

Bond Case Briefs

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Akron City Sch. Dist. Bd. of Edn. v. Summit Cty. Bd. of Revision

Court of Appeals of Ohio, Ninth District, Summit County - April 10, 2013 - Slip Copy - 2013 - Ohio- 1419

Standing to challenge a county's property valuation, requires that one must be the legal title holder of real property within the county and not merely the holder of an equitable interest, in this case a long-term lease with a purchase option.

A nursing facility was sold twice in one year: first, for \$17,620,000, and later for \$6,497,886. The county had valued the property at \$3,137,460 for that year.

The Board of Education for the Akron City School District filed a complaint with the Board of Revision, seeking an increase in the property's valuation. The Board of Revision found that the property's fair market value was \$3,137,460. The School Board appealed the Board of Revision's decision to the Board of Tax Appeals, which determined that the true fair market value of the property was \$17,620,000 as the second sale was not a true arms-length transaction.

The court of appeals confirmed the Board of Tax Appeals' ruling that lessee of the property did not have standing to challenge the valuation, even though its lease contained a purchase option. To have standing to challenge a valuation, one must be the legal title holder of real property within the county, and not merely the holder of an equitable interest. In the absence of standing, the challenge to the valuation was moot and the Board of Tax Appeals determination was affirmed.