



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

APPELLANT: Kelli Kaestler
DOCKET NO.: 07-01017.001-R-1
PARCEL NO.: 18-04-177-020

The parties of record before the Property Tax Appeal Board are Kelli Kaestler, 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 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: \$1,980
IMPR: \$7,755
TOTAL: \$9,735**

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a one-story dwelling of frame construction containing 859 square feet of living area. The dwelling was built in 1923. Features of the home include a basement.

The appellant 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 three comparable properties. They were located in areas with different neighborhood numbers than the subject, and the appellant did not disclose their proximity to the subject. They consist of one-story or one and one-half story frame or brick and frame dwellings that were built from 1895 to 1958 and contain 960 to 1326 square feet of living area. All have basements. One has central air conditioning, and one has a garage. The comparables sold from June to August 2007 for prices ranging from \$14,000 to \$23,500 or \$11.11 to \$24.47 per square foot of living area including land. 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 \$10,380 was disclosed. The subject's assessment reflects an estimated market

value of \$31,246 or \$36.38 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 and sale price information on three comparable properties, one of which is located in an area with the same neighborhood number as the subject. The three comparables consist of one-story frame dwellings that were built from 1910 to 1931. The dwellings range in size from 809 to 939 square feet of living area. All have basements and garages, and two have central air conditioning. These properties sold from April to December 2007 for prices ranging from \$30,000 to \$35,000 or from \$34.08 to \$43.26 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal the appellant indicated some of the board of review's comparables have features superior to the subject and argued that it is unfair to compare owner-occupied homes with rental properties such as the subject.

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 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 a reduction is warranted.

The record contains six suggested comparable sales for the Board's consideration. Only board of review comparable #1 is located in an area with the same neighborhood number as the subject. Neither party identified how far the comparables are from the subject. The appellant's comparables #1 and #3 are one and one-half story dwellings unlike the subject. The appellant's comparable #2 is of a design that looks much different than the subject. Also, the appellant's comparables #1 and #2 are significantly larger than the subject. The Board finds the board of review's comparables are more similar to the subject in size and design. Also, the board of review's comparable #1 is the only comparable located in an area with the same neighborhood number as the subject, and the Board finds that it is the most similar to the subject overall. That comparable had a sale price of \$32,000 or \$34.08 per square foot of living area including land. The subject's assessment reflects an estimated value of \$31,246 or \$36.38 per square foot of living area including land. The appellant's estimated value of \$36.38 per square foot is above that of the most similar comparable located even though the comparable has a garage not enjoyed by the subject. It also is higher than the selling price of \$35.55 per square foot of living

area including land of the board of review's comparable #2, which is closest to the subject in size. After considering adjustments to the comparables for any differences when compared to the subject, the Board finds the subject's estimated market value is not supported 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. Guit

Chairman

Member

Mario M. Louie

Member

Member

William R. Loras

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: September 24, 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.