



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

APPELLANT: Merle Huff
DOCKET NO.: 07-01040.001-R-1
PARCEL NO.: 18-05-228-023

The parties of record before the Property Tax Appeal Board are Merle Huff, 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: \$ 1,380
IMPR.: \$ 13,120
TOTAL: \$ 14,500

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a one-story frame dwelling containing 904 square feet of living area that was built in 1925. Features include an unfinished basement and a garage.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this claim, the appellant indicated the subject property was purchased in March 2004 for \$5,545. The appeal petition indicates the property was sold by Peoria County; the buyer and seller were unrelated; and the property was advertised for sale through a local newspaper. The appellant did not submit any corroborating documentation detailing the terms of the sale, such as a sales contract, Real Estate Transfer Declaration or a settlement statement. 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 \$14,500 was disclosed. The subject's assessment reflects an estimated market value of \$43,648 or \$48.28 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 submitted property record cards and a market analysis of three comparable sales. One comparable is located in the subject's same assessment neighborhood code as defined by the local assessor. The comparables' proximate location in relation to the subject was not disclosed. The comparables consist of one-story frame dwellings that were built from 1925 to 1947 and range in size from 672 to 907 square feet of living area. One comparable has a partial finished basement, one comparable has an unfinished basement and one comparable does not have a basement. One comparable has central air conditioning and two comparables have a garage. The comparables sold from December 2004 to August 2006 for prices ranging from \$30,000 to \$52,000 or from \$44.64 to \$57.33 per square of living area including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant submitted Multiple Listing Sheets for the comparable sales submitted by the board of review. The appellant argued the comparables have updated features and are in superior condition when compared to the subject. The appellant also argued it is unfair to compare owner occupied dwellings to a rental dwelling, but failed to identify which comparables are owner occupied or rental dwellings.

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 no reduction in the subject's assessment is warranted.

The appellant argued the subject property 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 overcome this burden.

The Board gave little weight to the subject's 2004 sale price. The Board finds the sale is considered dated as the transaction occurred over two years prior to the subject's January 1, 2007 assessment date. Furthermore, the Board finds appellant did not submit any corroborating documentation detailing the terms of the subject's sale, such as a sales contract, Real Estate Transfer Declaration or a settlement statement.

The record also contains three suggested comparable sales submitted by the board of review for the Board's consideration. The Board gave less weight to comparables 1 and 2. These sales occurred in 2004 and 2005, which are considered less indicative of the subject's fair market value as of the January 1, 2007 assessment date. Furthermore, comparable 1 is smaller, newer and

does not have a basement, dissimilar to the subject. The board finds comparable 3 submitted by the board of review is most representative of the subject in age, size, style and features. This comparable sold for \$52,000 or \$57.33 per square foot of living area including land in August 2006. The subject's assessment reflects an estimated market value of \$43,648 or \$48.28 per square foot of living area including land, which is less than the most similar comparable contained in the record. After considering adjustments for any differences when compared to the subject, the Property Tax Appeal Board finds the subject's estimated market value as reflected by its assessment is supported and no 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

K. L. Fern

Member

Frank J. 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: December 3, 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.