FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Mary Ann Lankton
DOCKET NO.: 07-00467.001-R-1
PARCEL NO.: 13-24-102-009

The parties of record before the Property Tax Appeal Board are Mary Ann Lankton, 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:	$22,620
IMPR.:	$105,400
TOTAL:	$128,020

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a one-story, frame and brick dwelling containing 2,266 square feet of living area. The dwelling was built in 1999. Features include a basement with a finished area, central air conditioning, a fireplace and a garage.

The appellant did not submit page two of the appeal form on which an appellant declares the basis of appeal. The appellant submitted evidence before the Property Tax Appeal Board on both sale prices and assessments, and the Board assumes the appeal is based on both overvaluation and assessment equity.

In support of the overvaluation claim the appellant submitted sale or listing information on three comparable properties. The appellant's comparables consist of one-story dwellings of frame and brick construction. They were built in 1998 or 2001. They contain 2,455 to 3,475 square feet of living area. All have garages and central air conditioning, one or two fireplaces and basements, two of which are finished. The comparables sold from July 2001 to January 2005 for $313,000 to $465,000 or $118.47 to $133.81 per square foot of living area including land.

With respect to the appellant's contention of unequal treatment in the assessment process, the appellant submitted information on the same three comparable properties. The comparables have improvement assessments ranging from $36.63 to $42.09 per square foot of living area. The subject's improvement assessment is $46.51 per square foot of living area.

The appellant asked for and received multiple extensions to file additional evidence, but no additional evidence was received by the Board. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's assessment of $128,020 was disclosed. The subject's assessment reflects an estimated market value of $385,370 or $170.07 per square foot of living area including land using Peoria County's 2007 three-year median level of assessments of 33.22%.

In support of the subject's assessment the board of review presented descriptions, sale price information and assessment information on three comparable properties. All are one-story dwellings. According to their property record cards they are of frame and brick or frame and stone construction. They were built in 1998 or 2001 and have 2,093 to 2,312 square feet of living area. All have basements, garages and central air conditioning, and two have fireplaces. One of the basements has a finished recreation area. The board of review's comparables sold in April or September 2007 for $358,900 to $410,000 or $171.48 to $186.57 per square foot of living area including land. Their improvement assessments range from $43.57 to $46.77 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. The Board further finds a reduction in the subject's assessment is not warranted.

The appellant argued the subject is overvalued. When market value is the basis of the appeal, the value must be proved by a preponderance of the evidence. Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill. App. 3d 179, 183, 728 N.E.2d 1256 (2nd Dist. 2000). After an analysis of the evidence, the Board finds the appellant has not met this burden.

The record contains information on sales and assessments of six suggested comparable properties for the Board's consideration. With respect to the comparable sales, the appellant's comparables #1 and #3 sold more than three years before the assessment date, and the Board gives little weight to their sale prices in the Board's analysis. The appellant's comparable #2 has a living area much larger than the subject, and the Board also gives it reduced weight in the Board's analysis. The remaining three comparables are generally similar to the subject and sold for

$358,900 to $410,000 or $171.48 to $186.57 per square foot of living area including land. The subject's estimated market value of $385,370 or $170.07 per square foot of living area including land is well supported by these comparables. After considering the evidence the Board finds the appellant has not proven by a preponderance of the evidence that the subject is overvalued and no reduction is warranted on that basis.

The appellant also contended unequal treatment in the subject's improvement assessment as the basis of the appeal. Taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessment valuations by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). After an analysis of the assessment data, the Board finds the appellant has not met this burden either.

With respect to the assessment equity evidence, the appellant's comparable #2 is much larger than the subject, and the Board gives it little weight in the Board's analysis. The remaining comparables are generally similar to the subject and have improvement assessments that range from $36.63 to $46.77 per square foot of living area. The subject's improvement assessment of $46.51 per square foot of living area is within that range and is very close to the $46.26 and $46.77 per-square-foot improvement assessments of the two comparables closest to the subject in size. After considering adjustments and the differences in both parties' comparables when compared to the subject, the Board finds the subject's improvement assessment is equitable and a reduction in the subject's assessment is not warranted on that basis either.

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: December 3, 2010

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.