

REPRESENTATIVE FOR PETITIONER: Chad Riester, *pro se*

REPRESENTATIVE FOR RESPONDENT: Marilyn Meighen, Attorney

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**BEFORE THE  
INDIANA BOARD OF TAX REVIEW**

CHAD RIESTER,	)	Petition No.: 53-004-23-1-5-00004-24
	)	
Petitioner,	)	
	)	Parcel No.: 53-05-18-200-043.011-004
v.	)	
	)	
MONROE COUNTY ASSESSOR,	)	County: Monroe
	)	
Respondent.	)	Assessment Year: 2023

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Appeal from the Final Determination of the  
Monroe County Property Tax Assessment Board of Appeals

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**FINAL DETERMINATION**

The Indiana Board of Tax Review, having reviewed the facts and evidence, and having considered the issues, now finds and concludes the following:

**Findings of Fact and Conclusions of Law**

**Introduction**

1. In this assessment appeal, neither the taxpayer, Chad Riester, nor the Monroe County Assessor offered sufficient probative evidence to rebut the presumption that the subject property's 2023 assessment as determined by the Monroe County Property Tax Assessment Board of Appeals ("PTABOA"), equaled its true tax value. Although the parties offered raw sales and assessment data for other properties, they did not apply generally accepted appraisal principles to adjust the sale prices or assessments to reflect the subject property's value. And Riester failed to make a claim for relief based upon a

lack of uniformity and equality in assessments or a denial of equal protection. We therefore order no change to the assessment.

### **Procedural History**

2. On June 15, 2023, Riester filed a petition with the Monroe County Assessor contesting his 2023 assessment.
3. On October 5, 2023, the PTABOA held a hearing on Riester's petition and voted to take the matter under advisement. On November 16, 2023, the PTABOA met to deliberate and make a final decision. Riester asked for, and was granted, the opportunity to attend that deliberation. Five days later, the PTABOA issued its determination, reducing the 2023 assessment from \$702,800 to \$656,700 (\$103,700 for land and \$553,000 for improvements).
4. Riester responded by filing a Form 131 petition with us on January 4, 2024.<sup>1</sup> He indicated that he was appealing because the subject property was "overvalued/over assessed based on the comps available for the 2022 tax year" and because the "Assessor and County Property Tax Board did not consider any evidence provided by the petitioner at initial hearing on October 5, 2023, or in final deliberation on November 16, 2023." Riester requested an assessment of \$482,480 (\$41,480 for land and \$441,000 for improvements).
5. On August 22, 2024, our designated administrative law judge, Joseph Stanford ("ALJ"), held a telephonic hearing on Riester's petition. Neither he nor the Board inspected the property. Riester represented himself. Marilyn Meighen appeared as counsel for the Assessor. Riester and Bradley Berkemeier of Nexus Group, a consultant for the Assessor, testified under oath.

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<sup>1</sup>That is the postmark date on the envelope Riester used to mail the petition. We received the petition on January 8, 2024.

6. Riester submitted the following exhibits:

- Exhibit 1: Form 131 petition,
- Exhibit 2: Form 115,
- Exhibit 3: Form 130 petition,
- Exhibit 4:<sup>2</sup> Reference to a recording of a telephone call with the Assessor,
- Exhibit 5: Reference to a recording of a telephone call with the Assessor,
- Exhibit 6: Reference to a recording of the PTABOA hearing,
- Exhibit 7: Reference to a recording of the PTABOA's deliberation,
- Exhibit 8: Map showing Binford Woods and Muirfield Woods,
- Exhibit 9: Assessment data for properties in the subject's neighborhood and an adjacent neighborhood,
- Exhibit 10: *Bill and Lisa Hurley v. Monroe Cty. Ass'r*, IBTR Pet. No. 53-004-22-1-5-00937-22 (December 14, 2023),
- Exhibit 11: Property record card ("PRC"), photographs, and assessment data for 5019 North Muirfield Drive (Bill and Lisa Hurley),
- Exhibit 12: PRC, photographs, and assessment data for 5015 North Muirfield Drive,
- Exhibit 13: PRC for 4923 North Chatham Drive,
- Exhibit 14: PRC for 4994 North Muirfield Drive; PRC for 5014 North Muirfield Drive; PRC for 5020 North Muirfield Drive,
- Exhibit 15: Comparable properties the PTABOA provided to Riester; email from Neely Druin to Riester,
- Exhibit 16: 2019-2023 PRCs for subject property.

