



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

APPELLANT: Chris Spicer
DOCKET NO.: 07-00440.001-R-1
PARCEL NO.: 09-21-177-009

The parties of record before the Property Tax Appeal Board are Chris Spicer, 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 no change 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: \$17,730
IMPR.: \$87,070
TOTAL: \$104,800

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 24,900 square foot parcel improved with a two-story dwelling of masonry construction built in 1989. The subject contains 2,630 square feet of living area. Features include central air-conditioning, a 576 square foot garage and a fireplace. The subject is described as having a grade of B+5 and in average condition.

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 Real Estate Transfer Declaration sheet depicting the subject's purchase in December 2005 for \$310,000. In addition, the appellant submitted the final decision issued by the Peoria County Board of Review establishing a total assessment for the subject of \$104,800, which reflects a market value of approximately \$315,473 or \$119.96 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. Based on this evidence, the appellant requested the subject's total assessment be reduced to \$103,330.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$104,800 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 comparables were two-story dwellings of frame construction built from 1980 to 1995. Two of the homes were located in the same neighborhood as the subject. The homes ranged in size from 2,692 to 3,248 square feet of living area. Each of the homes had central air-conditioning and a fireplace and each had a garage ranging from 506 to 807 square feet of building area. Each comparable had a basement ranging from 1,106 to 1,604 square feet. The comparables were described as having a grade of B+5, B+10 or A+5 and in good condition. The lot sizes of each comparable was not disclosed on the grid analysis. The homes sold from June 2006 to September 2007 for prices ranging from \$365,000 to \$440,000 or from \$132.44 to \$135.59 per square foot of living area, including land.

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 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 not met this burden of proof and a reduction in the subject's assessment is not warranted.

The Board finds the comparables submitted by the board of review were generally similar to the subject in most respects and sold from June 2006 to September 2007 for prices ranging from \$365,000 to \$440,000 or from \$132.44 to \$135.59 per square foot of living area, including land. The Board gave more weight in its analysis to the board of review's comparable #3 because of its size when compared to the subject. The lot size of each sales comparable submitted by the board of review was not disclosed, however, the appellant did not refute that the comparable lots were dissimilar to the subject's lot. The subject's assessment reflects a market value of approximately \$119.96 per square foot of living area including land, which is less than the range established by the similar comparables contained in this record. In addition, the record depicts the subject was purchased in December 2005 for \$117.87 per square foot of living area, including land, which is slightly less than its 2007 estimated market value. Based on this analysis, the Board finds the subject's estimated market value as reflected by its assessment is not excessive.

In conclusion, the Board finds the appellant has not 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 correct and a reduction is not 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 Morris

Member

Shawn R. Lerbis

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: June 18, 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.