

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Henry Halverson
DOCKET NO.: 06-01454.001-R-1
PARCEL NO.: 16-2-03-36-02-204-054

The parties of record before the Property Tax Appeal Board are Henry Halverson, the appellant; and the Madison County Board of Review.

The subject property consists of a one-story single family dwelling of frame construction that contains 1,843 square feet of above grade living area. Features of the home include a full finished basement, central air conditioning, a fireplace and a two-car attached garage with 528 square feet. Other features include a wooden deck, a concrete patio and a boat dock. The dwelling was constructed in 2002. The improvements are located on a 14,839 square foot parcel in Worden, Moro Township, Madison County.

The appellant contends both overvaluation and assessment inequity as the bases of the appeal. In support of both arguments the appellant submitted information on four suggested comparable properties. The comparables were composed of three, one-story dwellings and one, split-level dwelling, located within 500 yards of the subject. The comparables ranged in size from 1,260 to 1,456 square feet of ground floor living area and ranged in age from 14 to 38 years old. Each comparable had a basement with three having finished area; each comparable had central air conditioning; two comparables have fireplaces; and three comparables have two-car attached garages. The appellant indicated the comparables had parcels ranging in size from 14,625 to 18,612 square feet. The appellant indicated that the comparables sold from October 2001 to August 2005 for prices ranging from \$144,000 to \$270,000 or from \$103.44 to \$207.53 per square foot of ground floor living area. These same comparables have improvement assessments ranging from \$34,200 to \$56,160 or from \$27.14 to \$41.43 per square foot of ground floor living area. Their land assessments ranged from \$18,350 to \$20,115 or from \$1.08 to \$1.28 per square foot of land area. The appellant also submitted a copy of a decision issued by the Property Tax Appeal Board for the prior year under docket number 05-02326.001-R-1 wherein the subject's total assessment was reduced to

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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 Madison County Board of Review is warranted. The correct assessed valuation of the property is:

LAND:	\$	19,080
IMPR.:	\$	74,230
TOTAL:	\$	93,310

Subject only to the State multiplier as applicable.

\$78,900. The evidence further revealed that the appellant filed the appeal directly to the Property Tax Appeal Board following receipt of the notice of an equalization factor increasing the subject's assessment from \$83,130 to \$93,310. Based on this evidence the appellant requested the subject's assessment be reduced to \$88,000.

The board of review submitted its "Board of Review Notes on Appeal" wherein its final assessment of the subject totaling \$93,310 was disclosed. The subject's assessment reflects a market value of approximately \$280,040 or \$151.94 per square foot of ground floor living area using the 2006 three year median level of assessments for Madison County of 33.32%. The board of review submitted copies of the property record cards for the subject and the appellant's first three comparables. A review of the subject's property record card indicated the subject had 1,843 square feet of ground floor living area. The board of review indicated that the appellant's comparable 4 was a split level dwelling different from the subject's one-story design. The board of review indicated the three remaining comparables had improvement assessments excluding various features such as garages, finished basement area, open frame porches, brick, fireplace and boat dock, ranging from \$25.40 to \$32.36 per square foot of living area. The board indicated the subject had an improvement assessment without these same features of \$32.12 per square foot. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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 the appeal. The Board further finds a reduction in the subject's assessment is not warranted based on the evidence in the record.

The appellant argued in part overvaluation as the basis of the appeal. The Board finds of the four comparable sales submitted by the appellant, only one had a date of sale that was proximate in time to the assessment date at issue and was somewhat similar to the subject with respect to style and size. This comparable sold in August 2005 for a price of \$270,000 or \$207.53 per square foot of ground floor living area. The subject's assessment reflects a market value of approximately \$280,040 or \$151.94 per square foot of ground floor living area using the 2006 three year median level of assessments for Madison County of 33.32%, which is below the value of the most similar comparable on a per square foot basis. The Board finds this evidence demonstrates the subject is not overvalued for assessment purposes.

With respect to the uniformity argument, the Board finds three comparables were similar to the subject in style; however, these three comparables were from 9 to 33 years older than the subject. These comparables had improvement assessments ranging from \$34,200 to \$56,160 or from \$27.14 to \$41.43 per square foot of ground floor living area. The subject had an improvement assessment of \$74,230 or \$40.28 per square foot of ground floor

living area. The subject's assessment is within the range of the comparables on a per square foot basis, which the Board finds is equitable after considering the subject's superior age.

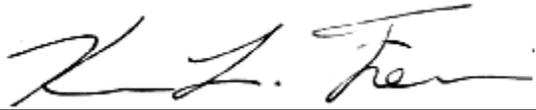
With respect to the land assessments, the Board finds the comparables had land assessments ranging from \$18,350 to \$20,115 or from \$1.08 to \$1.28 per square foot of land area. The subject has a land assessment of \$19,080 or \$1.29 per square foot of land area, which is supported by the comparables.

With respect to the previous year's decision, the Property Tax Appeal Board finds the appellant made no showing that 2005 and 2006 were in the same general assessment period that would allow the prior year's decision to be carried forward subject to equalization as provided by section 16-185 of the Property Tax Code (35 ILCS 200/16-185).

In conclusion the Board finds a reduction in the subject's assessment is not 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.

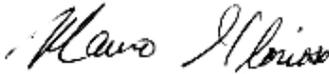
Chairman



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: April 24, 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.