7. The Assessor submitted the following exhibits:

- Exhibit A: PRC for subject property,
- Exhibit B: Comparative sales analysis,
- Exhibit C: Aerial map,
- Exhibit D: PRC for 5014 North Muirfield Drive; PRC for 2502 West Turnbury Circle; PRC for 5108 North Chatham Drive,
- Exhibit E: Sales disclosure for 2502 West Turnbury Circle; sales disclosure for 5108 North Chatham Drive; sales disclosure for 5014 North Muirfield Drive,
- Exhibit F: "Median Sale Price Monroe County" from the Indiana Association of Realtors.

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<sup>2</sup> Riester identified Exhibits 4-7 as recordings but provided only sheets of paper with triangles at the bottom with his exhibits. On the PDF copy of the exhibits that Riester emailed to us and the Assessor before the hearing, there are no recordings or links to recordings associated with the triangles. Because Riester provided no actual recordings, the Assessor objected to Exhibits 4-7, and the ALJ sustained the objection. We affirm the ALJ's ruling.

8. The record also includes the following: (1) all petitions or other documents filed in these appeals, (2) all notices and orders issued by the Board or the ALJ, and (3) an audio recording of the hearing.

### **Findings of Fact**

#### **A. The subject property**

9. The subject property is located at 5023 North Muirfield Drive in Bloomington. It is in the Muirfield Woods subdivision. The property contains a one-story single-family home with a finished basement and 4,000 square feet of finished living area on 1.37 acres of land. The home was built in 2013 and has four bedrooms and 4 ½ bathrooms. Riester bought the property for \$575,000 on June 25, 2019. *Exs. 16, A.*
10. The property was assessed for \$646,900 in 2022. The Assessor originally assessed it for \$702,800 in 2023 before the PTABOA reduced that assessment to \$656,700. The assessment determined by the PTABOA represented an increase of 1.5% over the 2022 assessment. *Exs. 2, 16, A.*

#### **B. Assessment data for other properties**

11. Riester offered 2019-2022 assessment data for the subject property and six other properties from Muirfield Woods. He also offered 2023 assessment data for three of those other properties: 5015 N. Muirfield Dr., 5019 N. Muirfield Dr., and 4923 N. Chatham Dr. *Riester testimony; Exs. 9-13.*
12. The properties' assessments did not increase at the same rate over that period. For example, the subject property's assessment increased by 38.5% between 2019 and 2023, although the increase was even greater before the PTABOA reduced the 2023 assessment. By contrast, the assessments for 5015 N. Muirfield Dr., 5019 N. Muirfield Dr., and 4923 N. Chatham Dr. increased by 35.9%, 39%, and 34.4%, respectively during

the same period. There was a greater disparity in percentage increases for those properties when considering only the period from 2019 to 2022. *Exs. 9-11.*

13. Riester also offered assessment data for 12 properties from an adjacent neighborhood on Lauren Lane. The subject property shares a rear property line with some of those properties. The Lauren Lane lots range from 2.58 to 5.38 acres and had land assessments ranging from \$46,300 to \$55,300 in 2022. By contrast, the Muirfield Woods lots range from 1.04 to 1.37 acres and had land assessments ranging from \$100,400 to \$103,700. *Ex. 9.*
14. We find that there is no market-based evidence in the record to show the true tax value for any of the properties Riester identified. Nor is there any evidence to show that the Assessor intentionally systematically undervalued other property in the same class as the subject property.

#### **C. Berkemeier's sales-comparison analysis**

15. Bradley Berkemeier, an employee with a consulting firm used by the Assessor, analyzed the sale prices of three properties from Muirfield Woods that he believed were comparable to the subject property. He is a Level III Indiana Certified Assessor-Appraiser with a little over 20 years of experience in the assessment field. Although he has reviewed and critiqued hundreds of appraisals, he is not a licensed or certified fee appraiser. *Berkemeier testimony; Ex. B.*
16. Berkemeier performed a sales-comparison analysis that he believed was similar to what a fee appraiser would do. He originally looked for sales from Muirfield Woods that occurred close to the January 1, 2023 valuation date. Because he could not find any valid sales from 2022, he expanded his search to sales from 2021, reasoning that he had adequate data from the Indiana Association of Realtors to support a "time" adjustment to those sales. That data showed a 10% increase in the median sale price for Monroe County properties between 2021 and 2022. *Berkemeier testimony; Exs. B, F.*

