# OVERVIEW OF TOPIC INDEX SUBJECTS

# OF BTA DECISIONS AS OF January 15, 2021

### Finding the Applicable Law Using this Document

This document consists of this **Overview** and its accompanying **Topic Index** and alphabetically indexes, by legal topic, decisions of Ohio's Board of Tax Appeals ("BTA"). By following the instructions, below, you will be able to use this **Overview** and its accompanying **Topic Index** to quickly access law relevant to the most commonly encountered issues at the BOR.

#### The Overview (first part) and the Topic Index (second part)

The first part of this document consists of eleven (12) pages and is an overview ("Overview") of BOR topics which are addressed in greater detail in the second part, its **Topic Index**. Because of the length of this document the **Overview**, through its' hyperlinks (see below), is provided solely as a tool to quickly access the **Topic Index**.

It is in the **Topic Index** where you can access and read the actual law pertinent to your BOR case. The **Topic Index** contains the same topic headings found in the **Overview** but, unlike the **Overview**, each topic heading in the **Topic Index** is followed by the names of the BTA decisions that set forth and expound upon the law in that area of BOR practice.

As a mechanical matter, the topics in the **Overview** and **Topic Index** are hyperlinked one to the other which enables you to quickly navigate back-and-forth between the **Overview** and the more detailed **Topic Index**. By hovering the cursor over the topics in the **Overview** that are block highlighted in blue and clicking CTRL-Enter, you will be taken directly to the same topic in the more detailed **Topic Index**. Similarly, by hovering the cursor over the topic name block highlighted in green in the **Topic Index** and clicking CTRL-Enter, you will be hyperlinked back to that same topic name in the **Overview**.

### The Topic Index: Two Methods to Search the Law

Once the reader is in the Topic Index, there are two methods to search for the law.

First Method: Direct Link to the BTA Website for Case Decision

In the first method, once you have located the subject in which you are interested in the TOPIC INDEX, you will the names of one or more BTA decisions below the topic name. You can go directly to the text of any of those cases by hovering your cursor over the case name and clicking CTRL-Enter. That will take you to the BTA website where you can then navigate to the

actual text of that case by, first, clicking on the "Documents" tab for that case, and then clicking on the most recent "OrderOrDecision" link. The decision will appear in its original format.

#### Second Method: OBORRC Website BTA Decisions Volumes

Under the second method, the search for the law is contained wholly within this OBORRC website and it is not necessary to access the BTA's website. As discussed below, there are certain benefits to such a search in this OBORRC site that are not available in the BTA's website.

Under the RESOURCES tab of this OBORRC site, you will find a compilation of BTA decisions from August 2, 2017 through December 31, 2020. Because that compilation consists of several thousand pages, those decisions have been compiled into four volumes by the date on which they were decided by the BTA. The decisions that appear in those volumes have been copied from the BTA's original decisions and the text of those decisions appears in full.

#### Additional Search Tools Not Found on the BTA's Website

All pages of the decisions that appear in those volumes have been identified by volume and page number. In addition to those designations, many of the cases in those volumes have had each of their paragraphs numbered as follows: [1], [2], [3], etc. By going to the volume and page number(s) block highlighted in yellow after the case name in this **Topic Index**, you can find the specific paragraph that provides the law relevant to your legal question.

As an example, if you want to determine whether a family member who is not the owner's spouse (and is not the owner's attorney) can file a complaint at the BOR on behalf of the owner, you would go to the **COMPLAINT AT BOR > Filing By Family Member** section of the **Topic Index** and see the following case:

*Lavalle Michelle v. Cuyahoga County Board of Revision* (November 20, 2019), BTA No. 2019-1861 (Vol. 3/1462 − 1463 № 2)

That case listing indicates that a decision addressing that question is found in Volume 3, pages 1462-1463, in paragraph 2 of the decision. By going to that case in Volume 3 (your search function will take you there) and reading paragraph 2, you will see that the BTA has ruled that "This board [the BTA] has previously determined that non-attorney family members are not authorized to file complaints on behalf of family members."

In brief, then, to search for the law using this Topic Index, you would:

- Step 1: Go to the particular topic of interest in this **Topic Index**.
- Step 2: Find a case, or cases, under that topic.

- Step 3: At the end of the case name, highlighted in yellow, is the volume in which that case appears. For example, Vol. 3/ 5.
- Step 4: Go to that volume and use the search function in the pdf to find that case.
- Step 5: Go to the page and/or paragraph identified and read the applicable law.

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<u>QCA-Parma, LLC v. Cuyahoga County Board of Revision</u> (June 19, 2019), BTA No. 2017-2169 (Vol. 3/0623)

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*John Bodnar v. Cuyahoga County Board of Revision* (August 24, 2017), BTA No. 2016-1705 (Vol. 1/0069 № 4)

<u>RBT Industries, LLC v. Stark County Board of Revision</u> (August 15, 2019), BTA No. 2018-1467 (Vol. 3/0922)

<u>R.E.L. Limited Partnership v. Lake County Board of Revision</u> (December 23, 2019), BTA No. 2019-453 (Vol. 3/1590)

GLS Leasco, Inc., A Michigan Corporation [Crown Enterprises Construction] Services, Inc. (Crown Enterprises, Inc.)] v. Stark County Board of Revision (September 17, 2020), BTA No. 2019-2567 (Vol. 4/1280)

