BEFORE THE
INDIANA BOARD OF TAX REVIEW

Olav Lund-Mikkelsen and Lisa Dullum,	)	
	)	Pet. No.: 79-026-24-1-5-00601-24
Petitioners,	)	
	)	
v.	)	Parcel No: 79-07-17-318-017.000-026
	)	
TIPPECANOE COUNTY ASSESSOR,	)	
	)	Assessment Year: 2024
Respondent.	)	

Date: July 2, 2026

FINAL DETERMINATION

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

I. INTRODUCTION

1. Petitioners Olav Lund-Mikkelsen and Lisa Dullum (collectively the "Taxpayers") and Respondent Tippecanoe County Assessor (the "Assessor") raise several challenges to the constitutionality of the property tax system and seek an equalization adjustment. The parties fail to meet the burden of proof, and we deny all claims.

II. PROCEDURAL HISTORY

2. The Taxpayers filed a Form 130 petition with the Tippecanoe County Assessor. The Property Tax Assessment Board of Appeals ("PTABOA") denied the Taxpayers relief, and they timely appealed to the Board.

3. Our designated ALJ held a hearing on December 4, 2025. Lisa Dullum, Tippecanoe County Assessor Eric Grossman, and Deputy Assessor Christopher Coakes testified under oath.

4. The Taxpayers did not offer any exhibits. The Assessor submitted the following exhibits:

   1. Purdue Data Mine Report
   2. Addendum to Purdue Data Mine Report
   3. Determining Reasons for Ratio Discrepancies – 2019 OSA Data
   4. Larry DeBoer Data Mine Questions
   5. ICLEF Manual
   6. Barry Wood ICLEF Transcript
   7. Elrod ICLEF Transcript
   8. IAA Email – Brian Spaulding
   9. Subject Property Record Card
   10. 120 Fowler PRC & Sale Disclosure
   11. 211 E State PRC & Sale Disclosure
   12. 720 Northwestern PRCs & Sales Disclosures
   13. 720 Northwestern 2024 Form 134

5. The record of proceedings also includes the following: (1) all petitions, motions, and other documents filed in this appeal, and (2) all orders and notices issued by the Board or ALJ.

III. FINDINGS OF FACT

A. Background

6. Indiana's real property tax system incorporates mass appraisal techniques to generate individual property tax assessments. An individual tax assessment is based on a formulaic calculation that considers several factors, including the specific characteristics of the property's improvements, cost schedules, and land valuations. To determine the overall accuracy and equity of the mass assessment calculations, county assessors perform ratio studies to compare the assessments to market values. This is accomplished by identifying recent sales and considering the difference between the sale price and the assessment, which is called a "sale ratio." The results are compiled into a "ratio study." The mass appraisal process divides property into classes based on real estate markets and conducts separate ratio studies for each class. *Ex. 1;* 2021 REAL PROPERTY ASSESSMENT MANUAL; ("Manual") (incorporated by reference at 50 IND. ADMIN. CODE 2-4-1.2 (2020)) (discussing assessment ratio studies); 2021 REAL PROPERTY ASSESSMENT GUIDELINES FOR 2021 ("Guidelines") (incorporated by reference at 50 I.A.C. 2-4-1.2(c)) (providing acceptable procedures and schedules for determining true tax value under the cost

approach); *Eckerling v. Wayne Twp. Ass'r*, 841 N.E.2d 674, 675-77 (Ind. Tax Ct. 2006) (discussing how assessments are determined under Indiana's tax assessment system).

7. A ratio study considers two measures of accuracy and equity: the median level of assessment and the coefficient of dispersion (COD: the average difference between each sale and its group's median ratio, dividing by the median ratio, and multiplying by 100). Under Department of Local Government Finance ("DLGF") guidelines, a ratio study is considered acceptable if the median falls within .9 and 1.1 of market value and the COD is in the range of 0%-15% for residential and 0%-20% for all other classes of property. A ratio study may also consider bias in regard to the price related differential, which considers whether higher priced properties tend to be undervalued and, likewise, whether lower priced properties tend to be overvalued. Because the accuracy of the mass appraisal system is based on the median, half of individual assessments will be above or below the median level of assessment, and an individual assessment may be outside the COD. This is true even when the assessments meet all the DLGF standards for accuracy. *Ex. 1;* Manual at 5, 7, 13-15.

B. The Subject Property

8. The subject property is a single-family home located at 1016 Catherwood Ct. in West Lafayette. The residence is 3178 s/f. It is within Wabash Township and Taxing District 026. The residence is assessed at $441,600 for the January 1, 2024, assessment date. *Ex. 9.*

9. The calculations in the Data Mine Study[1] as adjusted by the Addendum,[2] indicate the following ratios relevant to the relief requested for the subject property:

	State	County	Township	District
Residential Improved Ratio	.93	.89	.87	.86
Agricultural Vacant Ratio	.14	.16	.11	None Listed

[1] Larry DeBoer, et. al. "Evaluating Assessment Equity of Properties in Tippecanoe County," July 19, 2025. We refer to this report as the "Data Mine Study."
[2] Eric Grossman, "Tippecanoe Assessor's Office Addendum to Data Mine Report," September 9, 2025. We refer to this report as the "Addendum."

