



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

APPELLANT: Derek Huff
DOCKET NO.: 07-00811.001-R-1
PARCEL NO.: 18-05-284-021

The parties of record before the Property Tax Appeal Board are Derek Huff, the appellant; 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: \$3,090
IMPR.: \$20,350
TOTAL: \$23,440

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 7,500 square foot parcel improved with a two-story dwelling of frame construction containing 2,200 square feet of living area. The subject was built in 1930 and contains a 712 square foot unfinished basement.

The appellant 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 located within one-quarter mile of the subject. The comparables were situated on lots ranging from 4,560 to 7,500 square feet of land area. The comparables were two-story frame dwellings that were either 97 or 107 years old. The comparables had partial unfinished basements and ranged in size from 1,512 to 2,303 square feet of living area. One comparable had central air-conditioning and a fireplace; and two had a garage. The comparables sold from September 2005 to April 2007 for prices ranging from \$7,800 to \$28,900 or from \$3.39 to \$19.11 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 \$23,440, which reflects a market value of approximately \$70,560 or \$32.07 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.

The appellant argued that the subject property was over assessed based on its condition. In support of this argument, the appellant submitted photographs depicting missing door jams, a hole in the ceiling, bare floors and a damaged bathroom door. Based on this evidence the appellant requested the subject's total assessment be reduced to \$9,330 to reflect a market value of approximately \$28,085.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$23,440 was disclosed. In support of the assessment, the board of review submitted a grid analysis, property record cards detailing three suggested comparable sales along with Multiple Listing Service ("MLS") sheets of the appellant's comparables. The sales comparables were two-story brick or frame dwellings built from 1914 to 1930 which were located in close proximity to the subject. Two of the comparables were located next door to the subject. The homes ranged in size from 1,612 to 1,680 square feet of living area. The comparables had partial unfinished basements; two had central air-conditioning and two had a fireplace. The subject was described as being in fair condition and each comparable was described as being in fair condition. The subject had a quality grade of "C" with the comparables having quality grades ranging from "C" to "C+5." The homes sold in either July or November of 2006 for prices ranging from \$72,000 to \$85,000 or from \$44.55 to \$50.60 per square foot of living area, including land.

The board of review argued that the appellant's comparable #1 was a foreclosure sale that was on the market only three days; comparable #2 was on the market 29 days and had heat and water turned off for a long period of time and comparable #3 was also a foreclosure sale. In support of these arguments, the board of review submitted MLS sheets. 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 the evidence in the record does not support a reduction in the subject's assessment.

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 appellant in this appeal submitted three comparables sales. The board of review also submitted three comparable sales. The Board gave less weight to the appellant's comparables because the size of comparable #1 was dissimilar to the subject and comparables #2 and #3 were much older than the subject along with comparable # 3 also being smaller than the subject. The Board also gave less weight to the board of review's comparable #1 because of its exterior construction which is different than the subject. The Board finds the boards of review's remaining comparables were more similar to the subject and received the greatest weight in the Board's analysis. These two properties sold in July 2006 for prices of \$72,000 and \$77,500 or \$44.55 and \$48.08 per square foot of living area, including land. The subject's assessment reflects a market value of approximately \$32.07 per square foot of living area including land, which is below each of these comparables. The Board recognizes each of these comparables is slightly superior to the subject, and the fact that the subject contains minor damage, which may account for the higher market values as reflected in the sales prices of comparables #2 and #3. 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.