

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Parashos Lagouros
DOCKET NO.: 06-00131.001-R-1
PARCEL NO.: 14-22-427-011

The parties of record before the Property Tax Appeal Board are Parashos Lagouros, the appellant, by attorney Robert W. McQuellon III, Peoria, Illinois; and the Peoria County Board of Review.

The subject property consists of a two-story brick dwelling with an attic containing 8,334 square feet of living area that was built in 1918. Features include a partial finished basement, central air conditioning, three fireplaces, and two garages totaling 2,142 square feet. The subject property is located on historic Grandview Drive with a river view in Peoria Heights, Illinois.

The appellant appeared before the Property Tax Appeal Board through counsel claiming a lack of uniformity regarding the subject's improvement assessment. The subject's land assessment was not contested. In support of the inequity claim, the appellant submitted photographs, property record cards and an assessment analysis of three suggested comparables. The evidence was prepared by Robert W. McQuellon of McQuellon Consulting, Inc., who was present at the hearing for direct and cross-examination.

The comparables consists of a one-story brick dwelling and two, two-story frame or masonry dwellings that were built from 1986 to 1990. The comparables are located approximately 5 miles from the subject. Features include unfinished basements, central air conditioning, one fireplace and garages ranging in size from 575 to 936 square feet. The dwellings range in size from 3,852 to 4,532 square feet of living area and have improvement assessments ranging from \$106,030 to \$126,450 or from \$27.52 to \$29.74 per square foot of living area. The subject property has an improvement assessment of \$294,660 or \$35.36 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's assessment of \$336,620 was disclosed. In response to the appeal, the board of review argued

(Continued on Next Page)

Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds no change in the assessment of the property as established by the Peoria County Board of Review is warranted. The correct assessed valuation of the property is:

LAND:	\$	41,960
IMPR.:	\$	294,660
TOTAL:	\$	336,620

Subject only to the State multiplier as applicable.

the appellant's comparables are comprised a newer modern dwellings that are located a considerable distance from the subject in a different subdivision. The board of review argued it submitted three comparables located in close proximity along the subject's street that are more similar in age when compared to the subject.

The board of review's comparables consists of two-story masonry, frame, frame and masonry dwellings that were built from 1930 to 1950. Two comparables have partial finished basements and one comparable has an unfinished basement. Other features include central air conditioning, one or two fireplaces and garages ranging in size from 575 to 936 square feet. The dwellings range in size from 3,750 to 5,521 square feet of living area and have improvement assessments ranging from \$136,010 to \$218,740 or from \$36.27 to \$46.95 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

After hearing the testimony and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The Property Tax Appeal Board further finds no reduction in the subject property's assessment is warranted.

The appellant argued the subject property was inequitably assessed. The Illinois Supreme Court has held that taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessment valuations by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). The evidence must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. After an analysis of the evidence, the Board finds the appellant failed to overcome this burden of proof.

The Property Tax Appeal Board finds the record contains six suggested comparables for consideration. The Board finds neither party's comparables particularly similar to the subject in size, age or features. Nevertheless, the Board placed less weight on the comparables submitted by the appellant. These suggested comparables are dissimilar in age and are located in a different subdivision that is located a considerable distance from the subject. The Board also gave less weight to one comparable submitted by the board of review due to its considerably smaller size when compared to the subject. The Board finds the remaining two comparables submitted by the board of review are most similar to the subject in age, design, location, and amenities. These most similar properties are somewhat smaller in size when compared to the subject, containing 4,644 and 5,521 square feet of living area, whereas the subject dwelling has 8,334 square feet of living area. These most similar comparables have improvement assessments of \$218,050 and \$218,740 or \$39.62 and \$46.95 per square foot of living area. The subject property has

an improvement assessment of \$294,660 or \$35.36 per square foot of living area, which is less than the two most similar comparables contained in this record on a per square foot basis. After considering adjustments to the most similar comparables for differences when compared to the subject, the Board finds the subject's improvement assessment is supported and no reduction is warranted.

The constitutional provision for uniformity of taxation and valuation does not require mathematical equality. The requirement is satisfied if the intent is evident to adjust the burden with a reasonable degree of uniformity and if such is the effect of the statute enacted by the General Assembly establishing the method of assessing real property in its general operation. A practical uniformity, rather than an absolute one, is the test. Apex Motor Fuel Co. v. Barrett, 20 Ill.2d 395 (1960). Although the comparables contained in the record disclose that properties are not assessed at identical levels, all that the constitution requires is a practical uniformity, which appears to exist on the basis of the evidence. As a result of this analysis, the Board finds no reduction in the subject's land or improvement assessments is warranted.

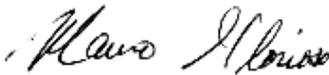
This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code.



Chairman



Member



Member



Member

Member

DISSENTING: _____

C E R T I F I C A T I O N

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: February 20, 2009



Clerk of the Property Tax Appeal Board

IMPORTANT NOTICE

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing complaints with the Board of Review or after adjournment of the session of the Board of Review at which assessments for the subsequent year are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for the subsequent year directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.