valuation date.

The bases of the appeal are property condition, equalization and valuation. The property was purchased September 23, 2011 for \$280,000. The Commission finds that OTR did not reflect the uninhabitable condition of the subject property in it assessment. The sales price of the property is a further indication that a reduction is warranted. Therefore, the Commission reduces the proposed Tax Year 2013 assessment to the sales price.

COMMISSIONER SIGNATURES


Karla Christensen


Cliftine Jones


Frank Sanders

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Date: January 3, 2013

Legal Description of Property

Square: 5543 Lot: 0026

Property Address: Nash Place SE

ORIGINAL ASSESSMENT		FINAL ASSESSMENT	
Land	48,370	Land	48,370
Building	-0-	Building	-0-
Total	\$ 48,370	Total	\$ 48,370

Rationale:

The Real Property Tax Appeals Commission (RPTAC) is charged with determining an estimated market value for the subject property as of January 1, 2012 (for Tax Year 2013). The bases of the appeal are condition, equalization, valuation and classification. The Petitioner presented no evidence for the claim of condition, equalization, valuation or classification. The Petitioner failed to submit sufficient information to demonstrate by a preponderance of the evidence that the assessment by the Office of Tax and Revenue (OTR) was incorrect. The Commission sustains the Tax Year 2013 assessment.

COMMISSIONER SIGNATURES

Frank Sanders

Cliftine Jones

Richard Amato, Esq.

FURTHER APPEAL PROCEDURES

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Date: January 3, 2013

Legal Description of Property

Square: 5564 Lot: 0048

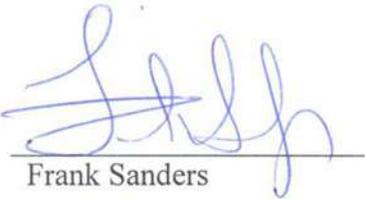
Property Address: 1427 22nd Street SE

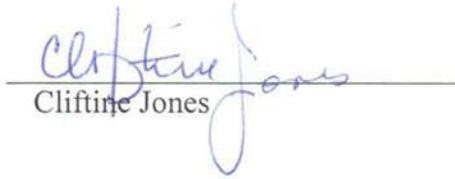
ORIGINAL ASSESSMENT		FINAL ASSESSMENT	
Land	112,010	Land	112,010
Building	23,110	Building	23,110
Total	\$ 135,120	Total	\$ 135,120

Rationale:

The Real Property Tax Appeals Commission (RPTAC) is charged with determining an estimated market value for the subject property as of January 1, 2012 (for Tax Year 2013). The bases of the appeal are condition, disputed property record, equalization, valuation, and classification. The Petitioner presented no evidence for the claim of condition, disputed property record, equalization, valuation or classification. The Petitioner failed to submit sufficient information to demonstrate by a preponderance of the evidence that the assessment by the Office of Tax and Revenue (OTR) was incorrect. The Commission sustains the Tax Year 2013 assessment.

COMMISSIONER SIGNATURES


Frank Sanders


Cliftine Jones


Richard Amato, Esq.

FURTHER APPEAL PROCEDURES

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Date: January 3, 2013

Legal Description of Property

Square: 5803 Lot: 0800

Property Address: 1382 Morris Road SE

ORIGINAL ASSESSMENT		FINAL ASSESSMENT	
Land	102,840	Land	102,840
Building	19,910	Building	19,910
Total	\$ 122,750	Total	\$ 122,750

Rationale:

The Real Property Tax Appeals Commission (RPTAC) is charged with determining an estimated market value for the subject property as of January 1, 2012 (for Tax Year 2013). The bases of the appeal are condition, equalization, and valuation. The Petitioner presented no evidence for the claim of condition, equalization, and valuation. The Petitioner failed to submit sufficient information to demonstrate by a preponderance of the evidence that the assessment by the Office of Tax and Revenue (OTR) was incorrect. The Commission sustains the Tax Year 2013 assessment.

COMMISSIONER SIGNATURES

Frank Sanders

Cliftine Jones

Richard Amato, Esq.

FURTHER APPEAL PROCEDURES

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Date: January 3, 2013

Legal Description of Property

Square: 5889 Lot: 0046

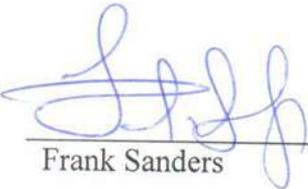
Property Address: 1421 Congress Street SE

ORIGINAL ASSESSMENT		FINAL ASSESSMENT	
Land	107,730	Land	107,730
Building	62,390	Building	62,390
Total	\$ 170,120	Total	\$ 170,120

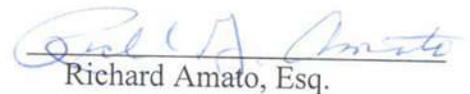
Rationale:

The Real Property Tax Appeals Commission (RPTAC) is charged with determining an estimated market value for the subject property as of January 1, 2012 (for Tax Year 2013). The bases of the appeal are condition, disputed property record, valuation and classification. The Petitioner presented no evidence for the claim of condition, disputed property record, valuation or classification. The Petitioner failed to submit sufficient information to demonstrate by a preponderance of the evidence that the assessment by the Office of Tax and Revenue (OTR) was incorrect. The Commission sustains the Tax Year 2013 assessment.