<u>Select Medical Property Ventures LLC v. Franklin County Board of Revision</u> (November 19, 2019), BTA No. 2018-2103 (Vol. 3/1439)

<u>Canton City Schools Board of Education v. Stark County Board of Revision</u> (July 31, 2019), BTA No. 2018-1407 (Vol. 3/0783)

<u>Plain Local Schools Board of Education v. Stark County Board of Revision</u> (July 31, 2018), BTA No. 2016-2059 (Vol. 1/1231)

<u>Groveport Madison Local Schools Board of Education v. Franklin County Board of Revision</u> (November 22, 2019), BTA No. 2018-1263 (Vol. 3/1468)

Olmstead Falls City Schools Board of Education v. Cuyahoga County Board of Revision (March 9, 2020), BTA No. 2018-2140 (Vol. 4/0501 ) 5)

Columbus City Schools Board of Education v. Franklin County Board of Revision (September 25, 2018), BTA No. 2017-1550 (Vol. 2/0187 № 5)

<u>Canton Local Schools Board of Education v. Stark County Board of Revision</u> (January 18, 2019), BTA No. 2017-1882 (Vol. 3/0070)

Columbus City Schools Board of Education v. Franklin County Board of Revision (October 28, 2019), BTA No. 2018-1604 (Vol. 3/1402 ▶ 7)

<u>Lorain County Savings & Trust Company nka FirstMerit Bank, NA (FirstMerit Corporation) v. Cuyahoga County Board of Revision</u> (October 15, 2018), Case No. 2017-678 (Vol. 2/0286)

<u>Nicole and Hyunjoo Yim v. Cuyahoga County Board of Revision</u> (January 8, 2020), BTA No. 2018-2166 (Vol. 4/0124 № 7)

Englefield, F. W. IV & Benjamin B. v. Franklin County Board of Revision (August 4, 2017), BTA No. 2016-254 (Vol. 1/0020 № 12)

Eastland Mall Holdings, LLC v. Franklin County Board of Revision (November 3, 2017), BTA No. 2016-2190 (Vol. 1/0350)

Financial Wealth Associates, LLC v. Cuyahoga County Board of Revision (October 19, 2017), BTA No. 2016-2151 (Vol. 1/0307)

Northridge Local Schools Board of Education v. Montgomery County Board of Revision (February 27, 2018), BTA No. 2016-2553 (Vol. 1/0745)

Ravenna School District Board of Education v. Portage County Board of Revision (January 18, 2019), BTA No. 2017-1497 (Vol. 3/0075)

<u>Rooney Properties LLC v. Cuyahoga County Board of Revision</u> (May 21, 2018), BTA Nos. 2016-1889, 1890, 1891, 1892 (Vol. 1/0991)

Akron City Schools Board of Education v. Summit County Board of Revision (January 2, 2019), BTA No. 2017-1714 (Vol. 3/0016)

#### Jurisdiction -

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*ECC-Center, LLC v. Hamilton County Board of Revision* (May 6, 2019), BTA No. 2018-1977 (Vol. 3/0431 − 0432 № 11)

Philips Medical Systems (Cleveland), Inc. F/K/A Picker X-Ray Corp. v. Cuyahoga County Board of Revision (June 14, 2019), BTA No. 2019-25 (Vol. 3/0615 – 0616 Pf 6, 7, 8)

### Continuing Complaint Jurisdiction –

Westerville City Schools Board of Education v. Franklin County Board of Revision (September 11, 2017), BTA No. 2016-2173 (Vol. 1/0158 P 3, 4)

Akshar, Ltd. v. Wyandot County Board of Revision (January 4, 2018), BTA No. 2016-2092 (Vol. 1/506 - 0507)

Cleveland Municipal Schools Board of Education v. Cuyahoga County Board of Revision (March 6, 2018), BTA No. 2017-476 (Vol. 1/0796 – 0797 § 6)

Corex Partners LLC/Chou Katella Partners, LLC v. Franklin County Board of Revision (April 17, 2019), BTA No. 2018-1602 (Vol. 3/0390 – 0391)

#### Notice of BOR Hearing –

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### "Owner of Property", Who is for Purposes of Jurisdiction –

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### Second Filing Within Three Year Interim Period

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James W. Tietge v. Montgomery County Board of Revision (January 19, 2018), BTA No. 2017-420 (Vol. 1/0582 PP 3, 4)

Maria Scaglione v. Cuyahoga County Board of Revision (May 21, 2018), BTA No. 2017-984 (Vol. 1/1007 − 1008 № 7)

Philips Medical Systems (Cleveland), Inc. F/K/A Picker X-Ray Corp. v. Cuyahoga County Board of Revision (June 14, 2019), BTA No. 2019-25 (Vol. 3/0616 § 8)

Holli Frenden Kingsbury v. Cuyahoga County Board of Revision (July 2, 2019), BTA No. 2019-308 (Vol. 3/0653 – 0654 PP 3, 4)

Jami Itiavkase & Bem Itiavkase v. Hamilton County Board of Revision (August 27, 2019), BTA No. 2019-515 (Vol. 3/1006 – 1007 PP 3, 4)

