



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

APPELLANT: Merle & Carol Huff
DOCKET NO.: 07-01052.001-R-1
PARCEL NO.: 14-27-327-007

The parties of record before the Property Tax Appeal Board are Merle & Carol Huff, the appellants, 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: \$ 3,730
IMPR.: \$ 18,550
TOTAL: \$ 22,280

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a one-story brick dwelling containing 792 square feet of living area that was built in 1944. Features include a unfinished basement and a garage.

The appellants submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this claim, the appellants submitted three comparable sales. The comparables are located in different assessment neighborhood codes than the subject as defined by the local assessor. In addition the comparables' proximate locations in relation to the subject were not disclosed. The comparables consist of one-story frame or brick and frame dwellings that were built from 1925 to 1930 and range in size from 740 to 836 square feet of living area. The comparables have unfinished basements and one comparable has central air conditioning. The comparables sold from November 2006 to April 2007 for prices ranging from \$30,000 to \$39,000 or from \$40.54 to \$50.51 per square of living area including land. 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 \$22,280 was disclosed. The subject's assessment reflects an estimated market value of \$67,068 or \$84.68 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, a location map and a market analysis of three comparable sales. The comparables are located directly behind the subject and within the subject's assessment neighborhood code as defined by the local assessor. The comparables consist of one-story brick dwellings that were built in 1944 and contain 798 square feet of living area. The comparables have unfinished basements, two comparables have central air conditioning and all the comparables have a garage. The comparables sold from July 2005 to September 2006 for prices ranging from \$69,900 to \$79,000 or from \$87.59 to \$99.00 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 appellants submitted Multiple Listing Sheets for the comparable sales submitted by the board of review. The appellants argued the comparables have updated features and are in superior condition when compared to the subject. The appellants argued the comparables are located on a quiet residential street while the subject is located on the busiest street in the City of Peoria. The appellants argued the board of review used an incorrect dwelling size from comparable 2 and it resold in 2008 for \$59,900. The appellants 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 appellants 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 appellants have not overcome this burden.

The record contains six suggested comparable sales for the Board's consideration. The Board gave less weight to the comparables submitted by the appellants. The appellants' comparables are located in different assessment neighborhood codes than the subject and the appellants failed to disclose the proximate location of the comparables in relation to the subject, which detracts from the weight of the evidence. The Board also

gave less weight to comparable 3 submitted by the board of review. This comparable sold in 2005, which is considered dated and less indicative of market value as of the subject's January 1, 2007 assessment date. The Property Tax Appeal Board finds the two remaining comparables submitted by the board of review are most similar to the subject in location, age, size, design, and features. They sold for prices ranging from \$72,000 and \$79,000 or \$90.23 and \$99.00 per square of living area including land. The subject's assessment reflects an estimated market value of \$67,068 or \$84.68 per square foot of living area including land, which is less than the most similar comparable sales contained in this record. After considering adjustments to the comparables for any differences when compared to the subject, including the subject's location on a busy street, 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 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: 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.