



**FINAL ADMINISTRATIVE DECISION  
ILLINOIS PROPERTY TAX APPEAL BOARD**

APPELLANT: John Shinn  
DOCKET NO.: 07-00175.001-R-1  
PARCEL NO.: 18-19-303-006-0040

The parties of record before the Property Tax Appeal Board are John Shinn, the appellant; and the Vermilion County Board of Review.

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

**LAND:** \$13,500  
**IMPR.:** \$70,200  
**TOTAL:** \$83,700

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of a 15,750 square foot parcel improved with a twelve year-old, one and one-half-story style brick and frame dwelling that contains 2,862 square feet of living area. Features of the home include central air conditioning, a fireplace, a two-car garage and a full unfinished basement. The subject is located in Danville, Blount Township, Vermilion County.

The appellant appeared before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellant submitted an appraisal of the subject property prepared by Merle K. Buss, an Illinois licensed real estate appraiser. The appraiser, who was present at the hearing and testified regarding the report's preparation, used only the sales comparison approach in estimating the subject's market value at \$250,000 as of January 1, 2007.

In the sales comparison approach, the appellant analyzed three comparables properties located 0.16 to 0.67 mile from the

subject. The comparable lots range in size from 15,000 to 23,522 square feet of land area and are improved with 1.5-story brick or brick and frame dwellings that are 9 or 15 years old and range in size from 2,400 to 3,053 square feet of living area. Features of the comparables include central air conditioning, a fireplace and three-car garages. One comparable has a full basement which has a recreation room and bath, while two comparables have crawlspace foundations. These properties sold between February and August 2006 for prices ranging from \$220,000 to \$260,000 or from \$82.87 to \$91.67 per square foot of living area including land. The appraiser adjusted the comparables' sales prices for such factors as exterior construction, room count, living area, foundation type, basement finish and garage size. After adjustments, the comparables had adjusted sales prices ranging from \$246,860 to \$253,270 or from \$82.92 to \$102.86 per square foot of living area including land. The appraiser acknowledged the subject's sale in December 2005 for \$260,000. The appraisal also included a detailed drawing of the subject dwelling indicating it contains 2,862 square feet of living area. Based on this evidence, the appellant requested the subject's assessment be reduced to \$83,333 reflecting the estimated market value found in his appraisal.

During the hearing, the appellant called Buss to testify regarding his knowledge of the local real estate market and to offer his opinion of the board of review's comparables' comparability to the subject. The witness testified one of the appraisal comparables is in the subject's subdivision, while two are in an adjacent subdivision. Buss testified these comparables bracket the subject's estimated market value and are all of good quality and in good condition.

Conversely, Buss testified the board of review's comparable 1 was built in 2003, is a lakefront property of superior quality to the subject and sold for \$310,000. The board of review's comparable 2 was built in 2006 and is located seven miles from the subject. The board of review's comparable 3 is eleven miles from the subject, was built in 2002 and has a full finished basement and a pole building. The witness further testified the market in the subject's neighborhood is declining. In support of this assertion, Buss noted his comparable 2 sold in 2000 for \$285,000, but sold again in 2006 for just \$260,000.

The board of review submitted its Board of Review Notes on Appeal wherein the subject's total assessment of \$86,666 was disclosed. The subject has an estimated market value of \$258,859 or \$90.45 per square foot of living area including land, as reflected by its assessment and Vermilion County's 2007 three-year median level of assessments of 33.48%.

In support of the subject's estimated market value, the board of review submitted a copy of the Real Estate Transfer Declaration documenting the subject's December 2005 sale for \$260,000, multiple listing detail sheets and a grid analysis of three comparable properties. As noted above, the comparables were

located 2 to 11 miles from the subject and consist of two-story or 1.5-story brick or brick and frame dwellings that range in age from 1 to 5 years and range in size from 2,645 to 2,860 square feet of living area. Features of the comparables include central air conditioning, a fireplace, garages that contain 576 or 864 square feet of building area and full or partial basements, two of which contain finished areas of 1,000 and 1,400 square feet, respectively. The comparables sold between July 2006 and May 2008 for \$270,000 or \$310,000 or from \$94.41 to \$110.71 square feet of building area. The board of review's grid indicated the subject contains 2,658 square feet of living area, but the board did not submit the subject's property record card or a drawing to support this contention. Based on this evidence, the board of review requested the subject's assessment be confirmed.

After hearing the testimony 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 Board further finds a reduction in the subject property's assessment is warranted. The appellant contends 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 (3<sup>rd</sup> Dist. 2002). The Board finds the appellant met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the appellant submitted an appraisal of the subject property wherein the appraiser estimated the subject's market value at \$250,000 as of January 1, 2007. The appraiser was present at the hearing and testified regarding the comparables he used as well as the comparables submitted by the board of review. The board of review submitted three comparables located 2 to 11 miles from the subject, while the appraiser's comparables were located near the subject. The appraiser testified the real estate market in the subject's neighborhood had declined slightly since the subject's sale in December 2005 for \$260,000. For example, he testified his comparable 2 sold in 2000 for \$285,000, but sold again in 2006 for just \$260,000. He also testified the board of review's comparables were superior to the subject in location and in various other ways. The appellant's appraiser made logical and well supported adjustments to the comparables he analyzed and his testimony was credible. For example, the appraiser's comparable 1 required a net adjustment of just \$270 after comparing it to the subject. Based on the foregoing analysis, the Property Tax Appeal Board finds the best evidence of the subject's market value as of its January 1, 2007 assessment date is found in the appellant's appraisal. Therefore, the subject's market value is \$250,000. Since market value has been established the Vermilion County 2007 three-year median level of assessments of 33.48% shall apply.

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.

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Chairman

*K. L. Ferr*

*Frank A. Huff*

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Member

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Member

*Mark Morris*

*Shawn P. Lerbis*

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Member

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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: April 23, 2010

*Allen Castrovillari*

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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.