Exs. 1, 2.

C. The Data Mine Study and the Addendum

10. The Data Mine Study was conducted by graduate students and academics at Purdue University in collaboration with the Tippecanoe County Assessor's Office. With some exceptions, the Data Mine Study considered data from 2023. *Ex. 1.*

11. The Data Mine Study focused on the question of what comparable sales should be included or excluded from a county assessor's ratio studies. Rather than reaching a definitive conclusion, the Data Mine Study considered "moderate" and "aggressive" approaches to including sales. Under its initial analysis, the Data Mine Study concluded that the standards issued by the International Association of Assessing Officers ("IAAO") "were met by almost all counties for almost all property types in the original county ratio studies."[3] Under the moderate study, "sale ratios remained within IAAO standards for Industrial Vacant land, and for all three Improved property categories, but not for most vacant land." For the aggressive study, "more than half of all counties had median sale ratios outside the standard for all but Residential Improved property." *Ex. 1.*

12. Because individual counties and townships frequently have limited sales data for non-residential property classes, the Data Mine Study used a clustering process to "group" sales data from beyond county boundaries. For Tippecanoe County for 2023, the report concluded to the following median ratios of assessment to market value (original; moderate; aggressive):

	County	Rural Parcel	Urban Parcel
Industrial Improved[4]	1.0; .98; .98	.96; .96; .67	1.07; .98; .98
Commercial Improved	.91; .69; .69	.98; .96; .95	.92; .75; .75
Residential Improved	.90; .89; .89	.94; .94; .94	.90; .98; .98
Commercial Vacant	---; .06; .06	.95; .62; .40	---; .23; .20
Residential Vacant	.94; .89; .89	.96; .80; .80	.94; .90; .89
Agricultural[5]	.11; .13; .16		

[3] Six property classes, or types, were analyzed under the Data Mine Study: "Residential, Industrial and Commercial Vacant land, and Residential, Industrial and Commercial Improved properties." *Ex. 1.*
[4] No ratio data was included for Industrial Vacant land for Tippecanoe County. *Ex. 1.*
[5] Agricultural land was not considered based on original, moderate, or aggressive approaches. Rather, agricultural land ratios were developed under a different formula that reached lower bound, median, and upper bound conclusions. Agricultural land was not clustered. *Ex. 1.*

The Data Mine Study's sales ratios for Tippecanoe County for 2023 generally met the target range for industrial, residential, and, to a lesser extent, improved commercial property classes, under the moderate and aggressive approaches to comparable sales. Commercial vacant land and agricultural land were not assessed at a similar ratio to their market value as other classes. We find the low assessment-to-market-value-ratio in these property classes resulted from the application of Indiana Code § 6-1.1-4-13.2, which sets agricultural assessments without regard to sales data, and Indiana Code § 6-1.1-4-12 (known as the Developer's Discount) which tends to apply the agricultural assessment method to vacant commercial property. *Ex. 1.*

13. The Data Mine Study concluded to the following COD percentages for Tippecanoe County in 2023:

	County	Rural Parcel	Urban Parcel
Industrial Improved	16.59; 36.58; 36.58	13.46; 13.46; 33.86	16.99; 36.36; 36.36
Commercial Improved	15.73; 56.02; 56.02	37.31; 19.85; 26.43	15.65; 43.74; 43.74
Residential Improved	11.32; 18.33; 18.53	12.14; 40.06; 39.65	14.23; 19.33; 20.23
Commercial Vacant	--- ; 56.02; 56.02	17.21; 56.55; 88.21	---; 100.77; 111.15
Residential Vacant	7.21; 23.76; 23.76	12.14; 40.06; 39.65	8.72; 22.05; 22.35
Agricultural	47.97		

The deviation from the targeted COD range of 0%-15% for residential and 0%-20% for all other classes of property was significantly more pronounced under the aggressive and moderate sales approaches in all categories. *Ex. 1.*

14. The affidavit of Larry DeBoer established that "most counties had sales ratios and COD's within the IAAO standard, even after the Data Mine [S]tudy added excluded properties." We find this persuasive evidence regarding the overall appropriateness of the DLGF standards and regulations in meeting established assessing standards for accuracy and equity. *Ex. 4.*

15. The Addendum builds on the Data Mine Study. The Addendum identifies an additional source of the discrepancy in the COD: the exclusion of investment residential properties and commercial apartment sales from the ratio studies as a consequence of Indiana Code § 6-1.1-4-39 (assessment of apartments). We find that the apartment statute may require certain properties to be assessed at a standard other than the sales comparison approach, and assessors may have excluded recent sales of such properties from their ratio studies. The inclusion of those sales under the moderate and aggressive models is likely one of the causes of the disparity in the COD. *Ex. 2.*

16. While the Addendum indicates "an expanded ratio study for Tippecanoe County was compiled," it was not produced in a manner that evidenced a proposed reassessment or equalization adjustment that would achieve county-wide compliance with IAAO or DLGF standards for property assessments under the moderate or aggressive models. *Ex. 2.*

