

JUL 07 2025

Montana Tax Appeal Board

GREGORY L. ACTON and CAPRICE
A. ACTON,

Appellants,

v.

STATE OF MONTANA,
DEPARTMENT OF REVENUE,

Respondent.

CASE №: PT-2024-85
145 Texas Ave. Whitefish

**FINDINGS OF FACT,
CONCLUSIONS OF LAW, ORDER,
AND OPPORTUNITY FOR
JUDICIAL REVIEW**

STATEMENT OF THE CASE

This is an appeal of a final decision by the Flathead County Tax Appeal Board (CTAB) denying Gregory L. Acton and Caprice A. Acton, (Taxpayers) a reduction in value on the subject property located at 145 Texas Ave., Whitefish, Montana (Subject Property). The Taxpayers appealed that outcome to the Montana Tax Appeal Board (MTAB) on December 17, 2024. We modify the CTAB's determination.

ISSUE TO BE DECIDED

Whether the CTAB erred in denying the Taxpayer's request for a value reduction to the Subject Property.

EXHIBIT LIST

The following evidence was submitted at the hearing:
Taxpayer's Exhibits:

1. 111 Texas Discussion;
2. Land Model Value Exhibits;
3. 111 Texas Comparable Sales Analysis Exhibits;
4. 145 Texas Discussion;
5. 145 Texas Comparable Sales Analysis; and
6. Supplemental Exhibits.

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DOR Exhibits:

- A. 2024 Revised Classification and Appraisal Notice;
- B. 145 Assessment Packet;
- C. 145 Property Record Card and 145 Building Permit (2018)
- D. Land Model;
- E. Neighborhood Maps 240.0.260.1;
- F. Land Packet;
- G. 145 Comparable Sales; and
- H. 2023 Sales Packet.

PROCEDURAL HISTORY

This is an appeal of tax year 2024. *Ex. A-145*. The DOR valued the Subject Property at \$967,800 for the 2024 appraisal cycle, with the land valued at \$402,345 and the improvements valued at \$565,455. *Ex. C*. The Taxpayers appealed the DOR's valuation to the CTAB on October 9, 2024, requesting a land value of \$0 and an improvements value of \$0. *MTAB Dkt 3*. The CTAB hearing was held on November 15, 2024, and the CTAB's decision denying the Taxpayers' application for reduction was sent to the parties on November 18, 2024. *MTAB Dkt 1*. The Taxpayers appealed to MTAB on December 17, 2024, per Mont. Code Ann. § 15-2-301, requesting a land value of \$192,955, and an improvements value of \$492,420, for a total value of \$685,375, or alternatively a change to the Subject Property's DOR neighborhood from 207.240.0 to 207.260.1 for a total value of \$693,161. *Id.* The MTAB hearing was conducted in Helena on April 15, 2025, at which the following were present:

- a. Gregory L. Acton, Taxpayer; and
- b. Katherine E. Talley, DOR Counsel; Andrew Pritchard, Lead Appraiser; Dawn Cordone, Area Manager; Jake Thiesen (by Zoom), Modeler; and Amanda Farnsworth (by Zoom), Observer.

The record includes all materials submitted to the CTAB, a recording of the CTAB hearing, all materials submitted to the MTAB with the appeal, additional exhibits submitted by the parties prior to and at the MTAB hearing, and a transcript of the MTAB hearing.

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This dispute consists of two appeals from the Taxpayer, PT-2024-84 and PT-2024-85. *MTAB Hr'g Tr. 2:13-22, 75:14-76:15*. The valuation of the two properties were appealed together and the same Taxpayer represented both properties at the April 15, 2025, hearing. *Id.* Although each property has a separate geocode, MTAB heard both appeals together for the convenience of the parties and judicial efficiency. *Id.* The two properties are:

A. 111 Texas Ave., geocode 07-4292-25-4-01-20-0000; and

B. 145 Texas Ave., geocode 07-4292-25-4-01-23-0000.

Due to both appeals being heard at the same time, there is one transcript. Much of the testimony and several exhibits apply to both properties. Since each property has a separate geocode, MTAB is issuing separate opinions for each property.

