FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: KC & Linda Jones
DOCKET NO.: 07-01139.001-R-1
PARCEL NO.: 14-34-153-029

The parties of record before the Property Tax Appeal Board are KC & Linda Jones, 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 ***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:	$2,510
IMPR.:	$5,490
TOTAL:	$8,000

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a one-story frame dwelling containing 1,111 square feet of living area that was built in 1920. The dwelling has a full unfinished basement and an attic that is one-half finished.

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 submitted three suggested comparable sales. One of the comparables is located in the same assessment neighborhood code as the subject as defined by the township assessor; however, their proximity in relation to the subject was not disclosed. The comparables consist of one and one-half story frame dwellings that were built in 1910 or 1925. They contain from 1,293 to 2,046 square feet of living area and have unfinished basements. One comparable has central air conditioning and two comparables have a two-car garage. Comparable #3 was described as being a duplex. The comparables sold from December 2006 to August 2007 for prices of $14,500 or $17,000 or from $8.30 to $11.21 per square 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 $12,610 was disclosed. The subject's assessment reflects an estimated market value of $37,959 or $34.17 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 suggested comparable sales. The comparables are located in the same assessment neighborhood code as the subject; however, their proximity in relation to the subject was not disclosed. The comparables consist of one-story with finished attic or one and one-half story frame dwellings that were built from 1924 to 1928. They contain from 1,020 to 1,777 square feet of living area. Two comparables have unfinished basements and one has a basement that is partially finished. Two comparables have central air conditioning, two comparables have either one or two fireplaces and two comparables have either a 360 or a 704 square foot garage. The board of review described the comparables as being either in fair or fair plus condition while the subject is in fair condition. The comparables sold from August 2004 to August 2005 for prices ranging from $49,000 to $71,500 or from $40.24 to $48.04 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 argued that the comparables submitted by the board of review are superior when compared to the subject due to their additional amenities. 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 a 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 overcome this burden.

The record contains six suggested comparable sales for the Board's consideration. The Board gave less weight to the appellant's comparable #3 due to its dissimilar duplex design when compared to the subject's one-story with finished attic single family dwelling design. The Board gave less weight to the board of review's comparables due to their 2004 and 2005 sale

dates occurring more than 16 months prior to the subject's January 1, 2007 assessment date.

The Board finds the remaining two comparables are more similar to the subject in age, size, style and features. They sold in February 2007 and August 2007 for the price of $14,500 or from $10.11 to $11.21 per square of living area, including land. The subject's assessment reflects an estimated market value of $37,959 or $34.17 per square foot of living area including land, which is greater than the range established by the most similar sales in the record. After considering adjustments to the comparables 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 excessive and a reduction commensurate with the appellant's request 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.

Chairman

Member

Member

Member

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: October 21, 2011

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.