17. Berkemeier also adjusted the sale prices to account for various physical differences between the subject property and his comparable properties, including differences in living area, bedroom and bathroom count, age, condition, construction quality, air conditioning, fireplaces, and patios. *Berkemeier testimony; Exs. B, D-E.*
18. In some instances, Berkemeier used mass-appraisal cost data from the State's cost schedules and assessment guidelines to quantify his adjustments. In other instances, he based his adjustments on methodologies that he had observed appraisers apply. Although Berkemeier called those observations "market evidence," he did not refer to any actual data from the market. *Berkemeier testimony; Exs. B, D-F.*
19. The adjusted sale prices for Berkemeier's three comparable properties ranged from \$589,300 to \$746,600, with an average of \$672,300 and a median of \$680,900. *Ex. B.*
20. As discussed more fully below, we find that Berkemeier's analysis does not credibly prove the subject property's value. He did not demonstrate that he complied with the Uniform Standards of Professional Appraisal Practice ("USPAP") or generally accepted appraisal principles.

## **Parties' Contentions**

### **A. Riester's contentions**

21. Riester argued that his overall assessment was too high compared to the assessments for other properties and that it unfairly increased at a higher rate. He saw no "rhyme or reason" for various factors listed in property record cards, such as depreciation or neighborhood factors. Riester also pointed to what he believed was a disparity in land assessments between Muirfield Woods and the adjacent neighborhood containing Lauren Lane. He felt that he was not being given "equal protection" because his assessment was

out of line with assessments for other properties from his subdivision and other nearby subdivisions. *Riester argument.*

22. As for the Assessor's evidence, Riester disagreed with some of the adjustments Berkemeier made in his sales-comparison analysis. For example, Riester argued that assuming a 10% time adjustment regardless of a home's size or price ignores economies of scale. Riester also took issue with Berkemeier's adjustment for differences in the number of bedrooms or bathrooms between the properties. *Riester argument.*
23. Finally, Riester argued that the appeal process was unfair. He did not believe that the PTABOA adequately considered his arguments and evidence because it left portions of its written determination blank. And he claimed that it is difficult for a taxpayer to present a case because information about comparable properties may not be available within the deadline for filing an appeal. *Riester argument.*

#### **B. The Assessor's contentions**

24. The Assessor argued that Riester failed to make a prima facie case. Although Riester pointed to assessments for other properties, he failed to adjust for relevant differences between those properties and the subject property. And to the extent he was claiming a lack of uniformity and equality in assessments, he did not offer a ratio study or any other evidence to support such a claim. Pointing to Berkemeier's sales-comparison analysis, the Assessor argued that the subject property's assessment was a reasonable measure of its market value-in-use. *Meighen argument.*

### **Conclusions of Law and Analysis**

#### **A. We initially presume that the assessment, as determined by the PTABOA, equals the property's true tax value.**

25. Generally, a taxpayer has the burden of proof when challenging a property's tax assessment. Accordingly, the assessment on appeal, "as last determined by an assessing

official or the county board,<sup>3</sup>” will be presumed to equal “the property’s true tax value until rebutted by evidence presented by the parties” I.C. § 6-1.1-15-20(a) (effective March 21, 2022).

26. However, the burden of proof shifts if the property’s assessment “increased more than five percent (5%) over the property’s assessment for the prior tax year.” I.C. § 6-1.1-15-20(b). If the burden has shifted, and “the totality of the evidence presented to the Indiana board is insufficient to determine the property’s true tax value,” then the “property’s prior year assessment is presumed to be equal to the property’s true tax value.” I.C. § 6-1.1-15-20(f).
27. Riester argued that the Assessor had the burden of proof in this case because the assessment originally increased by 8.6%, rising from \$646,900 in 2022 to \$702,800 in 2023. But the statute focuses on the assessment as last determined by an assessing official or the PTABOA. The PTABOA is the last entity to have determined Riester’s 2023 assessment, and it lowered the assessment to \$656,700, which is only a 1.5% increase over the 2022 assessment. Thus, the burden does not shift and we must initially presume that the PTABOA’s determination equals the property’s true tax value.<sup>4</sup>

**B. The parties did not offer probative market-based evidence to show that the property’s true tax value was different from the PTABOA’s determination.**

28. We are the trier of fact in property tax appeals, and our charge is to “weigh the evidence and decide the true tax value of the property as compelled by the totality of the probative evidence” before us. I.C. § 6-1.1-15-20(f). Our conclusion “may be higher or lower than the assessment or the value proposed by a party or witness.” *Id.* Regardless of which

