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Revolters back in court seeking more tax refunds

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Representatives from the Village League to Save Incline Assets said this week they are not yet satisfied with funds coming back to individual Incline Village/Crystal Bay property owners in the wake of last December's state supreme court hearing in their favor.

The decision, which upheld a district court decision by Judge William Maddox, mandated that the 17 property owners named in the suit were not assessed properly.

The rebates that resulted reflected the difference between taxes paid by those on the 2003-'04 property values minus the taxes paid on their 2002-'03 values.

The amount, which was just over \$80,000, was re-paid at the end of January by the county but tax revolters, with a pair of new legal actions, now say that isn't going far enough in support of the high court's ruling.

"We filed a contempt of court action against (assessor) Josh Wilson and a writ of prohibition against the state board of equalization," said Tax Revolt president Maryanne Ingemanson.

The revolters maintain the state board of equalization was trying to delay refunds in hopes the supreme court would rule against the revolters.

"A (supreme court) ruling came down on our favor, and so the county board of equalization ruling stands," Ingemanson said.

The upshot of both suits is that the county "does not want to give money back," Ingemanson said.

"They're trying to say the only people getting refunds were the original 17 property owners which is not true," she said. "A recent joint hearing between tax commission and state board of equalization, based on reasoning of Maddox case, (mandated) refunds to all taxpayers who have overpaid taxes based on 2002-'03 year."

Assessor Josh Wilson sees it differently.

"I really don't know what the issue is," Wilson said. "It's my understanding, as well as my attorney's understanding the treasurer has refunded those 17 homeowners and we have complied with what needs to be done so far."

In response to the prospect of a wholesale refund, Wilson said the assessor's office has already reduced property taxes per the supreme court order.

"If anyone goes to our database, we have reduced all the parcels for the '06-'07 (tax) year," Wilson said. "The treasurer's office is reluctant to issue (wholesale) refunds in the case the state board of equalization overturns the county's decision - that's where we're at."

Revolters said the hearing for Wilson will take place next week, and the refunds Ingemanson maintained is the appellants' "legal right." She estimated with interest, a wholesale rollback could cost the county much more than originally anticipated.

"Had the county acted in a businesslike manner at the beginning it would've cost them \$55,000 but now it's up to 14 million," she said.

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