FINDINGS OF FACT

1. To whatever extent the following findings of fact may be construed as conclusions of law, they are incorporated accordingly.
2. The Subject Property is a 1.710-acre improved property owned by Gregory L. & Caprice A. Acton. *Ex. C-145*. The Subject Property is located at 145 Texas Ave. Whitefish, Montana and is also identified by its geocode 07-4292-25-4-01-23-0000. *Id.* The Subject Property includes a 2,362 square foot house, a framed garage, and two porches. *Id.*
3. The DOR valued the Subject Property at \$920,500 for tax year 2024, allocating \$413,655 to the land and \$506,845 for the improvements. *Ex. C-111*. At the November 15, 2024, CTAB hearing, the Taxpayer requested a land value of \$0 and an improvements value of \$0. *MTAB Dkt. 3*. The CTAB denied the Taxpayer's request and maintained the DOR's valuation of \$967,800. *Id.* The Taxpayer appealed to MTAB on December 17, 2024, asserting that the market value of the Subject Property should be \$685,375, or that it should be moved to

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DOR neighborhood 207.260.1. *MTAB Dkt 1*. The DOR maintained that the market value for the Subject Property is \$967,800 and that it was placed in the correct neighborhood. *MTAB Hr'g Tr. 75:20-23*.

4. The Taxpayer argued that the DOR methodology for determining land values starts with establishing DOR neighborhoods within a market area. *MTAB Hr'g Tr. 7:3-19*. The Taxpayer defined DOR neighborhoods as a collection of properties defined by natural, man-made, or political boundaries that share locational and physical similarities. *Id.* Additionally, the DOR manual states that physical, economic, governmental, and social influences directly affect a property's value. *Id.* The Taxpayer argues that the Subject Properties' neighborhood, 207.240.0, chosen by the DOR, is quite diverse and includes properties with lake views, commercial properties, homes with Whitefish Lake Lodge amenities, and properties located on Stillwater Lake. *Id.* The Taxpayer argues that using sales with additional amenities to value the Subject Property has a detrimental effect and inflates the value of the Subject Property. *MTAB Hr'g Tr. 8:4-12*. The Taxpayer stated that the majority of the sales in the DOR neighborhood 207.240.0 are high-end properties that are second homes and are not locationally or physically similar to a typical residential lot in Whitefish. *Id.*
5. Taxpayer presented Exhibit 2 to demonstrate that the majority of the sales used by the DOR are not urban residential but rather located on superior mountainside lots with views of the valley or lake and added amenities. *Ex. 2; MTAB Hr'g Tr. 8:13-17*. Taxpayer argues that the DOR miscalculated the land-to-improvements value of comparable properties, resulting in higher sales prices and made only a minimal adjustment, which significantly affected the land market value. *Ex. 2; MTAB Hr'g Tr. 8:21-9:14*. The Taxpayer argued his Exhibit 2, pages 7 and 8, contains two lots that were not representative of the other lots in the DOR model because of zoning and superior views. *Id.*