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<sup>3</sup> For purposes of the statute, “county board” means “the county property tax assessment board of appeals.” I.C. § 6-1.1-15-0.5

<sup>4</sup> The Assessor moved for a “directed verdict” at the close of Riester’s case-in-chief. The ALJ took her motion under advisement. We deny her motion. Directed verdict motions, also called motions for judgment on the evidence, are controlled by Rule 50(A) of the Indiana Rules of Trial Procedure. Ind. Trial Rule 50(A); *Perez v. Hu*, 87 N.E.3d 1130, 1134 (Ind. Ct. App. 2017). They apply to jury trials and do not apply to our administrative proceedings. T.R. 50(A); I.C. § 6-1.1-15-20(f) (“The Indiana board shall hear its matters without regard to motions related to notice pleading or judgments on the evidence.”).



party has the initial burden of proof, either party “may present evidence of the true tax value of the property, seeking to decrease or increase the assessment.” I.C. § 6-1.1-15-20(e).

29. True tax value does not mean “fair market value” or “the value of the property to the user.” I.C. § 6-1.1-31-6(c), (e). Instead, it is determined under the rules of the Department of Local Government Finance (“DLGF”). I.C. § 6-1.1-31-5(a); I.C. § 6-1.1-31-6(f). The DLGF defines true tax value as “market value-in-use,” which it in turn defines as “[t]he market value-in-use of a property for its current use, as reflected by the utility received by the owner or by a similar user, from the property.” 2021 REAL PROPERTY ASSESSMENT MANUAL at 2.
30. To meet its burden of proof, a party “must present objectively verifiable, market-based evidence” of the property's value. *Piotrowski v. Shelby Cty. Ass'r*, 177 N.E.3d 127, 132 (Ind. Tax Ct. 2021) (citing *Eckerling v. Wayne Twp. Ass'r*, 841 N.E.2d 674, 677-78 (Ind. Tax Ct. 2006)). For most real property types, neither the taxpayer nor the assessor may rely on the mass appraisal “methodology” of the “assessment regulations.” *PIA Builders & Developers, LLC v. Jennings Cty. Ass'r*, 842 N.E.2d 899, 900, (Ind. Tax Ct. 2006). This is because the “formalistic application” of the procedures and schedules from the DLGF’s assessment guidelines lacks the market-based evidence necessary to establish a specific property’s market value-in-use. *Piotrowski*, 177 N.E.3d at 133.
31. Market-based evidence may include “sales data, appraisals, or other information compiled in accordance with generally accepted appraisal principles.” *Peters v. Garoffolo*, 32 N.E.3d 847, 849 (Ind. Tax Ct. 2015). Relevant assessments are also admissible, but arguments that “another property is ‘similar’ or ‘comparable’ simply because it is on the same street are nothing more than conclusions ... [and] do not constitute probative evidence.” *Marinov v. Tippecanoe Cty. Ass'r*, 119 N.E.3d 1152, 1156 (Ind. Tax Ct. 2019). Finally, the evidence must reliably indicate the property’s value as of the valuation date. *O'Donnell v. Dep't of Local Gov't. Fin.*, 854 N.E.2d 90,

95 (Ind. Tax Ct. 2006). For 2023 assessments, the valuation date was January 1, 2023. I.C. § 6-1.1-2-1.5(a).

32. Because Riester had the burden of proof, we begin with his evidence. Riester attempted to compare his assessment to the assessments of purportedly comparable properties. But as the Assessor pointed out, Riester did not adjust the purportedly comparable properties' assessments or explain how relevant differences between those properties and the subject property affected their relative values. His comparative data therefore lacks probative value. *See Long v. Wayne Twp. Ass'r*, 821 N.E.2d 466, 470-71 (Ind. Tax Ct. 2005) (holding that taxpayers' sales data for other properties lacked probative value where they failed to explain how the characteristics of those properties compared to their property or how any differences affected market value-in-use).
33. Riester's comparison of the year-over-year increases in assessments is similarly of little use in determining the subject property's true tax value. Each tax year stands alone, and evidence of a property's assessment in one tax year is not probative of its true tax value in another tax year. *Fleet Supply, Inc. v. State Bd. of Tax Comm'rs*, 747 N.E.2d 645, 650 (Ind. Tax Ct. 2001) (citing *Glass Wholesalers, Inc. v. State Bd. of Tax Comm'rs*, 568 N.E.2d 1116, 1124 (Ind. Tax Ct. 1991)).
34. Berkemeier's sales-comparison analysis was similarly insufficient to rebut the presumption that the PTABOA's determination reflected the subject property's true tax value. While Berkemeier analyzed the sales of purportedly comparable properties, he did not comply with generally accepted appraisal principles.
35. Under the sales-comparison approach, "an opinion of market value is developed by comparing properties similar to the subject property that have recently sold, are listed for sale, or are under contract . . . ." THE APPRAISAL INSTITUTE, THE APPRAISAL OF REAL