#### Subject Matter –

William S. Johnson v. Clark County Board of Revision (June 28, 2017), BTA Nos. 2016-2511; 2016-2514

#### Subsurface Rights –

Martha Shelby & Harold Addy Jr. & Others v. Belmont County Board of Revision (November 26, 2018), BTA No. 2017-1938 (Vol. 2/0354 ₱ 5)

# <u>Trustee as Owner of Property Held by Trust</u> –

Loveman Steel Corporation v. Cuyahoga County Board of Revision (August 22, 2017), BTA No. 2017-405 (Vol. 1/0067 ) 6)

#### Powers Of –

Whether BOR Can Dismiss Complaint for Failure to Provide Information –

<u>State ex rel. Firstenergy Corporation, et al., v. Lake County Board of Revision</u>, 137 Ohio App.3d 550 (11<sup>th</sup> Dist.)

### Whether BOR Can Issue Subpoena Duces Tecum -

<u>State ex rel. Firstenergy Corporation, et al., v. Lake County Board of Revision</u>, 137 Ohio App.3d 550 (11<sup>th</sup> Dist.)

#### BOARD OF TAX APPEALS

#### Appeals To -

White v. Cuyahoga BOR - (January 9, 2017), BTA No. 2016-2541

### Triggering of Time to Appeal –

<u>Hertz Center at Vine 600, LLC v. Hamilton County BOR</u> –(January 31, 2017), BTA No. 2016-2427

<u>Danielle & Richard Pyun v. Franklin County BOR</u> – (February 1, 2017), BTA No. 2016-2362

### Where Notice of Appeal Must Be Filed –

Ali Elder v. Cuyahoga County BOR (January 20, 2017), BTA No. 2016-1746

<u>Albert Lambert v. Cuyahoga County BOR</u> – (January 30, 2017), BTA No. 2016-725

<u>Jon Allan Smetana v. Cuyahoga County Board of Revision</u> (May 11, 2017), BTA No. 2017-176

<u>Cecil King, Jr. v. Cuyahoga County Board of Revision</u> (May 17, 2017), BTA No. 2017-317

Al Madina Property Management v. Montgomery County Board of Revision (May 17, 2017), BTA No. 2016-2670

<u>Proterra, Inc. v. Cuyahoga County Board of Revision</u> (July 11, 2017), BTA No. 2017-401

#### Where Filed at Commons Pleas Court and then with BTA –

Cincinnati City Schools Board of Education v. Hamilton County Board of Revision (January 22, 2018), BTA No. 2017-2248 (Vol. 1/0601 ) 3)

#### Who May File Notice of Appeal to BTA –

*Maria Scaglione v. Cuyahoga County Board of Revision* (May 21, 2018), BTA No. 2017-984 (Vol. 1/1006 − 1007 № 4, 5)

Bedford Rule -

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Burden of Going Forward, When Shifts to BOE at BTA ("Bedford Rule") -

<u>Huber Heights City Schools Board of Education v. Montgomery County Board of Revision</u> (May 17, 2017), BTA No(s) 2015-2359, 2360

<u>Olentangy Local Schools Board of Education v. Delaware County Board of Revision</u>, 2017-Ohio-8843

<u>South-Western School Board of Education v. Franklin County Board of Revision</u>, 2018-Ohio-918

Jackson Local Schools Board of Education v. Stark County Board of Revision (May 31, 2019), BTA No. 2017-1895 (Vol. 3/0563 PP 4, 5)

Plain Local Schools Board of Education v. Stark County Board of Revision (October 28, 2019), BTA No. 2017-1887 (Vol. 3/1407 − 1408 ₱ 5)

Akron City Schools Board of Education v. Summit County Board of Revision (November 19, 2019), BTA No. 2018-1686 (Vol. 3/1443 – 1444 P 5, 6)

#### DTE 4 Appeal Form -

Scaglione v. Cuyahoga BOR (January 15, 2017), BTA No. 2016-534

Equitable Jurisdiction, Lack of –

<u>Harold C. Jr & Darci Schafer v. Franklin County Board of Revision</u> (July 25, 2017), BTA No. 2016-1501

Factual Findings of the BOR, Whether BTA is Bound by -

Cannata v. Cuyahoga County Board of Revision, 147 Ohio St.3d 129 (2016)

### How Notice of Appeal Must be Filed -

<u>Sheila Marie Delay v. Cuyahoga County Board of Revision</u> (June 21, 2017), BTA No. 2016-8898

<u>Living Care Alternatives of Utica v. Licking County Board of Revision</u> (August 21, 2017), BTA No. 2016-2699 (Vol. 1/0054 – 0055 ) 3 - 6)

### Lack of Jurisdiction to Hear Appeal -

<u>V3 Seville Real Estate LLC v. Medina County Board of Revision</u> (May 16, 2017), BTA No. 2017-368

### Voluntary Dismissal of Appeal -

<u>Cleveland Municipal School District Board of Education v. Cuyahoga County</u> <u>Board of Revision</u> (June 18, 2017), BTA No. 2016-2536

#### Whether BOR's Decision is Presumed to Be Valid at BTA –

<u>Brecksville-Broadview Heights Board of Education, et al. v. Cuyahoga County Board of Revision, et al.</u>, 2016-Ohio-316, (8<sup>th</sup> Dist.)