COMMISSIONER SIGNATURES


Frank Sanders


Cliftine Jones


Richard Amato, Esq.

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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 3, 2013

Legal Description of Property

Square: 5943 Lot: 0812

Property Address: 1421 Congress Place SE

ORIGINAL ASSESSMENT

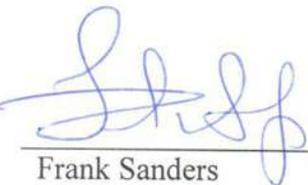
FINAL ASSESSMENT

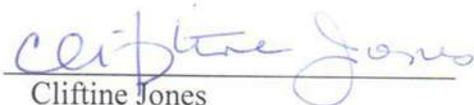
ORIGINAL ASSESSMENT		FINAL ASSESSMENT	
Land	90,790	Land	90,790
Building	46,970	Building	46,970
Total	\$ 137,760	Total	\$ 137,760

Rationale:

The Real Property Tax Appeals Commission (RPTAC) is charged with determining an estimated market value for the subject property as of January 1, 2012 (for Tax Year 2013). The bases of the appeal are condition, equalization, and valuation. The Petitioner presented no evidence for the claim of condition, equalization, and valuation. The Petitioner failed to submit sufficient information to demonstrate by a preponderance of the evidence that the assessment by the Office of Tax and Revenue (OTR) was incorrect. The Commission sustains the Tax Year 2013 assessment.

COMMISSIONER SIGNATURES


Frank Sanders


Cliftine Jones


Richard Amato, Esq.

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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BELOW

Date: January 3, 2013

Legal Description of Property

Square: 5947 Lot: 0006

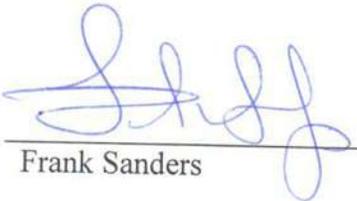
Property Address: 912 Alabama Avenue SE

ORIGINAL ASSESSMENT		FINAL ASSESSMENT	
Land	90,790	Land	90,790
Building	59,640	Building	59,640
Total	\$ 150,430	Total	\$ 150,430

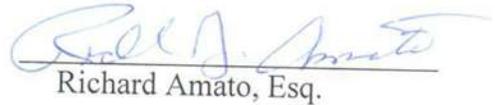
Rationale:

The Real Property Tax Appeals Commission (RPTAC) is charged with determining an estimated market value for the subject property as of January 1, 2012 (for Tax Year 2013). The bases of the appeal are condition, equalization, and valuation. The Petitioner presented no evidence for the claim of condition, equalization, and valuation. The Petitioner failed to submit sufficient information to demonstrate by a preponderance of the evidence that the assessment by the Office of Tax and Revenue (OTR) was incorrect. The Commission sustains the Tax Year 2013 assessment.

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Date: January 3, 2013

Legal Description of Property

Square: 6414 Lot: 0018

Property Address: 4324 Halley Terrance SE

ORIGINAL ASSESSMENT

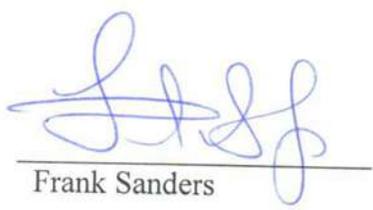
FINAL ASSESSMENT

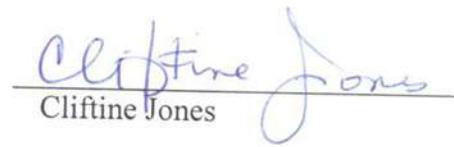
Land	100,870	Land	100,870
Building	35,720	Building	35,720
Total	\$ 136,590	Total	\$ 136,590

Rationale:

The Real Property Tax Appeals Commission (RPTAC) is charged with determining an estimated market value for the subject property as of January 1, 2012 (for Tax Year 2013). The bases of the appeal are condition, disputed property record, equalization, valuation and classification. The Petitioner presented no evidence for the claim of condition, disputed property record, equalization, valuation or classification. The Petitioner failed to submit sufficient information to demonstrate by a preponderance of the evidence that the assessment by the Office of Tax and Revenue (OTR) was incorrect. The Commission sustains the Tax Year 2013 assessment.

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