

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Jeffery Kadyk
DOCKET NO.: 06-02266.001-R-1
PARCEL NO.: 06-36.0-429-039

The parties of record before the Property Tax Appeal Board are Jeffery Kadyk, the appellant, and the Sangamon County Board of Review.

The subject property consists of an owner occupied residential dwelling located in Fancy Creek, Sangamon County, Illinois. The appellant submitted evidence before the Property Tax Appeal Board claiming the subject's assessment was not reflective of its fair market value. The appellant's evidence consists of page 2 of an appraisal report wherein the subject property was estimated to have a fair market value of \$232,000 as of March 15, 2003, using the cost and sales comparison approach to value. The appellant's evidence also disclosed the subject property was the matter of an appeal before the Property Tax Appeal Board in 2004 under docket number 04-02257.001-R-1. In that appeal, the Property Tax Appeal Board rendered a decision lowering the assessment of the subject property to \$81,444 based on the evidence and an agreement by the parties to the appeal. In addition, the appellant's evidence indicates equalization factors of 1.0577 for assessment year 2005 and 1.0511 for assessment year 2006 were applied to property in Fancy Creek Township.

The appellant argued the increase in the subject's assessed value over the past two years is not equal to the general housing market and the subject's 2006 assessed value is 17% higher than the 2003 appraisal. The appellant also contends the value of the subject property has decreased due to the close proximity of a sealed mine entrance. Based on this evidence, the appellant requested a reduction in the subject's assessed valuation.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$90,546 was disclosed. The subject's assessment reflects an estimated market value of \$271,910 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 did not provide enough

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

LAND:	\$	13,809
IMPR.:	\$	76,737
TOTAL:	\$	90,546

Subject only to the State multiplier as applicable.

proper evidence to determine the correctness of the 2006 assessment. 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 Appeal Board further finds no reduction in the assessment of the subject property is warranted.

The appellant claimed the subject's assessment was not reflective of its fair market value based on page 2 of an appraisal report, wherein the subject property was estimated to have a fair market value of \$232,000 as of March 15, 2003. The subject's assessment reflects an estimated market value of \$271,910 using Sangamon County's 2006 three year median level of assessment of 33.30%. The board of review argued the appellant did not provide enough proper evidence to determine the correctness of the 2006 assessment, but did not submit any independent valuation evidence to support its assessment of the subject property.

Regardless of this poor value evidence or lack thereof, the subject property was the matter of a 2004 appeal before the Property Tax Appeal Board under docket number 04-02257.001-R-1. In that appeal, the Property Tax Appeal Board rendered a decision lowering the assessment of the subject property to \$81,444 based on the weight and equity of the evidence. 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 on which a residence occupied by the owner is situated, such reduced assessment, **subject to equalization, shall remain in effect for the remainder of the general assessment period** (Emphasis Added) as provided in Sections 9-215 through 9-225, unless that parcel is subsequently sold in an arm's length transaction establishing a fair cash value for the parcel that is different from the fair cash value on which the Board's assessment is based, or unless the decision of the Property Tax Appeal Board is reversed or modified upon review. (35 ILCS 200/16-185)

Based on this statutory language, the Board finds its 2004 decision shall be carried forward to the subsequent assessment year(s) of the same general assessment period plus annual application of equalization factor(s). This finding is pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185). The Board finds the subject's final assessment for the 2006 assessment year reflects the Property Tax Appeal Board's 2004 decision plus application of equalization factors applied by

Sangamon County Assessment officials of 1.0577% in 2005 and 1.0511% in 2006.

Additionally, the record contains no evidence indicating the subject property sold in an arm's-length transaction subsequent to the Board's decision or that assessment year in question is a different general assessment period. The subject's quadrennial general assessment cycle began in 2003 and continues through 2006. As a result, the Property Tax Appeal Board finds the board of review's assessment of the subject property is in accordance with section 16-185 of the Property Tax Code (35 ILCS 200/16-185). For these reasons, the Board finds no reduction in the subject property's assessment is warranted.

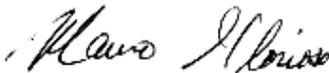
This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code.



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.