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6. The Taxpayer had a particular interest in building sites valued at \$388,500, with an incremental rate of \$19,500. *MTAB Hr'g Tr. 10:7-21*. The Taxpayer pointed to a sale in Exhibit 2, page 13 which was used by the DOR, and noted that the comparable properties are in a gated community and are not typical of a residential lot. *Ex. 2; MTAB Hr'g Tr. 10:22-11:18*. Additionally, the comparable property was valued at \$385,000, while other lots in the same subdivision sold for \$150,000 less. *Id.* Taxpayer claims that out of the 54 properties used in the model, the DOR selected the 16 highest value properties to value the Subject Property. *MTAB Hr'g Tr. 16:19-23*. The Taxpayer further argued that the DOR compared the Subject Property to properties with lake frontage, and according to the DOR's appraisal manual, lake frontage has the potential to add value to any property. *Id.*
7. Taxpayer points out that while the DOR does a good job investigating and making notes about properties in the land model, the information is not entered into the DOR's Computer Assisted Mass Appraisal (CAMA) system for use when selecting the DOR's comparable properties. *MTAB Hr'g Tr. 15:13-15:9*. Additionally, the Taxpayer argued that the Subject Property shares the same influence type as properties in gated communities with lake access or lake views. *MTAB Hr'g Tr. 17:22-18:5*. Taxpayer claims that the Subject Property is more similar to properties in DOR neighborhood 207.260.1 than the properties in DOR neighborhood 207.240.0. *MTAB Hr'g Tr. 19:5-16*.
8. Taxpayer stated that the Subject Property is one of the original five-acre parcels in the Whitefish Townsite Company Subdivision. *MTAB Hr'g Tr. 12:19-13:2*. Due to the DOR's valuation process and misapplication of comparable properties, the Subject Property is valued in a model with a sales influence that ranges from \$400,000 to \$1,100,000. *Ex. 2; MTAB Hr'g Tr. 12:19-13:2*. Taxpayer claims that the Subject Property would be valued lower if it were included in neighborhood 207.260.1, the same neighborhood as the property directly to the east of the Subject Property. *Id.* The Taxpayer presented DOR neighborhood maps showing all of the neighborhood boundaries used in the DOR's land model. *Ex. 2; MTAB*

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Hr'g Tr. 13:2-15:2. Using these maps, the Taxpayer pointed out that several of the DOR neighborhoods had diverse properties including some with lake frontage, river frontage, access to downtown Whitefish, and bordering golf courses. *Id.*

9. The Taxpayer argues that the DOR selected the most high-end comparable properties with added amenities to value the Subject Property improvements and land. *MTAB Hr'g Tr. 76:17-23.* Taxpayer asserts that the Subject Property was constructed with stock materials and contains virtually no interior or exterior ornamentation. *Id.* The Taxpayer testified that the DOR appraisal manual explains how the amenities of comparable properties can add to their value. *MTAB Hr'g Tr. 76:24-80:4.* The Taxpayer has concerns with the DOR's comparable properties due to the grade assigned and the time trending of the comparable properties. Additionally, the Taxpayer testified that the DOR comparable properties have superior views, locations, amenities, and interior and exterior finishes. *Id.*
10. The Taxpayer argues that the DOR included non-comparable properties in their sales analysis. *Ex. 5; MTAB Hr'g Tr. 80:15-81:13.* The Taxpayer performed an independent multiple regression analysis using the DOR's weighted average which resulted in a total value for the Subject Property of \$877,454. *Id.* Because the Subject Property is not complete, the Taxpayer valued the Subject Property at \$824,050. *Ex. 5; MTAB Hr'g Tr. 81:8-83:11.* Taxpayer testified the Subject Property still has an unfinished attic and needs caulking, painting, and landscaping before it can be considered complete. *Id.* Taxpayer also highlighted several sales of properties that he felt were more comparable to the Subject Property due to having similar bedroom counts, kitchen types, and other characteristics. *Id.*
11. Taxpayer presented a short-term housing forecast that indicates the market leveled off at the beginning of 2022. *Ex. 6; MTAB Hr'g Tr. 82:14-83:3.* Taxpayer

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pointed out that the housing forecast does not show a 40% increase from August of 2020 to January of 2021 as estimated by the DOR. *Id.*

