

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Luis T. Youn
DOCKET NO.: 06-01589.001-R-1
PARCEL NO.: 14-2-15-21-04-401-004

The parties of record before the Property Tax Appeal Board are Luis T. Youn, the appellant; and the Madison County Board of Review.

The subject property is improved with a one-story with finished attic single family dwelling with 3,274 square feet of above grade living area. Features of the dwelling include a full basement with 950 square feet of finished living area, central air conditioning, two fireplaces, a 772 square foot attached garage, a wooden deck and two concrete patios. The dwelling is of frame and masonry construction and was built in 1993. The property is located on an irregular parcel in Edwardsville, Edwardsville Township, Madison County.

The appellant contends assessment inequity and overvaluation as the bases of the appeal. In support of these arguments the appellant submitted descriptions and photographs on three comparables. The comparables were described as being improved with two-story dwellings of brick or masonry and frame exterior construction that ranged in size from 2,854 to 4,159 square feet of above grade living area. Each comparable had a full basement with comparable 1 having 1,070 square feet of finished living area in the basement according to the property record card. Each comparable had central air conditioning, two fireplaces and an attached garage. The garages ranged in size from 720 to 864 square feet. The dwellings were constructed from 1983 to 1989. The comparables had improvement assessments that ranged from \$68,030 to \$107,350 or from \$23.45 to \$25.81 per square foot of above grade living area. These same comparables had land assessments ranging from \$12,960 to \$26,040.

The appellant also indicated that comparable 2 sold in December 2006 for a price of \$309,000 or \$74.30 per square foot of living area.

The evidence further revealed that the appellant did not file a complaint with the board of review but filed an appeal directly

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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:	\$	28,860
IMPR.:	\$	99,820
TOTAL:	\$	128,680

Subject only to the State multiplier as applicable.

to the Property Tax Appeal Board following receipt of the notice of an equalization factor increasing the subject's assessment from \$117,560 to \$128,680. Based on this evidence the appellant requested the subject's assessment be reduced to \$117,560.

The board of review submitted its "Board of Review Notes on Appeal" wherein its final assessment of the subject totaling \$128,680 was disclosed. The subject has a land assessment of \$28,860 and an improvement assessment of \$99,820 or \$30.49 per square foot of above grade living area. The subject's total assessment reflects a market value of \$386,735 or \$118.12 per square foot of above grade living area using the 2006 three year median level of assessments for Madison County of 33.32%.

To demonstrate the subject property was equitably assessed, the board of review submitted descriptions and assessment information on four, 1-story dwellings and four 1.5 or 2-story dwellings of brick or brick and frame construction. The 1-story dwellings ranged in size from 2,160 to 2,731 square feet of above graded living area and were constructed from 1988 to 1997. Each comparable had a full basement with finished living area ranging in size from 780 to 1,300 square feet. Each comparable had two fireplaces, central air conditioning and an attached garage ranging in size from 760 to 864 square feet. Three of the comparables had swimming pools. These properties had improvement assessments ranging from \$98,340 to \$121,230 or from \$44.39 to \$45.53 per square foot of above grade living area.

The 1.5 and 2-story dwellings ranged in size from 2,608 to 3,577 square feet of above grade living area and were built from 1989 to 1994. Each comparable had a full basement with finished living area ranging in size from 600 to 1,226 square feet of living area. Each comparable had central air conditioning, one or two fireplaces and an attached garage that ranged in size from 600 to 890 square feet. These properties had improvement assessments that ranged from \$97,380 to \$118,100 or from \$33.02 to \$37.34 per square foot of above grade living area.

The eight comparables had land assessments that ranged from \$17,560 to \$49,900.

The board of review also indicated its 1-story comparable 4 sold in May 2006 for a price of \$456,500 or \$167.15 per square foot of above grade living area. 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 the evidence in the record does not support a reduction in the assessment of the subject property.

The appellant argued in part assessment inequity. Taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessments 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 assessment data the Board finds a reduction is not warranted.

The Board finds those comparables most similar to the subject in age, size and style were appellant's comparable 1 and the 1.5 and 2-story comparables submitted by the board of review. These five comparables were built from 1989 to 1994 and ranged in size from 2,608 to 3,577 square feet of above grade living area. Each comparable had similar features as the subject, including finished living area in the basement. Their improvement assessments ranged from \$68,030 to \$118,100 or from \$23.83 to \$37.34 per square foot of above grade living area. The subject has an improvement assessment of \$99,820 or \$30.49 per square foot of above grade living area, which is within the range and supported by the most similar comparables. After considering adjustments and the differences of these most similar comparables when compared to the subject, the Board finds the subject's improvement assessment is equitable and a reduction in the subject's improvement assessment is not warranted based on a lack of uniformity.

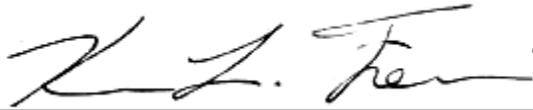
The comparables submitted by the parties had varying land sizes. The land assessments ranged from \$12,960 to \$49,900. The subject has a land assessment of \$28,860, which is within the range established by the comparables. The Board finds this evidence indicates the subject's land is equitably assessed.

The appellant also made an argument with respect to overvaluation. The record contains only two sales, which were not particularly similar to the subject in above grade living area or style. Nevertheless, these two properties were reported to have sold in May 2006 and December 2006 for prices of \$465,000 and \$309,000 or \$167.15 and \$74.30 per square foot of above grade living area, respectively. The subject's total assessment reflects a market value of \$386,735 or \$118.12 per square foot of above grade living area using the 2006 three year median level of assessments for Madison County of 33.32%, which is within the broad range established by the two sales. The Board finds this evidence demonstrates the subject's assessment is reflective of its market value.

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.



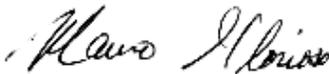
Chairman



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: July 28, 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.