



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

APPELLANT: Lara Aaron & William Johnson  
DOCKET NO.: 07-00822.001-R-1  
PARCEL NO.: 14-04-326-044

The parties of record before the Property Tax Appeal Board are Lara Aaron & William Johnson, the appellants; 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:** \$10,900  
**IMPR.:** \$62,430  
**TOTAL:** \$73,330

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property is improved with a two-story dwelling of frame and masonry construction containing 2,938 square feet of living area. The dwelling was built in 1957. It has central air conditioning, two fireplaces, a garage and a basement with a small finished area.

The appellants submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of the claim the appellant submitted information on the purchase of the subject in August 2005 for \$220,000. The information supplied by the appellants indicates the property was offered for sale through an MLS listing for nearly 500 days prior to sale. The appellants provided a property history detail that indicated the various listing prices for the subject from the time it first went on the market until purchased by the appellants. The appellants indicated the subject's "kitchens and baths have not been updated for decades." Based on this evidence, the appellants 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 \$84,080 was disclosed. The subject's assessment reflects an estimated market

value of \$253,101 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 and sale price information on four comparable properties. The board of review's comparables consist of one-story or two-story, frame, brick or frame and masonry dwellings that were built from 1960 to 1969. The dwellings have 2,476 to 3,000 square feet of living area. All have basements, central air conditioning, one or two fireplaces and garages. The board of review's comparables sold from March 2006 to October 2007 for \$257,000 to \$333,999 or \$85.67 to \$117.08 per square foot of living area including land. Based on this evidence, the board of review requested confirmation of the subject's assessment. The board of review did not provide any evidence to with regard to the arm's-length nature or relevance of the August 2005 sale of the subject. Based on this evidence, the board of review requested confirmation of the subject's assessment.

The appellants filed a letter and a remodeling estimate in rebuttal to the board of review's evidence. The appellants indicated the primary reason the subject is worth less than the board of review's properties is because the subject's kitchen and baths are outdated. The appellants indicated the kitchen is more than 30 years old and the baths date back to the original construction in the 1950s. The appellants indicated several contractors had quoted prices of \$80,000 to \$130,000 to modernize the subject's kitchen and baths, and the appellants provided a detailed, three-page, written estimate from one contractor with a total cost of \$82,641.72.

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 warranted.

The appellants 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 (2<sup>nd</sup> Dist. 2000). After an analysis of the evidence, the Board finds the burden has been met.

The appellants provided evidence of the purchase price of the subject in August 2005 to demonstrate that it is overvalued. The appellants' evidence indicates the subject was offered for sale through MLS listings for nearly 500 days at various descending prices before it was purchased for \$220,000. The appellants indicate the reason the subject sold for the price it did was because its kitchen and baths were outdated. The appellants provided a written estimate of more than \$82,000 to modernize the kitchen and baths. The board of review did not provide any evidence to refute the arm's-length nature of the sale or dispute the relevance of the sale.

The board of review provided evidence of the sales of four comparable properties in support of the subject's valuation. Comparable #1 is of a different design and is given little weight in the Board's analysis. The selling prices of comparables #2, #3 and #4 indicate they are not truly comparable to the subject. They sold for prices of \$102.78 to \$117.08 per square foot of living area. The subject sold for \$74.88 per square foot of living area. The board of review's comparable #4, which sold just seven months after the subject, sold for \$117.08 per square foot, 56 percent higher than the subject's per-square-foot selling price. The appellants attribute the lower value of the subject to the condition of the subject's kitchen and baths. The \$82,641.72 remodeling estimate supports the appellants' argument about the reason for the lowered value of the subject because adding that amount to the \$220,000 selling price would bring it in line with the selling prices of the board of review's comparables. The Board finds a preponderance of the evidence supports the appellants' requested assessment.

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: January 21, 2011

*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.