#### Whether BTA is Bound by Factual Findings of the BOR -

Cannata v. Cuyahoga County Board of Revision, 147 Ohio St.3d 129 (2016)

### Whether BTA is Bound by Its Prior Valuation Ruling on the Same Property –

<u>Daniel Lancry v. Cuyahoga County Board of Revision, et al.</u> (June 5, 2017), BTA No. 2016-2248

#### Witness, Preclusion of for Failure to Testify at BOR –

<u>Columbus City Schools Board of Education v. Franklin County Board of Revision</u> (September 14, 2017), BTA No. 2016-1440

#### **BULK PROPERTY SALES**

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#### CAUV (CURRENT AGRICULTURAL USE VALUATION)

### Burden of Proof -

*Mark Shipley v. Pickaway County Board of Revision* (August 2, 2017), BTA Nos. 2016-905; 2016-907 (Vol. 1/0006 ₱ 5)

### Removal from CAUV Program -

<u>Bryan & Joy Harbaugh v. Medina County Board of Revision</u> (September 26, 2017), BTA No. 2016-1309 (Vol. 1/0227 – 0228 ₱₱ 4, 9, 10)

### **COMPARABLE SALES**

### By Non-Appraiser –

<u>Scaglione v. Cuyahoga County BOR</u> – (January 19, 2017), BTA Nos. 2016-532, 533, 536, 1331, 1335

Macikenas v. Cuyahoga County BOR – (January 19, 2017), BTA No. 2016-1071

Who Calculates Price Per Square Foot of Comps –

Watson v. Montgomery County Board of Revision (April 21, 2017), BTA No. 2016-693

#### Weight Given to Listing of Comparable Sales by Owner -

Speca v. Montgomery County BOR (March 25, 2008), BTA No. 2006-K-2144

Alex Schutz v. Cuyahoga County Board of Revision (September 13, 2017), BTA No. 2017-577 (Vol. 1/0166 PP 5, 6)

Westerville City Schools Board of Education v. Franklin County Board of Revision (February 5, 2019), BTA Nos. 2018-248, 2018-249 (Vol. 3/0138 − 0139 № 8)

Gloria J. Hill v. Hamilton County Board of Revision (April 3, 2019), BTA No. 2018-1392 (Vol. 3/339 ) 9)

Virani Nazimuddin and Diane v. Lucas County Board of Revision (December 23, 2019), BTA No. 2019-357 (Vol. 3/1594 P 6)

<u>Victoria Loewengart v. Delaware County Board of Revision</u> (August 31, 2020), BTA No. 2019-1312 (Vol. 4/1238) 9)

### **COMPLAINT AT BOR**

#### Carryforward of Complaint –

Cannata v. Cuyahoga County Board of Revision, 147 Ohio St.3d 129 (2016)

Columbus City Schools Board of Education v. Franklin County Board of Revision (November 29, 2017), BTA No. 2016-2335 (Vol. 1/0404 № 11)

### "Casualty" Exception to Second Filing in Interim Period –

<u>DRB Consultants Two LTD v. Hamilton County Board of Revision</u> (June 7, 2017), BTA No. 2016-2350

<u>Dowers Victor and Shirley v. Hamilton County Board of Revision</u> (February 13, 2020), BTA No. 2019-801 (Vol. 4/0388 − 0389 PP 3, 4)

#### Discrepancy in Complaint -

Nucorp, Inc. v. Montgomery County Bd. of Revision, 64 Ohio St.2d 20, 21 (1980)

<u>The Hilltop Commons, LLC v. Clarence Mingo, II, et al.</u>, 2012-Ohio-5661, (10<sup>th</sup> Dist.) (Pars. 20, 24)

#### Filing Deadline

<u>Barbara E. Eberhart v. Franklin County Board of Revision</u> (June 13, 2013), BTA No. 2012-5191

Miami Trace Local Schools Board of Education v. Fayette County Board of Revision (December 11, 2017), BTA No. 2017-1335 (Vol. 1/P 436)

### Filing By Family Member -

<u>Tamonea Calloway-Woods v. Cuyahoga County Board of Revision</u> (May 22, 2018), BTA Nos. 2018-41, 2018-42

*Lavalle Michelle v. Cuyahoga County Board of Revision* (November 20, 2019), BTA No. 2019-1861 (Vol. 3/1462 − 1463 № 2)

### Filing By Family Member with Power of Attorney –

<u>Fravel v. Stark County BOR</u> – 88 Ohio St.3d 574 (2000)

Ramiro Ortega v. Cuyahoga County Board of Revision (November 21, 2017), BTA No. 2017-1097 (Vol. 1/0395 P4)

#### Filing By Property Manager –

Board of Education of The Groveport Madison Local Schools v. Franklin County Board of Revision (June 26, 2012), BTA No. 2009-2931

Madeline, LLC v. Cuyahoga County BOR (January 31, 2017), BTA Nos. 2016-1458, 1459

<u>Greenway Ohio, Inc. v. Cuyahoga County BOR</u> (February 2, 2017), BTA No. 2016-2531 (aff'd on appeal, see citation immediately below)

<u>Greenway Ohio, Inc. v. Cuyahoga County Board of Revision</u> – Decided October 23, 2018, 2018-Ohio-4244 (S.Ct)

