FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: David Fehr
DOCKET NO.: 07-01232.001-R-1
PARCEL NO.: 18-04-181-009

The parties of record before the Property Tax Appeal Board are David Fehr, 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:	$2,280
IMPR.:	$17,170
TOTAL:	$19,450

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of an 87 year-old, two-story frame, four-plex style dwelling that contains 2,340 square feet of living area. Features of the home include a partial unfinished basement.

In writing, the appellant's counsel presented no objection to a decision in this matter being rendered on the evidence submitted in the record. Therefore, the decision of the Property Tax Appeal Board contained herein shall be based upon the evidence contained in and made a part of this record.

The appellant through counsel submitted evidence to the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellant submitted a grid analysis of three comparable sales with applicable Multiple Listing Service sheets. The comparables consist of a one and one-half-story and two, two-story frame or masonry cape or old style dwellings that were built between 1912 and 1928. The dwellings range in size from 1,121 to 1,400 square feet of living

area. Each comparable has an unfinished basement and one comparable has central air conditioning; two comparables have a fireplace and one comparable has a two-car garage. These properties sold between November 2006 and January 2007 for prices ranging from $21,000 to $30,600 or from $15.00 to $22.76 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to $10,400 or a market value of approximately $31,200.

The board of review submitted its Board of Review Notes on Appeal wherein the subject's total assessment of $19,450 was disclosed. The subject's assessment reflects an estimated market value of $58,549 or $25.02 per square foot of living area, land included, using the 2007 three-year median level of assessments for Peoria County of 33.22%.

In support of the subject's estimated market value as reflected by its assessment, the board of review submitted a grid analysis of three comparable properties along with property record cards. The comparables were located in the same assessor's assigned neighborhood code as the subject. The comparables consist of two-story frame, brick or masonry, old style dwellings that were built in 1914 or 1922. The dwellings range in size from 1,760 to 3,124 square feet of living area. Each comparable had an unfinished basement and one comparable had central air conditioning; two comparables have a fireplace and two comparables have garages that contain 396 and 440 square feet of building area each. These properties sold between November 2005 and June 2006 for prices ranging from $65,000 to $245,000 or from $36.93 to $78.43 per square foot of living area including land. Based on this evidence, the board of review requested the subject's estimated market value as reflected by its assessment be confirmed.

In rebuttal, the appellant argued the subject property is a four-plex whereas the comparables presented by the board of review were all single family dwellings. Appellant also noted comparable #1 was two miles distant in the East Bluff and comparable #2 was said to be in an "area of prestigious homes."

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 Property Tax Appeal Board further finds no reduction in the subject property's assessment is warranted.

The appellant contends the assessment of the subject property is excessive and not reflective of its market value. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3rd Dist. 2002). The Board finds the evidence in the record does not support a reduction in the subject's assessment.

The Board finds the parties submitted six comparables for its consideration. There is no indication that either party presented four-plex or any multi-family comparables like the subject. The Board gave less weight to the appellant's comparables and board of review comparable #3 because each was substantially smaller than the subject dwelling. The Board finds the board of review's comparables #1 and #2 were most similar to the subject in size, design, and age and sold for prices of $41.08 and $78.43 per square foot of living area, land included. The subject's estimated market value as reflected by its assessment of $58,549 or $25.02 per square foot of living area falls well below this range. After considering the most comparable sales on this record along with adjustments and differences in both parties' comparables when compared to the subject, the Board finds the appellant did not demonstrate the subject property's assessment to be excessive in relation to its market value and a reduction in the subject's assessment is not warranted on this record.

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: August 20, 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.