12. DOR Area Manager, Dawn Cordone, testified that the Taxpayer filed an AB-26 Request for Informal Review for 111 Texas Ave. When the DOR inspected the property, they found that the Subject Property had been constructed and added it to the tax rolls for 2024. *MTAB Hr'g Tr. 85:3-9.* DOR Appraiser, Andrew Pritchard, testified that because the Subject Property was not complete, they did not add it to the tax rolls for 2023. *MTAB Hr'g Tr. 95:1-3.*
13. Mr. Pritchard testified that the Subject Property was placed in DOR neighborhood 207.240.0 based on market characteristics and location. *MTAB Hr'g Tr. 96:19-97:3.* Mr. Pritchard, testified that DOR neighborhoods are established through market transactions, grouping similar property types based on location, market characteristics, and property characteristics. *MTAB Hr'g Tr. 50:14-22.* Additionally, DOR neighborhoods are important because they compare properties based on function, use, utility, and location. *Id.* When determining the Subject Property's neighborhood, Mr. Pritchard testified that location is important. *Id.* The DOR used neighborhoods with urban locations and similar market transactions to value the Subject Property. *Id.* DOR Modeler, Jake Thiesen, testified that DOR neighborhoods are created based on physical, economic, governmental, and social factors or "PEGS" standards, but also take into account market transactions. *MTAB Hr'g Tr. 67:11-24.* Mr. Thiesen testified that DOR appraisers and the area manager delineate the boundaries of DOR neighborhoods. *Id.*
14. Mr. Pritchard testified that DOR neighborhood boundaries often change and that the boundaries of neighborhood 207.240.0 will likely expand in the future to encompass the Subject Property's eastern neighbors due to their desirable location. *MTAB Hr'g Tr. 50:24-51:6.*

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15. When asked by the Board about other rural parcels in Model 270.240.0, including the Bar W Guest Ranch in Round Prairie and other lots north of Whitefish close to Stillwater Lake, Mr. Pritchard testified that those properties have similar desirability and were included in the 270.240.0 neighborhood because they “fit in well.” *MTAB Hr’g Tr. 56:12-57:18*. Mr. Pritchard testified that the properties on Stillwater Lake had similar desirability to other properties in the 270.240.0 neighborhood because of the waterfrontage. *Id.* While the properties to the north of the Subject Property have waterfrontage, Mr. Pritchard testified that they did not have enough sales to make a neighborhood on the lower Stillwater Lake. *Id.* Instead, the DOR decided that the properties adjacent to the creek shared similar desirability and fit well, pricing-wise, with the 270.240.0 neighborhood east of Whitefish Lake. *Id.*
16. Mr. Pritchard and Mr. Thiesen testified that the Subject Property’s land was valued using an additive land model, where the DOR determines a base rate and then multiplies it by the incremental rate to get the final value of \$402,345 for the land value. *MTAB Hr’g Tr. 55:6-16, 70:2-8*. Mr. Thiesen testified that the model used to value the Subject Property included sixty sales that occurred in 2021. *MTAB Hr’g Tr. 68:22-69:9*. Additionally, Mr. Thiesen testified that the DOR’s model includes several different measures to test its accuracy, and all of these measures were within acceptable ranges, resulting in a statistically sound model. *MTAB Hr’g Tr. 71:23-72:24*.
17. Mr. Pritchard testified that the Subject Property is located on the outskirts of Whitefish, where it transitions into a more rural area. *MTAB Hr’g Tr. 49:12-50:2*. The Subject Property is a desirable property due to its size and close proximity to Whitefish. *Id.*
18. Mr. Pritchard testified that while some of the comparable properties do have additional amenities, the DOR balanced the Subject Property’s desirable size with

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the amenities of the comparable properties that are typically less than a quarter acre when determining value. *MTAB Hr'g Tr. 59:5-17, 62:4-12.*