Filing By Property Manager if Owner's Attorney Appears at and Represents Owner at BOR Hearing –

<u>Kettering City Schools Board of Education v. Montgomery County Board of Revision, et al.</u> (March 1, 2017), BTA No. 2016-2510

#### Mistaken Information on Line 8 of Complaint Form-

<u>The Hilltop Commons, LLC v. Clarence Mingo, II, et al.</u>, 2012-Ohio-5661, (10<sup>th</sup> Dist.) (Pars. 39, 40)

### Standing to File Complaint -

<u>Battery Park Development LLC v. Cuyahoga County Board of Revision</u> (May 17, 2017), BTA No. 2016-1871, 1872, 2057

<u>DH Partners v. Cuyahoga County Board of Revision</u> (January 4, 2018), BTA No. 2017-161 (Vol. 1/0503 PP 4, 5, 6)

<u>USPG Portfolio Six LLC and Kohl's Illinois, Inc. (Kohl's Department Stores, Inc.) v. Clark County Board of Revision</u> (October 15, 2018), BTA No. 2017-2066 (Vol. 2/0257 ▶ 3, 4)

<u>City of Cincinnati v. Hamilton County Board of Revision</u> (March 25, 2019), BTA No. 2018-1629 (Vol. 3/0249)

<u>Kettering City Schools Board of Education v. Montgomery County Board of Revision</u> (May 15, 2019), BTA No. 2018-2216 (Vol. 3/0478)

Northridge Local Schools Board of Education v. Montgomery County Board of Revision (May 15, 2019), BTA No. 2018-2251 (Vol. 3/0476)

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Ramiro Ortega v. Cuyahoga County Board of Revision (November 21, 2017), BTA No. 2017-1097 (Vol. 1/0395 P 3, 4)

<u>RBT Industries, LLC v. Stark County Board of Revision</u> (August 15, 2019), BTA No. 2018-1467 (Vol. 3/0921 - 0922)

Kauffman Vine LLC v. Hamilton County Board of Revision (April 2, 2019), BTA No. 2018-1650 (Vol. 3/0332 - 0333)

#### <u>Timeliness of Filing, Burden of Proof</u> –

<u>Rohloff Bros Inc. v. Ottaway County Board of Revision</u> (June 8, 2017), BTA No. 2016-885

Mark A. Wise, Trustee of the Mark A. Wise Trust, et al. v. Cuyahoga County Board of Revision (December 10, 2018), BTA No. 2018-359 (Vol. 2/0409 – 0410 P. 7, 8, 9)

Whether BOR Acquires Jurisdiction Where Line 8 on Complaint Form is Non-Responsive or Provides No Information -

<u>The Hilltop Commons, LLC v. Clarence Mingo, II, et al.</u>, 2012-Ohio-5661, (10<sup>th</sup> Dist.)

<u>Jean M. Darding, et al., v. Madison County Board of Revision</u> (May 8, 2017), BTA No. 2016-1908

<u>Devon Settles v. Cuyahoga County Board of Revision</u> (September 26, 2017), BTA No. 2017-682

Elzaire Sankey v. Hamilton County Board of Revision (September 27, 2017), BTA No. 2017-1047 (lists parcel number and current taxable value but not requested value) (Vol. 1/0233 – 0234 PP 2, 3, 4)

Tomislav & Jagoda Bajic v. Cuyahoga County Board of Revision (October 18, 2017), BTA No. 2017-670 (Vol. 1/0302 -0303 ₱ 3)

Brian Edgar Garry v. Hamilton County Board of Revision (April 8, 2019), BTA No. 2018-1212 (Vol. 3/0367)

### **COUNTY AUDITOR**

<u>Value Appraised by Auditor</u> –

Whether Presumed to Be Valid –

<u>Colonial Village, Ltd. V. Washington County Board of Revision, et al.</u>, 123 Ohio St.3d 268 (2009)

Davis v. Board of Revision, Butler County, 2013-Ohio-3310, (12th Dist.)

#### DTE FORM 1 (BOR COMPLAINT FORM)

<u>Failure to Complete Section 8 (in prior form) or 9 (in current form) on the Form</u> –

Shinkle v. Ashtabula County Board of Revision, 135 Ohio St.3d 227 (2013)

<u>The Hilltop Commons, LLC v. Clarence Mingo, II, et al.</u>, 2012-Ohio5661 (10<sup>th</sup> District)

Marijoy Halitzka v. Lorain County Board of Revision (November 10, 2020), BTA No. 2020-751 (Vol. 4/1384 P 3)

# **DURESS**

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# **FRAUD**

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#### **GOVERNMENT SUBSIDIZED HOUSING**

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### **GROSS RENT MULTIPLIER**

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<u>Cityvilla Investments LLC v. Franklin County Board of Revision</u> (June 21, 2017), BTA No. 2016-1326

Westerville City Schools Board of Education v. Franklin County Board of Revision (June 21, 2017), BTA No. 2016-688

Columbus City Schools Board of Education v. Franklin County Board of Revision (January 15, 2019), BTA No. 2018-179 (Vol. 3/0044 − 0045 ₱₱ 7, 8)

Columbus City Schools Board of Education v. Franklin County Board of Revision (March 4, 2019), BTA No. 2018-253 (Vol. 3/0202 ▶ 14)