ESTATE 351 (15<sup>th</sup> ed. 2020).<sup>5</sup> The approach is premised on the notion that an opinion of market value can be supported by studying the market's reaction to comparable and competitive properties. *Id.* Appraisers applying the approach examine market evidence using "paired data analysis, trend analysis, statistics, and other recognized and accepted techniques to identify which elements of comparison within the data set of comparable sales are responsible for value differences." *Id.* They then use qualitative and quantitative techniques to adjust for any differences in relevant elements of comparison that affect the comparable properties' sale prices. *Id.* at 361-65, 372-96.

36. Several techniques are available to quantify adjustments, including paired- grouped- and secondary-data analysis, statistical analysis, and capitalization of income differences. *Id.* at 371-72. Appraisers may also make cost-related adjustments. *Id.* But the value added or lost by the presence or absence of an item may not equal the cost of installing or removing it. Instead, "the market dictates the value contribution of individual components to the value of the whole." *Id.* at 392-93.
37. Berkemeier pointed to data showing that the three properties from his analysis were generally similar to the subject property in terms of several elements of comparison. For example, they were all located in the same subdivision as the subject property. And Berkemeier adjusted the sale prices to account for various ways in which the properties differed. But he did little to show that he adhered to generally accepted appraisal principles. Instead, he largely relied on cost-based mass-appraisal data without any assurance that it reflected how market participants valued those differences. In other instances, he gave no basis for his adjustments other than to say he based them on "market evidence." But he was not referring to market data; instead, he was referring to methodologies he had observed when reviewing and critiquing appraisals.

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<sup>5</sup> We take official notice of this treatise. See 50 IAC 4-6-11(a)(4) (allowing us to take official notice of treatises considered to be reliable authorities on subjects addressed at the hearing, including any relevant edition of *The Appraisal of Real Estate*).

38. We do not mean to imply that an appraisal by a licensed appraiser is required to prove a property's market value-in-use. Instead, we simply find a lack of market-based support for Berkemeier's adjustments, particularly in the absence of an appraiser's credentialed expertise and representations of USPAP compliance.
39. Because the totality of the evidence does not suffice to show the subject property's true tax value, we must presume that the PTABOA's determination equals its true tax value.

**C. Riester failed to prove an actionable claim for a lack of uniformity and equality in assessments or a denial of equal protection.**

40. Many of Reister's contentions arguably focus less on whether the subject property was accurately assessed than on whether it was assessed uniformly and equally compared to other properties.
41. The Indiana Constitution's Property Taxation Clause directs the Legislature to "provide, by law, for a uniform and equal rate of property assessment and taxation" and to "prescribe regulations to secure a just valuation for taxation of all property." IND. CONST. art. X § 1(a); *see also* I.C. § 6-1.1-2-1.5(a) ("All tangible property which is subject to assessment shall be assessed on a just valuation basis and in a uniform and equal manner."). The Constitution, however, does not require "absolute and precise exactitude as to the uniformity and equality of each *individual* assessment." *State Bd. of Tax Comm'rs v. Town of St. John*, 702 N.E.2d 1034, 1040 (Ind. 1998) (emphasis in original).
42. A claim for relief based on a lack of uniformity and equality necessarily hinges on the standards for valuing property under our State's assessment system. Before the switch to our current system, true tax value was determined under the State Board of Tax Commissioners' assessment regulations and bore no relation to any external, objectively verifiable measurement standard. *Westfield Golf Practice Ctr., LLC v. Washington Twp. Ass'r*, 859 N.E.2d 396, 398 (Ind. Tax Ct. 2007). That changed under the current system, which incorporates market value-in-use as its external, objectively verifiable benchmark.

The focus shifted from examining how assessment regulations were applied to examining whether a property's assessed value actually reflects that external benchmark. *Id.* at 399. Thus, “the end result—a ‘uniform and equal *rate*’ of assessment—is required, but there is no requirement of uniform procedures to arrive at that rate.” *Id.* (quoting *State ex. rel. Att’y Gen. v. Lake Superior Ct.*, 820 N.E.2d 1240, 1250 (Ind. 2005)) (emphasis in original).

