



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

APPELLANT: Rona Maxedon
DOCKET NO.: 07-00391.001-R-1
PARCEL NO.: 14-09-352-002

The parties of record before the Property Tax Appeal Board are Rona Maxedon, the appellant, by attorney Clyde B. Hendricks in Peoria, and the Peoria 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 Peoria County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$6,280
IMPR.: \$57,324
TOTAL: \$63,604

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 10,560 square foot parcel improved with a bi-level duplex style dwelling of brick construction containing 2,826 square feet of living area. The subject was built in 1962 and features central air-conditioning, a fireplace, a partially finished basement and a two-car garage.

The appellant, through counsel, appeared before the Property Tax Appeal Board contending the market value of the subject property is not accurately reflected in its assessed valuation. In support of this overvaluation argument, the appellant submitted a grid analysis of three comparable sales and an analysis prepared by Vivian E. Hagaman, a licensed appraiser. One of the three comparable sales was located in the same neighborhood code as the subject, as assigned by the local assessor. The comparables were one-story or bi-level brick duplex dwellings that were built from 1964 to 1971. Each comparable had a two or three-car garage. Each comparable had a partial or full finished basement, with comparable #2 having a walk-out basement. The comparables ranged in size from 2,338 to 2,934 square feet of living area and had

sold from October 2000 to December 2004 for prices ranging from \$143,000 to \$176,000 or from \$52.45 to \$71.08 per square foot of living area, including land. The appellant submitted the final decision issued by the Peoria County board of review establishing a total assessment for the subject of \$65,590, which reflects a market value of approximately \$197,441 or \$69.87 per square foot of living area including land, using the 2007 three-year median level of assessments for Peoria County of 33.22% as determined by the Illinois Department of Revenue.

Appellant's counsel called Vivian E. Hagaman as a witness. Hagaman testified that she prepared the data in this appeal. She inspected the subject property. Hagaman testified that the sales ratio study depicts each comparable sale increased in market value from its purchase date from \$3 to \$7 per square foot. Hagaman testified that the subject's measurements are incorrect and that the subject contains 2,372 square feet of living area, as the subject has a garage area being counted as living area. Based on this evidence the appellant requested the subject's total assessment be reduced to \$51,662.

During cross-examination, Hagaman admitted that comparable sale #1 is within 0.5 miles from the subject with the other comparables being further in distance from the subject. Hagaman further acknowledged that her compensation was based on the outcome of the hearing.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$65,590 was disclosed. In support of the assessment, the board of review submitted a grid analysis and property record cards detailing three suggested comparable sales. The lot sizes for each comparable was 10,560 square feet, similar to the subject. The comparables are located in close proximity to the subject. The comparables were one-story, bi-level or split/tri-level homes built from 1960 to 1963. The homes ranged in size from 1,408 to 2,277 square feet of living area. Each of the comparables had a basement ranging from 704 to 1,008 square feet with each comparable having some finished area. Each comparable had a garage ranging from 480 to 520 square feet of building area. The homes sold from November 2005 to March 2007 for prices ranging from \$133,750 to \$141,500 or from \$62.14 to \$94.99 per square foot of living area, including land.

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 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 (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 Board finds the best evidence of the subject's size is the property record card which depicts the subject as having 2,826 square feet of living area. The appellant failed to dispute the size of the subject as shown on the property record card with substantive documentary evidence. The appellant in this appeal submitted three comparables sales. The Board gave little weight to the appellant's comparables because the sale dates were too remote in time to aid the Board in estimating the subject's market value in 2007. In addition, the Board gave little weight to Ms. Hagaman's testimony because her compensation is based on the outcome of the appeal. The board of review also submitted three comparable sales. The Board gave less weight to the board of review's comparables #2 and #3 because they were dissimilar in design and/or size when compared to the subject. The remaining comparable sold in November 2005 for \$62.14 per square foot of living area, including land. The subject's assessment reflects an estimated market value of approximately \$69.87 per square foot of living area including land, which is not supported by two of the three comparables submitted by the board of review or any of the comparables submitted by the appellant. While the Board finds that none of the comparables were truly similar to the subject, the Board finds the subject's assessment is excessive based on the comparables in this record. Based on this analysis, the Board finds the subject's estimated market value as reflected by its assessment is excessive.

In conclusion, the Board finds the appellant has demonstrated the subject property was overvalued by a preponderance of the evidence. Therefore, the Board finds the subject property's assessment as established by the board of review is not correct and a reduction 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.

Ronald R. Cuit

Chairman

K. L. Fern

Member

Frank A. Huff

Member

Mario M. Louie

Member

Shawn P. Lerski

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: July 23, 2010

Allen Castrovillari

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.