<u>1721 Radio LLC v. Montgomery County Board of Revision</u> (March 28, 2019), BTA Nos. 2018-586, 587, 588, 589, 590; 2018-633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645; 2018-659; 2018-775 (Vol. 3/0286 − 0287 № 11, 12)

1375 Cory LLC v. Montgomery County Board of Revision (April 9, 2019), BTA No. 2018-1419 (Vol. 3/0372 − 0373 ▶ 7)

Columbus City Schools Board of Education v. Franklin County Board of Revision (August 19, 2019), BTA Nos. 2018-1256, 2018-1260 (Vol. 3/0943 – 0944 P 8)

341 Castlewood LLC v. Montgomery County Board of Revision (October 18, 2019), BTA Nos. 2018-987, 1339, 1341, 1343, 1344, 1345, 1351, 1352, 1353, 1355, 1356, 1357, 1359, 1362, 1445, 1446, 9898, 990 (Vol. 3/1361 − 1362 № 11)

Cocita Properties, Ltd. V. Cuyahoga County Board of Revision (October 13, 2020), BTA Nos. 2019-2505, 2019-2508 (Vol. 4/1347 – 1348 P8)

#### HOME OWNERS ASSOCIATION

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### HOMESTEAD EXEMPTION

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Osprey, Inc. v. Franklin County Board of Revision (September 11, 2019), BTA No. 2019-400 (Vol. 3/1185 P 2)

<u>Joe Ann Lucas v. Franklin County Board of Revision</u> (September 30, 2019), BTA No. 2019-377 (Vol. 3/1279 – 1280)

# **HUD SALES**

<u>Impact of HUD Sale on Valuation</u> –

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Gahanna-Jefferson City Schools Board of Education v. Franklin County Board of Revision (September 1, 2017), BTA No. 2016-2206 (Vol. 1/0119 ▶ 4)

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Michael Morton v. Lorain County Board of Revision (October 20, 2017), BTA No. 2016-1630 (Vol. 1/0314 - 0315)

*Eastland Mall Holdings, LLC v. Franklin County Board of Revision* (November 3, 2017), BTA No. 2016-2190 (Vol. 1/0350)

Columbus City Schools Board of Education v. Franklin County Board of Revision (November 29, 2017), BTA No. 2016-2335 (Vol. 1/0405 № 15)

*Jeffrey J. Lott v. Summit County Board of Revision* (April 3, 2018), BTA No. 2017-604 (Vol. 1/0849 № 4)

Board of Education of the South-Western Schools v. Franklin County Board of Revision (October 15, 2018), BTA No. 2014-2259 (Vol. 2/0268 P 12)

Columbus City Schools Board of Education v. Franklin County Board of Revision (January 15, 2019), BTA No. 2018-181 (Vol. 3/0041 P4)

*John Stadler v. Hamilton County Board of Revision* (March 11, 2019), BTA No. 2018-881 (Vol. 3/0229 ₱ 5)

Columbus City Schools Board of Education v. Franklin County Board of Revision (August 6, 2019), BTA Nos. 2018-1262, 2018-1265 (Vol. 3/0820 – 0821 ) 5)

Shelby Hersh v. Cuyahoga County Board of Revision (August 27, 2019), BTA No. 2018-1129 (Vol. 3/1018 – 1019 № 4)

Al Gammarino v. Hamilton County Board of Revision (September 5, 2019), BTA No. 2019-278 (Vol. 3/1138 P 10)

341 Castlewood LLC v. Montgomery County Board of Revision (October 18, 2019), BTA Nos. 2018-987, 1339, 1341, 1343, 1344, 1345, 1351, 1352, 1353, 1355, 1356, 1357, 1359, 1362, 1445, 1446, 9898, 990 (Vol. 3/1363 P 13)

John Weizman v. Montgomery County Board of Revision (January 6, 2020), BTA No. 2019-598 (Vol. 4/0024 − 0025 P4)

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New Day Reality LLC v. Summit County Board of Revision (February 13, 2020), BTA Nos. 2019-1237, 2019-1241, 2019-1242, 2019-1261, 2019-1262, 2019-1264 (Vol. 4/0373 § 5)

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New Day Realty LLC v. Summit County Board of Revision (May 4, 2020), BTA No. 2019-1260 (Vol. 4/0876 – 0877 P4)

#### As Rebuttable "Forced Sales" -

<u>Cityvilla Investments LLC v. Franklin County Board of Revision</u> (June 21, 2017), BTA No. 2016-1326

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JECA Management & Investment, LLC v. Cuyahoga County Board of Revision (July 28, 2017), BTA No. 2016-1788

Gahanna-Jefferson City Schools Board of Education v. Franklin County Board of Revision (September 1, 2017), BTA No. 2016-2206 (Vol. 1/0119 ▶ 4)

Columbus City Schools Board of Education v. Franklin County Board of Revision (September 21, 2017), BTA No. 2016-1356 (Vol. 1/0218 № 10)

Columbus City Schools Board of Education v. Franklin County Board of Revision (August 6, 2019), BTA Nos. 2018-1262, 2018-1265 (Vol. 3/0820 -0821 ) 5)

# LAND INSTALLMENT CONTRACT

See Valuation

### **LEASE**

#### <u>Impact of Lease on Value</u> –

<u>Menlo Realty Income Properties 28, LLC v. Franklin County BOR</u> (January 3, 2017), BTA No. 2016-445