43. In *Westfield Golf*, the Tax Court explained that one method for proving a lack of uniformity and equality is to present ratio studies, comparing the assessments of properties within an assessing jurisdiction with objectively verifiable data, such as sale prices or market value-in-use appraisals. *Id.* at 399 n. 3. The taxpayer in *Westfield Golf* lost its uniformity-and equality claim because it focused solely on the base rate used to assess its driving-range landing area compared to the rates used to assess other driving ranges and failed to show the actual market value-in-use for any of the properties. *Westfield Golf*, 859 N.E.2d at 399.
44. Like the taxpayer in *Westfield Golf*, Riester focused solely on the methodology used to assess the subject property and the other properties he highlighted, without offering evidence to show the market value-in-use for any of the properties. He therefore failed to make a case for relief based on a lack of uniformity and equality in assessments.
45. In a similar vein, Riester complained that he was being denied equal protection because his assessment was not in line with other assessments from Muirfield Woods or other subdivisions. To the extent Riester was attempting to raise a claim under the Fourteenth Amendment to the United States Constitution, he waived that claim by failing to make cogent argument or cite to relevant authority.
46. Regardless, the facts do not support an equal-protection claim. The Equal Protection Clause provides that “[n]o State shall . . . deny to any person within its jurisdiction the equal protection of the laws.” U.S. Const. amend. XIV, § 1. It prohibits the “intentional

systematic” undervaluation of other taxable property in the same class. *Allegheny Pittsburgh Coal Co. v. County Comm’n of Webster Cty., W. Va.*, 488 U.S. 336, 345, 109 S. Ct. 633, 102 L. Ed. 2d 688 (1989) (quoting *Sunday Lake Iron Co. v. Wakefield*, 247 U.S. 350, 352-53 38 S. Ct. 495, 62 L. Ed. 1154 (1918)). Mere judgment errors by assessing officials do not violate the Equal Protection Clause; instead “there must be something more—something which in effect amounts to an intentional violation of the essential principle of practical uniformity.” *Sunday Lake Iron*, 247 U.S. at 352. The good faith of officials and the validity of their actions are presumed; “when assailed, the burden of proof is on the complaining party.” *Id.* Thus, Riester needed to prove that the Assessor (1) intentionally treated him differently than other similarly situated taxpayers, and (2) had no rational basis for the differential treatment. *See Convention Hotels Headquarters, LLC v. Marion Cty. Ass’n*, 175 N.E.3d 1212, 1218-19 (Ind. Tax. Ct. 2021) (quoting *LaBella Winnetka, Inc. v. Vill. of Winnetka*, 628 F.3d 937, 941-42 (7th Cir. 2010) (citation omitted)).

47. Riester did not show an intentional, systematic undervaluation of other properties in the same class as the subject property. Instead, he simply showed that some properties had different assessments than the subject property, and that year-to-year increases in assessment differed somewhat between properties.

**D. Riester’s concerns about the PTABOA hearing are not grounds for relief.**

Riester also claimed that the PTABOA failed to adequately consider his evidence. Our proceedings are *de novo*, meaning that we base our decisions on the evidence and arguments offered at our hearings. Riester had ample opportunity before us to prove his claims.

**Conclusion**

48. We find for the Assessor. Neither party offered probative evidence to rebut the presumption that the 2023 assessment, as determined by the PTABOA, equals the subject property’s true tax value. And Riester failed to prove an actionable lack of uniformity

and equality in assessments or a denial of equal protection. We therefore order no change to the assessment.

Date: November 19, 2024

Jonathan R. Elrod  
Chairman, Indiana Board of Tax Review

Betsy J. Brand  
Commissioner, Indiana Board of Tax Review

Timothy E. Elrod  
Commissioner, Indiana Board of Tax Review

**- APPEAL RIGHTS -**

You may petition for judicial review of this final determination under the provisions of Indiana Code § 6-1.1-15-5 and the Indiana Tax Court's rules. To initiate a proceeding for judicial review you must take the action required not later than forty-five (45) days of the date of this notice. The Indiana Code is available on the Internet at <<http://www.in.gov/legislative/ic/code>>. The Indiana Tax Court's rules are available at <<http://www.in.gov/judiciary/rules/tax/index.html>>.