



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

APPELLANT: Joseph Belden
DOCKET NO.: 07-00665.001-R-1
PARCEL NO.: 14-33-110-004

The parties of record before the Property Tax Appeal Board are Joseph Belden, the appellant; 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: \$3,810
IMPR.: \$8,149
TOTAL: \$11,959

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 7,200 square foot parcel improved with a one and one-half story frame dwelling containing 1,028 square feet of living area that was built in 1930. Features include a partial unfinished basement, central air conditioning, and a detached one-car garage.

The appellant appeared before the Property Tax Appeal Board claiming overvaluation in the assessment process as the bases of the appeal. In support of this claim, the appellant submitted a grid analysis detailing four comparable properties and information regarding the subject's purchase price in 2003. The comparables are located within 11 blocks of the subject. They consist of one and one-half story frame dwellings built in 1929 or 1930. One of the homes has central air conditioning and a fireplace. The homes have basements ranging from 700 to 1,000 square feet with one home having at least some finished basement area. In addition, two of the homes have a garage or car port. The comparables range in size from 800 to 1,872 square feet of living area and sold for prices ranging from \$23,500 to \$42,500

or from \$22.70 to \$42.50 per square foot of living area, including land. The parcel size of each comparable was not disclosed. The subject was purchased in August 2003 for \$17,000 or \$16.57 per square foot of living area using 1,208 square feet of living area as reported by the board of review. The appellant claimed the subject contained 800 square feet of living area. 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 total assessment of \$15,700 was disclosed. The subject's assessment reflects a market value of approximately \$47,261 using the 2007 three year median level of assessments for Peoria County of 33.22% as determined by the Illinois Department of Revenue. In support of the subject's assessment, the board of review submitted a grid analysis detailing five suggested comparable properties and property record cards. The comparables are located within 0.48 miles from the subject. The comparables are bungalow style brick or frame dwellings that range from 78 to 83 years old. Four of the homes have central air conditioning, two have a fireplace, and four have a one or two-car garage. They have full or partial basements with three having some finished basement area. They have living areas ranging from 822 to 1,362 square feet and sold from December 2006 to December 2007 for prices ranging from \$55,000 to \$66,000 or from \$40.38 to \$76.03 per square foot of living area, including land. The comparables were adjusted for items such as basement finish, garage size, fireplaces, and fenced yards. They had adjusted sales prices ranging from \$52,000 to \$66,000. Based on this evidence, the board of review requested confirmation of its assessment.

After hearing the testimony and considering the evidence the Board finds that it has jurisdiction over the parties and the subject matter of this appeal.

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.2nd 1256 (2nd Dist. 2000). The Board finds the best evidence in this record supports a reduction.

The Board initially finds the subject contains 1,208 square feet of living area. The board finds the subject's property record card, which was unrefuted, is the best evidence of the subject's size. The Board gave little weight to the subject's 2003 purchase price because the sale is too remote in time to determine the subject's market value in 2007.

The Board finds the parties submitted nine sales comparables. The Board gave less weight to the board of review's sales comparables because they were not similar to the subject's design, exterior and/or location. In addition, various adjustments were made to the comparable sales, however, the board of review failed to submit supporting market or cost data to show

the adjustments were properly made. The Board also gave less weight to the appellant's comparable 4 because it was significantly larger than the subject. The Board finds the appellant's comparable 1, 2 and 3 were generally similar to the subject in design, age, location, exterior construction and most other features, even though they are described as being smaller than the subject. The most similar comparables sold for prices ranging from \$23,500 to \$34,000. The subject's total assessment reflects a market value of \$47,261, which is above this range. After considering adjustments and the differences in both parties' suggested comparables when compared to the subject property, the Board finds the subject's current per square foot improvement assessment is excessive in relation to its market value.

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 incorrect 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

Frank J. Grief

Member

Member

Mario M. Louie

Shawn R. Lerski

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: May 21, 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.