FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Richard & Bev Hayes
DOCKET NO.: 07-01148.001-R-1
PARCEL NO.: 14-33-153-002

The parties of record before the Property Tax Appeal Board are Richard & Bev Hayes, 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:	$3,130
IMPR.:	$16,380
TOTAL:	$19,510

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a one-story dwelling of frame construction containing 1,240 square feet of living area. The dwelling was built in 1930. Features include a basement and a garage.

The appellants submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. The appellants submitted evidence of the sale of the subject in March 2005. The appellants also submitted information on three comparable properties. They are located two to nine blocks from the subject. The appellants' comparables consist of one-story, one and one-half story and two-story frame dwellings. They were built from 1900 to 1919. They contain 1,032 to 1,500 square feet of living area. All have basements but lack garages. The comparables sold in January 2006 or March 2007 for $22,500 to $29,900 or $15.00 to $26.65 per square foot of living area including land using. 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 $19,510 was disclosed. The subject's assessment reflects an estimated market value of $58,730 or $47.36 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. They are located one to three blocks from the subject. They consist of one-story frame or brick dwellings that were built in 1920 or 1921. The dwellings have 1,137 to 1,304 square feet of living area. All have basements, garages and central air conditioning. The board of review's comparables sold from June 2007 to March 2008 for $56,000 to $80,000 or for $42.94 to $70.05 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal the appellants submitted listing sheets related to two of the board of review's comparable properties and highlighted differences between the subject and the board of review's comparables. The appellant also argued 2008 comparables should not be used. The appellants also 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 not 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 (2nd Dist. 2000). After an analysis of the evidence, the Board finds the appellants have not met this burden.

There is a slight difference between the parties in the claimed size of the living area of the subject. The Board finds it is 1,240 square feet based on the assessment data sheet provided by the board of review. The sale of the subject 21 months prior to the January 2007 assessment date is remote in time from the assessment date, especially considering the comparable sales that are closer to the assessment date. The record contains six suggested comparable sales for the Board's consideration. They are similar to the subject in size and location, but two of the appellant's comparables are of different design. The appellants' comparables lack garages enjoyed by the subject, while the board of review's comparables have central air conditioning the subject lacks. The six comparables had selling prices of $22,500 to $80,000 or $15.00 to $70.05 per square foot of living area including land. The subject's estimated market value of $58,730 or $47.36 per square foot of living area including land lies well within that range. After considering the evidence the Board finds the appellants have not proven by a preponderance of the evidence that the subject is overvalued 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.

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 22, 2010

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.