
TAX - OHIO

Health Care REIT, Inc. v. Cuyahoga Cty. Bd. of Revision

Supreme Court of Ohio - June 18, 2014 - N.E.3d - 2014 -Ohio- 2574

Taxpayer and school district appealed decision of county board of revision, determining taxation value of taxpayer's real property, an assisted living facility. The Board of Tax Appeals (BTA) entered decision assigning a value based on taxpayer's appraisal. School district appealed.

The Supreme Court of Ohio held that:

- Sale of property was not recent, and
- BTA could determine tax value of property based on an appraisal that used comparisons to apartment buildings.

Sale of real property was not recent, and thus sale price was not required to be considered to be the property's true value for taxation purposes, where sale had occurred 26 months prior to tax lien date, there had been two appraisals of property since sale neither of which had used sale price to determine value, and general market changes had caused a decline in property value since sale.

BTA could determine tax value of real property, an assisted living facility, based on appraisal that used comparisons to apartment buildings in order to distinguish the property's real-property value from its business-property value, even though city zoning did not permit use of property as an apartment building.

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