19. Ms. Cordone testified that the Subject Property was valued using the sales comparison approach because it is the most accurate method for depicting value. *MTAB Hr'g Tr. 85:10-15.* Ms. Cordone testified that the DOR must use either the sales comparison method, the cost method, or the income method when valuing properties in Montana. *MTAB Hr'g Tr. 80:19-24.* Mr. Pritchard testified that the comparable properties used to value the Subject Property were selected based on comparability to the Subject Property as determined by the DOR's Computer Assisted Mass Appraisal (CAMA) system. *Ex. G-145, MTAB Hr'g Tr. 89:7-21, 97:4-11.*
20. Ms. Cordone acknowledged that the Taxpayer would like the DOR to have identical properties to use as comparables, but explained that it is not possible because no two properties are identical, forcing the DOR to make adjustments to equalize properties. *MTAB Hr'g Tr. 86:6-21.* Ms. Cordone testified that the DOR verifies all of its comparable properties to ensure that the proper characteristics are attributed to a property. *MTAB Hr'g Tr. 86:24-88:14.* Ms. Cordone testified that the Taxpayer's comparable properties do not conform to the DOR's appraisal process, including the adjustments. *Id.* The Taxpayer's comparable properties are not the same size as the Subject Property and did not consider other factors the DOR must account for in comparable properties. *Id.* The DOR did use one of the Taxpayer's comparable properties in the DOR sales comparison analysis of 145 Texas Ave. and the comparability points were significantly higher than the other comparable properties selected by the DOR. *Ex. G-111; MTAB Hr'g Tr. 90:1-12.*
21. Mr. Pritchard reviewed the Taxpayer's comparable properties which, when entered into the DOR's system, produced higher comparability points than the DOR's selected comparable properties and resulted in a higher assessed value than the Taxpayer's calculated value. *MTAB Hr'g Tr. 97:11-98:3.*

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22. Ms. Cordone testified that adjustments and time trending are necessary because the market is appreciating so quickly in Flathead County. *MTAB Hr'g Tr.* 88:12-25. A property that sold in 2020 may have appreciated by 30 to 60% within a year. *Id.* The DOR must make adjustments accounting for this appreciation to equalize values. *Id.*
23. Ms. Cordone testified that even if a property is being used as a short-term rental, the DOR still considers it a single-family home. *MTAB Hr'g Tr.* 94:4-15.
24. Mr. Pritchard testified that Flathead County has appreciated at an average rate of 46%, with Whitefish experiencing the highest appreciation, ranging between 70 and 80%. *MTAB Hr'g Tr.* 99:10-100:2. Mr. Pritchard pointed out that one of the Taxpayer's proposed comparable properties had sold three times in recent years and appreciated significantly between each sale. *Id.*

JURISDICTION AND STANDARD OF REVIEW

25. The Montana Tax Appeal Board is an independent agency not affiliated with the Montana Department of Revenue. *Mont. Const., Art. VIII § 7; Mont. Code Ann. § 15-2-101.* The Taxpayer filed a timely appeal of the DOR's decision to the MTAB. Therefore, this Board maintains jurisdiction to hear and decide this matter. *Mont. Code Ann. § 301 (if CTAB appeal).*
26. This Board may hear appeals de novo. *Dept. of Revenue v. Burlington N.*, 169 Mont. 202, 213-14, 545 P.2d 1083 (1976). "A trial de novo means trying the matter anew, the same as if it had not been heard before and as if no decision had been previously rendered." *McDunn v. Arnold*, 2013 MT 138, ¶ 22, 370 Mont. 270, 275, 303 P.3d 1279, 1282.

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27. The Board's order is final and binding upon all parties unless changed by judicial review. *Mont. Code Ann. § 15-2-301(6)*.