GC Net Lease @ (3) (Westerville) Investors, LLC., et al v. Franklin County Board of Revision (May 17, 2017), BTA No. 2016-540

#### Leased Fee, Sale of –

Riverside Local Schools Board of Education v. Lake County Board of Revision (September 8, 2017), BTA No. 2016-883 (Vol. 1/0148 ) 5)

<u>Lease Termination Fee, Whether Included in Valuation</u> - See Valuation

### MANUFACTURED OR MOBILE HOMES

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# NEGATIVE PROPERTY CONDITIONS

Impact on Value –

<u>Friedman v. Cuyahoga County BOR</u> (January 19, 2017), BTA No. 2016-483 <u>Gupta v. Cuyahoga County Board of Revision</u>, 79 Ohio St.3d 397 (1997)

Wafa and Rana Odeh v. Cuyahoga County Board of Revision (October 10, 2017), BTA No. 2016-2058

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*Marye Solomon v. Hamilton County Board of Revision* (April 18, 2018), BTA No. 2017-940 (Vol. 1/0895 ₱ 5)

<u>Michael Isreal v. Franklin County Board of Revision</u> (May 20, 2019), BTA No. 2018-480 (Vol. 3/0519 № 6)

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<u>Al Gammarino v. Hamilton County Board of Revision</u> (August 6, 2019), BTA Nos. 2018-1687, 2018-1688 (Vol. 3/0814 – 0815 P 17)

<u>Kimberley S. Pettit v. Hamilton County Board of Revision</u> (August 27, 2019), BTA No. 2018-1618 (Vol. 3/1014 – 1015 ₱ 7)

<u>Thunder Holdings, LLC v. Stark County Board of Revision</u> (October 13, 2020), BTA Nos. 2019-2405, 2406, 2407, 2408, 2409 (Vol. 4/1330 № 4)

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# **OWNER**

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<u>Board of Education of the Columbus City Schools v. Franklin County Board of Revision</u> (January 31, 2018), BTA No. 2014-2780 (Vol. 1/0659)

<u>Newark City Board of Education v. Licking County Board of Revision</u> (January 19, 2018), BTA No. 2016-2548 (Vol. 1/0590)

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<u>2RMC Properties LLC v. Hamilton County Board of Revision</u> (June 7, 2019), BTA Nos. 2018-1749, 1750, 1752, 1753 (Vol. 3/0590 № 3)

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<u>Al Gammarino v. Hamilton County Board of Revision</u> (August 6, 2019), BTA Nos. 2018-1687, 2018-1688 (Vol. 3/0814 P 16)

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<u>Lori D. Gogolin v. Lake County Board of Revision</u> (June 15, 2020), BTA No. 2019-1720 (Vol. 4/1032 № 4)

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<u>Blues Creek Golf LLC v. Union County Board of Revision</u> (August 8, 2019), BTA No. 2018-1781 (Vol. 3/836)

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<u>Dalton Local Schools Board of Education v. Wayne County BOR</u> (January 30, 2017), BTA No. 2016-1720

Columbus City Schools Board of Education v. Franklin County Board of Revision (April 14, 2020), BTA No. 2019-1417 (Vol. 4/0817 – 0818 P 4)

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*Kathleen A. Butera v. Lake County Board of Revision* (September 13, 2017), BTA No. 2017-382 (Vol. 1/0170 № 5)

Jody Placek v. Cuyahoga County Board of Revision (September 10, 2018), BTA No. 2018-84 (Vol. 2/0084 – 0085 ₱ 3)

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William S. Johnson v. Clark County Board of Revision (October 24, 2018), BTA No. 2018-74 (Vol. 2/0304 P 8, 9)

### REAL ESTATE BROKER

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Friedman v. Cuyahoga County BOR (January 19, 2017), BTA No. 2016-483

68 ST Three MC LLC v. Hamilton County Board of Revision (September 1, 2017), BTA No. 2016-2287 (Vol. 1/0102 ) 5)

<u>Perry Local Schools Board of Education v. Stark County Board of Revision</u> (November 29, 2017), BTA No. 2016-1914 (Vol. 1/0418)

<u>Rooney Properties LLC v. Cuyahoga County Board of Revision</u> (May 21, 2018), BTA Nos. 2016-1889, 1890, 1891, 1892 (Vol. 1/0992)

Al Gammarino v. Hamilton County Board of Revision (August 6, 2019), BTA Nos. 2018-1687, 2018-1688 (Vol. 3/P 16)

JECA Management & Investment, LLC v. Cuyahoga County Board of Revision (October 20, 2017). BTA No. 2016-1773 (Vol. 1/0311 ₱ 7)

<u>Perry Local Schools Board of Education v. Stark County Board of Revision</u> (November 29, 2017), BTA No. 2016-1914 (Vol. 1/0418)

Springfield Local Schools Board of Education v. Lucas County Board of Revision (September 17, 2018), BTA No. 2017-2014 (Vol. 2/0136)

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# REALTOR

Whether "Realtor" Can File Complaint for Owner –

Francis J. Owens Sr M.D. Trustee v. Cuyahoga County BOR (February 7, 2017), BTA No. 2016-2404

