

Tax refund decision could take weeks

Kevin MacMillan
BONANZA EDITOR
kmacmillan@tahoebonanza.com
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INCLINE VILLAGE, Nev. — It may be two months before Incline Village and Crystal Bay residents learn if they are in line for part of a potential \$13 million tax refund from Washoe County.

On Monday, Suellen Fulstone, the Reno attorney representing the Village League to Save Incline Assets, hand-delivered a letter to Washoe County Treasurer Bill Berrum, demanding prompt refunds for 8,700 residents who are entitled to a tax rollback, according to the July 20 decision handed down by the State Board of Equalization.

“As the county tax receiver under the statutes, it is your duty to calculate and pay refunds owed to taxpayers ... Please confirm when the taxpayers may expect to start receiving the refunds they have been owed for the past three years,” Fulstone's letter reads.

The July 20 decision ordered Washoe County to roll back assessed property values for 8,700 Incline Village/Crystal Bay properties to the 2002-2003 tax year, based on a case involving the 2006-2007 tax year, in which the Washoe County Assessor's office challenged a Washoe County Board of Equalization decision to refund the Incline/Crystal Bay residents. The case eventually went to the state Supreme Court.

Washoe County Spokeswoman Kathy Carter issued a response to Fulstone's letter on behalf of the treasurer's office on Wednesday.

“If the treasurer were to issue refunds, it would mean the assessor and the county have

decided to accept the state board's decision,” Carter's statement reads. “The state board hearing was concluded on July 20. The written decision is expected within 60 days of July 20, and the assessor and the county will have 30 days from receipt of the written decision to decide the next action to be taken, if any. Thus, nothing more will happen until the state board's order is issued.”

State law requires SBOE to issue a written decision within 60 days of a ruling, and another 30 days is allowed for parties involved in the decision to act.

On Friday, Nevada Department of Taxation Executive Director Dino DiCiano said that while he is unsure when SBOE's decision will be filed, it won't take the full 60 days.

“No way. We're not going to wait that long,” he said.

Washoe County could appeal SBOE's decision to Nevada District Court.

“I do not have an indication if we will appeal,” Carter said in a previous interview. “It's ultimately up to the county commission.”

If the county does issue refunds the money is available as the county planned for a potential \$13 million roll back regarding this case during budget planning for the current 2009/2010 fiscal year, Carter said in the interview.

According to estimations from county Finance Director John Sherman, Washoe County's burden would total \$5.5 million, with the Washoe County School District footing \$4.5 million and the North Lake Tahoe Fire Protection District, \$2 million.

The State of Nevada would lose \$700,000, with Incline Village General Improvement District losing \$300,000.

Read more

For a detailed story about the July 20 State Board of Equalization decision, go to tahoebonanza.com/SBOEdecision.

To read the full copy of Fulstone's letter, click on the attached link in this story to download a PDF document.

Note from Webmaster

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