17. We accept as credible the Assessor's opinion that the statewide 2024 dataset was "incomplete" due to the inclusion of only 74 counties. We also note the Addendum does not include Marion and Lake counties, the two largest counties. We accept as credible the Assessor's opinion that this "omission significantly limits the analysis." *Ex. 2.*

18. Given the limited sample size and significant variation between the various property types, we find the 2024 data for the subject property's township to be of limited value. *Ex. 2.*

19. The Data Mine Study presented a "list of broad recommendations." We do not find that these credibly establish any particular fact. *Ex. 1.*

20. We find no credible value in the Assessor's "Determining Reasons for Discrepancies in Percentage of Valid Sales in Ratio Tests Across Indiana Counties," as it does not tend to prove any particular fact. *Exs. 1, 2.*

21. We find no relevant facts are established by the exhibits related to the 25th Annual Indiana Property Tax Institute. *Exs. 6, 7.*

22. We find no relevant facts are contained within the Brian Spaulding email. *Ex. 8.*

IV. CONTENTIONS

23. On their Form 130, the Taxpayers raised one challenge: the constitutionality of the uniformity and equality of the system based on the enactment of Indiana Code § 6-1.1-4-39. On their Form 131, the Taxpayers did not explain their contentions and only checked the box for a challenge as to the legality or constitutionality of the assessment.

24. At the hearing, the Taxpayers only stated that their assessment was not fair or constitutional. *Dullum testimony.*

25. The Assessor presented general testimony summarizing the exhibits. In addition, the Assessor presented the property record cards of several commercial apartment facilities and argument regarding whether the facilities were assessed at their market value or market value-in-use. The Assessor did not offer any argument regarding what the subject property's assessment should be or ask for any specific relief. *Grossman testimony; Coakes testimony.*

V. CONCLUSIONS OF LAW AND ANALYSIS

26. The burden of proof is a "party's duty to prove a disputed assertion or charge." *Southlake Indiana, LLC v. Lake Cnty. Ass'r*, 174 N.E.3d 177, 180 (Ind. 2021) (citation and internal quotation marks omitted). "The party challenging the constitutionality of [a] statute bears the burden of proof." *Sawlani v. Lake Cnty. Ass'r*, 267 N.E.3d 419, 425 (Ind. 2025) (citation and internal quotation marks omitted). A party has a "duty to walk the Indiana Board through every element" necessary to meet the burden of proof. *Donovan v. Clark Cnty. Ass'r*, 273 N.E.3d 1170, 1181-82 (Ind. Tax Ct. 2025) (citation and internal quotation marks omitted).

A. The Taxpayers Have Failed to Meet the Burden of Proof

27. At the conclusion of the hearing, the ALJ granted the parties' request to file post-hearing briefs. But the Taxpayers did not file a brief. Thus, we address the arguments as they were presented at the hearing. The Taxpayers have not cited to appropriate case law or other authority in support of their claims. They have neither established the standard for prevailing on their constitutional claims, nor applied the facts to the law. In the absence

of "relevant evidence, legal authority, or persuasive argument," the Board cannot grant relief. *CVS Corp. #2519-01 v. Prince*, 149 N.E.3d 323, 327 (Ind. Tax Ct. 2020) (citation omitted). When faced with inadequate argument, a tribunal cannot "abandon its role as an impartial adjudicator" or risk becoming "an advocate for one of the parties." *Ciceu v. Knox Cnty. Ass'r*, 232 N.E.3d 662, 666 (Ind. Tax Ct. 2024). In particular, the Taxpayers have not met their burden of showing that their assessment was unconstitutional. Under these circumstances, we cannot grant relief.

B. The Assessor Has Failed to Meet the Burden of Proof

28. At the conclusion of the hearing, the ALJ granted the parties' request to file post-hearing briefs. But the Assessor did not file a brief. Thus, we address the arguments as they were presented at the hearing or can be derived from the evidence. The Assessor has not cited to appropriate case law or other authority in support of his claims. He has neither established the standard for prevailing on his constitutional claims, nor applied the facts to the law. In the absence of "relevant evidence, legal authority, or persuasive argument," the Board cannot grant relief. *CVS Corp.*, 149 N.E.3d at 327. When faced with inadequate argument, a tribunal cannot "abandon its role as an impartial adjudicator" or risk becoming "an advocate for one of the parties." *Ciceu*, 232 N.E.3d at 666. In particular, the Assessor's presentation of the assessments of three apartment complexes does not demonstrate that the subject property's assessment was unconstitutional. And the Assessor did not present evidence showing what the subject property's assessment should be. Under these circumstances, we cannot grant relief.

VI. Conclusion

29. Because the parties have failed to meet the burden of proof, we deny all claims raised in this appeal.

This Final Determination is issued on the date written above.

Jonathan R. Elrod
Chairman, Indiana Board of Tax Review

Timothy J. Elliott
Commissioner, Indiana Board of Tax Review

Brandee A. Charon
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>.