

(2) In utilizing the cost approach, the assessor shall use a method in which the value of a property is derived by estimating the replacement or reproduction cost of the improvements; deducting there from the estimated depreciation; and then adding the market value of the land, if any.

(3) In utilizing the income approach, the assessor shall use an appraisal technique in which the anticipated net income is processed to indicate the capital amount of the investment which produces the net income.

Pursuant to La. Const. art. VII, § 18, land and residential improvements are assessed at ten percent of their fair market value. Commercial improvements are assessed at fifteen percent of their fair market value.

#### IV. PROCEDURAL BACKGROUND

In accordance with La. R.S. 47:1992, the Assessor for the 3rd Municipal District prepared assessment lists for Tax Year 2008-Orleans Parish' showing the assessment of immovable and movable property in and for the district. The lists were made available daily for public inspection for a period of fifteen (15) days. The subject property located at 19401 Z Chef Menteur Hwy, New Orleans Assessment No. 39W948234 was assessed by the Assessor as follows:

LAND-Fair Market Value \$ 0 Assessed Value \$ 0

IMPROVEMENTS- Fair Market Value \$9,779,530; Assessed Value \$1,466,930

TOTAL Fair Market Value \$9,779,530 Total Assessed Value \$1,466,930

The Taxpayer timely appealed the assessment of the property to the Orleans Parish Board of Review. The value of the land and/or improvements as determined by the Assessor was contested or appealed. In the appeal to the Board of Review, the Taxpayer submitted a Fair Market Value of \$ 0 for the land and \$735,835 for the improvements of the subject property.

The Board of Review determined the Fair Market Value of \$3,750,000 for the property. Pursuant to La.R.S. 47:1989 and La.R.S. 47:1992, the Appellant timely filed an appeal with the Louisiana Tax Commission seeking administrative review of the determination of the Orleans Parish Board of Review.

#### V. LTC APPRAISAL

Prior to the subject ad valorem tax appeal, the Louisiana Tax Commission directed an appraiser, Chris Baker, CCIM, MRICS to independently appraise the subject property. This LTC appraisal was available to all parties prior to the hearing and was made a part of the record and contained the supporting data used in formulating his appraisal. Chris Baker's appraisal, January 1, 2007 effective date, resulted in the following: the Income Approach was determined to be inapplicable, a Cost Approach Value of \$5,940,000, and the Market Approach (Sales Comparison) was determined to be inapplicable. His appraisal conclusion indicated a fair market value of \$5,940,000.

#### VI. RECOMMENDATION BY HEARING OFFICER

Applying his expertise, technical competence, and specialized knowledge and based upon the entire testimony and evidence presented, the Hearing Officer appointed by the

Louisiana Tax Commission does hereby find the fair market value of the subject property to be as follows:

LAND-Fair Market Value - \$ 0  
IMPROVEMENTS Fair Market Value- \$5,894,400  
TOTAL Fair Market Value- \$5,894,400

VII. COMMISSION DECISION

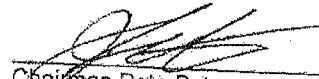
IT IS THEREFORE ORDERED THAT:

The value for 19401 Z Chef Menteur Hwy, New Orleans is as follows:


LAND-Fair Market Value - \$ 0  
IMPROVEMENTS Fair Market Value- \$5,894,400  
TOTAL Fair Market Value- \$5,894,400


This Order shall be effective upon the date of issuance.


July 9, 2008

  
Chairman Pete Peters  
District II

  
Commissioner Bernda B. Hazel  
District I

  
Commissioner Kenneth P. Naquin, Jr.  
District III

  
Commissioner Joey Vercher  
District IV

  
Commissioner Paul Hargrove  
District V