

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Steve Bantz and Stan Jenkins  
DOCKET NO.: 06-00248.001-R-1  
PARCEL NO.: 43-20-13-252-041

The parties of record before the Property Tax Appeal Board are Steve Bantz and Stan Jenkins, the appellants, and the Champaign County Board of Review.

The subject property consists of a 102-year old single story frame dwelling that contains 800 square feet of living area. Features include a full unfinished basement.

The appellants contend the market value of the subject property is not accurately reflected in its assessed valuation. In support of this overvaluation argument, the appellants submitted a real estate listing depicting the property sold in January 2007 for \$65,000, which included \$1,000 of personal property. A real estate transfer declaration sheet and a letter from a real estate broker were also submitted to support this claim. The appellants also submitted the final decision issued by the Champaign County Board of Review establishing a total assessment for the subject of \$28,480, which reflects a market value of approximately \$85,809 or \$107.26 per square foot of living area including land, using the three-year median level of assessments for Champaign County of 33.19% as determined by the Illinois Department of Revenue. Based on this evidence the appellants requested the subject's total assessment be reduced to \$27,120 or \$33.90 per square foot of living area, including land.

The board of review submitted its "Board of Review Notes on Appeal" and three comparable sales in support of its assessed valuation of the subject property. The sales comparables were located within three blocks of the subject. These comparables

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Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds a reduction in the assessment of the property as established by the Champaign County Board of Review is warranted. The correct assessed valuation of the property is:

LAND:	\$	11,130
IMPR.:	\$	15,990
TOTAL:	\$	27,120

Subject only to the State multiplier as applicable.

ranged from 50 to 88 years old and ranged in size from 830 to 1,140 square feet of living area. The homes sold from April to August 2006 for prices ranging from \$83,000 to \$111,000 or from \$88.77 to \$133.73 per square foot of living area, including land.

After reviewing the record 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 Board further finds the evidence in the record supports a reduction in the subject's assessment. However, the record indicates that the appellants did not file a complaint with the board of review but appealed the assessment directly to the Property Tax Appeal Board based on notice of an equalization factor.

Since the appeal was filed after notification of an equalization factor, the amount of relief that the Property Tax Appeal Board can grant is limited. Section 1910.60(a) of the Official Rules of the Property Tax Appeal Board states in part:

If the taxpayer or owner of property files a petition within 30 days after the postmark date of the written notice of the application of final, adopted township equalization factors, the relief the Property Tax Appeal Board may grant is limited to the amount of the increase caused by the application of the township equalization factor. 86 Ill.Admin.Code §1910.60(a).

Additionally, section 16-180 of the Property Tax Code (35 ILCS 200/16-180) provides in pertinent part:

Where no complaint has been made to the board of review of the county where the property is located and the appeal is based solely on the effect of an equalization factor assigned to all property or to a class of property by the board of review, the Property Tax Appeal Board may not grant a reduction in the assessment greater than the amount that was added as the result of the equalization factor.

These provisions mean that where a taxpayer files an appeal directly to the Property Tax Appeal Board after notice of application of an equalization factor, the Board cannot grant an assessment reduction greater than the amount of increase caused by the equalization factor. Villa Retirement Apartments, Inc. v. Property Tax Appeal Board, 302 Ill.App.3d 745, 753 (4<sup>th</sup> Dist. 1999). Based on a review of the evidence contained in the

record, the Property Tax Appeal Board finds a reduction in the assessment of the subject property is supported. However, the reduction is limited to the increase in the assessment caused by the application of the equalization factor.

The appellants in this appeal submitted a real estate transfer declaration sheet and other evidence indicating the subject, without personal property, was purchased in January 2007 for \$64,000 or \$80 per square foot of living area, including land. The subject's assessment reflects a market value of approximately \$85,809 or \$107.26 per square foot of living area including land, using the three-year median level of assessments for Champaign County of 33.19% as determined by the Illinois Department of Revenue. The Board finds the subject's purchase in January 2007 for \$64,000, without personal property, is the best evidence in this record of the subject's market value.

Based on this analysis, the Board finds the subject's estimated market value as reflected by its assessment is excessive.

In conclusion, the Board finds the appellant has demonstrated the subject property was overvalued by a preponderance of the evidence. Therefore, the Board finds the subject property's assessment as established by the board of review is incorrect and a reduction 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: May 30, 2008



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.