

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Kenneth Polo
DOCKET NO.: 07-00051.001-R-1
PARCEL NO.: 18-2-14-22-03-301-039

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

The subject property is improved with a one-story single family, owner occupied, dwelling of brick exterior construction that contains 1,524 square feet of living area. The dwelling was constructed in 1991. Features include a full basement, central air conditioning, a fireplace and a two-car attached garage. The property is located in Granite City, Chouteau Township, Madison County.

Pursuant to section 1910.90(i) of the rules of the Property Tax Appeal Board (86 Ill. Adm. Code 1910.90(i)) the Board takes notice that the subject property was the subject matter of an appeal before the Property Tax Appeal Board the prior year under docket number 06-00527.001-R-1. In that appeal the Property Tax Appeal Board rendered a decision lowering the assessment of the subject property to \$41,170 based on an agreement of the parties.

The appellant contends assessment inequity as the basis of the appeal. In support of this argument the appellant submitted information on four comparable properties described as one-story dwellings of brick construction that range in size from 1,336 to 1,707 square feet of living area. The comparable dwellings were constructed from 1960 to 1965. Two comparables have basements, each has central air conditioning, two have fireplaces and each has a garage. The appellant's evidence indicates the comparables have improvement assessments ranging from \$14.31 to \$23.38 per square foot of living area. The appellant indicated the subject's improvement assessment was \$25.04 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final equalized assessment totaling \$45,370 was disclosed. The board of review indicated a township

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

LAND:	\$	5,610
IMPR.:	\$	36,890
TOTAL:	\$	42,500

Subject only to the State multiplier as applicable.

equalization factor of 1.03220 was applied to the subject's township in 2007. The board of review submitted an analysis of the appellant's comparables disclosing they had equalized improvement assessments ranging from \$14.77 to \$22.81 per square foot of living area. The board of review also provided descriptions and assessment information on four comparable properties consisting of one-story dwellings that ranged in size from 1,324 to 1,798 square feet of living area. The dwellings were constructed from 1989 to 1993. Three of the comparables have basements, each has central air conditioning, two have fireplaces and each has a garage. These properties have equalized improvement assessments ranging from \$25.13 to \$29.80 per square foot of living area. The subject has an equalized improvement assessment of \$39,390 or \$25.85 per square foot of 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 this appeal. Pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185), the Board finds that the prior year's decision should be carried forward to the 2007 assessment year subject only to the township equalization factor applied to the 2007 assessments.

Section 16-185 of the Property Tax Code (35 ILCS 200/16-185) 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 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.

The record contains no evidence indicating the subject property sold in an arm's length transaction subsequent to the Board's decision for the 2006 assessment year or that the assessment year in question is in a different general assessment period. For these reasons the Property Tax Appeal Board finds that a reduction in the subject's assessment is warranted to reflect the Board's prior year's finding plus the application of the 2007 Chouteau Township equalization factor of 1.03220.

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.

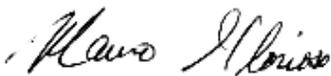


Chairman



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.