

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: James P. Stites
DOCKET NO.: 06-02202.001-R-1
PARCEL NO.: 15-15.0-126-009

The parties of record before the Property Tax Appeal Board are James P. Stites, the appellant, and the Sangamon County Board of Review.

The subject property consists of a 16 year old, one-story style dwelling that contains 1,290 square feet of living area. Features include central air conditioning, a fireplace and two-car garage.

The appellant submitted evidence before the Property Tax Appeal Board claiming the subject's assessment was not reflective of its fair market value. In support of this claim, the appellant submitted an appraisal report wherein the subject property was estimated to have a fair market value of \$87,000 as of January 23, 2003, using two of the three traditional approaches to value. The evidence further revealed that the appellant did not file a complaint with the board of review but filed an appeal directly to the Property Tax Appeal Board following receipt of the notice of an equalization factor. Based on this evidence, the appellant requested removal of the equalization factor applied to the subject's assessment or a total assessment of \$31,973.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final equalized assessment of \$33,476 was disclosed. The subject's assessment reflects an estimated market value of \$101,339 using Sangamon County's 2006 three-year median level of assessment of 33.30%. In response to the appeal, the board of review argued the appellant submitted an appraisal dated January 1, 2003, outside of range to determine value for January 1, 2006. The board of review did not submit any independent valuation evidence to support its assessment of the subject property. 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 this appeal. The Property Tax

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

LAND:	\$	2,749
IMPR.:	\$	29,224
TOTAL:	\$	31,973

Subject only to the State multiplier as applicable.

Appeal Board further finds a reduction in the assessment of the subject property is warranted.

The appellant contends the market value of the subject property is not accurately reflected in its assessment. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3rd Dist. 2002). The Board finds the appellant has met this burden of proof and a reduction in the subject's assessment is warranted.

The appellant claimed the subject's assessment was not reflective of its fair market value based on an appraisal report, wherein the subject property was estimated to have a fair market value of \$87,000 as of January 23, 2003. The subject's assessment reflects an estimated market value of \$101,339, which is higher than the appraisal submitted by the appellant. The board of review argued the appellant's appraisal was dated January 1, 2003, outside of range to determine value for January 1, 2006. However, the board of review did not submit any independent valuation evidence to support its assessment of the subject property as of January 1, 2006 or current market evidence that would refute the value conclusion contained in the appellant's 2003 appraisal report as required by Section 1910.40(a) of the Official Rules of the Property Tax Appeal Board. (86 Ill.Adm.Code 1910.40(a)).

The Property Tax Appeal Board recognizes the dated appraisal submitted by the appellant, regardless of this meager value evidence or lack thereof by the board of review, the Board finds the best and only evidence of the subject's fair market value in this record is the appraisal submitted by the appellant for \$87,000 as of January 23, 2003. Thus, the Board finds removal of the equalization factor applied to the subject's assessment 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: August 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.