CONCLUSIONS OF LAW

28. To whatever extent the following conclusions of law may be construed as findings of fact, they are incorporated accordingly.
29. "All taxable property must be appraised at 100% of its market value...." *Mont. Code Ann. § 15-8-111*.
30. "[I]n connection with any appeal under [Mont. Code Ann. § 15-2-301], the Montana board is not bound by common law and statutory rules of evidence or rules of discovery and may affirm, reverse, or modify any decision. To the extent that this section is in conflict with the Montana Administrative Procedure Act, this section supersedes that act." *Mont. Code Ann. § 15-2-301(5)*.
31. DOR is entitled to a "presumption of correctness if its decisions are pursuant to an administrative rule or regulation, and the rule or regulation is not arbitrary, capricious or otherwise unlawful." *Burlington N.*, 169 Mont. at 214, 545 P.2d at 1090. However, DOR cannot rely entirely on the presumption in its favor and must present a modicum of evidence showing the propriety of their action. *Western Air Lines v. Michunovich*, 149 Mont. 347, 353, 428 P.2d 3, 7 (1967).
32. The Taxpayer bears the burden of proving the error of DOR's decision. *Farmers Union Cent. Exch. v. Dep't of Revenue*, 272 Mont. 471, 476, 901 P.2d 561, 564 (1995); *Western Air Lines*, 149 Mont. at 353, 428 P.2d at 7.
33. "'Assessment formulations' by [the Montana Tax Appeal Board] should be upheld unless there is a clear showing of an abuse of discretion." *Peretti v. Dep't of Revenue*, 2016 MT 105, ¶ 15, 383 Mont. 340, 344, 372 P.3d 447, 450 (citing *O'Neill v. Dep't of Revenue*, 2002 MT 130, ¶ 23, 310 Mont. 148, 155, 49 P.3d 43,

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47); see *Northwest Land & Dev. v. State Tax Appeal Bd.*, 203 Mont. 313, 317, 661 P.2d 44, 47 (1983) (overruled on other grounds by *DeVoe v. Dep't of Revenue*, 263 Mont. 100, 866 P.2d 228 (1993)).

34. The term “improvements” includes all buildings, structures, fences, and improvements situated upon, erected upon, or affixed to land. *Mont. Code Ann. § 15-1-101(1)(i)*.
35. The Legislature intended the Department to utilize a number of different approaches or combination of approaches, including the income approach, sales comparison approach, and cost less depreciation approach, depending on the market where the appraisals take place, when it assesses property and estimates market value. *Albright v. State*, 281 Mont. 196, 208-09, 933 P.2d 815, 823 (1997).

DISCUSSION

36. The Taxpayer presented several arguments relating to why the value of the Subject Property should be reduced. After reviewing all evidence, and for the reasons set forth below, this Board modifies the CTAB's decision.
37. The Taxpayer argued that when the DOR valued the Subject Property it was placed into the wrong neighborhood. The Taxpayer presented DOR neighborhood maps showing the boundaries of all DOR neighborhoods used to value the Subject Property. The Taxpayer demonstrated to this Board that the Subject Property fits more accurately in neighborhood 207.260.1 rather than the DOR assigned neighborhood of 207.240.0. The Taxpayer presented evidence that several of the properties in DOR neighborhood 207.240.0 are not comparable to the Subject Property. The Subject Property is a larger parcel that is situated on the outskirts of Whitefish. The Subject Property does not have any water access and is in a typical residential neighborhood. The Taxpayer's testimony and exhibits have convinced this board that neighborhood 207.240.0 is quite diverse and

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includes properties that are not comparable to the Subject Property's neighborhood. Several of the properties presented by the Taxpayer are located far to the north and have waterfront views or access. While the DOR gave testimony that all the sales in neighborhood 207.240.0 had similar market transactions, the Board feels the DOR did not take into account the other "PEGS" standards used when the DOR creates neighborhoods. The DOR testified that they used urban locations with similar market transactions to value the Subject Property. While this may be true, the Board agrees with the Taxpayer that several of the properties in neighborhood 207.240.0 are not similar properties. The DOR testified that location is a key component to creating neighborhoods and since several of the properties are located further to the north and west of the Subject Property, the Board finds that 207.240.0 is the more appropriate neighborhood. Mr. Pritchard testified that the Subject Property is located on the outskirts of Whitefish. The Board finds DOR neighborhood 207.260.1 is a better fit with the location of the Subject Property.

