

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Phillip & Mary Stotz
DOCKET NO.: 06-02410.001-R-1
PARCEL NO.: 22-11.0-377-007

The parties of record before the Property Tax Appeal Board are Phillip and Mary Stotz, the appellants; and the Sangamon County Board of Review.

The subject property consists of a four unit apartment building constructed in 1979. The property is located in Springfield, Sangamon County.

The appellants claim overvaluation as the basis of the appeal. In support of this argument the appellants provided information on one comparable sale.¹ The appellants asserted the property was located across the street from the subject. A printout documenting the sale indicated the property was a 4 unit building constructed in 1981 that sold in for a price of \$109,500. The printout further indicated the property was not advertised for sale. On the petition the appellants did indicate the subject was purchased in December 2001 for a price of \$115,000. The evidence further revealed that the appellants 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.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject property's final assessment of \$41,071 was disclosed. In responding to the appellants' argument the board of review asserted the last sale of the subject occurred in December 2003 for a price of \$115,000. The board 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. Based upon the

¹ The appellants completed the appeal form incorrectly by including in Section IV data about the comparable sale. Section IV is supposed to include data about the sale of the subject property.

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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:	\$	3,182
IMPR.:	\$	37,889
TOTAL:	\$	41,071

Subject only to the State multiplier as applicable.

evidence submitted, the Board finds that a reduction in the subject's assessment is not supported.

The appellants contend the market value of the subject property is not accurately reflected in its assessed valuation. 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 appellants have not met this burden of proof and a reduction in the subject's assessment is not warranted.

The appellants provided information with respect to only one comparable sale to demonstrate the subject is overvalued. The Board finds the appellants provided very limited descriptive data about the comparable. There was no showing in this record that the comparable was similar to the subject in size, style, features, condition and income earning potential. Furthermore, the printout submitted by the appellants indicated the comparable was not advertised, which calls into question whether the sale was an arm's length transaction reflective of market value. The Board finds the appellants did not submit sufficient evidence to call into question the correctness of the subject's assessment based on a market value contention.

The Board finds both the appellants and the board of review reference a sale of the subject property in either December 2001 or December 2003 for a price of \$115,000. The Board finds the subject's assessment, which reflects a market value of approximately \$123,210, is not excess in light of the purchase that occurred from approximately 2 to 4 years prior to the assessment date at issue.

Based on this record the Board finds no change in the assessment of the subject property is justified.

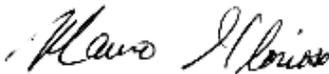
This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code.



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.