# **RECEIVER**

Whether Sale from Receiver May Be Considered Arm's Length –

Worthington City Schools Board of Education v. Franklin County BOR (January 30, 2017), BTA No. 2016-151

Princeton City Schools Board of Education v. Hamilton County Board of Revision (August 24, 2017), BTA No. 2016-1515 (Vol. 1/0076 P4)

Northridge Local Schools Board of Education v. Montgomery County Board of Revision (February 27, 2018), BTA No. 2016-2553 (Vol. 1/0745)

<u>Cincinnati City Schools Board of Education v. Hamilton County Board of Revision</u> (June 8, 2018), BTA No. 2017-1164 (Vol. 1/1101)

# **RECONSIDERATION**

Whether BOR Has Authority to Reconsider its Decisions -

<u>Columbus City Schools Board of Education v. Franklin County Board of Revision, et al.</u>, 121 Ohio St.3d 218 (2009)

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Patricia K. Grooms v. Butler County Board of Revision (April 23, 2018), BTA No. 2017-1908 (Vol. 1/0903 – 0904 ₱ 3)

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<u>CEM LLC v. Franklin County Board of Revision</u> (October 4, 2018), BTA No. 2018-358 (Vol. 2/0218 P4)

<u>David and Jennifer Wloch v. Cuyahoga County Board of Revision</u> (November 30, 2018), BTA No. 2018-415 (Vol. 2/0367 – 0368 PP 4, 6)

Farzade of Toledo v. Wood County Board of Revision (December 3, 2018), BTA No. 2018-115 (Vol. 2/0386 P4)

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Folzenlogen Properties LLC v. Hamilton County Board of Revision (April 5, 2019), BTA No. 2018-1597 (Vol. 3/0353 PP 4, 5)

Elizabeth Ann Harnist v. Butler County Board of Revision (April 8, 2019), BTA No. 2018-1777 (Vol. 3/0355 ₱ 5)

*Hillview Farms, Inc. v. Union County Board of Revision* (April 8, 2019), BTA No. 2018-1671 (Vol. 3/0356 − 0358 PP 2 - 8)

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<u>Fred Green v. Wood County Board of Revision</u> (May 20, 2019), BTA No. 2018-2054 (Vol. 3/0486 – 0487 PP 2, 3)

<u>Joseph Little – MMRC LLC v. Cuyahoga County Board of Revision</u> (July 5, 2019), BTA Nos. 2018-2190, 2018-2192 (Vol. 3/0660 – 0661 № 4)

<u>Scott Holthaus v. Franklin County Board of Revision</u> (July 9, 2019), BTA No. 2018-2160 (Vol. 3/0691 − 0692 PP 3, 4, 5)

Gary W. Ramsey & Bobbie Simmerman v. Cuyahoga County Board of Revision (December 23, 2019), BTA No. 2019-512 (Vol. 3/1578 – 1579 PP 4, 5, 6)

<u>David Poole v. Franklin County Board of Revision</u> (December 23, 2019), BTA No. 2019-610 (Vol. 3/1586 − 1588 PP 2, 3, 4)

*Marilyn M. Schumick v. Franklin County Board of Revision* (December 31, 2019), BTA No. 2019-619 (Vol. 3/1599 − 1601 PP 2, 3, 4)

<u>Steve & Karen Knight v. Brown County Board of Revision</u> (January 7, 2020), BTA No. 2019-517 (Vol. 4/0070 № 5)

*Joseph and Nancy Schmitt v. Butler County Board of Revision* (January 29, 2020), BTA No. 2019-1064 (Vol. 4/0250 № 5)

Jeffrey J. Kimmell v. Hamilton County Board of Revision (February 12, 2020), BTA No. 2019-1430 (Vol. 4/0315 − 0316 PP 4, 5)

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<u>Billy Jones v. Lucas County Board of Revision</u> (March 19, 2020), BTA Nos. 2019-536 – 541 (Vol. 4/0597 – 0598 № 3, 4)

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Sheila Graham v. Hamilton County Board of Revision (April 2, 2020), BTA Nos. 2019-2348, 2019-2349, 2019-2394 (Vol. 4/0701 ▶ 3)

<u>Diane M. Francescon and Mark A. Francescon v. Franklin County Board of Revision</u> (May 18, 2020), BTA No. 2019-2653 (Vol. 4/0922 P4)

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Raajaganapathy LLC v. Franklin County Board of Revision (January 12, 2021), BTA No. 2020-1126 (Vol. 5/P) 3)

#### SECTION 8 HOUSING PAYMENTS

Impact on Value of Property –

Eastland Manor Apartments, LLC v. Franklin County Board of Revision, et al. (May 3, 2017), BTA No. 2016-537

### SHERIFF'S SALES

See Valuation

### SHOPPING CENTERS

See Valuation

# **SHORT SALE**

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# STATUTORY RECORD

# When Unintelligible -

Kohl's Illinois, Inc., et al. v. Marion County BOR (January 5, 2017), BTA No. 2016-138

#### What Should Be Included In -

Columbus Board of Education, et al. v. Franklin County BOR (January 10, 2017), BTA Nos. 2016-468, 469, 470

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#### STIPULATED VALUE

#### Board of Revision -

#### Is BOR Bound by Stipulated Value –

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