38. Additionally, location is only one of the "PEGS" standards. When selecting a neighborhood, the DOR must also consider the function, use and utility of the property. The Board agrees with the Taxpayer that the properties in neighborhood 207.240.0 don't share the same "PEGS" characteristics as the Subject Property. The Taxpayer demonstrated that the properties in neighborhood 207.240.0 are on smaller lots, some have water access, and many are in gated communities, all of which are characteristics not shared by the Subject Property. While the Subject Property, based on market transactions, is a good fit for DOR neighborhood 207.240.0 there are other factors that must be considered. Additionally, the Board does not feel that a guest ranch located on highway 93, and properties on the Stillwater River are locationally relevant to the Subject Property.
39. The Board finds that the model used by the DOR to value the Subject Property is accurate and statistically sound. The DOR presented evidence showing that the model fell within the allowable statistical ranges and is reliable. The DOR also

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testified that the model contained sixty sales with all of the sales occurring close to the lien date, indicating that the model has more than enough data to be reliable. The Board finds that the model used by the DOR is credible.

40. The Board would like to acknowledge Mr. Pritchard's testimony relating to the appreciation in Flathead County. Flathead County has seen tremendous growth. Mr. Pritchard's testimony relating to properties selling three times, each time at a significant mark-up, is proof of the appreciation occurring in Flathead County.
41. The Taxpayer argued that the comparable properties used by the DOR were not comparable to the Subject Property. The Taxpayer claimed that many of the comparable properties had different features such as different grades, CDU, and different zoning. While the Taxpayer gave several examples of why the DOR comparison analysis was incorrect, we disagree. Every property is different, making the adjustments applied to each comparable property a critical component of the valuation process. The DOR testified that they accounted for inconsistencies between the Subject Property and the DOR's comparable properties which were highlighted by the Taxpayer. The DOR is mandated to use mass appraisal. The DOR cannot appraise each property separately and must rely on the CAMA system to produce comparable sales. The DOR visits each property to ensure the characteristics, including grade and CDU, are correct for each property. Using these verified characteristics, the CAMA system produces the most comparable properties available. While there is more information that could be entered, as suggested by the Taxpayer, this Board is convinced the DOR is doing everything they can to include all relevant information in the CAMA system for valuing property. Additionally, after entering the Taxpayer's comparable properties into the DOR system, it produced higher comparability points than the properties used by the DOR did, showing that the Taxpayer's comparable properties were perhaps skewed.
42. Additionally, as a safeguard, the DOR uses the weighted average value and the MRA value when valuing the Subject Property. Using the five comparable

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properties produced by the CAMA system, the weighted average, and the MRA, the DOR dropped the highest and the lowest values and averaged the remaining values. This process of mass appraisal is a recognized appraisal practice nationwide and the Board finds it acceptable.

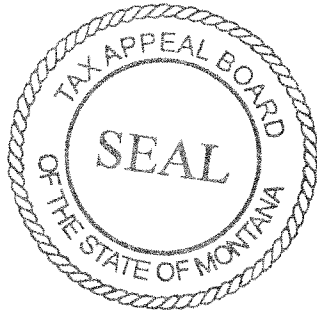
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ORDER

43. For tax year 2024, the DOR is ordered to recalculate the Subject Property's value based on the model for neighborhood 207.260.1 (South and East Whitefish Rural-Residential).

Dated this 7th day of July 2025.



A handwritten signature in cursive script, appearing to read "Travis Brown", written over a horizontal line.

Travis Brown, Chairman

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Adam Millinoff, Member

A handwritten signature in cursive script, appearing to read "Chris Murphy", written over a horizontal line.

Chris Murphy, Member

Notice: You are entitled to judicial review of this Order by filing a petition in district court within 60 days of the service of this Order. The Department of Revenue shall promptly notify this Board of any judicial review to facilitate the timely transmission of the record to the reviewing court. *Mont. Code Ann. §15-2-303(2)*.

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Certificate of Service

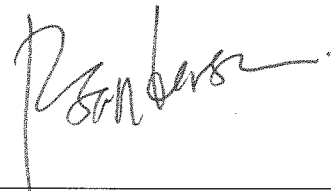
I certify that I caused a true and correct copy of the foregoing Findings of Facts and
Conclusions of Law to be sent by email and United States Mail via Print & Mail
Services Bureau of the State of Montana on July 7, 2025, to:

Gregory L. Acton
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